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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SECOND PERIOD

Governor-General
Her Excellency the Hon. Quentin Bryce AC, CVO

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—Mr Russell Evan Broadbent MP,
Mr Ian Reginald Goodenough MP, Mrs Natasha Louise Griggs MP,
Mr Craig Kelly MP, Hon. Charles Christian Porter 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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Members of the House of Representatives

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<td>Forde, QLD</td>
<td>LP</td>
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<tr>
<td>Varvaris, Mr Nickolas</td>
<td>Barton, NSW</td>
<td>LP</td>
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<tr>
<td>Vasta, Mr Ross Xavier</td>
<td>Bonner, QLD</td>
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<tr>
<td>Watts, Mr Timothy Graham</td>
<td>Gellibrand, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Whiteley, Mr Brett David</td>
<td>Braddon, TAS</td>
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<tr>
<td>Wicks, Mrs Lucy Elizabeth</td>
<td>Robertson, NSW</td>
<td>LP</td>
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<th>Division</th>
<th>Party</th>
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</thead>
<tbody>
<tr>
<td>Wilkie, Mr Andrew Damien</td>
<td>Denison, TAS</td>
<td>IND.</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>
<tr>
<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Wyatt, Mr Kenneth George AM</td>
<td>Hasluck, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
<td>ALP</td>
</tr>
</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

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- 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
<table>
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<th>Minister</th>
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<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon. Tony Abbott MP</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon. Nigel Scullion</td>
</tr>
<tr>
<td> Minister Assisting the Prime Minister for 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>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon. Josh Frydenberg MP</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon. Alan Tudge MP</td>
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<tr>
<td>Minister for Infrastructure and Regional Development</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>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon. Julie Bishop MP</td>
</tr>
<tr>
<td>Minister for Trade and Investment</td>
<td>The Hon. Andrew Robb AO MP</td>
</tr>
<tr>
<td> Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>Senator the Hon. Brett AO MP</td>
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<tr>
<td>Minister for Employment</td>
<td>Senator the Hon. Eric Abetz</td>
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<tr>
<td> (Leader of the Government in the Senate)</td>
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<tr>
<td> Assistant Minister for Employment</td>
<td>The Hon. Luke Hartsuyker MP</td>
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<tr>
<td> (Deputy Leader of the House)</td>
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<tr>
<td>Attorney-General</td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td>Minister for the Arts</td>
<td>Senator the Hon. George Brandis QC</td>
</tr>
<tr>
<td> (Vice-President of the Executive Council)</td>
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<tr>
<td> (Deputy Leader of the Government in the Senate)</td>
<td>The Hon. Michael Keenan MP</td>
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<tr>
<td>Minister for Justice</td>
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<tr>
<td>Treasurer</td>
<td>The Hon. Joe Hockey MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>The Hon. Bruce Billson MP</td>
</tr>
<tr>
<td> Assistant Treasurer</td>
<td>Senator the Hon. Arthur Sinodinos AO</td>
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<tr>
<td> Parliamentary Secretary to the Treasurer</td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td>Minister for Agriculture</td>
<td>The Hon. Barnaby Joyce MP</td>
</tr>
<tr>
<td> Parliamentary Secretary to the Minister for Agriculture</td>
<td>Senator the Hon. Richard Colbeck</td>
</tr>
<tr>
<td>Minister for Education</td>
<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>
<td> Parliamentary Secretary to the Minister for Education</td>
<td>Senator the Hon. Scott Ryan</td>
</tr>
<tr>
<td>Minister for Industry</td>
<td>The Hon. Ian Macfarlane MP</td>
</tr>
<tr>
<td> Parliamentary Secretary to the Minister for Industry</td>
<td>The Hon. Bob Baldwin MP</td>
</tr>
<tr>
<td>Minister for Social Services</td>
<td>The Hon. Kevin Andrews MP</td>
</tr>
<tr>
<td> Assistant Minister for Social Services</td>
<td>Senator the Hon. Mitch Fifield</td>
</tr>
<tr>
<td> (Manager of Government Business in the Senate)</td>
<td>Senator the Hon. Marise Payne</td>
</tr>
<tr>
<td> Minister for Human Services</td>
<td>Senator the Hon. Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td> Parliamentary Secretary to the Minister for Social Services</td>
<td>The Hon. Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Communications</td>
<td>The Hon. Malcolm Turnbull MP</td>
</tr>
<tr>
<td> Parliamentary Secretary to the Minister for Communications</td>
<td>The Hon. Paul Fletcher MP</td>
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<tr>
<td>Minister for Health</td>
<td>The Hon. Peter Dutton MP</td>
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<tr>
<td>Minister for Sport</td>
<td>The Hon. Peter Dutton MP</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>Title</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon. David Johnston</td>
</tr>
<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon. Stuart Robert MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon. Darren Chester MP</td>
</tr>
<tr>
<td><strong>Minister for the Environment</strong></td>
<td>The Hon. Greg Hunt MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>Senator the Hon. Simon Birmingham</td>
</tr>
<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>The Hon. Scott Morrison MP</td>
</tr>
<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon. Mathias Cormann</td>
</tr>
<tr>
<td>Special Minister of State</td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Finance</td>
<td>The Hon. Michael McCormack MP</td>
</tr>
</tbody>
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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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<tr>
<th>Title</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td>Hon Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon Jacinta Collins</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Hon Michael Danby MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition</td>
<td>Hon Tanya Plibersek MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
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<tr>
<td>Shadow Minister for Women</td>
<td>Senator Claire Moore</td>
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<tr>
<td>Manager of Opposition Business (Senate)</td>
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<tr>
<td>Shadow Minister for the Centenary of ANZAC</td>
<td>Senator the Hon Don Farrell</td>
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<tr>
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<td>Hon Matt Thistlethwaite MP</td>
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<td>Senator the Hon Penny Wong</td>
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<td>Senator the Hon Stephen Conroy</td>
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<tr>
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<td>Hon David Feeney MP</td>
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<tr>
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<td>Senator the Hon Don Farrell</td>
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<tr>
<td>Shadow Parliamentary Secretary for Defence</td>
<td>Gai Brodtmann MP</td>
</tr>
<tr>
<td>Shadow Minister for Infrastructure and Transport</td>
<td>Hon Anthony Albanese MP</td>
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<tr>
<td>Shadow Minister for Tourism</td>
<td>Hon Julie Collins MP</td>
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<tr>
<td>Shadow Minister for Regional Development and Local Government</td>
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<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Infrastructure</td>
<td>Stephen Jones MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for External Territories</td>
<td>Hon Warren Snowdon MP</td>
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<tr>
<td>Shadow Treasurer</td>
<td>Hon Chris Bowen MP</td>
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<tr>
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<td>Hon Dr Andrew Leigh MP</td>
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<tr>
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<tr>
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<td>Hon Bernie Ripoll MP</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Shadow Minister for Environment, Climate Change and Water</td>
<td>Hon Mark Butler MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for the Environment, Climate Change and Water</td>
<td>Senator Louise Pratt</td>
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<tr>
<td>Shadow Minister for Higher Education, Research, Innovation and Industry</td>
<td>Senator the Hon Kim Carr</td>
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<tr>
<td>Shadow Minister for Vocational Education</td>
<td>Hon Sharon Bird MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Manufacturing</td>
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<tr>
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<td>Title</td>
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<tr>
<td>Shadow Attorney General</td>
<td>Hon Mark Dreyfus QC MP</td>
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<td>Shadow Minister for the Arts</td>
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<tr>
<td>Deputy Manager of Opposition Business (House)</td>
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<tr>
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<tr>
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<tr>
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<tr>
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<tr>
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<tr>
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<td>Hon Matt Thistlethwaite MP</td>
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<tr>
<td>Shadow Minister for Indigenous Affairs</td>
<td>Hon Shayne Neumann MP</td>
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<tr>
<td>Shadow Minister for Ageing</td>
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<tr>
<td>Shadow Parliamentary Secretary for Indigenous Affairs</td>
<td>Hon Warren Snowdon MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Aged Care</td>
<td>Senator Helen Polley</td>
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<tr>
<td>Shadow Minister for Employment and Workplace Relations</td>
<td>Hon Brendan O’Connor MP</td>
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  Australian Civilian Corps Amendment Bill 2013—
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Tuesday, 11 February 2014

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

BILLs

Grape and Wine Legislation Amendment (Australian Grape and Wine Authority) Bill 2013
Primary Industries (Customs) Charges Amendment (Australian Grape and Wine Authority) Bill 2013
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Import Processing Charges Amendment Bill 2013
Primary Industries (Customs) Charges Amendment Bill 2013
Primary Industries (Excise) Levies Amendment Bill 2013
Rural Research and Development Legislation Amendment Bill 2013
Australian Capital Territory Water Management Legislation Amendment Bill 2013
Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013

Assent

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

COMMITTEES

Foreign Affairs, Defence and Trade Joint Committee
Intelligence and Security Committee

Membership

The SPEAKER (12:01): I have received messages from the Senate:

(1) informing the House that Senator Ludwig has been discharged from the Joint Standing Committee on Foreign Affairs, Defence and Trade and Senator Bishop has been appointed a member of the committee; and

(2) informing the House that Senators Bishop, Eggleston, Fawcett, Faulkner and Ludwig have been appointed members of the Parliamentary Joint Committee on Intelligence and Security.
BILLS
Commonwealth Electoral Amendment (Above the Line Voting) Bill 2013

Reference to Committee

The SPEAKER (12:01): Order! I have received the following message from the Senate:

(1) informing the House of the following resolution agreed to by the Senate:

That—

(a) the Commonwealth Electoral Amendment (Above the Line Voting) Bill 2013 be referred to the Joint Standing Committee on Electoral Matters for inquiry and report; and

(b) in conducting an inquiry, the Joint Standing Committee on Electoral Matters have the power to consider and use any evidence submitted to the Senate Finance and Public Administration Committee in relation to its inquiry into the Commonwealth Electoral Amendment (Above the Line Voting) Bill 2013.

COMMITTEES

Intelligence and Security Committee

Report

Mr TEHAN (Wannon) (12:02): On behalf of the Parliamentary Joint Committee on Intelligence and Security, I present the committee's report entitled Review of the listing of Jabhat al-Nusra and the re-listing of six terrorist organisations; and Review of the re-listing of al-Qa'ida in the Arabian Peninsula.

Report made a parliamentary paper in accordance with standing order 39(e).

Mr TEHAN: by leave—The report reviews the initial listing of the terrorist organisation known as Jabhat al-Nusra and the re-listing of seven previously listed terrorist organisations under the Criminal Code.

Regulations listing these organisations were tabled in the House of Representatives and the Senate on 12 November and 2 December 2013. The disallowance period of 15 sitting days for the committee's review of the regulations tabled on 12 November requires the committee to report to the parliament by today, 11 February 2014.

I will now take this opportunity to outline the committee's findings in relation to each organisation. As mentioned, this is the first listing of Jabhat al-Nusra.

Jabhat al-Nusra plans and conducts attacks in Syria against individuals and groups perceived to be supporting the regime of President Bashar al-Assad. Its attacks include security and military targets using improvised explosive devices (IEDs), sniper and small-arms attacks, as well as kidnapping and torture. Jabhat al-Nusra targets urban areas, resulting in indiscriminate civilian attacks. The group has been responsible for numerous attacks since it announced its existence via a video statement on 6 January 2012.

Of particular concern to the committee were reports of Jabhat al-Nusra's recruitment of Australians to fight in Syria, as well as the suggestion that it is deliberately recruiting and training foreigners to go back to conduct terrorist attacks in their own countries. The committee therefore supports the listing of Jabhat al-Nusra as a terrorist organisation and does not recommend disallowance of the regulation.
With regard to the organisations being re-listed, this is the fifth re-listing of al-Qaeda, Jemaah Islamiah, al-Qaeda in the Lands of the Islamic Maghreb, Jamiat ul-Ansar and the Abu Sayyaf Group; and the first re-listing of Al-Qaeda in the Arabian Peninsula. In each case, the committee was satisfied that the groups continue to engage in terrorist activities which could be a threat to Australians or Australian interests either here in Australia or overseas. The committee therefore supports their ongoing listing as terrorist organisations and does not recommend disallowance of the regulation for each of these groups.

I would also like to particularly mention the Islamic State of Iraq and the Levant. This group has been listed since 2005 under different names including, most recently, Al-Qaeda in Iraq.

In December 2013 the government took the decision to re-list the organisation under the name Islamic State of Iraq and the Levant. The committee was informed that this was to reflect the expansion of the group's activities into Syria, with the change of name not reflecting a change in leadership, membership or methods of operation. Described to the committee as 'one of the world's deadliest and most active terrorist organisations', the Islamic State of Iraq and the Levant conducts daily, often indiscriminate attacks. It targets crowds and public gatherings to maximise casualties and publicity. Of additional concern to the committee were reports that the group actively recruits Australians who have travelled to Syria to fight.

The committee notes that the regulation reflecting the change of name to the Islamic State of Iraq and the Levant is to be tabled in the House this Thursday. The committee supports the re-listing of this organisation and does not recommend disallowance of the regulation.

I would like to take the opportunity to thank my fellow committee members for making themselves available to complete this review in the short period between the establishment of the committee and the end of the disallowance period today. I also acknowledge the support of the secretariat in ensuring this work was done in a timely manner. I commend the reports to the House.

Public Works Committee Report

Mrs ANDREWS (McPherson) (12:08): On behalf of the Parliamentary Standing Committee on Public Works, I present two reports.

Reports made a parliamentary papers in accordance with standing order 39(e)

Mrs ANDREWS: by leave—The reports are Report 1/2014, Proposed integrated fit-out of new leased premises for the Australian Taxation Office at the site known as Site 5 and 6, the Revitalised Central Dandenong Project, Dandenong and the 77th Annual Report (2013).

The first report addresses the proposed fit-out of new leased premises in Dandenong for the Australian Taxation Office at an estimated cost of $21.3 million. The second report is the committee's 77th annual report which outlines the committee's activities during the calendar year 2013.

I will speak first to the report that addresses office accommodation for the ATO in Dandenong. The key objective of the project is to provide office space that meets the ATO's
The lease on the ATO's current premises in Dandenong expires at the end of 2015. The current premises are ageing, and cannot be economically upgraded to meet the ATO's needs. The proposal is for ATO office accommodation to be located in newly built leased premises that are to be located in the centre of Dandenong, close to the ATO's current offices.

The new building will provide the ATO with 12,600 square metres of office space and will accommodate around 900 staff. The building has been designed to comply with Commonwealth energy rating standards, and meet density ratio targets. This proposal allows the ATO to update its office accommodation while retaining a presence in Dandenong. The location is close to public transport hubs, amenities and other government agencies. Furthermore, the ATO will continue to benefit from the availability of a skilled and experienced workforce already present in the area.

The committee is satisfied that the ATO has fully considered feasible options for the ongoing provision of office accommodation in Dandenong, and that the selected option is a practical solution that represents value for money for the Commonwealth. The committee recommends that the House of Representatives agree to the works proceeding.

The year 2013 was a busy and eventful year for the committee. The committee reported on 14 works before dissolution of the parliament ahead of the September election. The combined cost of the approved works was $1.6 billion. In 2013, the committee also approved 35 medium works projects. These are projects with individual budgets of between $2 and $15 million. The combined cost of all medium works was $306.7 million.

There are a few matters covered in the report that I would like to highlight. The committee takes very seriously its obligation to consider and report on each work as quickly as possible. In 2013, the average time from the referral of a work to tabling the report was around 12 weeks.

However, when warranted, the committee can expedite its consideration. The committee's handling of its inquiry into Defence's remediation of the multinational base at Tarin Kot is a case in point. The committee completed its inquiry and was able to report back to the parliament in only three weeks. The Tarin Kot inquiry also demonstrates the committee's capacity to handle inquiries into security sensitive projects.

During 2013 the committee received a number of post-implementation reports. These reports are provided by agencies on completion of projects that have been approved by the committee. The reports let the committee know whether projects have been completed on time and within budget. A summary of the information for each project is published on the committee's webpage. A list of post-implementation reports received in 2013 is in an appendix of the report.
Finally, it would be remiss of me not to mention that 2013 was a significant year for the committee, marking 100 years since the federal public works committee was established. In 1913, when introducing the bill for a federal public works committee, the then Prime Minister, Mr Joseph Cook, commented on the need to have a mechanism to ensure more efficient spending of money on public works. In Mr Cook's words, the public works committee was to be the 'eyes and ears of the parliament'. Just as it always has in the past, today's committee continues to perform this function with diligence and integrity.

I thank the secretariat, in particular, for their diligence and their support of the work of the committee. I acknowledge and thank members of the public works committee, past and present, for their endeavours. I commend both reports to the House.

**BILLS**

**Telecommunications Legislation Amendment (Consumer Protection) Bill 2013**

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Ms ROWLAND (Greenway) (12:14): I am delighted to be speaking on the first substantive bill before this House for the year on the very important issue of consumer protection in the telecommunications framework in Australia. It is one in which I have an abiding interest from practical experience working as a telecommunications regulatory specialist both within a firm and as an in-house counsel. These amendments reflect some critical changes that were proposed by the Labor government and reflect a very precise and a very diligent process of consultation with a wide variety of stakeholders within industry.

The Telecommunications Legislation Amendment (Consumer Protection) Bill 2013 covers a number of very important matters, including the do-not-call requirements, the Telecommunications Industry Ombudsman and the codes process. I think it is important to return to first principles and this bill is about reflecting what was meant to be achieved in legislation by what is called a co-regulatory scheme, which governs the Telecommunications Act, its related acts and also its instruments.

The co-regulatory scheme is quite unique in Australia. It is an ideal model in many ways for an area which is dynamic and one in which there is sectoral governance by a number of interest groups. Often network industries employ this approach. In order to work, in order to have compliance, it really needs multiparty buy-in, it must be capable of implementation and it must be capable of being updated. I think that this bill really reflects all of those attributes.

These are sensible amendments proposed in this bill. In many ways, they reflect standard practice in the telecommunications space. It has been a consultative process that has led to this point. The Senate reported in June last year on the various items in this bill and recommended that the bill proceed essentially the same but with a minor but important commitment on the co-development process. That has been incorporated in this bill as a recommendation from the Senate report.

It is very useful to go part 6 of the Telecommunications Act to remind ourselves about the importance of self-regulation and the self-regulatory environment under the industry codes and standards. It is very useful to reflect on section 112 of the Telecommunications Act,
which contains a statement of regulatory policy. This has been a longstanding provision within the legislation. It states:

The Parliament intends that bodies or associations that the ACMA—

is satisfied represent sections of the telemarketing industry should develop codes … that are to apply to participants in the respective sections of the industry …

Again, that reflects the co-regulatory structure. I will skip to subsection (2) because it is important to reflect on the regulator exercising its powers. It states that the regulator will:

.. act in a manner that, in the opinion of the ACMA, enables public interest considerations to be addressed in a way that does not impose undue financial and administrative burdens on participants in sections of the telecommunications industry …

It goes to other industries within the sector as well. These are not novel principles when we hear a lot of talk about removing red tape; these are the principles that have long stood within the sector and have long stood as best practice not only in theory but also in reality.

Subsection (3) in this statement of regulatory policy sets out a very useful test for determining whether public interest considerations are being addressed in a way that does not impose undue financial and administrative burdens. Some of the things that the regulator needs to have regard to include:

(a) the number of customers who would be likely to benefit from the code or standard—

that is developed under these provisions and—

(b) the extent to which those customers are residential or small business customers; and

(c) the legitimate business interests of participants in sections of the … industry; and

(d) the public interest, including the public interest in the efficient, equitable and ecologically sustainable supply of:

(i) carriage services; and

(ii) goods for use in connection with carriage services; and

(iii) services for use in connection with carriage services …

Having taken all that into account, I think it is wise to have a look at the code scheme and what these precise arrangements mean in practice. The way that the self-regulatory rules operate within these provisions is that compliance with an industry code is voluntary unless directed. That is summarising it, but it is an area which is criticised—and I will go to some of the criticisms that have been made in one particular document. It is certainly consistent with the statement of the regulatory policy.

It has been very useful to have these codes develop not only as provisions to enable consumers to know their rights when interacting with carriers or carriage service providers; these codes also operate as default mechanisms for many intercarrier arrangements and access agreements, setting the minimum standards that apply to consumers as well as to industry. You will see that in many contracts that occur between participants in the industry, those contracts will often defer to the code and have had the effect in the past of minimising disputes but also enabling the implementation of new aspects of innovation to work well.

By no means is Australia novel in this respect. We have seen the adoption of innovations such as number portability—be it local number portability, mobile number portability or free
phone number portability—and the predictability that arose out of developing an industry code certainly worked well in the implementation of the underlying networks and IT structures that needed to happen so that industry participants could cooperate. But in the end of course it served consumers well. Mobile number portability in Australia across the various forms has been working well for over 10 years now in many aspects of our telecommunications framework.

I now turn to some of the most important aspects of the changes proposed in this bill. One of the most important aspects, and one that I think is very welcomed by the industry, is that where a variation is taking place in the future in a code there is not a need to replace the code in its entirety. The industry can choose to vary that particular component rather than having to completely replace a code. In some cases, this lack of flexibility in the past has led to a number of items being, as you would put it, 'parked' and dealt with at a later date so that the industry did not have to open up what would often be a very cumbersome process. So in a very practical sense, opening up the code process means that not only are you able to deal with issues that are most pertinent but also you are able to do this in a much more efficient manner.

It is important to note that it is proposed under this bill that publication of code variations can be made on the website of the relevant industry group—which was not there in the past—which certainly contributes to the transparency of this process and enables industry to have a much broader understanding of the issues being faced in particular areas of the sector. Another important one is where a draft variation is minor in nature and the requirements for publication do not apply. Examples of minor things might be updating references, including references to instruments which may already have been amended. Those sorts of things do not need to be subject to the publication rules—again, a much more efficient way of doing things by waiving variations if they are minor in nature. These are all very sensible changes.

In an era when we seem to be talking a lot about red tape reduction, I note that section 120 has not been substantially amended. There were some minor changes in 2000, when the privacy provisions came in and the name changed following the new regulator being established, but otherwise there has been nothing substantive. Nevertheless, I am very pleased that these provisions will be enacted. I know the industry certainly welcomes them and I think that all these will, in the end, contribute to a much more positive user experience, and for that we should welcome them.

I want to highlight some of the criticisms of the self-regulatory scheme because, while I do not agree with them entirely, they are worth mentioning. In particular, I would like to mention a paper commissioned by Choice in 2008. Consumer protection in the communications industry: moving to best practice contained a number of recommendations including that the industry and the structure should:

… concentrate resources on a limited number of comprehensive codes rather than numerous fragmented codes.

It was probably shortly after this report was prepared when that occurred in the industry, with the Telecommunications Consumer Protections Code replacing several smaller codes—for example, the billing code—and consolidating all these into one consistent document. In
section 2.2 of this report there is a critique of some of the provisions going to the code development process. It is interesting to focus on the precise criticism, which reads:
The legislation is vague on the code development process. There are no provisions that require independent consumer input to code development or prevent ACMA from registering a code which does not have consumer input.
The question arises: how prescriptive do we want to be in the legislation? Also, the reality is that consumer groups have had a long involvement in formulating these codes and the transparency offered by the amendments in this bill will go some way towards addressing some of those concerns.

I would like to turn to the amendments relating to the Telecommunications Industry Ombudsman. As anyone in the industry would know, one of the objectives of operators is to engage as little as possible in the formal complaints process of the Telecommunications Industry Ombudsman. The proposed provisions are that there be a dispute resolution standard. Previously this operated in terms of the TIO publishing both its charter and expectations. So I do not necessarily think this was an issue of lack of transparency by the TIO but certainly the minister being able to make a standard under a legislative instrument should be useful in going some way towards addressing these criticisms.

Lastly, I point to an excellent analysis done by one of my former colleagues from Gilbert and Tobin, Sarah Alderson, who compared Australia's alternative dispute resolution scheme for telecommunications against that of the UK. In 2010, she noted when comparing and contrasting the numbers of complaints between the UK and Australia:

As … detailed … in 2009-10, the TIO registered 215,000 cases. This means that in a country with less than a third of the amount of people—

Australia—

had almost 25 times more complaints than the UK.

As can be seen from that number and from the TIO's website, the focus of Australia's telcos—and they should be commended for it—really has shifted towards consumer satisfaction, particularly in this age of user-generated content where you have people giving succinct views on the operation of their carriage service provider. I think that has driven substantially the improvements we have seen in the TIO resolution levels. It is noteworthy that it is, in fact, in the industry's interests to keep these complaints at a low. As Sarah Alderson points out:

… acquiring new customers can cost 5 to 7 times more than satisfying and retaining—

them. So it certainly is in the interests of consumers for telcos to remain focused on their end users.

Mr FLETCHER (Bradfield—Parliamentary Secretary to the Minister for Communications) (12:29): I am very pleased to rise to speak on the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013. It might be said that the rather detailed measures contained in this bill are of interest to only a small section of the community. But both the member for Greenway and I do form part of that small section of the community. More broadly, these changes will, as I seek to explain, be of benefit to telecommunications consumers.

The measures in this bill are ones that I look at with some interest, having spent a reasonable proportion of my professional life engaged in the area of telecommunications
regulation. Indeed, I was working as an advisor to then Howard government communications minister, Senator Richard Alston, at the time that the act which is proposed to be amended by this bill first went through the parliament. Subsequently, I had the opportunity to serve on the board of the Telecommunications Industry Ombudsman, an organisation which is the subject of key provisions of this bill. I also had the opportunity to head up the regulatory affairs function at Optus, the second-largest telecommunications company, where participation in the code development process—another key subject area of this bill—was part of our daily work.

Against that backdrop, I want to comment on the measures contained in this bill, which do several things. Firstly, they amend the Telecommunications (Consumer Protection and Service Standards) Act 1999 to strengthen the effectiveness of the Telecommunications Industry Ombudsman (TIO) scheme. Secondly, they streamline the industry code process in the Telecommunications Act 1997. They also enhance the operational efficiency of the Do Not Call Register Act 2006.

I want to make three points. There is a heavy element of self-regulation in the telecommunications sector—to make the regime as flexible and adaptable as possible. But self-regulatory arrangements can develop some rigidities, and this bill seeks to correct some of those. There is more to do on regulatory reform and it is a major priority for this government in the communications sector.

Let me turn then to the first proposition about the importance of self-regulation in the telecommunications sector in Australia. The broad legislative framework under which the sector presently operates took effect on 1 July 1997. There is a heavy self-regulatory framework under that regime. A key reason is that the sector is so fast moving—detailed legislation prepared by parliamentary counsel can easily get out of date. To give just one example: 16 years ago, the notion of voice over IP as a mainstream technology for voice would have been fanciful. Today there are over four million Australians using VOIP services.

It is because of this need to be constantly adaptive to the extraordinary rate of technological change in this industry that the regulatory regime applicable to telecommunications makes very extensive use of self-regulatory codes. These codes are developed by groups of industry participants under the auspices of the Communications Alliance—again, a self-regulatory body—and are ultimately registered with the Australian Communications and Media Authority and, once registered, they have the force of law.

They deal with a wide range of matters, including consumer protections, technical matters, and operational and interoperator arrangements. So code making is a vital and routine part of the way the industry operates and regulates itself in a very fast moving area. But there is a problem in the current process by which codes are made. As the legislative framework currently operates, there is no scope to make minor amendments on a stand-alone basis to the self-regulatory codes in the telecommunications sector. Instead, under the current process, the only way to make a change is for the developers of the code—that is, all of the multiple parties across the industry—to review the code in its entirety. Even if you wish to make minor changes or, indeed, urgent changes, you must go through, as the law presently stands, the full process of remaking the code, which takes two to three years given the number of parties involved and given the consultative process that is involved. So it is no surprise that telecommunications carriers have been frustrated by their inability to make minor changes to industry codes to ensure consumer protection obligations across industry are kept up to date.
Similarly, the Telecommunications Industry Ombudsman arrangements also involve a high degree of self-regulation. The Telecommunications Industry Ombudsman is an industry funded complaints scheme. Historically, it has been governed at two levels, a board and a council—both have a mix of industry and consumer sector representation. When a complaint is made by a customer, there is a tiered process of investigating that complaint with the service provider. As the investigation becomes more complex and if the matter is not resolved, the service provider is charged an amount which increases as the complaint proceeds to a higher tier. It is a strong incentive for the carrier or service provider to resolve the matter. So it is a powerful mechanism for using the price signal to communicate to telecommunications carriers when they have a problem, particularly a systemic problem.

Over the nearly 20 years now that the system has operated, a range of issues have generated particular systemic problems. A good current example, recently cited by the CEO of Optus, Kevin Russell, concerns bill shock in relation to data charges. Mr Russell said:

The notion that a 16 year old can rack up a $3,000 bill in the space of a week, or that travellers can return home with over $22,000 in international roaming charges is unacceptable. It's not an answer to say people have choices if the choices aren't great.

He went on to say:

It's no wonder Australians are unhappy with our industry. Almost one million complaints to the Telecommunications Industry Ombudsman about bills and customer service can't be wrong. Optus is tackling these issues head on, by cutting our reliance on data breakage fees and unfair roaming charges.

I should again disclose for the record that I am a former employee of Optus.

Mr Russell's comments are a powerful demonstration that when charges paid to the Telecommunications Industry Ombudsman by a carrier or a service provider start to spike, it gets the attention of senior management, who ask, 'What do we need to do as a company to fix this and get complaints down?' I am certainly not saying that the system is perfect; no human institution is. But at its core it has worked effectively as a way to put a focus on problematic issues and to do so in a self-regulatory fashion—that is, without necessarily requiring the involvement of government.

While self-regulation is a central principle, self-regulatory arrangements can develop rigidities over time, and a key objective of this bill is to address some of the rigidities that have emerged. In my maiden speech I discussed the balance between rules being set by government and what the private sector should do. I said:

To me, the sweet spot in public policy is when government identifies the objectives and sets ground rules and incentives to achieve those objectives—and then gets out of the way to let individuals and businesses do the work.

I continue to believe that is a good principle but, as we have seen, there is a flaw in the present self-regulatory arrangements when it comes to codes, because there is presently no capacity to make minor modifications to codes. Similarly there is a need for some finetuning in relation to the arrangements governing the Telecommunications Industry Ombudsman. In particular, the amendments contained in the bill will allow codes to be varied through a streamlined process. That process will be similar to that for developing industry codes, but it will be more streamlined. One of the other changes is that code developers will be required to
publish submissions. That will improve the transparency and accountability of the code development and review process.

In relation to the Telecommunications Industry Ombudsman, the amendments in the bill are designed to keep the Telecommunications Industry Ombudsman scheme in line with best practice for industry-run external dispute resolution schemes. This will be done by establishing a set of framework principles which will clarify the role of the TIO scheme and its expected standards of operations. The amendments will also introduce periodic, mandatory, independent and public reviews of how the Telecommunications Industry Ombudsman scheme is operating. These amendments will help to keep the TIO operating as an effective example of industry through its own efforts to respond to consumer complaints rather than relying on a process of direct government regulation.

The final point I want to make is that while this bill shows some encouraging progress towards lightening some of the burden of red tape and regulation on the communications sector, there is considerably more to do. When the Howard government introduced the Telecommunications Act, which took effect in 1997, it brought in a new period of competition in telecommunications. But it is timely now to look at the weight of the regulatory burden on this sector, just as the Abbott government is looking at the weight of the regulatory burden across all sectors of business. This government has made a strong commitment to reduce that regulatory burden. Indeed, we have set a very ambitious goal across government that by the end of our first term we will have reduced the cost to Australian business of regulation and red tape by $1 billion. In the communications portfolio, both Minister Turnbull and I are very focused on the importance of regulatory reform. The communications sector is, after all, highly regulated. The current regulatory framework is fundamentally based on a 1990s world of relatively stable technologies and business models which placed great emphasis on the predominance of the fixed-line network—which was certainly a valid assumption at the time. Since that time, of course, there has been a steady accretion of layer upon layer of rules and regulations. Some of these rules and regulations are important for facilitating competition but others are not of such evident value in 2014. It is timely to ask whether the policy objectives underpinning particular regulatory measures in the communications sector remain valid; if they do not, the case for those regulations being retained is very difficult to see.

We have commenced quite an extensive consultation process with the communications sector. A letter has been sent to participants right across the industry and some very good ideas have already been received from industry participants in relation to the reduction of red tape. This is a high priority. The coalition’s first ‘regulation repeal day’ is coming up in March, and we expect at that time there will be measures in relation to communications included in the legislation which is before the House.

The coalition is determined to reduce the regulatory burden across the economy, and there is scope for the communications sector to share in that. The measures contained in this bill are improvements which will go some way towards making the self-regulatory arrangements which presently exist more flexible. But there is certainly more to do and the Abbott government is determined that the communications sector as well as other sectors of the economy will benefit from unnecessary regulation being removed, allowing greater
efficiencies and less red tape so that business can get on with doing what it does best: serving its customers and serving Australians.

Mr THISTLETHWAITE (Kingsford Smith) (12:44): I support the passage of this bill, the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013. For any of those members of the public who have received a telemarketing call while they are making dinner at home or trying to put the kids to bed, these reforms are a welcome improvement to our consumer protection provisions relating to telecommunications in Australia.

Of course, the reforms contained in this bill were introduced by the former Labor government, and we support them in opposition. The amendments will enhance the operational efficiency of the Do Not Call Register, simplify the process for updating industry codes of practice, increase the transparency of processes to develop those industry codes and also provide greater clarity around the role of the Telecommunications Industry Ombudsman, its standards of operation and processes for regular review. Basically, these reforms strengthen the consumer protections available in the telecommunications industry, but they are not over the top. They do not go too far. They strike the right balance in ensuring that the privacy of Australian citizens is respected and protected whilst they are at home.

The objective of the Telecommunications Act is to promote an industry that is efficient, competitive and responsive to the needs of the Australian community. The act also aims to provide appropriate community safeguards and to regulate participants in this important industry. The amendments to the Do Not Call Register were prepared in response to feedback received by the department from the Australian Communications and Media Authority. These amendments enhance the operational efficiency of the register by clarifying the meaning of 'cause' in relation to the party responsible for making telemarketing calls and sending marketing faxes where third parties are carrying out the marketing activities. Under the current act, a person or a company cannot make a telemarketing call to an Australian phone number of a person who is registered on the Do Not Call Register. These provisions extend that.

There have been incidences reported of individuals contracting out that responsibility to companies who do not have a contractual obligation to abide by the provisions that restrain the person contracting out from calling people on the Do Not Call Register. Section 12 of this bill will prohibit persons or companies from entering into a contract with another party to make telemarketing calls where there is no provision in that contract for a party not to abide by the Do Not Call Register. Consumer protection in the telecommunications industry is of the utmost importance. With that in mind, the amendments contained in this bill are designed to enhance the capabilities of the ACMA to ensure that the Do Not Call Register is operating as intended.

This government has made it pretty clear that they have an agenda of pursuing a reduction in red tape, and on this particular industry they have often spoken of pursuing the Victorian model. The problem with this approach, however, is that it focuses solely on the cost while ignoring the social impacts of regulations. I and members on this side are hopeful that reasonable consumer protections that protect the privacy of Australian citizens, particularly in relation to telemarketing activities, are not whittled away by this reform and this process of reducing red tape.
The other two amendments in this bill relate to consumer protection. Telecommunications service providers have deficiencies. We have all heard of bill shock, roaming fees and poor consumer service and assistance. These are issues that the industry is aware of and, thankfully, the industry is committed to rectifying. The amendments in relation to consumer codes followed an extensive review of the processes of making those consumer codes. The amendments in this bill enable codes to be varied rather than needing to be remade holus-bolus, and that is supported by all the stakeholders. The revised amendment requiring submissions received to public consultation on code development are also supported by all the stakeholders. These changes will allow new issues and problems to be addressed quickly and efficiently through code management and amendment.

The role of the Telecommunications Industry Ombudsman is of course essential in providing an avenue for adequate recourse to consumers experiencing issues with their provider. However, the scheme has been sluggish in adapting to new issues and governance concerns. Many MPs receive complaints about the time it takes for the telecommunications ombudsman to deal with complaints and get responses to complaints to consumers. The greater clarity instilled by this bill around the role of the ombudsman will ensure that this organisation continues to operate effectively into the future and, importantly, provides more efficiency around responses to consumers.

The removal of red tape is a goal that we share, but it is important that this objective is not pursued at the expense of consumer protection. We implore those opposite to ensure that the balance that is struck with this bill and with these reforms introduced by Labor is not whittled away in any process being undertaken looking at red tape in Australia. I commend the bill to the House.

Ms HALL (Shortland—Opposition Whip) (12:51): Mr Deputy Speaker Kelly, I believe this is the first time I have spoken since you have been appointed a Deputy Speaker. I am sure you will make a fine Deputy Speaker and I look forward to speaking while you are in the chair. I rise to support the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013, a bill which amends the Do Not Call Register Act, the Telecommunications Act and the Telecommunications (Consumer Protection and Services Standards) Act 1999. It is important to note that this bill was first introduced, as the previous speaker so eloquently stated, into the House under the Gillard government in March last year. It was legislation that was developed in response to problems experienced by consumers and by the industry generally. I believe it is really important for governments to react to problems such as those identified in this area and to rectify them.

The first amendment is to the Do Not Call Register Act 2006 to enhance the operational efficiency of the Do Not Call Register, which I will go into a little bit later, and to clarify which party is responsible for making telemarketing calls and sending marketing faxes where third parties are carrying out the marketing activities. The second amendment is to streamline the process of developing and amending industry codes under part 6 of the Telecommunications Act to extend the application of the reimbursement scheme for developing consumer related industry codes, to vary these codes and to require code developers to publish draft codes, draft variations and related public submissions on their websites. That is a very important change.
The third amendment amends the Telecommunications (Consumer Protection and Services Standards) Act 1999 to improve the operation of the Telecommunications Industry Ombudsman, TIO, scheme. Each and every member of this House would value the TIO and its role. This amendment will provide greater clarity about the role of the TIO and expected standards of operation by requiring the TIO scheme to comply with standards determined by the minister. I assume those standards determined by the minister will reflect the standards that we as members of parliament and those we represent in the community expect. It will also require periodic public reviews of the TIO scheme conducted by a body independent of the TIO and the telecommunications industry—once again, independence and transparency are all very important. This legislation, I believe, is good legislation. It makes really positive changes and is legislation that provides protection to those people we in this parliament represent.

The Do Not Call Register was, I think, one of the most innovative changes within the industry. I would like to pay credit to the former Speaker, the member for Chisholm, Anna Burke, for the role that she played. She championed the Do Not Call Register when those opposite were in opposition and was able to get that through the parliament. The Do Not Call Register reflected the demands and expectations that people in the community were making to members of parliament. They were saying that it was not good enough that they were getting unwanted phone calls—usually at tea time, as most people know. People were getting unsolicited, unwanted phone calls and something needed to be done to stop this. The interesting thing is that there are now nine million landlines that are registered with the Do Not Call Register. It is important that we ensure the register is actually achieving what it is supposed to. These changes to the legislation will make sure that the Do Not Call Register is vibrant and delivers what it should. That, coupled with the Do Not Knock signs that people are putting on their doors, has really made a change in the way people receive unsolicited door-to-door advertising and sales. It is interesting to note that at the end of last year a verdict was handed down and significant fines were placed on ATL and another organisation because they knocked on a person's door who had a Do Not Knock sign on the door. These are really important forms of consumer protection. The Do Not Call Register relates to unsolicited phone calls, people selling things that people we represent have not asked for. The Do Not Call Register and the Do Not Knock stickers that people are now placing on the door are really important changes in consumer protection.

The amendments to the code, which I detailed, require organisations to place details of those codes and responses to submissions on their websites. We need to have a strong code that is agreed to by all parties. It is important to note that the things to be looked at include the telemarketing and fax marketing industries. They have got to put all the details up there about bodies or associations that have been developed in relation to the industry, the industry code and how the code provides appropriate community safeguards where relevant. I think that is the thing that we as members of parliament are particularly interested in, because this is all about community safeguards and ensuring that the community has the type of protection that it needs.

The Do Not Call Register, as I previously pointed out, was an innovative register that was set up to stop unsolicited calls. The Do Not Knock stickers are to prevent unsolicited people knocking on your door. Now this legislation will ensure that there is a proper code of conduct
in relation to the telecommunications industry. In the past it was really hard to compare different mobile phone plans. It was like comparing apples and oranges. There has been an evolution within the telecommunications industry that has made it easier to do this. This code of conduct will make it even more transparent and even easier to look at and compare the different telecommunications deals, offers and companies that are out there in the community. It is all about providing consumers with greater protection and more information and allowing them to make informed decisions.

In the past I have had numerous complaints in my electorate office about people receiving unsolicited phone calls offering to provide them with assistance with their computers online. These calls have created some damage for people who have actually followed the instructions that they have been given. There are also unsolicited calls and faxes offering people deals and sums of money. This legislation will tighten up the requirements to establish the link between the person making the phone call and the company that they are representing.

In addition to that, this legislation will make the TIO operate a lot more efficiently and effectively. There have been problems in the past with the TIO and the speed with which it can react to and deal with issues. Hopefully the changes that are included in this legislation will deal with that and lead to faster, fairer and more efficient operation by the TIO, consistent with current alternative dispute resolutions and best practice. They should also lead to the TIO having the ability to promote and encourage industry efforts to deliver quality complaint resolutions before any sort of outside intervention is introduced. This legislation was referred to and examined by a Senate committee. There were, I believe, six submissions to the inquiry, and those six submissions basically did not have any major problems with this legislation.

I will conclude by making the statement that any legislation that provides better protection to the people that we represent in this parliament is good legislation. The simple fact that both sides of this House are supporting this legislation shows that it meets the test of being able to provide protection to the people that we represent. This legislation will ensure that we have a fair, efficient and effective telecommunications industry. It will ensure that we have a Do Not Call Register that operates in the way that it is intended to. It will also ensure that the industry develops a code of conduct that is actually accessible to people, through web pages. It will allow the industry to change regulations but to do so in a transparent way and a way that benefits consumers.

Ms MacTIERNAN (Perth) (13:05): I am very pleased to be able to support the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013, a bill which is very much focused on improving consumer protection in relation to telecommunications services. The delivery of telecommunications services now so deeply and profoundly affects our lives that the focus on consumer protection in this area and the ability of people to properly access telecommunications services is every day becoming more important. So much of our lives now we conduct through telecommunications services. The very way in which our businesses, work and homes are structured makes us increasingly dependent on the provision of reliable telecommunications services, so the need for us to have a robust protective regime is very important.

I want to pick up on the comment that was made by the member for Kingsford Smith. I think that within all of the discussion that we have about the importance for there to be a self-regulatory regime and for us not to impose unnecessary burden on the industry, it is always
very important for us to countervail that with the need for enhanced protection for the consumer, given the centrality of these services to the conduct of their daily lives and the difficulties that emerge when those services are simply not available in a reliable and timely fashion. I will talk about a few instances in my electorate where people found that, unfortunately, the sort of assistance that they would have expected from the Telecommunications Industry Ombudsman was simply not there by virtue of the limitations on the role of the telecommunications ombudsman.

I think that the provision of the Do Not Call Register was a great development, given the amount of intrusion by these phone calls into people's already time-poor lives. Some nights, one would get three or four of these unsolicited telephone calls. The Do Not Call Register was a very welcome development for the Australian community. But, like many people, I have to say it seemed to be failing and calls seemed to resume. So it is pleasing now to see that one of the possible loopholes or enforcement barriers is being addressed in this legislation and that those people who were seeking to circumvent any consequences of breaching the Do Not Call Register by engaging third parties to do the work for them will now be forced to accept the responsibility. I guess you could call it a chain of responsibility measure that has been put in place here. I think there is a lot more scope for chain of responsibility legislation in a number of different areas, but I am very pleased to see that we are accepting some of the commercial realities and are now taking action to ensure that the Do Not Call Register is not easily suborned.

As has been said, I think everyone is very pleased that we are now going to have the capacity to amend the provisions whereby codes can be varied in part. As has been pointed out by the member for Greenway, the requirement that an entire code be amended in order for it to be changed and be up for review has in fact been a negative provision that has stopped progress in the proper development of these codes. So the idea that we can now make targeted and nuanced changes without having to submit the entire code for review is of course very welcome.

Perhaps the final point I want to make goes back to the idea that, whilst it is always important that we are very efficient in the way we regulate industry and do not create needless and duplicated burdens on industry, in this area the need for consumer protection is ever increasing, and that it is not just focusing on cost comparisons and the ability for people to make wise and cost-effective choices—although that is extremely important—but on the very ability for people to have access to a reliable, dependable service and to have a measure of recourse where that reliable, dependable service is not available.

In the last couple of months we have been dealing with a number of issues with our constituents that centre around this and around their disappointment. Two very different sets of residents, with very different issues, came to us because they were surprised that they were unable to get any relief from the telecommunications ombudsman. In the first instance this involved an area of a number of streets in the suburb of Bedford in my electorate. There are a variety of different service providers that people use to get their internet services, but their internet services have always been of a low quality and speed. The services were increasingly falling out, the length of time to access those services was expanding and services would routinely drop out, so you would be lucky if you could get half an hour of continuous service.
This was making it extremely difficult for people seeking to study at home, who would come home at night wanting to use their internet service for research for the education programs that they were engaged in. It was very difficult for people that were trying to run small businesses. They would contact their service provider, and their service provider would say, 'Look, there's nothing we can do about it, it's just that we've got a poorly maintained network here and that's the best that we can do.' So they would contact the Telecommunications Industry Ombudsman, and the Telecommunications Industry Ombudsman would tell them that, as they were not Telstra customers, there was nothing that they could do. They would contact iiNet, and iiNet would contact Telstra, and nothing ever changed, so the roundabout simply continued. Quite clearly we have a problem here. It is simply not possible, it would appear, for the Telecommunications Industry Ombudsman to deal with fundamental infrastructure problems.

There was a whole street, a new subdivision in a very old, established area. A small subdivision was created. Quite simply, these people could not get any telecommunications services at all. As part of their development they had private structured cable laid to their housing. The contractor they employed installed the conduit cable to the house, to the street verge, ready to be connected to the Telstra pit. However, it turned out that there was no pit in the street. There were attempts to engage with Telstra. Telstra for quite some time refused to accept that this issue was even relevant to them. Finally, after some intervention on our part, there was a recognition that, yes, this was something that the internet provider could not themselves deal with and that it was indeed a Telstra issue.

There were numerous occasions when people were then told that Telstra would come out to the site and deal with this issue. Technicians would come out. They would poke around for a while and then say they had to go back to the exchange. They would go back and they would never return. This went on for many, many weeks. Complaints were made to the telecommunications ombudsman, and again they replied that they were unable to pursue Telstra as Telstra were not the people's service provider.

Quite clearly, in these settings we have problems with the provision of infrastructure that it would appear that the Telecommunications Industry Ombudsman is not able to deal with. Many of these constituents, who presume that this is the appropriate person to go to, find that it is not and find themselves in this endless loop between their service provider and Telstra, going round and round in circles. This can have an impact on people's lives, their ability to operate their small business and their ability to engage in education programs as well as all the more day-to-day things that they may wish to do as consumers and as friends and family over the internet.

I think we need to do better. We need to absolutely and profoundly understand just how, as a society, we have become so dependent on the provision of reliable telecommunications services. We have to be very cognisant of the need to have a system that provides a very strong measure of protection for people and a very clear conduit for people to take action when these services fail. There needs to be some ability to cut through the 'it's not my fault; it's their fault' regime that certainly many of my constituents are finding themselves wound into.

Of course, that also leads into the very strong arguments for upgrading our very basic infrastructure to try to deal with some of these problems, at least some of which come from a
poorly maintained copper network. I note that the Minister for Communications is here. I am pleased to perhaps now have the opportunity to ask the minister if he is aware of the new cable-laying technology or techniques that have been developed in Perth that provide an enormous opportunity to radically reduce the cost of laying fibre-optic cable in brownfield sites. They dramatically reduce the cost of doing so. This, in my view, will enable us to do a lot more fibre to the premises in a very cost-effective way. It is a logical consequence of engaging in a rollout that these new techniques develop. I would be very hopeful that the minister is open to exploring these new opportunities for laying down stronger infrastructure.

(Time expired)

Mr TURNBULL (Wentworth—Minister for Communications) (13:20): I wish to thank the members who have contributed to this debate on the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013. An efficient and responsive consumer protection regime is a vital element of our telecommunications landscape, particularly—as many honourable members, including the speaker preceding me, have observed—as Australians increasingly rely on telecommunications technology to support all of their work and everyday activities. There used to be a time when we spoke—and we still do, in fact—of the digital economy. The reality is that the economy is a digital economy. That is the economy. All of our transactions and all of our commerce are being conducted, in one way or another, in the digital sphere.

The various measures outlined in the bill, which I gather has the support of the House, seek to improve consumer safeguards while reducing the regulatory burden imposed on the telecommunications industry when developing or altering its governing codes. The self- and co-regulatory frameworks which form the foundation of the Telecommunications Act 1997 have served consumers and the industry well. But as new devices and technologies enter this dynamic market and consumer preferences change, traditional regulatory frameworks are at increasing risk of being left behind by technology. So, importantly, amendments in this bill will give the companies and organisations that develop these industry codes additional flexibility to respond more quickly and efficiently to the evolving telecommunications sector.

As honourable members have discussed in this debate, the particular amendments to the Telecommunications Act in this bill will permit industry codes to be varied or revised without the rest of the code becoming obsolete. The telecommunications industry is a fast-changing and exponentially growing sector. Its co-regulatory framework in which industry, government and consumer groups work in partnership has to be equally dynamic. It cannot be always playing catch-up; it has to be able to move with the times. The bill improves the transparency and accountability of the industry code development process by requiring code developers to publish their draft codes and variations on the web as well as submissions received from industry and the public. In addition, the bill incorporates changes to the code developers’ reimbursement scheme allowing them to be reimbursed for those costs associated with varying consumer related industry codes.

A core element of the telecommunications industry self-governance regime is the Telecommunications Industry Ombudsman scheme. The TIO provides an independent alternative dispute resolution service for residential and small business consumers of fixed line, mobile and internet services in Australia. This bill will implement a number of measures to improve the TIO scheme’s effectiveness and efficiency. In particular, the bill establishes a
performance framework that will ensure that the TIO scheme complies with fundamental standards of fairness, equity and efficiency. Importantly, the proposed amendments will also enable these standards and the entire TIO scheme to be periodically reviewed and adjusted as community expectations evolve. Finally, the bill makes amendments to the Do Not Call Register Act 2006. The proposed amendment will empower the Australian Communications and Media Authority, ACMA, to pursue more effectively those telemarketers and fax marketers which may be using third parties overseas and other intermediaries to reach local consumers, in breach of the Do Not Call Register provisions.

Sixteen years ago the Howard government introduced the Telecommunications Act 1997, as the honourable member for Bradfield and my parliamentary secretary reminded the House just a few moments ago. This enabled a new era of competition in Australia's telecommunications sector while establishing a comprehensive co-regulatory framework to protect the interests of consumers. The guiding principle was progressively to remove regulatory barriers and constraints on genuinely competitive conduct and actively engage with the telecommunications sector to transfer much of the responsibility for regulation to the industry itself. The coalition government, the Abbott government, has vowed to continue this work of removing red tape and by so doing to continue to lift Australia's productivity. So this bill is part of a broader package of reforms of the telecommunications industry.

At the heart of those reforms is the consumer. Everyone in this chamber recognises that Australia needs a world-class telecommunications network. We may disagree about some engineering issues about the design and construction of such a network but a critical issue is to make an honest and adequate appraisal of what consumers face in the network today. A number of honourable members have spoken about the NBN project. I want to remind the House of the way in which the government have approached the NBN since the election. We undertook that we would tell the Australian people the truth about the state of the project and what the options were for completing it, and to do so independently.

Ms MacTiernan interjecting—

Mr Turnbull: The NBN Co itself conducted a strategic review with the assistance of some external experts, including KordaMentha and the Boston Consulting Group. It was published just before Christmas. What that showed is that, under Labor's plan for the NBN, consumers would have faced internet price rises of up to 80 per cent and a total funding cost of $73 billion.

Ms MacTiernan interjecting—

Mr Turnbull: It also showed that the project would take an extra four years to complete and demonstrated that there were alternative approaches using a range of technologies which would enable the project to be completed for $31 billion less in terms of total funding, and years earlier. That is a great outcome for the consumer because it means they will get better broadband sooner and it will be more affordable. The honourable member for Perth in her speech, and she has been interjecting while I have been speaking, asked about technologies for better, more efficient trenching of cables, fibre-optic cables or any cables, that are available. I imagine she was talking about micro trenching technologies. I can assure the honourable member that both I as the minister and the NBN Co even more so are very aware of that. But one of the things that the honourable member should bear in mind is that her colleague Senator Conroy, while the minister, arranged for the NBN Co to enter into a
comprehensive agreement with Telstra of a take or pay kind whereby the NBN Co is obliged
to use Telstra's ducts and pits and, if it does not use the nominated vast quantity of them, to
pay them for it nonetheless. So yes, there are in some areas more cost-effective ways of
putting fibre underground than horizontal drilling and installing new ducts and they can be
taken into account. But the honourable members opposite have to remember that the
government is not dealing with a blank sheet of paper here. We can only play the hand of
cards that we have been dealt and what we have been left with by the previous government,
and that has been a shocking mess.

Let me go on in the time available to me to continue as to what we have done. Among the
things we have done, we have ensured that the board now has members who have spent
lifetimes in the telecommunications sector, including Ziggy Switkowski, chairman and former
CEO of Telstra, and in the case of Patrick Flannigan in the business of constructing
distributed linear infrastructure. We now have a very qualified board. We have identified and
engaged a new chief executive, Mr Bill Morrow, who is a very distinguished international
telecom executive, highly regarded around the world as a turnaround specialist in the telecom
sector. So now we have a highly qualified board and, joining us very shortly, a highly
qualified CEO.

There is another review going on at the moment, which will be completed in March, of the
satellite and fixed wireless part of the project, which faces, as many honourable members
know, very, very serious problems—a mixture of misleading information being provided by
the previous government coupled with what can only be described as bungling or
incompetence in terms of the management of it. That report will be completed in March. This
is a very considerable and expensive mess and, as I have said many times to honourable
members, there are tens of billions of dollars that at the end of the day will have been wasted
because of commitments made and decisions taken by the Labor government without proper
homework.

One of the other things we are doing is conducting a thoroughgoing cost-benefit analysis.
Of course, that should have been done by the previous government before they embarked on
this in the first place, but it is better late than never. But it would have been better if it had
been done at the outset.

The bottom line is that as far as the NBN project is concerned, the government's
commitment is to be completely transparent and treat the people of Australia as you would
treat the shareholders in a public listed company, to provide them with timely information
about the state of the project and in effect to open the books of the NBN Co, and we are doing
that. Instead of having to have rollout figures dragged out of the minister with great difficulty
and pain, every week the NBN Co now publishes its latest rollout figures on its website.
Every week they are published there. There will be a quarterly report done by the NBN Co
management on the financial performance and of course the construction performance of the
project. That will be done by the NBN Co management in exactly the same way as if it were a
public listed company. Maximum transparency is going to be given to this project.

Honourable members should recognise that the failure of the NBN project under Labor has
resulted in so many Australians who had no broadband in 2007 still not having it today. The
truth is that some Australians have very good broadband—excellent broadband, world-class
broadband. Many Australians have little or no broadband. You would think that, if the
government were going to spend money on a broadband project, it would prioritise those who were in greatest need. But not only did the Labor government not do that, it did not even ask the question of where those underserved areas were. So shortly, we will be releasing a set of maps which show those parts of Australia—those districts, those neighbourhoods, if you like—where broadband services are good, okay, average and very, very poor. That information will inform the construction of the NBN so that, as far as practicable, the worst served areas are prioritised. Our commitment is to prioritise the worst served areas.

Ziggy Switkowski and I went out to Blacktown recently to see some work that had been committed to and planned under the previous government, which showed the NBN fibre being rolled out in streets where there was not one but two hybrid fibre co-ax networks. Under the ground there was Telstra's HFC; up on the poles was Optus's. From either of those networks residents in the street could order a 100-megabit-per-second service, yet that area was being prioritised when areas in your electorate, Mr Deputy Speaker Craig Kelly, and indeed in outer suburban electorates in the big cities were being completely left behind. The former government did not even bother to ask the question in a systematic way as to where those underserved areas were.

There has been a massive cultural change in the management of the NBN Co. It is going to be run as a transparent business, being straight with the Australian people instead of treating it as a political exercise where any information it releases has to conform with the minister's political agenda and not otherwise.

Returning to this bill, the amendments in the bill, the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013, will ensure the sustainability of the proven co-regulatory telecommunications framework while continuing to safeguard the interests of Australian consumers. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr TURNBULL (Wentworth—Minister for Communications) (13:36): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Education Services for Overseas Students Amendment Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Ms BIRD (Cunningham) (13:36): I rise to indicate my support for the Education Services for Overseas Students Amendment Bill 2013. The bill seeks to make amendments to empower the Tuition Protection Service to better protect students, and therefore Australia's reputation as a country offering the highest quality vocational and tertiary education. Firstly, this
amendment bill seeks to ensure the Tuition Protection Service has the power to force the refund of prepaid fees where a provider fails or a course is cancelled. Secondly, this bill is designed to ensure that the Tuition Protection Service has the power to force a refund of prepaid fees where a visa for a prospective student is refused.

The Tuition Protection Service is a great reform of the previous Labor government. It emerged, as many would be aware, from the crisis in our international education sector due to the lax immigration rules of the Howard government in relation to student visas. These lax rules had led to unsustainable volumes of international students, and the failure saw the entrance into the market of some providers running what could only be described as immigration scams.

This led to serious questions being posed about the quality of an Australian education and the soundness of education providers. This was clearly very damaging to the entire Australian education sector. I quote one comment of the time to give a taste of what was being said. In the Monthly in November 2010, journalist Margaret Simons described the situation as such, saying:

Most of our big export industries do their business out of sight of city dwellers. Mines are dug and ore extracted without stirring the dust on suburban streets. There is one such industry, though, whose major commodity is visible in our capitals. That commodity is human beings. They are the confused young people trying to serve us in low-rent fast food outlets. They are the lonely kids on city streets or sharing rooms—and even beds—in crowded houses in the suburbs. They are an underclass in the labour market, with working conditions that undermine those for all lower paid workers.

Dodgy colleges had sprung up like mushrooms for the single purpose of providing students a piece of paper that was the pathway to residence. Instead of delivering the skilled workers our country and other countries needed to compete, those Howard government policies had resulted in Australia gaining migrants whose qualifications would not stand the test. It was a crisis for our immigration program and our education system.

It was imperative that the Labor government act to clean this up, and we did. We cracked down on dodgy colleges, we cleaned out the migration agents and we tightened the rules. Not acting on this situation challenging the sector's potential for sustainable growth was simply not a viable option. Education courses had become linked to migration outcomes. Following the Baird review, we acted to improve regulation of the sector. This involved higher entry standards for colleges, and more information for and more care of the students. Also, this is where the Tuition Protection Service came into existence.

The service's establishment was one of a suite of measures to restore integrity and quality to our international education market. Its purpose was to act as a single point of placement for students who were affected by provider default, with adversely affected students either being placed in an alternative course or paid a refund from the Overseas Student Tuition Fund. This money comes from an annual Tuition Protection Service levy. This levy is placed on all registered providers of international education including vocational training providers and private and public higher education institutions. In 2013-14, this levy collected $6 million for the Overseas Student Tuition Fund.

In 2012-13, nine providers closed, according to the annual report of the TPS. These closures affected 907 students. In these circumstances, 498 students sought assistance from the Tuition Protection Service. Of these, 64 were placed in alternative courses and 218
students received refunds. From this history, we can see there is clearly a great need for the Tuition Protection Service. Its annual report reveals that the TPS fears that up to 22 providers with around 4,400 students could close in the coming financial year as a result of things such as business failures or regulatory action. There is clearly a great need for the continued operation of the Tuition Protection Service. It works quietly and effectively to help to protect Australia’s billion-dollar international education sector. The effect of the amendments in the bill before us is to clarify its powers in relation to prepaid fees. Clearly these are not minor matters for those who are affected.

International education is our fourth largest export industry, after iron ore, coal and gold. It sustains more than 100,000 jobs and generates some $15 billion in annual revenue. Prospects for sustained growth are good. The OECD estimates that by 2020 there could be three million more students worldwide seeking an offshore education. Asia will continue to be a source of growth in student numbers for years to come. However, we face profound challenges to retain Australia’s market share in international education. Competitors are vigorous, especially those in North America and Europe, where they are making up for a shortfall in revenue following the global financial crisis through a renewed emphasis on international education and especially students from Asia.

This competition will only increase for Australia in the foreseeable future. We must be aware of these challenges and the pressures on policymakers. It is important to remember the significance of this sector when Australia seeks to attract overseas students. All sides of politics across the generations have recognised and valued the opportunities provided to those students in Australia. It is of great benefit to the individual obviously to get a qualification and to have a start in a career in their chosen field. The exchange and interaction that happens between nations through this sort of program and activity is also important. It is an area where Australia has had a great reputation. At the time of the crisis, we acted to make sure we were seen to be taking those interests into account and we acted in a significant and real way to protect students and to maintain our reputation so we could continue to be a successful provider of international education.

There is a great opportunity, particularly as we see emerging middle-class populations of our near neighbours and in Asian more broadly looking for an overseas education. We want them to naturally look to Australia and to come here if they are participating in education in one of our neighbouring countries. We want a great exchange with our population and between our students and the students coming here. I often have the great pleasure of being invited by my local Rotary clubs to dinners to meet the students. Rotary provide some great hospitality activities for overseas students studying at the university in my local area of Wollongong. It is like a mini United Nations at these dinners with students from all around the world who are participating in education at a local university. It is a great pleasure to see that. It is a really strong aspect of our offering. Not only are there educational opportunities but also communities across all university sectors are very keen and welcoming of students who come to Australia and study. As those opportunities arise, it is important that we take the actions necessary to provide a vibrant international education sector. Sadly, there are too many of these areas where young people are taken advantage of. We must make sure that we provide the best protection possible for them.
For a lot of these students, the tuition involves a lot of money when they invest in the
topportunity to come here. Obviously, the Tuition Protection Service is a critical part of that.
The bill makes two amendments which are directly targeted at strengthening how the service
can intervene. It is one thing obviously to provide the support it provides, but when people
have prepaid fees and something happens such as a business failure and a particular provider
collapses, or some sort of regulatory intervention affects their attendance in a course, we want
to make sure that the Tuition Protection Service is able to find the best outcome. That could
mean being placed into a course with another provider or being able to access a refund,
recognising that that refund is provided through a levy that all participants contribute to in the
international education sector. What is important is that the vast majority of quality providers
who are interested in providing a service that is of great value and benefit to young people
have a vested interest in working with the government to make sure the reputation and
wellbeing of the sector is maintained and that young people have a good experience.

International education obviously must remain at the forefront of our focus on the
education system in Australia. Our reputation for quality must be preserved. It is a precious
resource that we get benefit from and it gives us a great competitive advantage. As the
government consider widening post-study work rights, our hope on this side of the House is
that the minister and his colleagues do not repeat some of those mistakes of the past
conservative government and that they continue to take action such as in this bill to support
the Tuition Protection Service. We support that sort of action and support this bill. We
support the amendments because they should help the Tuition Protection Service to operate
more effectively in protecting international students and Australia’s reputation. In that spirit, I
commend the bill to the House.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance)
(13:49): I commend the member for Cunningham for her words, or most of her words. I point
out to the House that on 21 September 2012 I joined the member for Cunningham, in her
former capacity as Parliamentary Secretary for Higher Education and Skills, when she
officially opened a $48.6 million hub for research and education in plant and animal sciences,
food production and security, animal health, and water and environmental sciences at Charles
Sturt University Wagga Wagga campus. I know that the member for Cunningham knows
what an important role this hub is going to play in the future. I acknowledge the role her
government played in making sure that that funding was available to CSU Wagga Wagga. As
CSU Vice-Chancellor and President Professor Andrew Vann said at the time:
This impressive building is about providing a space where applied and fundamental researchers can be
innovative and ultimately produce science for the benefit of Australia, particularly for our agricultural
sector.

You know, Mr Deputy Speaker, how important our agriculture sector is to the nation. Professor Vann further said:
Its location in regional Australia in the heart of the Murray Darling Basin will help the scientists engage
with rural industries, agencies and students.
I know the member for Cunningham endorsed those remarks of Professor Vann and all
present on that day. But I would advise her not to lecture the current government about our
immigration policies and allege that the Howard government was lax in its rules on
immigration policy. The Howard government had tight immigration rules and that is why we
had a good situation with immigration at that point in time. Certainly under the Abbott-Truss government, we are getting back to where we should be as far as immigration policy settings are concerned.

Australia has a proud reputation for quality in international education. It is one of our biggest exports and a driver of many international students to Australia. This is not just in Australia's university sector, although that makes a significant contribution to the number of international students, it is also in our schools and our technical colleges both public and private. In fact, according to the Australian Bureau of Statistics, there was a 2009 peak of around 22 per cent of all students undertaking tertiary study coming from overseas. Under the previous government, however, this trend was just as sharply reversed in 2010-11, with a decline in a number of visa applications in the order of five per cent.

In government, Labor limited access to streamlined visa processing to universities only. No other education providers were given the same access to streamlined visa processing, taking away from the students, schools and technical colleges which also train many students to enter the workforce with a skills set the economy so desperately needs. This is why the coalition is going about rectifying what the Minister of Education said is a significant impediment to the growth of international education in Australia. In late October last year, the coalition government announced it would extend the same offer of streamlined visa processing to some 22 degree-awarding, non-university providers of higher education which present a low immigration risk. This measure is designed to provide equity to schools, technical colleges and other providers of tertiary education to extend Australia's skills set and appeal to overseas students.

The Abbott-Truss government is focused on rebuilding Australia's reputation as a provider of competitive and accessible tertiary education to students from overseas. We acknowledge the need to be welcoming of international students, given the contribution they make to Australia's academic research and advancement as well as to social and economic factors. This is particularly true of Charles Sturt University in my Riverina electorate. Just recently, Wagga Wagga was named as Australia's most family-friendly city, according to Suncorp Bank which analysed employment levels, schools, volunteer workers, health and family income levels. To study at Charles Sturt University is indeed an advantage. Wagga Wagga was at the top of the list of the most family-friendly cities in Australia, ahead of Canberra which came in second, Albury-Wodonga was third, then Toowoomba, Sydney, Hobart, Ballarat, Bendigo, Melbourne, and Mackay was tenth. That is a tremendous thing.

With around 400 courses on offer and 38,000 students worldwide, Charles Sturt University is a highly competitive tertiary institution which is playing its part in the facilitation and training of international students who want to come to Australia to study. CSU is Australia's fifth-largest university and boasts a competitive record in job attainment and retention following graduation. We know many students who study at regional universities then take up residence in those regional areas, which is so important. Charles Sturt University has a proud association with overseas students who are on its campuses at Wagga Wagga, Bathurst, Albury, Orange, Port Macquarie, Sydney, Melbourne, Canberra, and Ontario in Canada.

In total, CSU currently has some 5,410 international students—a great record—with 350 of those spread among university's campuses in regional New South Wales. As well as this, many international students access CSU's courses through distance education right across the
globe. The university's most popular distance education course is a Masters of Educational Leadership, which draws candidates from every corner of the world to study through CSU. In 2012, the university indicated it had 113 masters students as part of its distance education program. CSU also has an international campus, which is spreading the university's tremendous reputation through other parts of the world. With a campus in Ontario, Canada, around 40 kilometres south-west of Toronto, the Charles Sturt University Bay Learning Centre in Burlington focuses on the Bachelor of Education and the delivery of other teacher education programs. Beginning in August 2005, the CSU Ontario campus has delivered a qualification to more than 1,100 students and the university has garnered an excellent reputation among students, the local district school boards and the Ontario government. The Ontario campus of CSU has proved to be an important base for the university to build on its distance education program enrolments, particularly in nursing and paramedic training, and we all know how important those two courses are.

The coalition government's plan to extend the offer of streamlined visa processing arrangements to 22 degree-awarding, non-university providers of higher education will provide equity to those international students who want to come to Australia to undertake tertiary study outside of university—and that is so important. These changes will make the vocational sector able to attract more and more international students to undertake qualifications in Australia and to contribute to the ongoing growth of this important part of the Australian economy. As the Minister for Education said on 4 December 2013—

Mr Pyne: A good man!

Mr McCormack: He is a good man. He is sitting right behind me and he is making great moves in policy areas which are so important to Australian education. The education minister is building new architecture for international education so that the industry can grow and achieve its potential. Another good person is my wife, Catherine, who said to me only last week that education is so important. As she said, you can lose your job, you can lose your house and you can lose your health, but you cannot lose your education. Like most things my wife says, she was right.

The Education Services for Overseas Student Amendment Bill 2013 also amends the Education Services for Overseas Students Act 2000 to clarify refund provisions for overseas students studying in Australia, as well as for students from overseas who intend to study in Australia and are yet to arrive. The system at the moment is very technical. This bill is about providing clarity to international students in Australia. Overseas students make a very important, valuable and ongoing contribution to the Australian education system. The Abbott-Truss government acknowledges this and, as such, we are seeking to expand upon the integral input made by overseas students to our nation and to make it easier for international students to access the Australian education system. I commend the bill to the House.

The Speaker: It being two o'clock, the debate is interrupted in accordance with standing order 97. The debate may be resumed at a later hour.
CONDOLENCES

Drummond, Mr Peter Hertford

The SPEAKER (13:59): I inform the House of the death on Tuesday, 10 December 2013, of Peter Hertford Drummond, a member of this House for the division of Forrest from 1972 to 1987.

As a mark of respect to the memory of Peter Drummond I invite honourable members to rise in their places.

Honourable members having stood in their places—

The SPEAKER: I thank the House.

Gietzelt, Hon. Arthur Thomas, AO

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

That the House record its deep regret at the death on 5 January 2014 of the Hon. Arthur Thomas Gietzelt AO, former Senator for New South Wales from 1971 to 1989, place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement.

He was a long-serving and notable member of this parliament. He served in the Second World War with the Royal Australian Engineers in New Guinea. He was elected to the Senate in 1971 and, along with Senator Peter Durack, was at one stage the Father of the Senate. Arthur Gietzelt was a minister for four years in the Hawke government. He was a lion of the Labor Party—or at least he always asserted that he was a lion of the Labor Party and of no other party.

Arthur Gietzelt was made an Officer of the Order of Australia for his service to the Australian parliament and to local government. He served his country; he served his people, and on behalf of the government I offer condolences to his wife and to his family.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:02): On 5 January this year, the Labor Party lost a great servant in the Hon. Arthur Thomas Gietzelt. Arthur gave much of his adult life to the service of this nation: first as a soldier in the jungles of New Guinea, alongside his brother Ray—also a legendary union leader; then as a councillor in the Sutherland Shire for 15 years, including nine terms as mayor; and from 1971 to 1989 he was a senator for New South Wales.

Fittingly, for a lion of the Labor Party, Senator Gietzelt's first speech in the other place was a stinging repudiation of the Gorton government's budget. His long service did nothing to temper his rhetoric or dull his passion. Twenty-eight years later, in paying tribute to Arthur, the great John Button commented on their, shall I say, 'robust' policy discussions. John Button said, 'On a number of occasions I recall that he expressed disagreement in my office in a tone of voice which might even in this building have been heard on the House of Representatives side.'

Arthur would serve for four years as Minister for Veterans' Affairs in the Hawke government. For two years, he was Father of the Senate. He was always a powerful voice on numerous Senate committees. In his final act of Commonwealth service, Arthur explained that he timed his departure from the Senate to guarantee that his replacement would be another distinguished representative of Labor in the Senate, Senator John Faulkner.
When he left parliament, Arthur said: 'I have been able to do what I want with my life. There aren't too many who can say that.' Australia is fortunate that what Arthur wanted to do most was serve his nation. Today all of us in this place salute Arthur for his service to his community and to his country in war and in peace. On behalf of the parliamentary Labor Party, I send my condolences to Arthur's wife, Dawn, and to their three children and three grandchildren. May he rest in peace.

The SPEAKER (14:04): As a mark of respect I invite honourable members to rise in their places.

Honourable members having stood in their places—

The SPEAKER: I thank the House.

Debate adjourned.

Reference to Federation Chamber

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:05): I move:

That the resumption of the debate on the Prime Minister's motion of condolence relating to the death of the Hon. Arthur Thomas Gietzelt be referred to the Federation Chamber.

Question agreed to.

STATEMENTS ON INDULGENCE

Sharon, Mr Ariel

Mr ABBOTT (Warringah—Prime Minister) (14:06): On indulgence, I rise to acknowledge the passing of Ariel Sharon, former Prime Minister of Israel. Ariel Sharon was one of the architects of modern Israel. He was one of the founding fathers of the state of Israel. He was a soldier who fought during Israel's major historic wars before going on to become a political leader. At times a hawk, at times a dove, he reshaped the political landscape of Israel with his decision to pull out of the Gaza Strip in 2005. As a reflection of Australia's close relationship with Israel, Foreign Minister Bishop attended Mr Sharon's funeral to express the sympathies of the Australian government and the Australian people in person.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:07): On behalf of the federal opposition, I join with the Prime Minister in acknowledging the passing of Ariel Sharon. As a general and as a prime minister, Mr Sharon dedicated his life to fighting for his beliefs and the state of Israel. His deeds on the battlefield won him fame as one of Israel's most brilliant and courageous commanders. The same bravery and tactical acumen served him throughout his rise to the prime ministership.

Undoubtedly Ariel Sharon was a fearless leader and, at times, a controversial figure. But in his final years as Prime Minister he made strides in the Israel-Palestine peace process, representing a courageous shift in his politics in favour of a two-state solution. All of those involved in the peace process should follow the example of courage that has historically been required to move the process forward. We should all rededicate ourselves to supporting this goal.

Ill health robbed Mr Sharon of a chance to complete his change of position and, indeed, to remake his legacy. We will never know how history would have judged him had he seen this through. Regardless of this, Ariel Sharon will loom large in the memories of his people and
his country. He will be remembered as a great friend in the history of Australia. The nation of Israel and the Israeli people will deeply feel his loss. Our sympathies are with his family and with all those who mourn his passing.

Ms JULIE BISHOP (Curtin—Minister for Foreign Affairs) (14:08): I rise on indulgence to affirm the words of the Prime Minister and the Leader of the Opposition on the passing of former Israeli Prime Minister Ariel Sharon. I was honoured to represent the Australian government at a memorial service for Ariel Sharon at the Knesset on 13 January and at his burial service at the Sharon family farm in Negev. I extended our deep condolences to Ariel Sharon's family, to the President and Prime Minister of Israel, and to the Israeli people on the passing of a man who dedicated his life to the nation of Israel. As United States Vice President Biden remarked during the memorial service, Ariel Sharon was a complex man who engendered strong views across the globe about his commitment and passion, his opinions and his work. But, Vice President Biden observed, like all leaders who make their mark on history, Ariel Sharon had a north star that guided him—and that was the survival of the state of Israel and the Jewish people. Throughout decades of service to the Israeli people, Ariel Sharon remained deeply committed to safeguarding Israel's security and prosperity.

Australia remains firmly committed to Israel's right to exist in peace within secure and internationally recognised borders as much as we are committed to the two-state solution, which recognises a state for the Palestinian people where they too can live in peace and prosperity behind internationally recognised borders. We support resumed final status negotiations between Israel and the Palestinians. We welcome the strong leadership shown by United States Secretary of State Kerry in bringing the Israelis and Palestinians to the table to find a negotiated political solution to the most contentious issues—including the final boundaries and status of settlements, refugees, Israel's security and the city of Jerusalem—in order to reach a just and lasting two-state solution. This is the only path to realising Ariel Sharon's enduring vision for a secure and prosperous Israel for generations to come. Australia joins with our friends in Israel in mourning the death of Ariel Sharon.

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:10): Ariel Sharon was, from any perspective, a significant figure in modern Israeli history. His life, controversial and full of struggle, mirrored much of the development of modern Israel. He was born in 1928, around 20 years before the establishment of the modern Israeli state, in what was then the British mandated territory of Palestine. It was a turbulent time, after a world war which carved national borders—still governing the Middle East—but before a second, which was to create the conditions from which modern Israel was born. In the 1940s, while the Holocaust was taking place in Europe, Sharon joined the military wing of the Zionist movement and was a soldier in the Arab-Israeli war of 1948. He became a decorated member of the Israeli Defense Forces, a brigadier general during the 1967 Six-Day War and a commander of an armoured division in the 1973 Yom Kippur War.

After the Yom Kippur War, Ariel Sharon turned to politics, where for most of his career he was a stalwart of the Israeli right. His time as defence minister ended in controversy after the 1982 invasion of Lebanon. His rise through Israeli politics to the prime ministership in the first decade of this century dominated the later part of Sharon's life. Israeli politics is, to the outsider, a mosaic built on the seemingly eternal effort to guarantee the country's very existence—an effort Ariel Sharon spent his entire adult life dedicated to.
For someone with Sharon's history, it was perhaps unexpected that his time in office saw a shift towards a two-state solution in the peace process, as well as a large removal of settlers from Gaza. This sparked a ruction in Israeli politics, with Sharon breaking from his traditional Likud bastion to form the centrist Kadima. This took courage, and the fact that it was Ariel Sharon who made such a courageous stand is worthy of praise.

The history of modern Israel, from its establishment, through numerous wars to the current decade, has been a struggle, and Ariel Sharon's whole life has been bound up with this struggle. What we do know is that a man who left the public stage a number of years ago and was, for much of his adult of life, a very significant figure in Israeli public life, has now departed. We offer our condolences to his family and to the state of Israel.

Reference to Federation Chamber

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:13): I move:

That further statements on indulgence on Ariel Sharon be permitted in the Federation Chamber.

In so doing, may I attach myself to the genuine and heartfelt remarks of the Prime Minister, the Minister for Foreign Affairs and the Leader of the Opposition and the remarks made by the Deputy Leader of the Opposition.

Mr Burke: Madam Speaker, I rise on a point of order. I will be brief. With respect to your role preserving the dignity of this House, we had two occasions where point-scoring has been used on the death of a person. It ought not occur.

The SPEAKER: I think the interpretation that people have placed in their minds is for them to determine. I put the motion—

Ms Plibersek: Madam Deputy Speaker, on the point of order: I am personally offended by the remarks of the manager of government business, and I would like him to withdraw those remarks, please.

The SPEAKER: As I understand, the remarks made were that the Leader of the House wished to associate himself with the remarks that had been made. I cannot see an offence in that. I do note that the Deputy Leader of the Opposition has voiced her concern on that issue, but I do not see how I can be asked to ask anyone to withdraw remarks associating themselves with those remarks.

Mr Pyne: Madam Speaker, if it would assist the chamber, I withdraw the remark but I associate myself with the remarks of the Deputy Leader of the Opposition.

The SPEAKER: I find the way in which we are conducting this part of the business taking away from the seriousness, but I accept the way in which the matter has been dealt with and I will put the motion that further statements on indulgence on Ariel Sharon be permitted in the Federation Chamber.

Question agreed to.

QUESTIONS WITHOUT NOTICE

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:15): My question is to the Prime Minister. I refer to the Prime Minister's pre-election comments on Melbourne radio where he said:
I think any government which makes it harder to manufacture cars is making it harder for us to continue to be a first world economy because without cars … we are not really a sophisticated economy anymore.

Given Toyota’s announcement yesterday, does the Prime Minister agree that, by his own test, it means that Australia will no longer be a sophisticated economy?

Mr ABBOTT (Warringah—Prime Minister) (14:16): I welcome the question from the Leader of the Opposition and I fully share the dismay of members opposite, of members on all sides of this House, at the announcement that Toyota made yesterday. Every single one of us is devastated by this announcement, just as we were devastated by the announcement in December that Holden would cease manufacturing, just as we were devastated by the announcement early last year, under a different government, that Ford would cease manufacturing and just as we were devastated by the announcement back in 2008—again under a different government—that Mitsubishi would cease manufacturing.

It is not my intention to play the blame game. I will leave any of that to others. I am confident that the decent, honest workers and the decent, honest businesses of this country can, with assistance from state and federal governments, build a good future. That is our challenge: to get the fundamentals right so that the decent, honest workers and the decent, honest businesses of this country can flourish. And that is exactly what this government is doing.

Economy

Mr ALEXANDER (Bennelong) (14:17): My question is to the Prime Minister. Will the Prime Minister update the House on the progress the government is making in delivering its plan to build a stronger economy for all Australians?

Mr ABBOTT (Warringah—Prime Minister) (14:18): I do thank the member for Bennelong for his question. I accept that there is, to be sure, a shadow over this parliament today cast by the announcement by Toyota yesterday that manufacturing operations will cease in 2017. But that announcement, devastating though it is, should not obscure the fundamental strengths of our economy. Last week, Coles, for instance, announced a $300 million investment in Victoria to create some 3,000 jobs, mostly in regional areas. Perhaps the largest manufacturing employer in this country is Boeing, an aircraft component manufacturer which is flourishing even though we do not manufacture aircraft here in Australia. Then there are companies like San Remo, a South Australian, family based, food manufacturer supplying some 60 per cent of Australia’s pasta requirements—and it is even exporting spaghetti to Italy.

I do not for a second minimise the impact of Toyota’s shutdown following on the shutdown announcement of Holden late last year and Ford much earlier last year under the former government. But I do want to assure all members of this House and the Australian people that this government will respond intelligently and in a timely fashion to this latest announcement, and we will do so in full partnership with the Victorian government. In particular, we look forward to partnering with the Victorian government to build economic infrastructure in the great state of Victoria—building, indeed, on our commitment to fund and finish the East West Link, which is estimated to create some 3½ thousand jobs during its construction phase. That is what the people of Victoria need if they are to face the future with confidence.
We need to get the fundamentals right. Government does not create prosperity; profitable business creates prosperity. Governments do not create jobs; profitable business creates jobs. That is why we need to get taxes down, we need to get red tape own and we need to get productivity up. That is the way to increase jobs and prosperity in this country. If I would make a respectful suggestion to members opposite: pass the carbon tax repeal legislation and pass the restoration of the Australian Building and Construction Commission bill. That way, we will get a fair go for the honest workers and the honest businesses of this country.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:21): I refer to the Prime Minister's December statement:

… it is the Government's strong wish that Toyota continue to manufacture in this country. We will be talking to them about the best ways of ensuring that that happens.

After making this statement, did the Prime Minister personally speak to Toyota, as he promised he would? What did he do to stop Toyota from closing its doors yesterday?

Mr ABBOTT (Warringah—Prime Minister) (14:21): Members of this government, the Treasurer and the industry minister, have been in regular discussions with Toyota. I met with the chief of Toyota Australia in December last year and I assured him that assistance would be available to Toyota on the same basis as it had been available in times past. I gave him that assurance. I told him that, as far as this government was concerned, we wanted manufacturing to continue in this country. I did meet with both Mr Max Yasuda and more senior officers of Toyota yesterday and I did ask them if there was anything that we in government could do to cause this decision to be reconsidered? I regret to announce this to the House, but they said that they had carefully considered the economics of manufacturing in Australia, the costs of manufacturing in Australia, the conditions of motor manufacturing in Australia and their decision was final.

Mr Dreyfus: You let them go.

The SPEAKER: The member for Isaacs will desist.

Mr ABBOTT: The Labor Party is desperate to play the blame game in this parliament. I think the Australian people deserve better than that. What the Australian people expect of us in this place is a consistent, serious attempt to get the fundamentals right so that the honest workers and the honest businesses of this country can create the prosperity that the Australian people want, and that is exactly what this government will do.

Automotive Industry

Ms HENDERSON (Corangamite) (14:23): My question is to the Minister for Industry. I remind the minister that this is a very difficult and challenging period for the thousands of workers involved in car manufacturing in my electorate of Corangamite and across Australia. How is the government working with industry to implement a plan for growth, identify new global markets and maximise future opportunities?

Mr IAN MACFARLANE (Groom—Minister for Industry) (14:24): I thank the member for Corangamite for her question. I will also comment on her extraordinary hard work in the short time that she has been the member for Corangamite. She constantly represents her electorate with vigour, with enthusiasm and with positivity because she knows as much as
anyone in this House the challenges that face industry in Australia. This government recognises that it is an extraordinarily difficult time. We know that as a result of the announcement yesterday the face of industry in Australia will be changed forever. But this transition has been coming for some time and no-one on that side of the House can deny that fact. We are in a competitive market; our dollar has been high. This government, from the day it was elected, began a broad considered response to the industry needs in terms of increasing the value of its production and moving it to areas where we are competitive rather than producing a commodity in a world market where we simply are not able to compete any longer.

We have set out to review the economies of both Victoria and South Australia and that process has already travelled some distance—in fact, as you know, I was in Victoria three weeks ago and in South Australia last week. We have established a $100 million growth fund to ensure that development goes on in the wake of, particularly, the closures of Holden. We have established a national competitive industry innovation agenda, led by the Prime Minister, along with the Treasurer, the Minister for Foreign Affairs and the trade minister.

We do work towards transforming Australian industry but with a precise and measured approach. What we have seen from those opposite in the past, in the last six years, is chequebook diplomacy: see a problem, rip out the chequebook, throw money at it—knowing full well that there is no solution coming from any of that. The changes in industry have been going on for some time. What we need to do is make sure we address the issues that are there, not attribute blame, not lament, not say this is a catastrophe. This is a challenge, and Australians have a record of rising to that challenge. We need to use our innovation; we need to use our wit.

We need to make sure we provide opportunities for the workers not only of Toyota, Holden and Ford but all Australian workers, and that we are transitioning this economy to something that is sustainable.

**Automotive Industry**

**Mr SHORTEN** (Maribyrnong—Leader of the Opposition) (14:27): My question is to the Prime Minister. I refer the Prime Minister to comments by his employment minister about Toyota today, where he said: 'I did not know it was coming. From discussing these matters with my colleagues, I do not think anybody else was expecting it.' Will the Prime Minister confirm his government had no idea and did nothing to secure the future of automotive manufacturing in this country?

**Mr ABBOTT** (Warringah—Prime Minister) (14:28): As I have just said in answer to the Leader of the Opposition's previous question, I met with the head of Toyota Australia in December last year personally to reassure him that, as far as this government was concerned, we wanted Toyota to continue manufacturing in Australia. We wanted to assure Toyota that assistance would be available on much the same basis in the future that it had been made available in the past. I understand that the opposition wishes to sheet this home entirely to the government even though this plainly is something that has been taking place over quite some years now. I know that mere statistics are not of much consolation to people who are facing the closure of their business. But it is a fact that since 2007 motor production in this country has declined by a third. It is a fact that since 2007 motor employment has declined by a quarter.
We all deeply regret the devastating announcement that Toyota made yesterday. We all deeply lament this. But our challenge as a government, our challenge as a parliament, is not to preserve every single business indefinitely. Our challenge is to create the conditions under which people, if necessary, can transition from good jobs to even better jobs. And I say to members opposite, whose sincerity I do not doubt: is it going to be easier to get a good job with a carbon tax or without a carbon tax? Is it going to be easier to get a good job with a mining tax or without a mining tax? Is it going to be easier to get a good job with businesses at times being strangled by green tape or without that? Is it going to be easier to get a good job with the Australian Building and Construction Commission restored or without it? So these are the questions before this parliament, and I think that the honest workers of this country know who their real friends are.

**Australian Electoral Commission**

The SPEAKER: I call the Hon. the Leader of the Opposition. I am sorry; I did not see the honourable member for Fairfax. My apologies to the member. I am sorry I did not look in your direction initially, Member for Fairfax. You have the call.

Mr PALMER (Fairfax) (14:31): I take that as a compliment, Madam Speaker. My question is for the Prime Minister. The AEC sends written instructions to all polling booths in Australia, approximately seven days before an election, directing AEC staff to distribute preferences to two candidates chosen by the AEC, regardless of the number of votes by Australians for each candidate as shown on the ballot paper. Shouldn't the AEC be impartial? Will the government stop this biased practice? Why have an election if the AEC can decide, weeks before an election is held, who preferences will be distributed to? Is this really a democracy?

Mr ABBOTT (Warringah—Prime Minister) (14:31): I thank the member for Fairfax for his question and I can certainly understand some of his anxieties that were expressed in his question. Obviously all of us have been dismayed by the fact that some 1,000 ballot papers appear to have been lost for the Western Australian Senate election. All of us are dismayed and dumbfounded as to how this could possibly have occurred. But there is, as we know, a case before the High Court, sitting as the Court of Disputed Returns, dealing with, amongst other things, the way the AEC conducted the Senate count and the Senate ballot in Western Australia. There is also a report due from the Joint Standing Committee on Electoral Matters, and I think I would like to wait for that case to be concluded and that report to be delivered before I further comment on the Australian Electoral Commission.

**Budget**

Ms SUDMALIS (Gilmore) (14:33): My question is to the Treasurer. How is fixing the budget an important part of the government's plan to build a stronger economy for all Australians?

Mr HOCKEY (North Sydney—The Treasurer) (14:33): I thank the honourable member for her question and recognise that it is hugely important for the performance of the Australian economy that the government has control of its budget and it is hugely important that there be bipartisan agreement in trying to ensure that you actually fix some of the structural problems in the budget. So I am somewhat dismayed that, as we go into the new year, there has been no change in attitude from the Labor Party towards trying to repair the
budget. You will recall that, in the last few months of last year, the Labor Party not only opposed $15 billion of savings that we took to the election to try and fix the budget; they decided to oppose $5 billion of their own savings that they took to the last election. So the Labor Party were not satisfied with ruining the budget in government; the Labor Party want to do even better in opposition.

These days I am very guarded about having anything to drink on New Year's Eve, because on 1 January there is always something that surprises you. On 1 January I opened up *The Australian* and it said: 'Hawke, Keating tell PM to slash spending.' Don't tell him; tell him, the Leader of the Opposition, because he had former Prime Minister Keating go to the caucus before Christmas and he wanted to share his wisdom, the Keating wisdom, about how to fix the budget. To his credit, PJK did in fact fix the budget. He started fixing the budget and then gave up hope and left us with a $10 billion black hole. But he did fix the budget. He had his own commission of audit in the late eighties, and he had a fiscal consolidation, because it had to happen. Then, in 1996, the coalition was elected and it had a commission of audit, and then it had to fix another problem that Labor left behind. So too, just before Christmas, the Minister for Finance and I revealed the true state of the budget left by Labor: $123 billion of deficits over the next four years, and not a deficit to be seen for a decade at least.

**Mr SHORTEN** (Maribyrnong—Leader of the Opposition) (14:36): My question is to the Prime Minister. Despite no mention of it in Toyota's statement, the Minister for Employment this morning said, 'The high cost of manufacturing, with great respect, must in itself include the cost of labour.' Does the Prime Minister believe that Toyota workers are paid too much, and is that why Toyota is closing its doors?

**Mr ABBOTT** (Warringah—Prime Minister) (14:37): I do not begrudge any Australian worker his or her wage. I want the Australian worker to be better paid all the time. I want the Australian workers' pay to go up and up and up, but I do make this very important point: if the workers of Australia are to be the best paid workers in the world, we have to be the most productive workers in the world as well—and that's the problem. I very much regret the fact that when Toyota just a few months ago sought to talk to their workers about improving productivity in their factory they were denied that opportunity because of the operation of our system. I do not blame the workers for that. But, you know, there is a certain former union official sitting opposite—there are quite a few former union officials sitting opposite and I have to ask: why weren't the workers of Toyota able to sit down with the managers of Toyota to try to organise to save their jobs and to save their business? Because the Leader of the Opposition's union mates, using the Leader of the Opposition's workplace laws, frustrated that effort, and I deeply regret that.
DISTINGUISHED VISITORS

The SPEAKER (14:38): I advise the House that we have present with us today the New South Wales Deputy Speaker, the member for Lismore, Mr Thomas George, and two senators from Palau, who are visiting under the auspices of the Pacific Women's Parliamentary Partnerships Project. We also have present the Mayor of Davenport. On behalf of the House, I extend a warm welcome to our visitors.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Mr HOWARTH (Petrie) (14:39): My question is to the Minister for the Environment. I refer to claims by the previous government that only 500 companies are paying the carbon tax. Minister, how many businesses are actually being hit by the carbon tax, what is its impact and how will scrapping it help all Australians?

Mr HUNT (Flinders—Minister for the Environment) (14:39): I note that the member for Petrie is right to be concerned about the impact of the carbon tax on the competitiveness of his warehouses, on his small manufacturing firms and on his construction firms, and there is a reason why. Members of the House will remember that throughout the term of the last government various members of the ALP said that the carbon tax was only ever going to touch 500 firms. The claim was not just made by the former Prime Minister, Julia Gillard. It was not just made by the former climate change minister, Greg Combet. It was not just made by the former Treasurer, the member for Lilley. It was also made by, amongst others, the now Leader of the Opposition: 500 firms only. So we asked Treasury to do a little bit of analysis for us. Do you know what they found? They found that it was not 500 companies, it was not 5,000 companies, it was not 50,000 companies. It was 75,000 companies that are directly hit by the carbon tax in terms of the fuel tax credit. Seventy-five thousand: just a small, little error! Just a 150-fold error of calculation—nothing compared with the budget difficulties which the Treasurer has to face that he inherited from the other side, but 75,000 firms.

What are these firms that are being hit? Think for a moment. Aviation: Qantas, $106 million in carbon tax; Virgin, $48 million; Rex Airlines, which described the carbon tax as 'disastrous'; Brindabella, which has gone into receivership. Domestic shipping and ferries; rail transport, whichever state you are in; mining; construction; small manufacturing firms; small warehousing businesses; and anybody using off-road diesel generators have been hit. So that is the reality of the carbon tax. Not 500, not 5,000, not 50,000 but, according to Treasury, 75,000 firms directly hit.

It gets worse than this, however, Prime Minister, because the opposition's policy is to extend the carbon tax on fuel to trucks and buses. That is still their policy. It would be great to know whether or not you are going to change that policy. But there is a better way than this, members of this House, and that is that in the coming weeks the carbon tax is before the Senate and the Leader of the Opposition can choose to provide relief not just to 75,000 firms but to 10 million Australian households who are paying higher electricity, gas and grocery prices. Now is the moment to take your senators back to work and get out of the way of lower electricity, gas and fuel prices.
Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:43): My question is to the Prime Minister. I refer to media reports today that the Prime Minister told the coalition party room earlier today that the workers and the workplace conditions at Toyota were responsible for Toyota's decision to leave Australia. Will the Prime Minister tell Toyota workers what he told his party room today—that he believes that they are the highest paid in the world and not productive enough—and is that why Toyota is closing its doors?

The SPEAKER: I think that the Leader of the Opposition would be best to rephrase that question because in its current form I do not believe it is in order as it relates to proceedings in the government's party room. If the Leader of the Opposition wishes to rephrase his question I will give him that opportunity.

Mr SHORTEN: I refer to reports of the Prime Minister telling a meeting I cannot specify that the workers and workplace conditions at Toyota were responsible for Toyota's decision to leave Australia. Will the Prime Minister tell Toyota workers, the 2½ thousand people who lost their jobs on his watch, that he believes that they were too highly paid and not productive enough and that is why Toyota is closing its doors?

The SPEAKER: I will give the call to the Hon. the Prime Minister, although I do not really regard that as a proper restatement of the question.

Mr ABBOTT (Warringah—Prime Minister) (14:44): I am happy to assure the Leader of the Opposition that I made no such statement. I made no such statement in the party room or anywhere else. I made no such statement because it is not the case. There were a whole range of factors behind Toyota's decision. Those factors were enumerated to me at different times, including last night, and the sad truth is that the cost of producing cars in this country was simply too high for Toyota to continue. It was simply too high for Toyota to continue.

I can understand why the Leader of the Opposition wants to sheet all of this home to a government which has been in power for less than six months, as opposed to a government that was in power for six years, but the fact is that 130,000 manufacturing jobs disappeared under members opposite. Motor industry production declined by a third; motor industry employment declined by a quarter; Ford announced their departure; and Mitsubishi did depart—under members opposite.

Let us not dwell on the past. Let us not play the blame game, which the Leader of the Opposition is so desperate to do. Let us ask ourselves this question: what should this parliament do to make it easier for jobs to be created in this country? What should this parliament do to try to ensure that businesses can flourish in this country? And let us ask the question—

Mr Burke: Madam Speaker, I raise a point of order. The boundaries of direct relevance are going a very long way with this answer now.

The SPEAKER: In the circumstances of the manner in which the question was phrased and then rephrased, I think it is perfectly relevant.

Mr ABBOTT: Are jobs better protected with a carbon tax or without one? Are jobs better created and protected with a mining tax or without one? Are jobs better protected without an Australian Building and Construction Commission or with one? I say again: I think the workers of Australia know who their real friends in this parliament are.
Building and Construction Industry

Mr WOOD (La Trobe) (14:47): My question is to the Minister for Education, representing the Minister for Employment. What is the government doing to uphold the rule of law in the construction industry and prevent infiltration by criminal elements? How will the government deal with the presence of outlaw bikie gangs on building sites?

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:47): I thank the member for La Trobe for his question and note his own long history in the police force in Victoria, where he was very much at the forefront of the fight against criminal gangs in that state.

The Australian community has been aghast over recent years, but particularly in recent weeks, at the stories that are emerging from whistleblowers, like this one in The Age on 29 January 2014, ‘Threat to kill whistleblower’; stories that have been appearing about standover tactics, standover merchants, the links between the CFMEU and bikie gangs and criminal elements; and stories about death threats, extortion, thuggery, kickbacks and corruption. And they are right to be aghast at these stories because of the damage that is being done to productivity but also because of the threats to law-abiding Australians by unacceptable behaviour from criminal bikie gangs and from the union elements that are out of control.

It is time to bring the rule of law back to building and construction sites around Australia, similarly to the way that the previous Liberal government did when it established the Australian Building and Construction Commission, which the next government, led by Julia Gillard and Kevin Rudd and the then Minister for Workplace Relations, the now Leader of the Opposition, dismantled. He dismantled the Australian Building and Construction Commission, but there is a way to address this issue.

We have legislation before the parliament right now to re-establish the Australian Building and Construction Commission and to establish a Registered Organisations Commission, and we have announced a royal commission into union governance and corruption, all of which the Leader of the Opposition could support and all of which he is opposing. The problem with the Leader of the Opposition is that he cannot rise above his background. He is a union official supporting union officials. He is running a protection racket for a protection racket.

But he would say that he has a solution, because recently he said these words: In a signal to the union movement that there could be a limit to his support, the Opposition Leader said he would call on the union leadership to ban the wearing of any bikie colours or badges by union members … on worksites.

So he is taking a tough stand on what the bikies wear at the worksites across Australia! He is not prepared to take a tough stand on thuggery and corruption and the behaviour of union leaders, but he is absolutely determined to make the bikies, when they turn up to the workplaces, take off their colours. They must be shaking in their boots at the prospect of the Leader of the Opposition being back in charge! If he were serious, he would get out of the way of the government. He would support the ABCC, the ROC and the royal commission into union governance.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:50): My question is to the Prime Minister. I refer to the announcement by Toyota yesterday that it would cease making
cars in Australia. Why hasn't the Prime Minister outlined the support that his government will provide the 2½ thousand direct employees of Toyota and the hundreds of thousands of workers in the automotive manufacturing industry whose jobs have been lost on the watch of the Abbott government?

Mr ABBOTT (Warringah—Prime Minister) (14:51): What the company assured me last night—and I am sure that, if the Leader of the Opposition had met with Toyota last night in this building, he would have had the same assurances—is that the jobs are not going tomorrow. They are not going next week or next month or even next year. These jobs will finish in 2017. I deeply, deeply regret that, but the important thing is to create the conditions in our economy where those workers can move from good jobs to better jobs, and that is exactly what this government will do.

As I said, we are going to get the fundamentals right. We are going to get rid of the carbon tax. We are going to get rid of the mining tax. We are going to restore the Australian Building and Construction Commission, which created $6 billion worth of productivity improvement in this sector. We will support the East West Link, which will create 3,500 jobs in its construction phase. So I ask the Leader of the Opposition what is his position on East West Link? Does the Leader of the Opposition support East West Link? If he supports it, he supports 3,500 jobs. If he does not, he is against job creation in Victoria.

Mr Burke: Madam Speaker, if questions are to be asked of the opposition then we will be happy to answer them.

The SPEAKER: I will not take points of order that are not points of order.

Mr Burke: Madam Speaker, the point of order is that members of the executive are not to ask questions. If you are going to allow it then we will be happy to give the answers. Otherwise they should not be allowed to do it.

The SPEAKER: That is a good try, shall I say.

Asylum Seekers

Mr HAWKE (Mitchell) (14:53): My question is to the Minister for Immigration and Border Protection. Given that it has now been more than 50 days since the last illegal boat arrival, will the minister update the House on the government's Operation Sovereign Borders policy and how the government is keeping its election commitment to stop the boats?

Mr MORRISON (Cook—Minister for Immigration and Border Protection) (14:53): The member is correct: it has been more than 50 days since there has been a successful people-smuggling venture to arrive in Australia. Not one successful venture has made it to Australia in the last more than 50 days under the working policies of this coalition government. In this year alone, in 2014, there have been no single ventures that have successfully arrived, and that compares over the same period of time to last Friday to 14 boats and 798 people that turned up this time last year, which was also a monsoon period. The message is certainly getting through. During the course of the past week I had occasion to be in Malaysia, where I was able to be informed that people are now starting to make their way back up the chain; it is reversing. They are going back up the chain from Indonesia to Malaysia because they know that the way to Australia is closed under this government's policies. Further, I happened to be in a displaced persons camp in Rakhine state of Myanmar on Sunday and in that camp I was
told by those who are in the camp that they know of the policies of this government and that those policies are working and the way to Australia is closed under this government.

Those opposite I would have thought would have welcomed the fact that this government is stopping the boats. Maybe it is that they just do not know what border protection success looks like, because for six years they certainly did not get a glimpse of it in any way, shape or form. But this government is going to keep doing what we have been doing. I know those opposite are going to keep opposing what they know works, because of the shame of their border protection failure. We are going to continue to deny permanent residence to those who have arrived illegally by boat, which Labor and the Greens continue to combine in the Senate to try and oppose. We are going to continue to run offshore processing the way it was designed, not the mess that was left to us by those opposite. We are going to continue our policy of regional deterrence, working with our partners in the region like Malaysia to ensure that people do not come down that chain. And we are going to continue to intercept and remove vessels that seek to illegally enter Australian waters, as has been the practice of this government. We are going to keep doing that because that is what we promised the Australian people we would do. That is what we are doing. It is getting results. I call on those opposite to support rather than consistently trying to frustrate and undermine the policies they know are working and they never had the strength to implement.

Employment

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:57): My question is to the Prime Minister. The last time the Prime Minister claimed job losses at SPC Ardmona were the fault of workers' conditions, the member for Murray said:

It's not the truth. That's right, it's lying.

Does the Prime Minister take any responsibility for smearing those employees, or is it the workers' fault again?

Mr ABBOTT (Warringah—Prime Minister) (14:57): Again I say to the Leader of the Opposition and to members opposite, and indeed to all Australians, that I want the workers of this country to be amongst the best paid workers in the world. If we are to be the best paid workers in the world we need to be amongst the most productive workers in the world. I welcome the efforts that the new management at SPC Ardmona have made to restructure their business, and I congratulate the member for Murray for her support for the workers and management at SPC Ardmona.

Opposition members interjecting—

Mr ABBOTT: I do. What they have done since new management were installed early last year is that new product lines have been developed, a very good and innovative thing. Since new management were installed early last year new markets have been developed at home and abroad, a very good thing, and I welcome that. I also say that they have made a start to ensure that the workplace is as well managed as it could be, and I welcome that. One thing this government is not going to do, though, is simply hand over $25 million in borrowed money to a highly profitable company that made $215 million in after-tax profit last year. We are just not going to do it. I say to the Leader of the Opposition, surely he is not saying that the taxpayers of Australia should have borrowed $25 million to have given it to a company
that made $215 million after tax in just six months. That would have been real business welfare and this government does not support that.

**Bushfires**

**Mr BROADBENT** (McMillan) (14:59): My question is to the Minister for Justice. Will the minister update the House on the current bushfire situation and the ongoing support the federal government continues to give to Australians in the case of natural disaster?

**Mr KEENAN** (Stirling—Minister for Justice) (15:00): I thank the member for McMillan for that question and acknowledge his long history of volunteering for the CFA in Victoria. He will understand the sorts of efforts that firefighters and volunteers are going to in his electorate and the electorates of other members in Victoria and South Australia at the moment to battle what is a significant bushfire emergency. And we thank them for it.

Over the weekend, dozens of bushfires burnt across south-eastern Australia. More than 26 bushfires continue to burn in Victoria alone, and in South Australia firefighters are working to stop the Bangor fire reaching towns in that area. Sadly, these communities are very familiar with the ferocity of bushfires, and our thoughts are with those whose homes have been destroyed or damaged.

I have again been in contact today with the Victorian Minister for Police and Emergency Services, Kim Wells. In Victoria alone more than 6,000 firefighters from across Australia and New Zealand have been mobilised, and they are supported by widespread aerial support. To assist impacted communities, individuals and families, Minister Wells and I have announced jointly-funded assistance for emergency accommodation, food, clothing, personal items, and personal and financial counselling. We have also announced the establishment of emergency re-establishment grants, which will assist towards the clean-up, repair and replacement of household contents for residents whose homes are now deemed unfit for habitation. Assistance is also available to local councils to respond to the fires and in cleaning up and repairing essential public services.

In addition to this, the Commonwealth contributes $14 million for firefighting aircraft in the states and territories. Seventy aircraft are currently being deployed in Victoria, and the beauty of the national aerial firefighting arrangements is that aircraft are placed all around the country and then deployed where they are needed to deal with particular emergencies.

Twenty-one homes have been confirmed destroyed in Victoria, although that figure will certainly be significantly higher once we know the full extent of the damage. Heatwave conditions continue to be forecast across south-eastern Australia over the coming days, with temperatures expected to increase towards the weekend. I would urge all communities impacted by the current fires to make preparations for their families, houses and businesses and listen to their local radio for advice from emergency management authorities.

National cooperation in responding to bushfire emergencies is deeply impressive. The Commonwealth works seamlessly to provide whatever assistance the states need, and cooperation between states is also very extensive. As always, the Commonwealth stands ready to assist the Victorian and South Australian governments with whatever they might need.
DISTINGUISHED VISITORS

The SPEAKER (15:03): Before I call the Leader of the Opposition, I would just like to note that we also have with us today in the gallery Mr Terry Redman, the Leader of the National Party in Western Australia, from the Western Australian Legislative Assembly, and I would like to acknowledge him.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Economy

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:03): I would like to associate the opposition with the remarks of the Minister for Justice. The parliament's member for McEwen, in fact, is not here because the areas very close to where he lives have been subject to these fires. The opposition wishes to record its on going gratitude to the CFA and emergency services and for the work of public servants at the council, state and national level for what they do.

My question is to the Prime Minister. In the light of the last answer about SPC, can the Prime Minister explain the difference between his government's treatment of SPC on the one hand and Cadbury on the other?

Mr ABBOTT (Warringah—Prime Minister) (15:04): Well, they are totally different circumstances. One—

Opposition members interjecting—

Mr ABBOTT: if I may say so—

Opposition members interjecting—

The SPEAKER: We will have some quiet on my left, please.

Mr ABBOTT: One, if I may say so, was a request for business welfare; the other, if I may say so, was a local tourism infrastructure grant.

Agriculture

Dr HENDY (Eden-Monaro) (15:04): My question is to the Minister for Agriculture. I remind the minister that there are over 2,500 people in my electorate of Eden-Monaro directly employed in primary industries. How is the government strengthening the agricultural sector in my electorate and elsewhere?

Mr JOYCE (New England—Minister for Agriculture and Deputy Leader of The Nationals) (15:05): I would like to thank the member for Eden-Monaro for his question on what is a very important issue. The member for Eden-Monaro would know better than most the benefits of dairying in his area, and the member for Eden-Monaro would know better than most the costs of dairying that are currently being inflicted on his people.

In Eden-Monaro, about 100 farmers produce 125 million litres of milk a year and export that to around 40 countries. You might be interested to know that their carbon tax bill is $660,000 a year. Of course, one of the best ways to try and start helping the farmers of Eden-Monaro would be to repeal the carbon tax. But we have carbon tax deniers over on the other side, and of course they do not want to do that because that would actually give money back to the farm gate. But it is not only that. We have about 250,000 tonnes of hardwood
woodchips that go out. We have about 250,000 tonnes of softwood. We have about 25,000 cubic metres of sawn logs that go out. Of course this is all part of the regional forest agreements, which, because of the Labor Party's close arrangement with the Greens, are always, continually, under threat. They are continually attacking the industry of Eden-Monaro. But there is a better place to be, and under the coalition we are looking at a white paper. That white paper will look into the future of agriculture. It will deliver for agriculture a real path into the future. I am proud to be part of a government that actually has it as one of its central pillars, its fifth pillar. It is going to be great to be part of and work with the member for Eden-Monaro to actually deliver a path forward for the people in agriculture.

I am looking forward to working with issues such as drought at the moment, as we try to come forward and look after the people in drought. But we also have a vision for the long term. What the Labor government in the past delivered to us was nothing more than an affliction. They shut down the live cattle trade. That was one of their piece de resistances. They shut down the live cattle trade. There are also abattoirs in that area—and, of course, what do the abattoirs get hit with? They get hit with a higher power bill. Why? Because of the carbon tax. It is not just the dairy processing factory itself that gets hit. It does not matter what the dairy farmer does on their place. If they turn on the kettle, they are going to pay the carbon tax. If they listen to the radio, they pay the carbon tax. If they buy steel from an Australian steel mill they pay the carbon tax. If it comes in from overseas, of course, they do not, because the carbon tax is only to afflict Australian industries. It aim was to attack Australians. What we intend to do is take that cost away from them.

MOTIONS
Prime Minister
Attempted Censure

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:08): I seek leave to move a motion of censure against the Prime Minister.

Leave not granted.

Mr SHORTEN: I move:
That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from moving the following motion forthwith:
That the House censures the Prime Minister for:
(1) failing to stand up and fight for Australian jobs at:
(a) Toyota;
(b) Electrolux;
(c) Simplot;
(d) Holden;
(e) Qantas;
(f) Ford;
(g) the Gove alumina refinery;
(h) SPC Ardmona; and
(i) countless other small businesses around Australia;
(2) failing to lead a Government united in supporting and protecting Australian manufacturing jobs;
(3) failing to support the workers, small businesses and communities affected by job losses;
(4) misleading the Australian people by blaming employees and their conditions for job losses; and
(5) having no plan for Australian jobs.

Today we have heard from the Minister for Industry, who I accept would appear to be periodically be on the side of the angels when it comes to standing up for Australian workers. He said that this is not a catastrophe. He said it is a challenge. Indeed, at the end of last year after parliament, the Prime Minister put his verbal arms around and used his rhetorical skills of comfort and empathy to the Holden workers, when he said, 'Good luck, Holden workers, you have been liberated.' Why didn't we think of that? I am sure they would like to liberate you from your job too. But the real issue here is that we see a government—

The SPEAKER: The Leader of the Opposition will relate it to the suspension motion.

Mr SHORTEN: Thank you for your guidance. I look forward to it this year. This is terrible news—

The SPEAKER: You can be relying upon it. It will come.

Mr SHORTEN: for families of Australians. This is terrible news. First of all, long before we get to the economic cost of this, let us talk about people. Let us not talk about politics. Can anyone opposite put themselves in the shoes of 2½ thousand people called into canteens yesterday at 4.30 and five o'clock to be told, 'No matter what you have done and how well you have done it, there is no more job for you.'? Can anyone opposite have sufficient empathy to imagine the conversations which happened around the dinner table that night as the kids ask the parents: 'I have just seen Mum or Dad's work on TV. What does this all mean?'? Has anyone got the empathy to understand that not only are there the direct jobs at Toyota but there are tens of thousands of people in small businesses making auto components all around Australia? Has anyone got the empathy to understand the 55-year-old process worker on an assembly line, who has been a productive worker, who can work in a team, who is told that.

'Yes, there will be another job for you.'?

The government in the past has said they can go uranium mining. The government in the past has said, 'You have got three years of a job and we will sort things out in between now and then.' Yet in question time we asked them for a plan, because after all the government says everyone knows the car industry has been going for ever. Well if the car industry has been going forever, where is your plan? There is no plan.

When we look at the blow beyond the sad news that goes to the individuals who are caught up in this turmoil beyond their control, we look at it and we see that again the government says, 'Oh, well, we've seen a reduction by a quarter in the size of the automotive industry.' Well let me tell you opposite: in your five months you have taken the other three-quarters of the car industry and you have wrecked it. When we talk about who is actually affected, it is not just people working on an assembly line at Fishermans Bend or in Altona. There are 7,000 people in Queensland who make auto components. There are 7,000 in Sydney who make auto components. Let me put this on record: this North Sydney based government does not understand manufacturing in the southern states of Australia. They have never seen a Victorian or South Australian job they would ever fight for other than their own marginal seat MPs.
Let us look at this marvellous deal which the government has done for the Australian taxpayer, saying, 'Well, we are not going to give any more subsidy here because we are too smart.' We understand that this is not good business. How much in tax revenue will disappear when these people do not have a job and Toyota leaves? What will be the cost of the retraining bill to retrain tens of thousands of people? How much extra in Centrelink payments will there be because those people opposite have never seen an Australian job worth fighting for? What is going to be the implications for people who do not have a job and have the misery of unemployment and who cannot accumulate superannuation? Will it be a further challenge in terms of the age pension? What about the thousands of small businesses who supply products in the automotive sector? They have been abandoned by those opposite. In 66 years in Australia, under Fraser, under Howard, under Menzies—at least we had a car industry, but not under Prime Minister Abbott. Toyota, for every dollar of government assistance they get, they invest $20. But these people opposite are so clever. They are so adult-like in the way they run the government. They have said to Toyota, 'Rather than give you our one dollar rather than give you a dollar from us we will get rid of the $20 you give us.' That is not mathematics. These people are creating a jobs deficit in this country that will take years and years to get out of.

Then we heard the argument that nothing was going to happen. These people got into office—and they wanted the white cars, the desks and to give lectures to half of Australia as they divide them—but they did not want to work hard to save jobs in Australia.

**The SPEAKER:** The Leader of the Opposition will come back to the substance of the motion. This is a suspension motion.

**Mr SHORTEN:** They say it is the dollar, 'We can't do anything about the dollar.' When it came to Cadbury they could do something about the dollar.

**Mr Pyne:** Madam Speaker, I hesitate to take a point of order on the Leader of the Opposition's speech, but the Leader of the Opposition has to make some effort to explain why standing orders should be suspended in order to allow this debate. Therefore, he has to indicate why his motion should have a higher priority than the rest of the government's agenda before the House. He does not just have to pay lip-service to your request for him to do so. Perhaps he would like to take some tutelage from other members on that side of the House who have done this before.

**The SPEAKER:** I thank the Leader of the House. He is quite correct. I have asked the Leader of the Opposition to refer his remarks to the substance of the motion. If he had done so, we would not have needed to have that point of order.

**Mr SHORTEN:** Standing orders should be suspended because we saw tens of thousands of jobs on the chopping block yesterday and that is an important issue. We know that it has happened on this government's watch. That is why the standing orders should be suspended. We had Holden, which the Treasurer goaded to go. The car components industry needs two large car manufacturers to be able to justify their volume and scale. They are in trouble. They have told that to Toyota. Toyota said yesterday, 'It's getting the scale that is the challenge, including the components suppliers.' This government have never seen an Australian job they want to fight for. Now they shrug their shoulders and say: 'It's just the cycle in things. Some jobs go and some jobs come.' That is not right. This tide of jobs is going overseas.
Before the election you could not get the now government, then opposition, spokespeople away. Between manufacturing workers and cameras were opposition spokespersons saying: ‘We're on your side.’ I bet a Tatts ticket that the Prime Minister will not be visiting Toyota workers any time in the next three years. There is no fear of being mugged by a Liberal spokesperson at a car company. That will be a government-free zone.

The real problem is that before the election this government said, ‘We are for manufacturing.’ They said in 2011—and the record speaks for itself—'Without a car industry, you can't be a First World economy.' They said, 'Without a car industry, a steel industry, a cement industry and an aluminium industry you can't be a sophisticated economy.' What great news it is now for Australia. These people are dumbing down the Australian economy. They have no plan for the future of jobs. What is worse, what is most culpable, about the crew opposite is that they will not fight.

This government have a choice. Do they want to race to the bottom or do they want to race to the top? Do they want this country to be a smarter country or a poorer country? They have surrendered the war to keep manufacturing in Australia and the list of battle defeats includes Electrolux, Simplot and the Gove refinery. Two thousand people are going to have to move out of Gove—and that will create a ghost town up there—because this government does not know how to stand up for people. The real shame of this government is that they think they can run Australia by dividing Australia. Let me give one warning to the government. You think you can divide Australia, can give up on manufacturing, can blame employees and can keep hunting down all those who disagree with you and blame them, but the Australian people will mark you down for the death of the car industry because we hold you responsible. (Time expired)

The SPEAKER: Is the motion seconded?

Mr Brendan O'Connor: I second the motion and reserve my right to speak.

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:19): I am pleased to speak on the suspension of standing orders motion moved by the Leader of the Opposition because it gives me an opportunity to explain to the House why the standing orders should not be suspended. The government should be allowed to get on with its program of trying to fix the Australian economy and repair the damage left to us by a very bad government after six years of mismanagement and malpractice of the budget, industrial relations and the economy of this country. If the opposition were serious about trying to help the workers of Australia and were serious about economic growth, they would not be moving to suspend the standing orders and delay the House from getting on with its business; they would be allowing the House to get on with its program of abolishing the carbon tax, abolishing the minerals resource rent tax, bringing back the Australian Building and Construction Commission to put a tough cop on the industrial beat, introducing the registered organisations commission to stop dodgy union officials from ripping off the hardworking union members who join their unions, and supporting a Heydon royal commission into union governance and corruption.

If the opposition were serious about repairing the Australian economy and joining with the government, they would not be blocking savings measures in the Senate right now—$5 billion of their own savings measures they announced before the election. Inexplicably they now oppose these measures in the Senate along with other savings resolutions that we announced before the election and reaffirmed in MYEFO. If the opposition were serious
about supporting jobs growth in Australia, they would not be wasting the time of the House on suspending the standing orders; they would be getting out of the way of the government in reducing regulation and red tape, and supporting the Minister for the Environment's program of a one-stop shop for environmental approvals across Australia so that development can get moving and so that the investment pipeline can start employing workers across Australia. But we know that the opposition will not do that, because they are not genuinely interested in workers' jobs at all. The most startling aspect of the Leader of the Opposition's motion is his breathtaking hypocrisy. He was the minister for workplace relations from December 2011 to September 2013. In that period unemployment climbed from 624,000 to 697,000. In that period 72,900 Australians lost their jobs, their employment, across many businesses—big, medium and small—around Australia when he was the minister for workplace relations. So 72,900 jobs hang around his neck that were lost on his watch. That is more people than the electors in Lingiari, that is more people than the electors in Solomon, that is more people than the electors in Bass, that is more people than the electors in Braddon, that is more people than the electors in Denison. The Leader of the Opposition is responsible for the loss of more jobs in more people's homes than the number of electors in the six seats of those members of the House.

So it is breathtaking in its extraordinariness that the Leader of the Opposition would come into this place and try to wear the clothes of concern for the workers of Australia, because it was under his watch that the Australian Building and Construction Commission was firstly defanged and then abolished. It was under his watch, in cahoots with Julia Gillard, the former Prime Minister and the former member for Lalor, that he ensured the union movement got everything it wanted from the previous government. This was exposed by Martin Ferguson in Peter Hartcher's column in *The Sydney Morning Herald* about what went wrong for Labor. He pointed out that there was a secret meeting at Kirribilli House—another Kirribilli pact—in which Julia Gillard said to the union movement, 'In exchange for complete support against Kevin Rudd, we will do whatever you want us to do'. And so by the end of the Gillard government it was the union's agenda that was entirely in place.

After six years of a Labor government, we inherited a wreckage of an economy, a wreckage of a budget and an industrial relations system that was sclerotic, paralysed and in crisis. It is those problems that we are attempting to address through our policies. And so we are setting about repairing the budget; we are setting about clearing the hurdles for development approvals; we are setting about reducing red tape and regulation, not least of which is in my own portfolio through international education. I am working with the minister for immigration in streamlining the visa-processing arrangements so that more good Australian businesses can grow their businesses as we employ more Australians in international education. We are deregulating the Tertiary Education Quality and Standards Agency to allow more deregulation in higher education to grow the economy. And that is just in my portfolio.

We are reducing waste of taxpayers' dollars by stopping the boats through Operation Sovereign Borders. Over time we will save billions of dollars of taxpayers' money. We are getting on with the agenda, and the Labor Party should let us get on with our agenda. And this suspension of standing orders—

The SPEAKER: The Manager of Opposition Business on a point of order.
Mr PYNE: delays the House.

Mr Dreyfus: Sit down!

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

Mr Dreyfus: You don't have the call.

Mr PYNE: Get back to Toorak!

Mr Burke: Notwithstanding that in his last breath the Leader of the House started to refer to the motion before the House again, for some time he has drifted a very long way and should be reminded of the point of order that he actually brought to your attention. It probably applies more to himself than to anyone else.

The SPEAKER: I will ignore the latter comment, but the substance of the point of order is reasonable. I ask the Leader of the House to return to the subject matter, which is the motion.

Mr PYNE: I thank you, Madam Speaker. My point to the House is that the opposition should not be wasting the time of this parliament on suspensions of standing orders in which the Leader of the Opposition does not really believe. The Labor Party does not really believe in it either, because when it was in government it did not put in place the policies that would grow employment in this country. It introduced a carbon tax. Our program is to repeal it and it should allow us to get on and do it. It introduced a minerals resource rent tax, which hurt investment and jobs in the mining sector. It should allow us to get on with our program of repealing it. It abolished the Australian Building and Construction Commission. It should allow us to get on with our program of re-establishing it in order to boost productivity, because the last time there was an ABCC it saved consumers $7.5 billion a year, it increased productivity in the building construction industry by 16.8 per cent and days lost through industrial action declined dramatically when that ABCC was in place. So rather than moving suspensions of standing orders in which the opposition does not really believe, it should instead be allowing the parliament to get on with the job of putting a tough cop on the beat, abolishing the carbon tax, abolishing the minerals resource rent tax and allowing our deregulation agenda and our agenda to grow businesses and reinstall confidence.

If the opposition was serious about jobs, it would get on board with our program of creating jobs in infrastructure, letting us be the infrastructure government that it was not. If it did, if it got out of the way of the government's agenda—and it could do it tomorrow by passing legislation that is stuck in the Senate—we would have: the East West Link being built, 3,200 jobs in construction; the WestConnex, 10,000 jobs during construction; and the Pacific Highway upgrade, 8,000 jobs during construction. These are real jobs that the Leader of the Opposition and his team are standing in the way of by not allowing the government to get on with their parliamentary and legislative agenda. Instead, the breathtaking hypocrisy of the Leader of the Opposition is to turn up here as a union official continuing to support union officials; being an unreconstructed union leader running a protection racket for a protection racket.

If he wants to be the prime minister, he needs to learn to rise above his background. He cannot do so because he is entirely beholden to the union movement. When the union movement asks him to dance, he takes out his dancing shoes and shows that he can boogie with the best of them. When they name a tune, he starts making his moves, busting his moves.
on behalf of the union movement. If he were serious about growing the economy, if he were serious about jobs, he would not waste the House's time with suspensions of standing orders. Instead he would support our program, pass the legislation in the Senate and allow the economy to begin to grow and for Australians to have the jobs that they need and want.

Mr BRENDAN O'CONNOR (Gorton) (15:29): This suspension motion needs to be passed so that we have an opportunity to debate the censure of the Prime Minister of this country. The reason we need to debate the censure of this Prime Minister is that on his watch, yesterday, we saw an iconic company decide to leave our shores for good. Of course, that comes off the back of the decision by Holden in December to do exactly that. The last time we were sitting here, we watched the spectacle of the Treasurer of this country goading Holden to leave this country, and they did. Other than creating terrible circumstances for every Holden worker in Australia, that created a situation where it was believed that this government had no appetite for the car industry. That is what we saw. Unfortunately, it was quite inevitable, given the government's positioning, rhetoric and lack of support for the car industry, that Toyota would decide to leave this country, as they did, tragically, yesterday.

We have seen so many companies decide to leave or to close down as a result of the election of this government. We should not be that surprised. Since September we have seen a net loss of 54,000 full-time jobs in in this country. Before the election, the Prime Minister promised there would be one million jobs in five years. We should be heading towards 100,000 jobs in the first six months of this term. We are not heading towards 100,000 jobs in the first six months of this term; we are already 54,000 full-time jobs down. That is because this government has no regard for companies or for workers in this country. Instead, it has an ideological motive to go after its political opponents.

Yesterday, when the company was making an announcement, the Prime Minister was making an entirely different announcement. He announced a political stunt to effectively go after the people he does not like. If he was fair dinkum about engaging in criminal matters, he would refer those matters to the police and provide the resources to the police and the Australian Crime Commission. Instead, the Prime Minister was out yesterday at a doorstop, announcing what is a political stunt, a political exercise, and a highly expensive use of taxpayers' money. At the same time, Toyota was making the announcement that this company was leaving this country for good.

Mr Pyne: Madam Speaker, I rise on a point of order. I hesitate to interrupt the member for Gorton, but obviously he has to try and explain to the parliament why the suspension of standing orders should be agreed to, because this item of business takes priority over all others. When I was in opposition I used to routinely attempt to do that; he is making no attempt to do that.

The SPEAKER: I thank the Leader of the House. I would ask the member for Gorton to address the suspension.

Mr BRENDAN O'CONNOR: I am very happy to explain, if indeed the member is too obtuse to understand this.

The SPEAKER: The member for Gorton will resume his seat. I directed him to address his remarks to the substance of the motion, not to be insulting.
Mr BRENDAN O'CONNOR: If the member is insulted, I am afraid that is—

The SPEAKER: I took the insult to come towards me, not towards the member. So perhaps you could apologise to me, Member for Gorton.

Mr BRENDAN O'CONNOR: I am sorry, Madam Speaker.

The SPEAKER: Thank you.

Mr BRENDAN O'CONNOR: The reason that we need to move the suspension of standing orders is that we need to debate the censuring of this Prime Minister, because he has been asleep on his watch, while thousands of Australian workers have lost their jobs. There is also the fact that the government cannot even see that this is such an important day, such a tragic day. They cannot explain why we would want to move a censure motion to have a debate in this place. We wanted to censure the Prime Minister. They chose to deny us that, and so, of course, we are debating this.

But let's be very clear. In December, we saw a Treasurer goad an iconic company about them leaving our shores, and they decided to leave. Yesterday, we saw Toyota follow Holden out the door, leaving thousands and thousands of workers without jobs and leaving hundreds of thousands of workers without any certainty for the future. (Time expired)

The SPEAKER: The question is that the motion be agreed to.

The House divided. [15:39]

(Ayes ..................52
Noes ..................90
Majority .............38

AYES

Albanese, AN
Bird, SL
Brodman, G
Burke, AS
Byrne, AM
Champion, ND
Clare, JD
Collins, JM
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Giles, AJ
Hall, JG (teller)
Husic, EN
King, CF
Macklin, JL
Marles, RD
O'Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Shorten, WR
Swan, WM

Bailand, AP
Bowen, CE
Burke, AE
Butler, MC
Chalmers, JE
Chesters, LM
Claydon, SC
Conroy, PM
Elliot, MJ
Feeney, D
Fitzgibbon, JA
Griffin, AP
Hayes, CP
Jones, SP
Leigh, AK
MacTiernan, AJGC
Neumann, SK
O'Neil, CE
Parke, M
Pibersek, TJ
Rishworth, AL
Ryan, JC (teller)
Snowdon, WE
Thistlethwaite, MJ)
Question negatived.
Mr ABBOTT (Warringah—Prime Minister) (15:46): I ask that further questions be placed on the Notice Paper.

PERSONAL EXPLANATIONS

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:46): Madam Speaker, I wish to make a personal explanation. The Manager of Opposition Business claimed during question time today that I was not serious about tackling crime in the building and construction industry. The opposition has proposed an AFP-led taskforce to crack down on these allegations of crime, using the extensive powers of the Australian Crime Commission. The most serious response is a police response, and that is what I, on behalf of Labor, have proposed.

The SPEAKER: I was rather tolerant in two ways. First, I would have asked the Leader of the Opposition if he had been misrepresented. In fact, his explanation was rather argumentative, but we will let it stand.

DOCUMENTS

Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:47): I would make the point that I am not the leader of opposition business—I am in government. He referred to me as the Manager of Opposition Business, and of course he did not actually ask your leave to make a personal explanation. He should try to get these basics right in the chamber.

Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

AUDITOR-GENERAL'S REPORTS

Report Nos 12 to 18 of 2013-14


Ordered that the reports be made parliamentary papers.

CONDOLENCES

Reference to Federation Chamber

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:48): by leave—I move:
That statements on indulgence on the death of Peter Hartford Drummond to be made in the Federation Chamber.
Question agreed to.

COMMITTEES
Joint Select Committee on Northern Australia
Membership

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:49): by leave—I move:
That Ms M. L. Landry be appointed as a participating member of the Joint Select Committee on Northern Australia.
Question agreed to.

MATTERS OF PUBLIC IMPORTANCE
Employment

The SPEAKER (15:49): 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 act to protect Australian jobs including at Toyota, Holden, SPC Ardmona and Rio Tinto at Gove.
I call upon those honourable members who approve of the proposed discussion to rise in their places.
More than the number of members required by the standing orders having risen in their places—

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:50): The government has failed to protect Australian jobs at a range of important Australian employers. There can be no more important obligation on a government other than the defence of the nation than to create the economic circumstances where jobs are created and jobs are maintained. We have a major jobs crisis looming in this country. This is not just another day at the office, as the government would have us believe. The rollover of announced job losses since 7 September 2013 is horrendous: at Toyota, 2,500 direct jobs; at Holden, 2,900 direct jobs; at Qantas, 1,000 direct jobs; at Rio Tinto at the Gove refinery, 1,100 jobs; at Electrolux in Orange, 544 jobs; at Simplot, 110 jobs; at Peabody, more than 200 jobs; at Caterpillar, 200 jobs; and many other indirect jobs and many other small businesses. What we have here is a government who would much rather play political games than fight for jobs.
We have seen 54,000 jobs lost since this current government has come to power. The challenge of jobs in Australia is a real challenge—we get that. We get that there are challenges in the Australian economy from the dollar and the fluctuating currency as well as the challenge of making sure that we constantly innovate. But the Prime Minister has failed to support Australian manufacturing jobs in particular. He could have done more to keep Holden here. I seriously doubt that he has done anything to try and keep Toyota here, and certainly the car component manufacturers who are here have a very bleak future indeed.
This poor car industry, which the government keeps saying was going to die anyway, did not expect the sort of economic euthanasia where the government is just going to pull the plug and speed up the challenges faced by the car industry. As I said earlier in this House, I have a bit of time for the Minister for Industry. I know a number of government MPs are concerned about jobs, including the courageous member for Murray, but I do not have any time for a view that the loss of jobs is not a catastrophe. Labor in opposition understand that unemployment is a misery. We stand firmly for making sure not only that people can find work but that people can keep work. People do not choose the liberation of unemployment after working for years on a car line at Holden or at Toyota. There is no great life on the unemployment queue. Imagine, if you will, the people who are losing their jobs, many in their 50s and 60s. The labour market is incredibly tough.

Of course, the government say, 'We're all for the level playing field,' but somehow if Australia has any form of industry policy that is not good economics. First, that is lazy economics from the government who do not understand it is not a simple proposition that if you do not spend some resources to help companies update and innovate somehow you save money and there is no cost. Why is it that the government so wilfully ignore the consequences of companies closing? What do they not understand about weeks and weeks, months and months of people in the unemployment queue and how that saps your morale? How does that help kids whose parents have lost their jobs? How does that help relieve pressure on families?

This government will give you money for marriage counselling but not help to keep your job. Let me tell you, if you do not have a job that puts bigger pressure on your marriage than will be helped by some $200 voucher from the member for Menzies. When you look at what they will not do, not only do they not have a genuine view on helping Australian jobs but the mob opposite are also inconsistent. They fail to grasp the big difference between a can of SPC baked beans and a bar of Cadbury chocolate. The only difference I see in terms of government policy—

Mr Stephen Jones interjecting—

Mr SHORTEN: You would want watch out: there is a health issue—I get that. Why is it that the government will bail out Cadbury and not help SPC? If the new definition in Abbottland is that you have to be a tourist attraction, the only tourism attractions being created in the car industry are museums. What are they doing about SPC? They say no-one is interested in visiting it, but a lot of people go to the Goulburn Valley because of its healthy economy and there are things to do there. If the new test for industry policy is tourism, why are they bailing out a fish farm in Tasmania when they will not go to the Gove refinery?

I went to Gove last Friday with Senator Nova Perris and the member for Lingiari and saw the disaster unfolding there. This is a regional centre, a small country town of 4,000 people. Last year, Rio Tinto said, 'If we can get a gas contract from the government of the Northern Territory, we're going to invest for a long time to come.' Rio Tinto held a party and invited everyone to come when the gas contract was signed. Then the CLP Chief Minister, Adam Giles, said, 'We're not doing this contract anymore.' Bang, boom—there goes the future! Then Rio Tinto said it would shut the refinery by August. That is called curtailment, in business-speak; I call it the loss of livelihood, in straight-speak. Where are the government? Have they picked up the phone to call Rio Tinto? It is not as if they are not helping Rio Tinto by giving back hundreds of millions of dollars in mining tax. Why not spend 50c to ring Rio Tinto and
say: 'We get that there are a thousand houses there and only 200 people with jobs living in those houses. We get that self-funded retirees bought houses in Gove based on the promise of ongoing work.' Why not offer to help buy back the houses at the value people relied on when the houses were built?

That does not require taxpayer money; that just requires a bit of government heart, a bit of government courage. When talking about Gove, for instance—although this is not limited to Gove—why don't they build some Defence facilities there? Why don't they talk about making it an educational hub for the Indigenous people living in the Arnhem Land area? Of course, they will not do anything, but what really disturbs me about the government is not their lack of action on Gove, appalling as that is, or that they rubbish the food-canning workers at SPC—I agree with Sharman Stone, the government did lie about the conditions of food-preserving workers and have never apologised because they are so arrogant they do not know when to admit they are wrong, even when the whole of Australia knows they are wrong—but that they do not have a plan.

We will fight the jobs issue every day till the next election. It really worries me that we have a government who will not fight for anything except their own jobs. We know this is not just another cycle in manufacturing. Members of the government are on notice that Labor is saying there is a tide dragging our jobs overseas and they are collectively responsible if they do not speak up and do something. I acknowledge the member for Murray who has some courage. I suspect the Minister for Industry has been mugged by his colleagues, but I think he has shown some signs of having a heart. I tell you, hearts are in short supply in those opposite. Was this car industry death a foregone conclusion, other than by the Minister for Employment who is running around blaming the workers? Whatever the question, Senator Abetz will blame workers and unions. He is a pre-programmed automaton on that question.

The real issue is what plan do those opposite have for all these people who are losing their jobs? What plan do you have? They cannot all make chocolate at Cadbury in Tasmania. They cannot all work at the fish farm in Tasmania. They cannot all work at GrainCorp, that you stopped the Americans from buying. So it is not as if you are fair dinkum ideologically. You can be as consistent or inconsistent as the politics demands. What is your plan for real people? What is your plan for the voters and the constituents in your electorates and mine? What do you really think about people who have lost their job? What is your plan to retrain them? Our challenge to those opposite is to start fighting for Aussie jobs. Our challenge to those opposite is: have a plan for the people they are selling out through neglect and negligence. (Time expired)

Mr IAN MACFARLANE (Groom—Minister for Industry) (16:00): We have just heard 10 minutes of confected rage by the Leader of the Opposition. Let me read this quote:

Our nation is facing an historic shift the like of which we have not seen in two generations. That does not mean that change will be easy or swift. These are incredibly challenging times.

That was Senator Kim Carr in 2011, then Minister for Innovation, Industry, Science and Research. The Labor Party in opposition are pretending they knew nothing about this in government, that this has all happened since our government was elected. Nothing could be further from the truth. The seeds of what has happened in the last four months were sown well and truly by the previous government. Why are we taking a considered, careful and long-term approach to the solution? It is because we want a solution that is sustainable. We want to
protect jobs in the long term. We do not want bandaids, which were so prevalent from the previous government. They simply get ripped off three, six or nine months down the track. How about a couple of examples.

In 2012, then Prime Minister Julia Gillard announced $34 million for Ford, saying it would create 300 new jobs. What happened? Three-hundred and thirty jobs were lost at Ford inside eight months. Is that a constructive, long-term solution or is that chequebook diplomacy where you run down the street, throw as much money as you can at the problem knowing that it will not solve anything? The then Prime Minister did it again and announced $215 million for Holden, saying it would secure its future in Australia until 2022. Within months, 670 jobs were gone.

This is a problem that needs to be solved. It does not need to be politicised. The workers who are going to lose their jobs in these factories do not need to be frightened by words like 'catastrophe'. They need a policy, a long-term solution. They need to know that the government will help them transition from an industry which has become a commodity industry, arguably one of the most competitive industries in the world, certainly an industry which is going through enormous restructure wherever you go. We are trying to compete in a world market. Surely no-one on that side will deny that. Surely no-one will deny that the Australian car market is the most diverse car market in the world. No-one will deny that. No-one on the other side will deny that if we are to have a future for an industry in Australia, we need to export. Rather than running around throwing $34 million cheques here and $215 million cheques there, only to see it all unravel, our government have a very careful and considered approach to this issue and we have had it since day one.

From day one, I set out to put in place a policy for the car industry, but they had already made their decision. We know now, because the GM executive said it at the Detroit motor show when he said that no amount of money would keep Holden in Australia—no amount of money. So the Labor Party says, 'Just throw more at them and more at them.' It is taxpayers' money that has to be borrowed, because we are so far in debt and deficit thanks to the economic mismanagement of the previous government. It is taxpayers' money that has to be borrowed. There has to be a solution, not a six- or eight-month fix, not a 24-hour news cycle fix, not a bucket of money thrown in—to find that 330 jobs have evaporated.

We sat down and talked with industry generally. We looked at where the trends were. I was in South Australia last week talking with industries which are world leaders in their field, industries like Redarc that set out to produce the best battery charger in the world and do it, industries that set out to build the best high-frequency radios in the world and do it, industries that set out to build the best metal detectors in the world or the most advanced air conditioning systems in the world and do it.

Yet if you listen to those on the other side of the chamber, the world is over for manufacturing in Australia. Can I assure the workers of Australia that that is simply not the case. That is raw, frightening politics from people who have done nothing for industry in six years except put on bandaids, which are now falling off left, right and centre. No amount of money would have kept Electrolux in Australia. I spoke to the global head of Electrolux. He said, ‘We want to move that factory to Thailand and we are going to do it. No amount of money will help.’ I said, ‘Let's sit down and talk about it.’ He said, no, and he had made the decision. The seeds of that closure were sown in the previous government.
The same thing is the case in Gove. Rio Tinto asked for gas and we got them gas. Rio Tinto asked for underwriting of the pipeline and we offered it. Rio Tinto then said, 'We are never going to keep it open.' They had made their decision. Yet those who sit opposite now cry and frighten workers in Australia. Rio Tinto had made that decision when those people opposite were in government.

Mr Champion interjecting—

The DEPUTY SPEAKER (Mr Broadbent): Order! There's only one speaker who has the call at the moment and that's the minister.

Mr IAN MACFARLANE: We must look forward. We are in a time of great adversity—no-one denies that. We are in a situation where industry in Australia will be changed forever, but we have an opportunity to make sure that we do this properly to ensure Australians have jobs in the long term. That is what government is about. We are responding. We are reviewing. This was already rolling because from day one when I became industry minister I could tell that industry in Australia was on its knees. Industry had been battling a carbon tax, battling regulation, battling red tape and battling to remain competitive with the high dollar. It needed a complete study done and that is what we are doing. We have reviews going on in South Australia and Victoria. We are assisted in those reviews by ministers and by local members. I congratulate businesses in Victoria and South Australia for their input last week. We have a task force chaired by the Prime Minister to develop a national industry investment and competitiveness agenda. We have already set aside $1½ billion for infrastructure projects in the next six years in South Australia and $6½ billion for infrastructure projects in Victoria.

We have made it clear that we are more than happy to work with the Victorian and South Australian governments. We want to see industry continued to be a driver in the Australian economy but, unlike Labor, who want to see government at the centre of business, we want to enable business to be competitive, to grow their exports, to put in place long-term jobs. We want to make sure we have an industry base that is sustainable and strong. We will not do that with the policies of the previous government—taxes, regulations, interference, constant attacks on industry itself. This government has a plan and we will make sure that that policy is put in place. If we do not, we will simply have let down not just the workers at Toyota, not just the workers in every industry in Australia but all Australians. We are an innovative, clever country. We have arisen from adversity before. We have taken up the challenges which have presented to us. I am absolutely confident, when I look at the Australian workforce, that we can do that again. This challenge must be met and this government will continue to stand behind the workers not only of Toyota, not only of Ford and not only of Holden, but every worker in Australia so that they know their job is secure and that there is a sustainable industry policy in place. This government will make responsible decisions to make sure that happens. (Time expired)

Mr BRENDAN O'CONNOR (Gorton) (16:10): I understand the difficulties the minister has in this debate because, clearly, what he has sought to do has not been supported by any of his colleagues. I do not think it is reasonable for the opposition to be lectured to by the government on scaremongering workers. In the last three years the then opposition leader, the now Prime Minister, spent his entire time scaring workers with false claims about an industrial Armageddon as a result of policies of the previous government, none of which came true. The other thing I would note is that the Prime Minister, when he was in opposition,
spent his entire time using blue-collar workers as a backdrop to media conferences. There he was, with his vest and his hardhat, standing with journos in front of him and workers behind him as he went on about his scare campaign. But he is nowhere to be seen now in the workplaces which are threatened by a number of things, not least of all by government policy or government inaction. So it is completely ludicrous for the minister to assert that somehow we are raising the spectre of concern when we are seeing thousands of jobs leave our shores against what we witnessed when the Prime Minister was opposition leader.

The other thing to note most importantly in this debate about why we should support the car industry is the comment made by the minister when he said we were providing too much support for the car industry. To make some comparisons: we are one of only 13 countries building cars from beginning to end and that includes developed nations. We spend $17.40 per capita of taxpayers' money in this country, compared with Germany which spends $90 per capita, and the United States which spends $264 per capita. So it is clear that whatever support we have provided, which 250,000 jobs ultimately rely upon, it is far less per capita than many other nations. For the government to pretend otherwise means they want to fly in the face of facts.

What we have seen this week is a tragedy for, firstly, the Toyota workers who face an uncertain future, the 170 component companies which now have a very uncertain future and all their employees, and, secondly, when those companies hit the wall the devastating and rippling effects will go beyond the automotive sector. We need to hear the Prime Minister not blaming the workers or blaming unions but providing a jobs plan for the future. Today we heard the Prime Minister in question time and we heard the minister in this debate but they had no plan about what they will do to provide support for workers who will lose their jobs very shortly. We have heard no plan whatsoever about emerging technologies and the so-called new economy and what they will do to create the environment for workers to be sufficiently capable to transition into that area—no plan whatsoever.

It is quite concerning that the member for Murray is not on the speakers' list in this debate. The member for Murray deserves to speak in this debate. She should be given the opportunity by the government whip to speak so that she can articulate on behalf of the workers and SPC and, indeed, the community of Shepparton and the Goulburn Valley what they know about the lack of government support for that company. We accept that the government cannot save every job—we understand that. We are not pretending that the government can protect every job but they need to be doing everything they can to do just that. Unfortunately, the Prime Minister, when he suggested that SPC workers were getting certain conditions of employment, was found to be completely and utterly wrong. The cabinet decision was predicated on a lie. The member for Murray deserves to speak in this debate along with many members on this side who have some terrible stories to tell about their constituents who will lose jobs as a result of government inaction which has occurred on their watch. (Time expired)

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (16:15): I welcome the opportunity to speak on what is a very important debate in this parliament and let me open by saying: every job loss is a tragedy; every job loss has impacts on communities; and job losses on a large scale are a particular tragedy. That is why the coalition is absolutely focused on creating one million jobs over the next five years and two million jobs over the next 10 years.
We inherited a very difficult budget position. We inherited a financial position which had, as the Treasurer pointed out, $123 billion in projected deficits and a debt that was spiralling towards $667 billion if nothing is done. That was the waste and the profligacy that we inherited from those members opposite as a result of their irresponsible economic management.

The government is focused on creating new jobs, but it is the private sector that is the generator of jobs in the Australian economy. We need to get the economic settings right so that businesses can prosper and grow. That is why the coalition is committed to axing the job-destroying carbon tax, the tax that is weighing so heavily on businesses large and small, the tax that is weighing on the spending power of households. How can the members opposite feign concern for autoworkers at the same time as insisting that this job-destroying tax be retained? We will also be axing the mining tax, a tax that is destroying confidence in the mining industry. How can members opposite argue that improved employment outcomes could occur through imposing a mining tax?

We propose to cut a billion dollars worth of red tape from business. Businesses are complaining they are drowning under the burden of red tape. The former government was expert at imposing red tape on business. An additional matter I would wish to bring to the attention of the members opposite—one that they do not wish to countenance—is the reintroduction of the ABCC for the return of the rule of law to construction sites, the return of a more efficient construction sector, the return of more job opportunities and more effective contracting. Why is it that the members opposite are so keen to take steps that actually discriminate against workers' prospects of getting a job? We are committed to creating new jobs; the members opposite are absolutely committed to standing in the way of every measure the government is proposing to create new jobs. We are very focused on that.

We have seen the members opposite complaining that this government has somehow caused the problem. I would like to bring to the attention of the House a couple of points that were made. In 2012 the then Prime Minister, Ms Gillard, announced $34 million for Ford, saying that it would create 300 new jobs, but the result was 330 employees losing their jobs within eight months. Prime Minister Gillard also announced $215 million for Holden, saying it would secure its future in Australia until 2022, but within months 670 jobs were lost and we all know the history of Holden's decision.

We see manufacturing firms making commercial decisions which unfortunately have had an adverse impact on workers. The coalition believes we need to strengthen the economy. That is the best way to create the sorts of opportunities that people need to move into jobs. Over time, our economy will remain in transition. We will see sectors contract and expand. It is vital that the government does everything it can to put in place the correct economic setting so that those seeking work have the best prospect of getting a job and those in work can move to better jobs.

The coalition is focused on creating jobs; the opposition is absolutely hell-bent on standing in the way of the government's reforms of eliminating the carbon tax, eliminating the mining tax, reducing red tape and reducing thuggery on buildings sites. They are in the way of that agenda. They are in the way of new jobs. (Time expired)

Mr WATTS (Gellibrand) (16:20): I rise today angry and disappointed at the events of the past 24 hours. The Toyota plant in Altona, in my electorate, is a fixture of Melbourne's west.
It has called Altona home for the past 36 years and generations of workers in my electorate have honed their craft building the Camrys and Orients that so many Australians drive. But recently, Toyota, like so many of our manufacturing companies, has faced a perfect storm of external challenges. A high Australian dollar, a tough export market and muted demand domestically have created conditions that make it impossible to face alone. The key word here is 'alone'. With the right leadership, Toyota and our auto industry could have received the assistance it needed to continue operating in Australia. With the right captain, a way could have been found through this storm, to sail through these storm clouds, and steer the ship to safer seas.

Toyota confirmed in its press conference yesterday afternoon that they were 'close to making the decision' to initiate a new production line for the new Camry. This was a company that wanted to stay in Australia. But, since the announcement of the closure of Holden in December 2013, Tony Abbott has done absolutely nothing to fight for the jobs of Australian workers. Instead of trying to find a way to save the Australian car industry, the Abbott government's—

Mr Baldwin: Mr Deputy Speaker, on a point of order. I ask you to draw to the member's attention the need to address members by their correct name or title.

The DEPUTY SPEAKER: I am sure you will adhere to that as we go along, Member for Gellibrand.

Mr WATTS: The Abbott government spent the Christmas break floating a work-for-the-dole scheme and blaming workers at SPC Ardmona for the situation facing their company. In this perfect storm for Australian manufacturing, Captain Abbott has been more concerned with abandoning ship, blaming the crew and punching holes in the lifeboats than steering the ship to safety. His Treasurer, in the weeks leading up to Toyota's crucial decision, lectured Australian workers on the age of personal responsibility. In this age of personal responsibility, why is it okay to support chocolate jobs at Cadbury but not car jobs at Toyota? It sounds more like an age of hypocrisy to me.

The loss of Toyota to Melbourne's west is devastating for not only the 2,500 Toyota workers but also the hundreds of manufacturers of component parts who are reliant on Toyota's business. We need a government with a bigger vision for these workers than picking up rubbish at the Hosken Reserve for less than minimum wage on a work-for-the-dole scheme across the road from an empty Toyota Altona plant. As Robert Kennedy once said, 'The answer to the welfare crisis is work, jobs, self-sufficiency and family integrity.' We need decent employment to fully engage society—the kind of employment that lets a man say, 'I helped to build this country.' We have seen overseas the consequences of letting the ship sink. We have seen the consequences of mass unemployment. We only need to look to the United States—where the impact of the global financial crisis has been felt most keenly by blue-collar workers—to understand that reality. In the US, more than 10 per cent of workers in blue-collar industries lost their jobs between August 2007 and August 2009.

The loss of manufacturing jobs has a significant emotional toll. The stress of unemployment has a physical impact. The life expectancy of laid-off middle-aged workers decreases by one to one and a half years. Mass unemployment affects the whole community—including, most heartbreakingly, the children of laid-off workers. A child whose parent loses their job is 15 per cent more likely to repeat a grade at school and, in time, will
have lower home ownership rates and higher divorce rates. This is the future that confronts Melbourne's west under the Abbott government.

With the jobs of 1,400 workers at the Williamstown shipyards also on the line, almost 4,000 families in Melbourne's west are confronting the fear of sudden unemployment. The alternative to this sudden unemployment is to act to protect these workers and communities who will be hit hardest by this perfect storm.

Labor acted to protect jobs during the global financial crisis, and we acted to protect the auto industry through this period of global turmoil through the ATS. But it was not just Labor who supported manufacturing workers with these assistance schemes. Under John Howard, manufacturing workers were protected with the automotive industry assistance package. In 2002, John Howard's industry minister, Ian Macfarlane, worked with John Brumby, the then Treasurer of Victoria, to put aside politics and ensure that auto workers had the support they needed in trying times. Why was it good enough for John Howard to support Australian auto manufacturing jobs in 2002 but it is not good enough for Tony Abbott to do so today? Why would John Howard let Ian Macfarlane do his job and protect Australian jobs in 2002 but Tony Abbott will not let him do so in 2014? It is because the Liberal Party has been taken over in the past 10 years by economic extremists who are out of touch with what the Australian public want their government to do. Tony Abbott promised a million new jobs for Australians. We have not seen one in my electorate, and it is time for this betrayal to be held to account.

Ms HENDERSON (Corangamite) (16:26): I know as well as anyone in this House how devastating the recent developments in the auto industry and across manufacturing have been. Thousands of workers across my region are employed in the manufacturing industry and many will be affected by the shutdown of the automotive manufacturing industry right across Australia. A number of companies in the Geelong region supply components to car manufacturers, including Toyota, and this is terrible news for the industry. But let me assure the member for Gellibrand, and let me assure those members opposite that—despite the spin, despite the deception, despite the untruths—we are fighting for jobs. We are fighting for a future.

We are in very difficult times. This is a very tough time for Australian manufacturing. But, unlike members opposite, we are confident that we have a bright future in manufacturing. I come from a proud manufacturing city, and I am going to hang onto that and do whatever I can to work with my community leaders and my community to ensure that we have a bright future.

Opposition members interjecting—

Ms HENDERSON: Let me tell you what we are doing. You say we have no plan. That is absolute rubbish. We are focusing on new opportunities, new industries, new markets and new jobs. Consider what we are doing. We are trying to get rid of the carbon tax, which members opposite are blocking. This is a tax on jobs, a tax on Geelong and a tax on the people of my electorate. This is a tax on manufacturing. This is driving up the cost of energy and it is hurting manufacturing. Two million businesses are being hurt by the carbon tax, and what do those opposite do? Not one cent of compensation—absolutely nothing We are working hard to get rid of the mining tax, which is being blocked by members opposite. We
are working hard to build a strong economy and to boost investment and confidence. But the
more you drag our nation down as a centre of manufacturing, the more damage you do.

Consider the basket case of the economy we inherited. Unless we get the budget back
under control, we are heading towards $123 billion of accumulated deficits—$667 billion of
government debt. We are slashing government debt.

Mr Dreyfus: You're the government now!

Ms HENDERSON: Yes, we are the government—and, boy, have we got a job to do! We
have got a very big job to do because of what you have done to wreck our economy. In my
electorate we are fighting for important new industries. There is the Geelong Centre for
Emerging Infectious Diseases. We are investing money in a new intensive agriculture
precinct.

Mr Watts interjecting—

Ms HENDERSON: I know it does not resonate in Gellibrand but agriculture is incredibly
important right across this nation. There is the $18 billion Defence project, the Land 400. I am
very proud of my community, led by the Mayor of Geelong, and what we are doing to fight
for that project which would do so much for our city and our state. I understand that members
opposite have not been following the news and have not read the papers, obviously, but—led
by the industry minister, Ian Macfarlane, we are conducting an economic review of the South
Australian and Victorian economies. I am on that panel—the Industry and Manufacturing
Economic Review Panel—and I can assure you that we are absolutely focused on what we
need to do as a government to grow jobs, to grow confidence and to help transition this
economy. We are focused on innovation, on advanced manufacturing, on food processing, on
IT and on communications. We have a plan.

Mr Watts: Not on the NBN, though.

Ms HENDERSON: Yes, we are focused on the NBN. We are focused on responsible
government. We are focused on responsible economic management. We are very proud of the
work that we are doing. We are getting on with the business.

What members opposite do not understand is that governments do not create jobs; people
do. People create jobs. We need to put the policy framework in the right place to ensure that
we build the confidence, we build the investment and we grow the jobs. I remind those in this
House that, in my own electorate, the loss of Ford under Labor's watch has been a terrible
blow. Rather than throwing money and promising money, as Labor did, which led to more job
losses, we are focusing on what we need to do. In this process, the economic review panel and
our $100 million growth fund are vital for jobs and for our future. (Time expired)

Mr SNOWDON (Lingiari) (16:31): Earlier this afternoon we heard from the Leader of the
Opposition when he talked about the community of Gove. Indeed, the Leader of the
Opposition, Senator Nova Peris and I visited Gove last Friday. On 28 or 29 November, Rio
Tinto advised the community of Gove that they were going to curtail their refinery at Gove,
meaning the loss of something like 1,200 jobs, and that this curtailment would start from the
beginning of February and be completed by the end of July. This is not the period we are
talking about with Holden or with Toyota—this is not some years; this is some months.

The community at Gove are concerned not only about the loss of jobs but also about the
loss of infrastructure, the loss of community support and the loss of social services. We heard
this morning from the mouth of the Chief Minister of the Northern Territory that the population of Gove dropped from 4,000 people to 1,200 people—4,000 to 1,200. Businesses in Gove made decisions based on advice they had received from Rio Tinto in February and May last year to invest in the Gove community. As a result of this announcement, their investments are no longer worth the paper they are written on. We are seeing property values fall astronomically, we are seeing services being withdrawn from the community and we are seeing the future of education and health services gravely in doubt.

Yet we have not heard a word—not one single word—from the Prime Minister or any other senior minister from this government. In fact, although those opposite, and particularly Senator Scullion, were all over Nhulunbuy and the region like a rash during the lead-up to the election campaign, Senator Scullion has not been sighted since this announcement was made. These are his constituents. He is a senior cabinet minister in this government and he has abandoned the people of Nhulunbuy and the region. There has been no effort. Not one scintilla of hope has been given to this community by this government.

What the Prime Minister has proven yet again today is that he cares nothing for people who live in the regions of Australia, cares nothing for people whose jobs are going, as they are in Gove, and cares nothing for the Aboriginal communities of north-east Arnhem Land—because they are the ones who, in the long term, will suffer most. I met with people at Yirrkala last Friday, with the Leader of the Opposition, the local member, Lynne Walker, and Senator Peris. We were told by these people from Yirrkala, the Yolngu people from north-east Arnhem Land, that they were concerned about the future of Gove for a number of reasons—not only the loss of jobs for the people they called their brothers and sisters who worked in the Gove refinery but also the future jobs that may have been created had the refinery stayed. They are worried about the future of their kids and are concerned about the loss of opportunities that would have been there had this infrastructure remained.

There are no transition plans being proposed by this government. We know from a task force meeting that Rio Tinto advised the government about this potential closure 18 months ago. Yet we hear recently from a government member on this task force that the government told the Northern Territory government and Rio Tinto that there would effectively be no package. So what the Northern Territory government now know is that the Commonwealth government has abandoned them and abandoned the people of Gove. In addition to being abandoned by the Commonwealth government, we also know, as a result of a statement made by the Northern Territory Chief Minister, Adam Giles, in the Northern Territory Legislative Assembly this morning, that the Northern Territory government have abandoned the people of Gove as well.

No information has been given to the community about the social, economic, environmental and demographic impacts on them. But we are to believe that, somehow or other, given the contribution we have heard this afternoon from members opposite, this government is concerned about jobs in the community. They are not concerned at all. They have abandoned working people in this country. They do not like talking to working people, particularly those who are members of unions, and of course the workers at Gove are unionised—'So we can't be talking to them; God no!' Of course, they will eventually get the blame. We will hear the Prime Minister get up and say, 'If the Gove workers had done things
differently this would not have happened.' Well, of course, we know that that is rot, and Rio Tinto know that as well. They would tell the government that that is rot.

We understand that sometimes these commercial decisions are taken, but it is up to Rio Tinto and this Commonwealth government to slow down this eminent process of closure to allow the adjustments that need to be made in this region to be properly made and to allow for investments to be made in infrastructure that will provide long-term opportunities, jobs and services to the people of Gove and north-east Arnhem Land.

Mr TEHAN (Wannon) (16:36): We could all stand up here today and play the blame game. I could say to the member who just spoke: 'Where was that passion for the workers when the carbon tax was introduced and it was detailed what the carbon tax would do to the aluminium industry in this country?' Was there the force of words directed at that policy then? I do not remember there being any at all. We could look to former Prime Minister Julia Gillard's words when she announced packages of money for Ford and how that was going to secure workforces. We could look at when she announced more money that was going to secure Holden until 2022. We could keep detailing those things. We can do the blame game.

Mr Dreyfus: You pulled it.

Mr TEHAN: We are getting more of it from the learned colleague opposite. The blame game is not going to help in these situations. We have to be looking at what we are going to do in the future to grow the economy, to grow jobs and to make sure that this country has a bright future. That is what this government has been doing since it came to office. We have decided to draw a line in the sand to say the last six years have not worked; that is why we were in this situation and that is why manufacturing is suffering in this country. What we want to do for manufacturing workers—and we do not care whether they are unionised or not—is give them jobs, sustainable jobs which they can have into the future, which are not dependent on the government providing money and more money and more money to ensure that those jobs continue.

There comes a time when government, like business, has to live within its means and that is what this government will do. We took a commitment to the election that we would get the budget mess that we inherited under control, that we would get debt under control. That is what we are going to do and we are going to do it by growing the economy, by growing new jobs.

It was fantastic to see the Prime Minister's response to what happened yesterday. He understands as everyone does on this side the disappointment, the dismay for those workers whose jobs are going to come to an end. But he also knows that he has to work cooperatively with the Victorian and South Australian state governments to ensure that those workers at Holden and Toyota and the rest of the workers in that state have a future. We are providing much needed infrastructure funds to make sure that those economies grow and that jobs will be provided. And it will be successful, especially if it comes along with the Labor Party getting out of the way and allowing us to abolish the carbon tax. It will be successful if they get out of the way and allow us to get rid of the mining tax. It will be successful if they get out of the way and allow us to get the budget back into a decent state. The hypocrisy of those promised cuts that they delivered in government, which they are now opposing, knows no bounds. That is the type of thing which will hold this country back.
We know that we have to grow the economy. We have said that creating jobs will be a first point of call when it comes to this government. The Prime Minister spent a good three years in opposition going around talking to industry, talking to workers, talking to businesses to find out what they need to make sure the economy continued to grow so that we could provide jobs for the families of Australia, and that is what we are hell-bent on doing. We will do it by encouraging industries which have been hit by this manufacturing decline, by this structural decline into those areas. We will ensure that the policies are there so the investment goes into those areas to create and developed new industries. We will work cooperatively both at the federal and state level to ensure that that happens. *(Time expired)*

**Mr Champion** (Wakefield) *(16:41)*: We woke up today to these dreadful headlines. The one that tells the story is in *The Age*: 'Road to recession'. These are not headlines that we have seen in Australia despite all of the challenges that we faced during the global financial crisis. We never had headlines like that before because in the past we had a government committed to jobs and committed to growth. But the people of Elizabeth in my electorate, of Shepparton in the electorate of Murray, in Nhulunbuy and in Altona know what the Abbott government is all about. These are communities that are shattered by the actions and the inaction of this government. What do we get from those opposite while these communities are reeling? The member for Gellibrand articulated it and the member for Solomon articulated it.

We do not see the member for Murray. We know she must be the most confused member of parliament because the 'lines in the sand' and the 'end of the age of entitlement' were not supposed to apply to rural communities. They were not supposed to apply to bean farmers in Queensland and Tasmania. They were not supposed to apply to the conservatives' heartland. She must be very confused because the government could not find $25 million for Shepparton. That is what it would have taken to save 500 manufacturing jobs in that electorate. That is what it would have taken to save a whole rural economic ecosystem with blockies and farmers. They could not find $25 million, yet they can find $16 million for Cadburys because apparently that is to promote tourism. They can find $3.5 million for Huon Aquaculture—probably a very good venture but nobody has ever heard of it. I do not know how many people it employs. Those opposite were happy to spend $100 million on a witch-hunt. They were happy to spend $20 million on a pilot scheme for marriage counselling. That was on the front page of the *Daily Telegraph*—a bit of a thought bubble, but we get used to that. I believe one of the members in the party room raised the arrogance of government ministers floating things in the press.

You can understand why the member for Murray is confused, why she is angry, why she is lashing out at the Prime Minister and calling him a liar. We now have the spectacle of this government, despite telling us that they have ended the age of entitlement, reinserting an FBT tax concession which will now only benefit foreign car manufacturers and foreign car workers. So we have got $1.8 billion in Australian taxpayers' money going to German, Chinese, British and US auto workers. That is the end of the age of entitlement. You can understand the member for Murray being a touch confused. You can understand Australians being a touch confused.

We see factory workers, farmers, small businesses, all these communities, suffering from this government's actions. I can tell you other people who are suffering from the government's actions. There is a company called Carr Components in the Adelaide suburb of Netley, in the
seat of Hindmarsh. Bill Sardelis was quoted in the *Fin Review* today under the headline 'Shocked parts makers out of options':

Mr Sardelis said he was angry at policymakers. "In the end, they didn't want an industry and they've got what they wanted."

The worst thing about this government is that there are all these drones on the backbench who claim that they are such tough economic warriors but then they always seek to blame someone else. It is always someone else's fault. It is the unions' fault. It is the workers' fault. It is the multinationals' fault. It is always someone else's fault, because they do not really have the courage of their convictions. They are not willing to don the fluoro just one more time, to go down to Altona or Elizabeth or Shepparton. We do not see them going down there. Then they talk about this $100 million fund, which was supposed to be just about South Australia but apparently is now being stretched right across the country to retrain workers in many, many different communities. We do not see a plan. We do not see any fairness out of this government. We are on the road to recession. *(Time expired)*

**Mr BALDWIN** (Paterson—Parliamentary Secretary to the Minister for Industry) (16:46):

It is always interesting to sit back and listen to members of the Labor Party and their confected outrage, which is built up for nothing more than media appearances. The problem is that, when you speak in parliament, everything you say is recorded. As a result, everything you do not say in defence of an industry or an argument is not there. So when I say it is confected outrage I mean: where were the comments from the Leader of the Opposition, the member for Gorton—I will excuse the member for Gellibrand; he was not here—the member for Lingiari and the member for Wakefield when Mitsubishi pulled the pin in 2008?

**A government member:** What did they say?

**Mr BALDWIN:** There was silence, the sounds of silence, not just from the member for Wakefield but from all members. In 2011, the then Minister for Innovation, Industry, Science and Research, Senator Kim Carr, said:

> Our nation is facing an historic shift, the like of which we have not seen in two generations.

... ... ...

That does not mean that change will be easy or swift. These are incredibly challenging times.

... ... ...

Many manufacturers have found the higher exchange rate extremely difficult to handle. The face of the industry is changing, as indeed has been happening for many decades now. I feel very sorry for all those people who have lost their jobs to date or are to lose their jobs. I feel very sorry for the one person every 19 minutes in the manufacturing industry who lost their job while Labor were in government.

What can I say of this confected outrage of the Labor Party? I say this. I sat through when BHP shut down in Newcastle, that great big steel town—and BHP had reach across the whole region. It was disappointing. It was devastating. Yes, people lost their jobs. The coalition government, under John Howard, invested $10 million in a Newcastle structural adjustment package. That money was invested wisely, but, most importantly, the government sat down with industry, with the workers, and developed a plan. We now have lower unemployment in the Hunter region than we had when BHP was there. We have seen new industries, new growth, the establishment of the Hunter Medical Research Institute, a whole new sector of
industries. We have seen an increase in broader education. We have seen mining support service industries pop up on a broad scale, the likes of which we have never seen. Why? Because we encouraged industry to invest. We sat down; we worked with them. We got rid of a lot of the backlog of red tape that was stopping this investment. People need to see a pathway forward. They need to see that a government cares enough to work with them, not against them. Most importantly, they need to see and understand that they do not have people with confected outrage.

I left out the member for Isaacs earlier, because he did not speak today, but he spoke on Q&A last night, and I have got to tell you, Member for Isaacs, it was not one of your most impressive performances. There you were, complete with the confected outrage, but what did you say about when Mitsubishi pulled the pin or when Ford announced its closure? Indeed, what did you say about when Prime Minister Julia Gillard in 2012 announced $34 million for Ford, saying it would create 300 new jobs, only for 330 employees to lose their jobs, or when she announced $215 million for Holden, saying it would secure the future for Australia till 2022, yet within months 670 jobs were gone? It was the silence that was deafening from the members of the opposition when they were in government.

People need a team that will provide leadership, will create opportunities and, in particular, will create an air of confidence that businesses can invest. One of the things that helped kill this motor vehicle industry—and is killing other industries and is killing investment—is the carbon tax: $400 on every motor vehicle. But did I once hear a word from members opposite about the $400 of carbon tax on each and every car and the impact of that on the jobs and the supply? It was not there. So I say to these people: stop the confected outrage and work with people to create jobs.

The DEPUTY SPEAKER (Hon. BC Scott): Order! The time allotted for this discussion has now expired.

BILLS

Education Services for Overseas Students Amendment Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Ms O'NEIL (Hotham) (16:51): I appreciate the opportunity to make some comments on this very important piece of legislation, the Education Services for Overseas Students Amendment Bill 2013. It is a piece of legislation that is going to contribute to the protections that are in place for international students who are studying in Australia. Two specific amendments are on the table before us this afternoon. The first is to ensure that the Tuition Protection Service has the power to force the refund of prepaid fees where a provider fails or a course is cancelled. The second is to ensure that the Tuition Protection Service has the power to force a refund of prepaid fees where a visa is refused for a prospective student. I will speak a little bit about those amendments in detail, but I want to state first off that these are really important steps to ensuring that Australia's higher education sector remains attractive to students overseas and remains competitive, because we are competing with other nations in this extremely important export industry. This is also a bit of an opportunity for me to reflect
on Labor's legacy in growing this very important industry, and I will speak about that in due course.

Let us get started by thinking a little bit about the importance of international students in my electorate of Hotham. I am incredibly lucky to represent a very diverse and very interesting population in Hotham. We are within a stone's throw of Monash University. Many of you would know Monash as one of the best universities in the whole of Australia. It is also one of the most international universities in the whole of Australia. I was lucky to be a student there for quite a few years and I can say that, whether it was being in a sporting team or joining students in a sports class or engaging in a few student political activities—which many of us got into in our younger years—or in the course of tutorials or university lectures that we shared, having international students learn with us was one of the most enriching parts of that educational experience. It is enriching for the life of that university and it also enriches life for the people of Hotham. Hotham is a vibrant and diverse place, and our international student community is very much a part of that.

But we have to be up-front and say that, for all the benefits and all the excitement that we have for the international students that are studying in Australia, there is a seedy underbelly to this too, and that is that there are many providers and we have been through a number of regulatory changes that at various times have made it, I think, too easy to provide courses. We have seen some very disturbing stories. Some of these have occurred right in my electorate of Hotham, unfortunately. I am not going to mention names or go into the gory details, but I can say that there have been incidents where teachers in colleges have purported to have qualifications and that later proved not to be true. There have been issues around course structure. One example in my electorate was where a course was being taught to the students back to front. There have been examples where students have been charged exorbitant and, frankly, exploitative fees to study at these institutions. So the legislation that we have before us is about protecting the best of this industry and making sure that that seedy underbelly does not pervade what we put out there as one of our critical exports to the world.

This is an industry that is absolutely worth protecting. I think everyone in Australia knows that this industry is important but many would not realise its critical economic importance. Educational exports is our fourth largest export industry. We export $15 billion worth of education every year to people visiting Australia. It is actually more than our whole tourism industry combined. It supports 100,000 jobs. It has also, for better or worse, come to be a pivotal part of funding our higher education sector, and that is for students who are visiting from overseas but also for Australian students who are accessing tertiary education. About a quarter of our students at the moment are international students. They more than pay their way, and our universities are now very frank and up-front about how important that is for their survival.

These are some of the hard financials, but those of us who have been lucky to participate in this know that we reap a lot of other benefits from having international students studying with us in Australia, that it is not just about the dollars. In October 2012, the Labor government released the Australia in the Asian century white paper, a fantastic document which I think just started to unravel some of the difficult issues that we need to face to really embrace our proximity to Asia and get the most out of the Asian century. A report that considered the
white paper pointed out that 80 per cent of the international students studying in Australia were from the Asian region and it said:

International education is a pillar of the people-to-people relationships that drive economic, cultural and social outcomes for Australia in the Asian Century …

I am very committed to this sentiment because I have been lucky to study in America as well and just about all of my classmates were from different countries around the world. I can absolutely say from personal experience that those person-to-person relationships are pivotal to the way that we liaise with other countries. When you look in the economics textbooks they are all about numbers on a page, but people really matter when it comes to building economic links. I think it is also relevant when we think about foreign affairs. A key plank of Australia's soft power and aid strategy is really being pursued through this exposure that we are giving to students all over Asia to Australian culture, to improved fluency in English and to the building of friendships that I have talked about. Perhaps even more relevantly for Australia as a nation, surrounded as we are by mostly Asian countries, it is a fantastic opportunity for us to learn about their culture, their language and the way that they do business.

A final point I would make on this is: just think of the fantastically skilled workforce that we are creating by helping turn out so many skilled graduates from our higher education institutions around Australia. This is hundreds of thousands of mostly young people, mostly from Asian countries, who are learning more about the English language, more about our Australian culture and forming ties to people, companies and institutions.

So there are a lot of benefits that I have talked about, but there have been challenges. When we see the thriving state of the sector today it is important for us to remember that this did not just happen organically. Significant intervention was required at certain times to make sure that things did not fall off the rails. Initially, the Howard government took a very hands-off approach to international education, with near disastrous consequences for the sector. I think we can remember that back in those days just about any old duffer could start up an international college of some sort and start providing some type of higher qualification. There were issues with lax immigration rules, which led to the entry of completely unsustainable levels of international students. Frankly, the institutions were unable to absorb those sorts of numbers. We saw the entry of some dodgy operators, who affected the whole export industry.

I think that, as well, we are all across a lot of the practical issues that were faced by those international students and that the government eventually had to come in and give a hand with. On issues around housing, we have all heard the stories of 17 young people crowding into and sleeping in shifts in bedrooms and all those sorts of things that have been going on. We have heard the endless stories about work exploitation that has taken place where international students were being paid well below the minimum wage and were not being given appropriate awards and conditions in the work that they were doing. We have heard about massive international attention being given to incidents of violence against international students—very disturbing stuff.

One of the things that we are seeing and that we have seen in recent years is that this is a very discerning group of consumers. These students who are coming to study in Australia have options presented to them all over the world. This is an open competition where countries like Australia are competing for these young students to come and study. When you look at the numbers you can see some of the sensitivities here. From 2008 to 2009, we had
70,000 visa applications granted to international students from India. I believe that was the peak of applications from India. It was also the time when some of those controversies started to bubble up a little bit. The following year, that dropped by more than 50 per cent. There were just 30,000 applications that following year. It is a staggering decline and just illustrates the importance of making sure that we have our eye on that industry. It does not need to be overregulated, but at the same time there are consequences for our whole economy and for this huge export industry if we let things run without some proper oversight.

The summary of this particular point is really that policy matters when it comes to this area of our economy. Leadership really matters, and national leadership at a time of global challenge is imperative. We saw the Rudd government come in and show leadership to try to grow the sector and to try to restore integrity so that those many thousands of Indian students who came in 2008-09 and then turned away the following year would feel more confidence in their decision to study in Australia. Just as important to restoring integrity to the sector is ensuring that we are restoring the appearance of integrity to the sector, because, as I said, this is a very discerning group of consumers.

A package of reforms was put forward to try to provide an appropriate level of protection and oversight to the industry. The Tuition Protection Service is an integral part of that. The Tuition Protection Service is a very important reform of the previous Labor government. It is simple. It provides a single contact point for students who are affected by provider default. It illustrates, I think, a deep level of commitment to protect these students who have made Australia their home for a period while they are trying to get higher education. The way that it works is that providers pay a levy, and the levy is used to support students who are trapped by provider default. It helps those students to either be placed in an alternative course or be paid a refund. It is very simple and very much an issue of justice when you think about it. The legislation said that, where students had paid up-front for a course and that course could not be provided to them, they were able to get help. They were able to be diverted into a new course or, at the very least, get their money repaid. It is shocking to think that we would even need legislation of this nature. You would think that this would not be required, but unfortunately there have been so many instances where we have seen students taken for a ride in this sector that the Rudd government had to come in and put this reform in place.

It is important to note also that the Tuition Protection Service has been essential because there have been so many instances, and I think there are predicted to be even more instances, where some of these institutions go into default. I think the Tuition Protection Service reported last year that up to 22 providers, serving 4,400 students, would close in the coming year through either business failure or regulatory action. Let us just absorb that. That is 4,400 students who went through the process and got themselves a visa, many of whom got on a plane and came to Australia to participate in these courses, and were then told, 'I'm sorry; the college has gone into default.' All we are really saying here is something pretty straightforward: these people deserve to get their money back or to be assisted into another type of institution.

In conclusion, we have talked about how important this sector is for our whole economy. Not all sectors are like this, but this one in particular is one where regulation has been very important. National leadership from our federal government has been essential to growing this sector and essential to maintaining the integrity of the sector so that a group of students who
are showing themselves to be increasingly discerning about where they study will continue to choose Australia. And students like me, who had the great fortune to study with so many international students when I was a student at Monash, will continue to have that fantastic experience, and we will continue to see built those person-to-person links that will continue to help Australia move into this, the Asian, century.

Labor supports these amendments. We support any measures to help protect these international students, who are so much a part of our community and so much a part of my community in Hotham. I am pleased to speak in support of the amendments.

Mr CRAIG KELLY (Hughes) (17:05): I rise to speak on the Education Services for Overseas Students Amendment Bill 2013. Firstly, I would like to note that this bill makes a few technical amendments to the Education Services for Overseas Students Act 2000. However, before I go to the specifics of the bill, I think it is very important to emphasise how important our educational exports are to our nation and how they grew under the previous coalition government.

If we go back to 1996, when the previous coalition government was first elected, our educational exports were a little over $2 billion per annum. By the year 1999-2000, we had been able to double it to $4 billion. In fact, by 2007-08, when the coalition left office, this sector was worth $14 billion of exports. Of course, the trajectory that it was on under those years of the coalition government saw it, by 2009, reach close to $19 billion worth of exports. To put that in context, that makes educational exports our third-largest export industry, only behind coal and iron ore. In fact, we have more people coming to this country and our nation derives more export income from education than it does from tourism. Although we have our natural wonders of Bondi Beach, Ayers Rock and the Great Barrier Reef and we have places like Sydney Harbour Bridge and the Opera House which attract overseas tourism and build wealth and create jobs in this country, our educational sector surpasses that. Our universities, our TAFEs and our schools actually return more to this nation in exports than do our natural resources, our beaches and the other wonderful things we have for overseas tourists to come and see.

The wealth to this country is even beyond that measured dollar value. We see that where we have students from overseas it strengthens our global network of connections. Who knows how many future leaders of Asian countries will be among those many students that come to Australia to study and receive their formative education and experiences here in Australia? This helps them be leaders of Asian countries in the future and means a lot to our nation through the friendships that will develop. However, even though we were able to get close to that $19 billion figure in 2009, unfortunately, and contrary to what the previous speaker was saying, we have seen a decline in those export revenues under the previous Labor government. It depends how you measure it, whether you take the financial year or the calendar year, but we have seen our educational export sector shrink to something like 20 to 25 per cent. It is a common theme that we see. The coalition continually improves things and then when Labor came to office back in 2007 they headed on a downward trend. This government is determined to reverse that downward trend and get our educational exports headed back in the right direction.

One of the main reasons our educational exports declined is because of some of the changes the previous Labor government made. To give them some sympathy, they were not
totally to blame, but the changes they made to the visa system, the increases in fees, had a detrimental effect and harmed our exports. In fact, when we say a 20 to 25 per cent decline, this was something like $3 billion to $3.5 billion wiped off our educational export sector. That is more than if our entire wool industry was wiped out for one year. That is what we have lost in our educational exports.

On the specifics of the bill, it ensures that overseas students can receive appropriate refunds for unexpended fees in the case of an education provider or student default. It addresses the unintended consequences of amendments made in the ESOS Act 2012 which meant that some students were not able to receive refunds as originally intended. The problem only became evident after amendments were applied in practice. The bill proposes an amendment to ensure that the refund is for the full amount of tuition paid for or by the student, minus the amount calculated as having been delivered by the provider. The bill also gives the minister power to make a legislative instrument that will set out the method of calculation for refunds and in the case of different circumstances of visa refusal. This will streamline the requirements of the ESOS Act for users.

We have a great potential in this nation to increase our exports in our educational sector. We look across the board and we see where our jobs are going to come from in the future. Our educational sector is one of the keys to our economy. It is one of the areas where we have a competitive advantage. It is one of our nation's strengths. This is where government should be giving its support. UNESCO estimates that over this decade the number of internationally mobile students will almost double from four million to seven million. There is potential for us to increase our exports by multibillion dollars in future if we get the policy settings right, if we get our educational sector right. It is also important for several of our states. In New South Wales our educational exports are our second largest export sector. In Victoria it is actually the largest export sector for the whole state.

However, there are some risks and some concerns. Some of those concerns that threaten this potential export bonanza we can have are what is in our cross-curriculum priorities, our new national curriculum. We do have those three cross-curriculum embedded priorities of Aboriginal and Torres Strait Islander history and cultures, Asia and Australia's engagement with Asia, and sustainability. The concept of sustainability under the new national curriculum will be embedded in all areas of the curriculum, including mathematics. I quote from the national curriculum:

In the Australian Curriculum: Mathematics, the priority of sustainability provides rich, engaging and authentic contexts for developing students’ abilities in number and algebra, measurement and geometry, and statistics and probability.

It goes on:

The Australian Curriculum: Mathematics provides opportunities for students to develop the proficiencies of problem solving and reasoning essential for the exploration of sustainability issues and their solutions.

If the definition of sustainability was about economic sustainability, how governments must run a sustainable budget, this would be a welcome change, something that is welcome in our curriculum. We could actually take those concepts and we could use them in mathematics. We could look at basic addition and use the theory of economic sustainability to teach it to our children. For example, we could actually add up the last five budget deficits of this Labor
government—$27.1 billion, $54.8 billion, $47.7 billion, $43.7 billion and $19.4 billion—to work out $192 billion of accumulated deficits. This would obviously help our children learn about mathematics and addition.

We can also project forward. Again, we could teach children about addition in mathematics as a concept and look at the MYEFO over the last four years—for 2013-14, 2014-15, 2015-16 and 2016-17. If we add up those projected deficits that the previous government has locked in with our policies, we get over $120 billion of combined deficits. We could also teach our children the principles of simple interest in mathematics, as the current unsustainable debt that was racked up by the previous Labor government now costs the economy $10 billion annually. This is a way we can teach children percentages.

We could also teach them probability. We could quote to children the budget speech of the former Treasurer back in 2012, when he said:

The four years of surpluses I announce tonight are a powerful endorsement of the strength of our economy, resilience of our people, and success of our policies. This Budget delivers a surplus this coming year, on time, as promised, and surpluses each year after that, strengthening over time.

He continued:

The surplus years are here.

We could teach the concept of probability to students, because they could learn that the probability of that occurring would be absolutely zero.

If that is what our children were being taught about sustainability, we would not have too much objection, but what is the definition of sustainability? I quote directly from our new national education curriculum which defines it as follows:

The Sustainability priority is futures-oriented, focusing on protecting environments and creating a more ecologically and socially just world through informed action.

This is not a Greenpeace brochure; this is the concept that is embedded in everything Australian students learn under our national curriculum. Gone is the notion that our progress is defined as the exercise of mankind's ability to overcome our natural barriers. Gone is the inspiration and positive vision for the future that was instilled in my public school education back in the seventies. Gone is the need to strive to make our society wealthier and to grow the pie. Instead, we are replacing it with the idea of cutting the pie into smaller pieces in a so-called 'more socially just world'.

This is not what we want to have in our education system. If we want our education system to be a world best, something we hold up to attract exports and that students from overseas want to come and learn in, we need to be teaching in our education system. We need to place importance on independence and self-confidence. We need to be teaching our kids about fierce determination and willingness so that they are not afraid to make mistakes. We need to teach them critical thinking and to question common dogma. But most of all, we need to teach our kids optimism.

But instead, the definition of sustainability we have embedded in our national curriculum is simply a corrosive, green doctrine. It is at odds with progress. It teaches restraint and low growth, social conformity, a mistrust of society and a pessimistic fear of the future. This is not what we want. Rather than indoctrinate children about sustainability, the limits to growth and the limits to our resources, we should be teaching our kids that the greatest resource they have
is human ingenuity and that it is something that has no limits. Instead, our curriculum has been hijacked by green ideology.

For such an important industry for our country, something that we are going to rely upon to drive growth and to create those future jobs, we must address these issues so that we have overseas students who want to come to Australia, who see our education system as a world best and to enable kids to have a positive outlook for the future. The current national curriculum does not do that and it needs to be addressed. I congratulate the Minister for Education on his work and on this bill and also on addressing the issues in the national curriculum. I commend this bill to the House.

Ms CHESTERS (Bendigo) (17:20): I rise to speak on the Education Services for Overseas Students Amendment Bill 2013. I will reflect quickly on some of the comments that the previous speaker made. I want to say how sad it is that higher education has become the biggest exporting industry in Victoria. To become the biggest exporting industry in Victoria, it means that we have lost others. For higher education to be the biggest exporting industry, it means that as we have seen today, last week and yesterday with Toyota, we are starting to lose other industries that are important to our economy, such as our manufacturing industry. I do not believe that it is something that we can celebrate without acknowledging that other industries we rely on, ones that employ other people and create wealth and jobs, are disappearing.

The future of this country cannot rely solely upon a strong higher education sector. Higher education is important, as all the previous speakers have suggested, and international students are particularly important. The figures that we are talking about are over $15 billion and there are over 100,000 jobs in the higher education sector. Like every industry, it needs to be regulated to ensure that those purchasing the product get a good quality product and that those receiving the education get the best education they can for the dollars they provide.

I turn to why our universities are so reliant on full-fee-paying international students. It is not right to talk only about the higher education sector as an export industry, like coal, iron ore or manufacturing. We need to grow this sector because funding for our university sector was radically cut during the Howard years, which put us on a path to universities needing to rely on international students to supplement their budgets.

I support the amendments in the bill before us in relation to the Tuition Protection Service. The amendments aim to ensure that the TPS has the power to force a refund of prepaid fees where the provider fails to deliver the service, a course is cancelled or a visa is not issued. These safeguards ensure the quality of services provided by the education system. It is no secret that we have had some shonky and dodgy colleges taking advantage of international students by suggesting that if they complete their studies they will get permanent residence in Australia. Whilst this bill does not go to those issues, it ensures that if an international student has a visa cancelled or has enrolled in a course that is cancelled, they will receive a full refund. The aim is to build in safeguards that do not already exist so overseas students get the education they seek.

In providing additional financial security, these amendments will ensure there is a policy connection between the federal and state agencies to support the international education sector. In my state of Victoria a lot of work was done by the former Labor government to try and get rid of dodgy providers and rogue operators who popped up in any corner store. In
fact, a place across the road from where I live was given as the address of college claiming to teach motor mechanics, but it was just an empty house. When international students turned up on the day their classes were supposed to start there were no classes. This occurs and, without government stepping in to clean up these practices, such practices will continue. These sorts of practices are not good for our reputation as they send a message that Australia is not serious about higher education, but rather is a country where students need to pick and choose so as not to end up across the road from my place wondering why it is not a mechanics institute, as was thought.

I acknowledge the contribution international students make to our society. Many of these students choose to stay in Australia. I have talked to a number of students in my electorate who have chosen to stay and make Australia their home once they have navigated their way through the system and successfully completed their education and asked them about the changes they feel are needed. I asked them what we could have done to support international students and about the challenges they faced. I draw on some comments made by Abi Awasthi, who is today working at La Trobe University's Bendigo campus. His comments include ensuring that, apart from having access to courses of high quality, international students in Australia have access to affordable, safe and adequate accommodation services and that international students also have access to student services. For many international students this is a foreign country and they may not be used to our practices. This may be the first time they have left their home country, so there is a need to support them when they arrive particularly if they believe the college they attend is not delivering the services they paid for.

Another issue raised is the need for good jobs with good pay and working conditions so international students can properly support themselves. Dodgy contractors employing international students are very similar to dodgy colleges in that they take advantage of the students not knowing a lot about Australian legislation, so being easy to rip off. We need to support international students by ensuring they get good quality education, the course they believe they have signed up to and good jobs. I draw to the House's attention a recent report by United Voice, the cleaners union representing international students working in the cleaning industry. This report found that a number of international students are working for fly-by-night subcontractors who often cheat the students out of at least $15,000 a year in pay. These students lack the knowledge of their rights, which makes them extremely vulnerable to exploiters.

This is happening in the cleaning industry in capital cities as well as regions. Why do international students take up these jobs? Often their courses are quite expensive and they need the work to support themselves while they study. Across the whole area, when it comes to international students, whether it be the courses that they take up, the jobs that they have or the accommodation services that are provided, we need to do better to ensure that they are treated fairly and we need to do better as the host country.

As mentioned earlier, Abi is an example of the kind of international student who is coming here. He arrived in Australia in 2008 as a full-fee-paying international student to pursue his masters at La Trobe University. He says that his experience is a good experience, but the experience of some of the other international students he knows is not so good. He talks about people being picked up at the airport and being dropped off with their bags at an office, and
that is it. He talks about people who have had accommodation found for them that is an hour and a half, two buses and a train away, from where their courses are. He talks about the courses that they have been offered, the one-on-one tutorial time that they are told they will get and the payment that they will get to do their placements, but when the students take up the placements they are not paid. That is another major problem for international students today.

In some courses these students are becoming free labour, almost slave labour. As part of their course, they are required to do work experience, but the work experience might be three months working nine till five. You see these schemes being rolled out and rolled out. To complete their course, the international student has to work for free for long periods of time. That is something that Australian students would balk at and say, 'That is simply not fair.' This is why the changes being proposed to the Tuition Protection Service are important.

Across the sector, we need to make sure that we are doing better by our international students. Why are international students so important to university funding? I flagged this earlier in my speech. I know that some would argue, particularly in my community, that we should train our own first, that the growing number of international students is at the cost of Australian places. The truth is that the higher education sector would have collapsed without the funding of international students.

This situation was created under the former Howard government's bad Liberal policy of the late 90s and early 2000s. The funding that was cut from the higher education sector and the rate at which it was cut forced our universities to look for alternate funding streams. It was shortly afterwards that we saw the explosion in international student numbers. They have enhanced our universities and are building a strong culture. However, we cannot step away from the fact that cutting university funding has created a market for international students where sometimes our institutions are more interested in the money they are getting than the courses they are delivering. We need to ensure that our students and our guests in this country are receiving the quality education that they are seeking to pursue.

I want to go to comments made about the reduction in international student numbers in the last year. That is not the result of changes to the visas but purely and simply because of the cost of study in this country. Australia is now ranked as the highest in regard to the cost of study. Our courses are going up and there is the effect of the Australian dollar and the cost of living. That is why I have attempted to highlight the need to do more for international students when it comes to their jobs, their education and their accommodation. Whilst I support these measures to ensure that we have quality within the system, I would like to reiterate my warning that we cannot rely on higher education continuing to be our largest export sector. If we continue down this path of just educating people and not having jobs for them, we will soon run out of people to educate. We need to make sure that we have strong industries—industries such as higher education, health and manufacturing. It is not always the best news to be the largest export sector; it means that other sectors are doing badly. To say that it is wonderful and is the future of jobs in this country, I think, is a bit sad particularly following the announcement by Toyota that they are withdrawing. We need an economy where we are growing jobs across the board, not just in our higher education sector.

Ms MacTIERNAN (Perth) (17:35): I want to pick up from the very wise comments of my colleague. It is always very important for us to think that education is part of what we need to
do to create a place for ourselves in the 21st century economy, but so is investment in research and development and the practical application of that research. Just blindly following the mantra that it is all education, education, education can very much misguide us as to what we need to do to ensure that we have the jobs into the future and the capacity for people to exploit that education. Countries like Ireland and Italy produce very many skilled graduates who simply are unable to find work in their home country.

So we know that is a necessary but certainly not a sufficient condition. If we are going to be a successful country, we have to be prepared to invest and to understand that government investment in research has been critical for the development of industries that we like to think of as 21st century industries. It was not Google, Yahoo or Facebook that developed the internet, nor did they develop Wi-Fi or touchscreens. All these things were developed within government agencies with massive government investment to explore these very new technologies. The private sector then, quite rightfully and properly, leveraged off it. But let us not be confused about this mantra of small government being the thing that is going to drive our economy forward.

In relation to higher education, there are a couple of observations. I do not want to repeat what everyone else has said. It is very important that we keep our standards high. There is some evidence that Australia is perhaps in some higher education areas becoming a less preferred destination. We have to take steps to ensure that the quality of our institutions is considered comparable to the quality in the United States, the United Kingdom, Europe and even in some of the Asian countries. It is really important for us always to focus not just on the quantity but also on the quality for us to maintain our ability to compete against those institutions in other First World countries. We have to be capable and prepared to invest. I repeat: part of keeping our higher education sector competitive is being prepared to invest in the research component of institutions so that they attract the brightest and best and in turn prove attractive to students overseas who see themselves having the opportunity of working in prestigious organisations, but also working on projects and with individuals who are seen to be at the leading edge of a particular discipline.

Everyone likes to come in here to talk about this fantastic export industry. It is an important industry and it is very beneficial for us. We do occasionally have to take off the rose-coloured glasses and look at where we stand particularly on higher education in relation to other universities around the world and look at ways in which we can support quality, because there is an inherent conundrum for universities and others selling their services. Do we consider the people who are buying these services to be our customers? The customer is always right, so do we ease the customer's passage through our institution, perhaps of the cost of lowering standards, or do we take a longer term gain and keep those standards high, which may create the difficulties of whether or not we pass or fail students? It is a contradiction, one I know academic institutions around the world are grappling with. How do we attract foreign fee-paying students, giving them in the short term perhaps an easier passage through the courses while maybe damaging the longer term reputation of our institutions? It is a hard game to play. We know that people tend to focus more on the short term than on the long term in looking at the performance of their institution.

I was surprised by some of the statements. I thought we had bipartisan support around this thing but as usual we had an attack on the Labor government embedded in the second reading.
speech—it is almost ritualistic. It is interesting that they were talking about us driving down the student figures. The figures I have, even the driven down figures supposedly of the last financial year, are well and truly in excess of anything achieved under the Howard government. So it does seem to be a rather strange criticism that during the last year of the Howard government when there were 250,000 student visa holders in Australia and in the last year of the Labor government there were 304,000, you could seek some claim that we had driven this industry backwards. There was a very substantial increase over the time of the Labor government. It peaked in 2009. I also make the point that there is absolutely no doubt that we want international students here, that we want this industry, that it creates good jobs for Australians. It has the ability to drive up standards, to make more complex and intellectually rich and robust our higher education institutions.

But there is also a price to be paid with these high levels because there is certainly no doubt that our housing affordability problems are related to the rapid rise in our population. We saw this happening very dramatically in Perth where house prices doubled within a three- to four-year period from 2003 to 2007. Growth in population does drive housing affordability problems. If we expand our population too rapidly, our ability to supply housing at a sufficient rate is simply not there. That has certainly been the experience in Australia over the last 10 years. So I do think that, whilst we must encourage this as a vibrant industry, it cannot be that numbers go up without any real thought about what that does to the burden of infrastructure and to our ability to accommodate everyone at a price that is not going to undermine affordability of housing for very many Australian people.

I certainly think we have seen that more dramatically in Perth than anywhere else. This is not blaming migrants, but this is saying that rapid population growth does bring with it some real challenges. So we should not be there with rose-coloured glasses saying that all of these issues and industries are not without their challenges. This is a good industry. I totally support us providing these measures that are going to enhance the student experience and address some of the concerns that were experienced by the industry, while at the same time maintaining quality. But I do want to say, let us not be uncritical about what some of the challenges are that come with bringing large numbers of additional people into the country in a very small space of time. Thank you.

Dr CHALMERS (Rankin) (17:46): I am pleased to rise today to speak in favour of Education Services for Overseas Students Amendment Bill 2013 and also to follow some great contributions from colleagues from Cunningham, Hotham, Bendigo and Perth.

Attracting overseas students to study in our institutions is one of the most important ways we can build and maintain a broad, smart, Asia-focused economy into the future. For a lot of Asia's young people, studying in Australia can be a leap of faith. Imagine a young person in Mumbai or Guangzhou or any city or town in our region or beyond, thinking about taking that step. They want to know that their investment is secure, that their chosen institution is credible and that their surroundings will be safe and conducive to learning. If you go beyond all the acronyms and the public policy speak, that is what the Tuition Protection Service is all about. It is about safeguarding the investment and the potential that flows from many thousands of the world's young people choosing our education system over all the others.

I am proud to have the opportunity to speak in this place on a bill that seeks to empower the TPS, which is a great reform of the higher education sector achieved by Labor in...
government under Prime Minister Gillard. This legislation deals with an issue very close to my own heart and is crucial to our country, our economy and my own community in Rankin. Like a lot of my colleagues in here, I believe Australia has a lot to gain from a strong higher education sector, for our own people and also for our international students. Tertiary education like all forms of learning is about providing people with the tools to create their own success in life. I think the most important thing governments can do is provide these tools and nourish those aspirations. In this way, wide access to higher education is a path to greater economic mobility, which should be one of our most pressing objectives as parliamentarians. It is only through higher education that Australia can become a knowledge economy, which will drive greater productivity and transform the lives of individuals, families and communities from one generation to the next.

I am proud to say that the previous Labor government did a lot to strengthen the higher education sector. This is one of its proudest legacies—something even its harshest critics would have to concede. Labor oversaw a growth in university funding of more than 50 per cent, a staggering amount given the fiscal constraints of the time. We established the Tertiary Education Quality and Standards Agency which has helped maintain our world-class standards in the area of higher education. We were also responsible for introducing the Tuition Protection Service, which is the subject of this bill, and which offers protections for international students studying in Australia and ensures that our reputation as a country with high-quality higher education is maintained—something that is absolutely crucial for our ability to sell education to the world.

The unfortunate fact is that the need to introduce the TPS came about as a result of some poor handling of the higher education sector in the last years of the Howard government. That government oversaw student immigration laws that resulted in unsustainable increases in the volume of international students studying in Australia without the necessary systems and safeguards, which as a result failed to maintain the integrity of the system. The natural consequence of this was the entrance of a large number of new higher education providers specially designed to capture the international student market and not all of them were, shall we say, well-intentioned. Unfortunately, some of these could be better described as immigration scams rather than genuine educational providers. That is the reality of it.

Students from overseas were lured here on the promise of world-class education in Australia's high-quality higher education sector, but arrived on our shores to find something entirely different. In 2009 and 2010 alone, 49 higher education providers closed, leaving over 11,000 students displaced. The result of this was substantial reputational damage to the entire Australian education system, jeopardising our place in the very competitive global market for higher education. International student numbers took a hit as a result.

The introduction of the TPS was one of several measures introduced by Labor to restore confidence and quality to our education system in Australia. The benefit of the TPS over previous measures is that it was set up to function like insurance cover for international students. In this way, education providers paid levies based on their risk of closure or failure to provide a course. As a result, public universities do not pay a risk component at all, as they present an extremely low likelihood of closure. All education providers pay for the basic costs of administering the program and they all benefit from the enhanced reputational stability that results.
In the 2013-14 financial year, the annual TPS levy placed on registered providers of international education collected $6 million for the Overseas Students Tuition Fund, which gives you an indication of the scope of this program. The benefits of the TPS for students and universities are substantial and so are the benefits for Australia. Overseas students have greater confidence about coming to study in Australia. The TPS means that if a provider fails or a course becomes unavailable, the student has access to resources to help find an alternative placement for them. They can also rest more soundly in the knowledge that if there is no alternative course available they are able to request a refund of their fees out of the $6 million pool that is raised annually.

In the 2012-13 financial year, nine providers around the nation were closed, affecting 907 students. Well over half of those students sought assistance from the TPS and 282 of them were placed in alternative courses or received refunds. For the university sector, the TPS offers assurance that Australia's reputation as a provider of quality education is not diminished by the closure of smaller institutions. I am pleased to see that this bill will give the TPS further powers to achieve these goals.

Firstly, the TPS will be able to force the refund of pre-paid fees from a provider where that provider fails or a course is cancelled. It is a very basic thing but an important piece of assurance. Secondly, the TPS will be able to force the refund of pre-paid fees where a visa is refused for a prospective student. Again, this is a good, common-sense measure. Both of these extra powers will provide greater certainty for prospective international students considering coming to Australia for study.

The reputation of our educators, including universities across Australia—like Griffith University at Logan in my electorate—will benefit from these proposed changes. Across Griffith University international students make up over a quarter of the student population, or nearly 11,000 students. Students attending the TAFEs and private colleges in my electorate will also benefit. The Metropolitan South Institute of TAFE, with campuses in Browns Plains and just over the border of my electorate at Loganlea, offer courses to international students in a range of disciplines including hairdressing, business and youth work.

There are nearly 350,000 international students in Australia, a quarter of whom are from China and nearly 10 per cent from India. International students provide a huge boost to our universities, allowing them to invest in infrastructure to support all students and increasing the cultural diversity of education in Australia. Since the changes to higher education by the Labor government in 2012, there has been a strong resurgence in international student numbers across Australia. And it is the right kind of high-quality resurgence—not a free-for-all, like last time.

Data from the Department of Immigration and Border Security shows that over 74,000 foreigners applied to become students in Australia in the quarter to September 2013. That is an increase of seven per cent on the previous year, and that is a very good thing. Really encouraging is the fact that Chinese student applications jumped by over 20 per cent and applications from India more than doubled. That is a great outcome and a fantastic development for our economy.

With the surge in international student numbers in Australia, it is critically important that we support those students once they are here. Assurance of the provision of courses via the TPS is just one aspect of this. It is equally important that we ensure the quality of education
for all students in Australia. I had the opportunity and the pleasure last November to deliver a speech at the conference of the Australia and New Zealand Student Services Association. It was a great opportunity to meet with people who devote their careers to achieving great outcomes for university and TAFE students, including our international student population. They are a big part of what we need to succeed in this area and I pay tribute to their work. Some of them expressed concerns to me about the future of student services in the face of cuts confirmed by the government last year, and cuts that are likely to be around the corner under the guise of the Commission of Audit.

Universities and vocational education providers around Australia just cannot afford extreme cuts to their budgets. Of course there are difficult decisions to be made in budgets, and that is where priorities kick in. The fact that the coalition imposed a $2.3 billion cut, after not supporting the needs-based schools funding scheme that the saving was designed to cover, is indicative of their overall approach to education. The coalition sees spending on education as a cost rather than as an investment. They do not understand that investment in education results in increased productivity, increased labour force participation and a boost in funds raised from the export of education—among many other benefits.

Data from the Australian Bureau of Statistics in 2012-13 shows that education-related travel was Australia's fourth-largest export, beaten only by iron, coal and gold. Think about that for a moment: the fourth largest export. As such, Australia's economy depends on us having a strongly competitive and stable higher education market for international students, and that is something that this bill will support.

As we witness a resurgence in the international student population in Australia, a strong TPS is more important than ever. The annual report for the TPS indicates that there are up to 4,400 students with 22 providers that could close in the coming financial year, either as a result of business failure or because of regulatory action. Those 4,400 students depend on a strong Tuition Protection Service to ensure that their education is not affected as a result of poor operational decisions by higher education providers. What is more, the reputation of the entire Australian university and vocational training sector depends on a strong TPS. It is for this reason that the Labor opposition are proud to support this measure to strengthen our original Tuition Protection Service, and it is why I encourage all members to vote in support of this bill.

Mr FRYDENBERG (Kooyong—Parliamentary Secretary to the Prime Minister) (17:59): The Australian government supports a vibrant education system. It is committed to rebuilding Australia's international education industry and ensuring the appropriate quality assurance underpins our education system while taking steps to reduce red tape and the overall regulatory burden. The government will work tirelessly to ensure international students who choose Australia as their study destination receive education and training of the highest quality we can offer. Ensuring certainty for them and respecting their rights as consumers adds to both the credibility of our reputation in international education and the fulfilment of their ambitions in studying here.

By ensuring that the Education Services for Overseas Students Act 2000, or ESOS, and its associated legislative framework work effectively and efficiently, we will enhance the reputation and appeal of Australia's education system. The amendments made to the ESOS Act by this bill will help deliver on our government's commitment to international students to
provide a robust and fair system. They will increase certainty and fairness for students and providers of international education by rectifying unintended consequences from amendments to the legislation made in 2012 which may inadvertently restrict the amount of a refund an international student receives in some circumstances. The bill gives the minister the power to make a legislative instrument to specify refund requirements where an international student has had their visa refused. I will be using this opportunity to more clearly articulate those requirements after consultation with stakeholders.

The bill also amends the name of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 to remove reference to 'Registration Authorities'. The name of the national code will then reflect its purpose following the 2012 amendments to the ESOS Act. The change to the title of the national code does not affect its contents or operation. This minor amendment will be followed by further work on the national code to ensure it is contemporary and as far as possible addresses the needs of international students and education providers.

These amendments ensure the ESOS Act operates as it should. Timely passage of this bill is important to ensure certainty and clarity for providers and students across the sector as we rebuild the status and potential of international education in Australia.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr FRYDENBERG (Kooyong—Parliamentary Secretary to the Prime Minister) (18:03):

by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013

Debate resumed on the motion:

That this bill be now read a second time.

Ms PARKE (Fremantle) (18:03): I rise to speak in broad support of the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013 but with reservations which I will outline in due course. To a large degree, this legislation is the same as the bill prepared and listed by the Labor government during the 43rd Parliament. So to a large degree we support the changes it contains. There are, however, two key areas of difference in the present form of the bill as introduced by the government, and while we can support one of those changes we cannot support the other.

The first area of difference relates to the issue of the up-classification of various joint implants from class IIb medical devices to the higher risk class III—a process put in train by the previous government. As the minister noted in his second reading speech, this process was delivered as an outcome of the 2011 inquiry by the Senate Standing Committee on Community Affairs and the consequent transition arrangements required that sponsors of relevant medical devices apply and achieve the approval for the class III classification by l
July 2014. Unfortunately, there are many relevant devices on the register for which the up-classification process has not commenced, let alone been determined. It is in recognition of those circumstances that the changes in this bill allow for devices to remain on the register beyond 1 July 2014 provided the application for up-classification is lodged by that date.

While, of course, it would have been more satisfactory for the up-classification to have occurred within the transition period, we accept that there are still a significant number of registered knee, hip and shoulder implants for which an application is yet to be made. This amendment allows a pragmatic leeway during which those devices can be reclassified as appropriate. It also, sensibly, extends the time limit within which the TGA would ordinarily need to initiate an audit in relation to a particular application. This is really a provision of corresponding leeway on the regulatory side in light of what is likely to be a substantial number of applications arriving on the TGA's desk in the last few months of what was a two-year transition period.

The opposition does not have an issue with the aspects of the bill that I have just described. As I have said, it would have been preferable, both administratively and from a public health point of view, if the applications could have been received and determined in the window provided. But these processes do not always conform to the expected timetable, and the government's additional amendments in this area to the form of the bill that lapsed under the 43rd Parliament are supported.

There is a second area of change that we do not and cannot support; namely, the removal of what was schedule 14 of the bill in its initial form, containing amendments to the notification and recovery provisions of the Therapeutic Goods Act. Those amendments, which have been omitted in the government's bill that we debate here today, were framed in order to improve the scope and flexibility of the secretary's powers when it comes to ensuring the proper communication of health risks or concerns and, in some cases, the issuing of recalls in relation to goods, biologicals and medical devices. It goes without saying that these powers are an incredibly important part of the good and proper oversight and regulation by the TGA of medicines and medical devices such as implants, which can have devastating health consequences when problems occur, as we have seen in recent years with faulty breast and hip implants.

The amendments contained in the bill, as it was listed during the 43rd Parliament, essentially did three things: firstly, in relation to medical devices there was the inclusion of the additional power to require publication by the sponsor of the device of relevant information, which matched the equivalent provision that already exists in that act for therapeutic goods and for biologicals; secondly, in relation to each of the three categories there was to be added the additional power for the secretary to require from the sponsor of a particular therapeutic good, biological or medical device the details of patients who had received or been treated with such a good or device; and, thirdly, the bill gave the secretary the power to require the sponsor of goods or devices to provide information to the public or to a specified class of persons.

As the relevant bullet point in the explanatory memorandum for the bill in the form in which it was listed during the 43rd Parliament stated, these amendments would give the secretary:
… the power to require in particular circumstances (for instance where therapeutic goods have been suspended or cancelled from the Register, or where the Secretary has come to the view that the safety, quality, efficacy/performance, or presentation of therapeutic goods, is unacceptable), the sponsor of those therapeutic goods to provide information about the goods to the public or to a class of persons such as health care professionals or patients, and to give to the Secretary information about persons to whom the goods have been supplied;

It further stated:

It is also important that the Secretary have the ability to require the sponsor or supplier (e.g. where the goods are counterfeit) of goods to provide her with information about who relevant goods have been supplied to, so that patients who may be at risk can be quickly identified and contacted.

I think the average Australian would understand the enormous value in having the Therapeutic Goods Administration, TGA, which regulates this critical area of health for the safety of all Australians, put in a position where it can ensure that people who may have been affected by a health product with legitimate safety and quality concerns are properly notified, and notified in a timely fashion. For that reason, it is really hard to fathom why those amendments have been omitted from this bill. We would hope that the government could consider reinstating those amendments and I will be moving that way in due course.

I find it interesting that the minister made no mention of this significant change in his second reading speech. While there was text in the explanatory memorandum explaining the addition of the amendments I spoke about earlier in relation to the up-classification process, there was no text explaining why the amendments to empower the secretary of the TGA to better notify and protect Australian health consumers had disappeared. I guess if you are seeking to obstruct the provision of greater transparency and greater health consumer protection, the last thing you would do is be up-front about it, but I think that is a great shame.

The amendments proposed in the first version of this bill in relation to the notification and recovery provisions of the Therapeutic Goods Act cannot be characterised as placing any regulatory or compliance burden on pharmaceutical companies or medical device manufacturers. They simply allow the TGA to do its job more effectively in response to evidence of a health product which may not be effective or of acceptable quality or in some cases may be harmful. It is for those reasons that we will move to amend the bill to reinstate the provisions that strengthen the TGA's role when it comes to notification and recovery.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (18:11): I am pleased to support the Therapeutic Goods Amendment (2013 Measures No.1) Bill in the chamber today. This bill amends the Therapeutic Goods Administration Act 1989 to reduce regulation, to simplify and to streamline the listing of therapeutic goods whilst also ensuring that the highest standards of public health and consumer protection are met. I note that the majority of these minor but important changes were undertaken under the former government, and the coalition government obviously supports these measures. The Therapeutic Goods Administration is responsible for ensuring that any product claiming to have a therapeutic benefit is fully evaluated before being supplied for use in Australia. The TGA regulates products via the Australian Register of Therapeutic Goods. The TGA is a world-class agency which performs its important functions competently and diligently.

The changes proposed in this bill today, I believe, will further strengthen the TGA's role in regulating therapeutic goods and protecting the public. One of the significant changes in this
bill, and one which we should all particularly welcome, relates to better regulating what types of products should be listed with or fall under the operations of the TGA. The bill will now more clearly define what constitutes a 'therapeutic good' and therefore whether a certain product would be required to be listed on the register. This amendment is particularly important as the current definition contained in the act has a wide meaning, and over recent years we have all witnessed a whole variety of products listed on the TGA register but that have been found to have no demonstrable therapeutic value. For example, we have seen the proliferation of jewellery products such as magical wrist bands embedded with silicone which purport to enhance a person's strength, flexibility and balance; household items such as bedding underlays containing bacterial spores which apparently fight dust mites; weight loss belts—and the list goes on. Some of these products may have no impact on public health yet could still be potentially registered with the TGA. Such listings may give health-conscious consumers the false impression that a TGA listing of a product may be an endorsement of the various claims being made. Schedule 3 of the bill therefore confers the power on the minister to remove products from operation of the act if it is determined that a product has no health purpose or where TGA regulation is simply not justified. This will also ensure that the TGA is not unduly regulating products which do not require further oversight.

These amendments provide for new criteria that the minister must consider in excluding a product from the TGA register, which he or she can do by disallowable instrument. The bill also provides for a consultation process for sponsors where the minister has made a decision to exclude a product. All advertising and marketing claims made with respect to any excluded product of course must still comply with relevant consumer protection law, and the Australian Competition and Consumer Commission will continue to regulate such matters as is deemed appropriate.

Schedule 6 of the bill will amend the number of days the TGA is required to audit new listings from the current 20 working days. This amendment is necessary to support the up-classification of hip, knee and shoulder joint implants from class IIb medical devices to class III. The government intends for this transition to be completed by 1 July this year, and this amendment will give the TGA adequate time to review new applications by sponsors of current IIb devices seeking to up-classify. It is important to note that no current products will be adversely affected by this change, provided that sponsors submit their class III applications by 30 June.

The bill will provide new powers to the TGA to cancel products on two additional grounds, the first being on public health grounds, as set out in schedule 7, if a product's presentation is considered unacceptable. This amendment places an obligation on the sponsor to ensure the presentation of a good is not misleading to either health professionals or consumers and that the presentation of a product is maintained to this standard for as long as it is listed on the register. There are new civil and criminal penalties prescribed in this section associated with the false or misleading presentation of a product. The second ground, contained in schedule 15, relates to a failure by a sponsor to provide information, when requested by the TGA, within the time provided.

Schedule 10 of the bill expands the scope of the definition of a kit. This will allow a greater range of products to be subject to a simpler regulatory approval process. Schedule 11 of the bill provides for new penalties with respect to giving false or misleading information where a
sponsor or licence holder makes a request to the TGA to vary an approved therapeutic product. This provision seeks to ensure that the TGA is provided with only the most accurate information by sponsors and is particularly important where only the sponsor has access to certain product information that the TGA is unable to verify—for example, due to commercial-in-confidence.

Schedule 16 of the bill provides for the reversal of cancellation decisions done at the request of sponsors and holders of licences, thus avoiding review procedures or the need to seek new marketing approval or licences. The provision allows sponsors 90 days to lodge their request to revoke a self-initiated listing and also refunds their cancellation fee. Finally, amendments under the bill will also require the TGA to publish details of cancellations of medicines on the TGA's website or in the Gazette.

I note there was broad support for these changes from a number of stakeholder groups, including the Australian Commission on Safety and Quality in Health Care and Medicines Australia, the peak organisation representing pharmaceuticals. I do note, however, that the Australian Medical Association expressed a desire for there to be an additional classification that identified products that were not therapeutic goods.

In closing, I strongly support this bill and the very necessary public health measures contained in it. I believe that Australia's health consumers will be better served by these important changes. I commend the bill to the House.

Mr NEUMANN (Blair) (18:17): I speak in support, in general terms, of the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013, and I support the shadow minister, the member for Fremantle, in her concerns in relation to this. I see that the member for Port Adelaide is here. He and I both served as parliamentary secretaries for health in the previous government and I was involved in this particular debate and this sort of legislation when I was Parliamentary Secretary for Health and Ageing. We support the general thrust of this. The TGA is one of Australia's most important agencies. When I was parliamentary secretary I went out and spoke to the staff here in Canberra. They are dedicated Public Service people who are at the front line of protecting Australia's health system. They have copped all manner of criticism in the past, and there have been TV shows, but I can assure you that, from my discussions with them, I was very satisfied with the transparency, the accountability and the commitment of the people that I saw and met.

Certainly in the many discussions I had in relation to the TGA there was a strong and consistent determination to put aside the blemishes of the past and a commitment to make sure that the Australian public got the best health care possible, that therapeutic goods that were on the registry were appropriate and that inaccurate claims should be dealt with under consumer protection legislation. For that reason, in general terms we support the thrust of this legislation. It empowers the minister by legislative instrument. It also gives the secretary of the department the power to exclude things from the register that should not be on the register. It also makes important changes across the board to increase the transparency, the efficacy and the efficiency of the system.

But there are things in this bill which have—and we find this amazing—reduced transparency and accountability and the public information that is required, certainly the information that the secretary needs to have about what information has been given to the public: users, patients and medical practitioners. We cannot quite understand whether it is
deliberate or carelessness by the coalition in relation to this. But certainly that is an oversight and it seems to be against the whole trend of the blueprint for reform that the TGA has undertaken in the last few years. There have been many reviews, many reforms, but the blueprint from about 2011 has been the guiding light, almost the bible, for the reforms in the TGA.

The majority of the amendments in this bill are designed to make sure that we have some consistent regulation in this area. Sponsors of therapeutic goods will benefit from the changes. In the discussions I have had with stakeholders in this space—and, I am sure, in the discussions the assistant minister has had with them—they agreed with the thrust of this type of legislation. Many of the amendments are minor and technical but they involve important health policy issues. I am pleased to say that we support in general terms what this bill is doing. We believe strongly there should be consistent regulatory treatment of therapeutic goods, including over-the-counter and complementary medicines, biological and medical devices, therapeutic devices and prescriptions. We think this is extremely important.

It is disappointing the coalition cannot seem to help themselves when it comes to health policy. Although the coalition government have, in the bill today, very closely matched the former Labor government's intention and our objectives, they have omitted an important measure from our original bill, and that omission is the provision that would enable the Secretary of the Department of Health to request additional information on therapeutic goods in relation to certification or when public health is a concern. It is a serious omission because, without this specific power, sponsors of complementary medicines and low-risk medical devices can list their goods in the register, using the electronic listing facility, by certifying as to a range of matters about those goods without pre-screening or assessment by the TGA. So we think this is an important amendment that we are sponsoring. We think it improves the transparency and accountability in this space. Our original bill provided that sponsors of therapeutic goods, biologicals and medical devices were compelled to provide that information about goods to the public, health professionals or patients and to give the secretary the information about persons to whom therapeutic goods and devices have been supplied.

By this omission, the coalition are leaving Australians in the dark. It is not consistent with a healthy, transparent health care system. I urge them to reconsider their position. As I said, we cannot decide whether this is an oversight or is intended. We think they should reconsider this. The Australian public want the health system that they deserve and they pay for, but we want a regulation that actually provides the requisite power to audit these products and the kind of information that would be available. The amendment that we are putting forward makes sure that that would happen. We believe the Australian public require a regulatory scheme that sees patients, doctors and families provided with the kind of information that would be of potential concern to them if they had a problem with a therapeutic good, and that is the thrust of this amendment. I commend the member for Fremantle for the work she is doing, which is important. The coalition should reconsider its position.

Mrs PRENTICE (Ryan) (18:24): I rise today to speak on the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013, which aims to reduce regulation; to provide greater clarity, certainty and consistency in relation to the operation of the Therapeutic Goods Act; to reduce potential health risks to the public; and to improve the transparency of the
regulatory regime established by the Therapeutic Goods Act. This bill is technical in nature, but I want to touch on some key aspects.

In April 2011 the Consumer Health Forum of Australia released a report asking for improved transparency of the Therapeutic Goods Administration. As a national peak body representing the interests of Australian health care consumers, the Consumer Health Forum states that the Therapeutic Goods Administration has long been an area of interest for its membership. In 2011 the CHF hosted a workshop to engage consumers from a range of different backgrounds, including representatives of disease specific groups, networks representing older Australians and culturally and linguistically diverse consumer organisations. The workshop found that the overall perception of the Therapeutic Goods Administration was that it was not a transparent or accessible organisation to the general public and was not responsive to consumers' concerns.

The CHF explicitly makes a number of recommendations as to how the TGA can be more transparent and accessible to consumers. One of these recommendations is the better use of the TGA website to engage consumers and to become more open and informative about medicine and medical device issues. This bill improves transparency by allowing the use of the Therapeutic Goods Administration website to provide information about regulatory decisions made under the act. It will clarify the operation of some existing provisions and remove certain anomalies, making it easier for industry to follow codes and guidelines outlined in the act.

The government has followed the advice given by various committees, including the Senate Community Affairs Legislation Committee, and has also listened to stakeholders like the Consumer Health Forum when redrafting this bill. This contrasts with the previous government's process, which did not engage in direct stakeholder consultation sessions with regard to the previous bill. The coalition government listened to stakeholders, including industry bodies such as the Complementary Healthcare Council of Australia, Medicines Australia, the Generic Medicines Industry Association, the Australian Medical Association and the Australian Dental Industry Association.

Schedule 3 in this bill allows the minister to declare that products are not therapeutic goods, whether or not they come within the definition of therapeutic goods. This is to address the increasingly common practice of therapeutic claims being made for a range of goods, perhaps to make them more appealing to health conscious consumers, even if they have no or little bearing on actually preventing or alleviating any illness or injury or any other health related impact.

These amendments also allow the minister to respond with flexibility on a case-by-case basis to clarify whether a particular product falls within the definition when there is uncertainty. An example used for why this provision is necessary is demonstrated by goods for which therapeutic claims have been made, such as power band bracelets, where it was claimed that the use of the band would boost a wearer's balance, strength and flexibility — claims that are demonstratively untrue.

A company making unrealistic and sometimes blatantly incorrect therapeutic proclamations about their products is a new concept. Many would remember the infamous phrase 'Don't rasp your throat with harsh irritants, reach for a Lucky instead'. These were the words of a 1930s advertising campaign by Lucky Strike cigarettes. It is almost beyond belief that a
cigarette company could get away with passing off its product as beneficial for the throat, but, according to current studies, false and misleading therapeutic based commercials are far from extinct.

Dartmouth College researchers and the University of Wisconsin-Madison decided to investigate what drug companies say in their US TV commercials. Their findings suggest a frequent disregard for the truth. Sixty per cent of prescription drug advertisements and 80 per cent of over-the-counter drug advertisements were found to be misleading or false. While the statistics are slightly different in Australia, these half-truths are still widespread in Australian commercials.

A significant proportion of these misleading therapeutic based commercials and advertisements are not necessarily for so-called therapeutic goods. In the past, products such as medicinal mattresses with bacteria spores, designed to reduce the effects of dust mites, and 'power bands'—bands of cheap, coloured rubber which are supposed to increase the wearers' balance, strength and flexibility—have actually been assessed as a therapeutic good, as they make therapeutic claims.

However, the ACCC is much better equipped to handle these misleading claims and false advertising. Schedule 3 allows the minister to determine products such as these to be 'not therapeutic goods', thus allowing the ACCC to get straight to investigating claims of misleading advertising and to respond efficiently and appropriately. The minister has explicitly stated that the powers given in schedule 3 are for increasing efficiency and reducing red tape. The overarching aspect of this bill is that it reduces unnecessary red tape and removes or modifies a number of regulatory processes and powers to improve the efficiency of the regulatory scheme, to help ensure regulatory compliance or to ensure that regulatory decisions are based on accurate information.

One of the coalition's key election commitments is to reduce the burden of red tape on industry and business. I note that in the House at the moment we have the member for Kooyong, who is spearheading that campaign. The government has pledged to reduce $1 billion worth of red tape this year, and the measures in this bill are just one of the many actions that will see workers spend less time behind a mountain of paperwork and more time delivering results. I commend this bill to the House.

Mr GILES (Scullin) (18:31): I am pleased to make a contribution which is broadly in support of the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013, which of course, as other speakers have mentioned, closely resembles a bill introduced by the former government, with one significant exception. The Therapeutic Goods Administration was one of the significant achievements of the Hawke government. It was established under the Therapeutic Goods Act 1989. The Therapeutic Goods Administration is responsible, of course, for regulating therapeutic goods before they are marketed and monitors products once they are on the market. This includes goods that we rely on every day, such as sunscreens, through to goods used to treat serious conditions—for example, prescription medicines, vaccines, blood products and implants.

Labor introduced the Therapeutic Goods Administration because it recognised the need for effective regulation of therapeutic goods that met Australian standards whilst also encouraging therapeutic advances, striking the right balance between these two goals in the interests of consumers. So the act provides a framework for a risk management approach that
allows the Australian community to have timely access to therapeutic goods which are consistently safe, effective and of high quality. Essentially, any product for which therapeutic claims are made must be listed, registered or included on the Australian Register of Therapeutic Goods before it can be supplied in Australia. The Therapeutic Goods Administration works with consumers, health professionals, industry and its international counterparts in order to effectively regulate increasingly complex products, often resulting from rapid scientific developments.

As the member for Ballarat put it in March last year, the purposes of the original bill—the bill preceding that which we are considering here—was:

… to make a number of minor but important changes that will streamline and improve the operation of the regulatory scheme for therapeutic goods under the act. Most of the amendments are of a minor, technical nature, designed to ensure, where appropriate, consistent regulatory treatment of the different types of therapeutic goods including prescription, over-the-counter and complementary medicines, therapeutic devices, biologicals and medical devices. Many of the changes, including a new offence, standardise or replicate existing regulatory requirements so that common regulatory rules and processes apply to all classes of therapeutic goods under the act.

Labor continues to support the amendments to the extent that they reflect the amendments as outlined by the member for Ballarat in March 2013. All of these measures are needed to ensure that regulation remains directed at goods that have a link with diagnosing, treating or ameliorating medical conditions or have a relevance to public health more generally.

Currently, the definition for therapeutic goods is so wide that it may encompass household items, food and other products for which public health is not or is very unlikely to be at issue. These products may be—and in all cases will be, I would think—more appropriately regulated under general consumer protection or other legislation, particularly having regard to the nature of the penalties under this legislation. So the bill includes a measure designed to ensure consistency in the way that the different classes of therapeutic goods—for example, medicines, medical devices and biologicals—are regulated by allowing the secretary to remove products when requested information is not provided or the presentation of goods is no longer acceptable.

Amendments will also enable the Minister for Health to remove, by way of legislative instrument, goods from the definition of ‘therapeutic goods’ and in turn make them exempt from regulation under this act. This will ensure that only goods which have some impact on public health are regulated by the Therapeutic Goods Administration. Amendments will also enable the secretary to remove from the Australian Register of Therapeutic Goods products which are not, or are no longer, therapeutic goods, for instance because they are food or where therapeutic claims no longer persist in relation to them. Amendments will also provide flexibility in the manner in which various decisions made under the act, such as the cancellation of products from the registers, can be communicated to the general public.

These amendments are all consistent with the former government’s intention to improve the transparency and the Australian community’s understanding of the Therapeutic Goods Administration’s regulatory process and decisions and so are to be supported. But, while the bill matches many of the former government’s intentions and objectives, forming part of the broader therapeutic goods reform, the bill before us today omits an important measure that was in Labor’s original bill, a provision that required the sponsor of therapeutic goods,
biologics and medical devices to provide information about the goods to the public, health professionals or patients and to give the secretary information about persons to whom the therapeutic goods or devices have been supplied.

Australians deserve a robust and transparent healthcare system, and they need a regulator that has adequate authority to advise patients, doctors and families alike where there is a potential problem or concern with a particular therapeutic good. The former provision of a new capacity for the secretary to require more information in relation to therapeutic goods or devices where there is a legitimate concern for public health and safety represented a substantial improvement in transparency and oversight and also an opportunity to take sensible action in relation to potentially serious health issues.

The other aspect of the original bill, the 2013 legislation, pertained to oversight—namely, information being provided to the Secretary of the Department of Health about persons to whom therapeutic goods or devices have been supplied. Oversight is, of course, an important part of any regulatory regime. In this instance, getting the sponsors of these products to advise the secretary about who they sold their products to does not seem particularly onerous. If there were to be any issue with a therapeutic product or device, surely it would be worthwhile and consistent with the broader public policy objectives of the legislation to know how widespread the dissemination of the product or device was. The rationale underpinning the original bill and the amendments to the current bill proposed by the member for Fremantle are driven by a desire for public information improvement that health sector advocates and individuals sought for quite some time. It is difficult to understand why the government would choose to keep the public in the dark, including as part of the debate in this place. This obsession with secrecy all sounds eerily familiar to those of us here as once again, as in other areas of governance, given a choice between transparency and accountability on the one hand and secrecy or just silence on the other, this government always takes the latter choice. Maintaining secrecy in relation to health concerns is not cutting red tape.

This bill and its amendments should be concerned with better health outcomes for all Australians based on them being able to make informed choices, a principle that I am sure the parliamentary secretary is supportive of. The amendments proposed by the member for Fremantle address these concerns regarding properly informing the public, health consumers, consumers of therapeutic goods and devices, by making the proposed insertions after paragraph 30HA(2)(b) and at the end of subsection 32HA(2) and also insertions in respect of paragraph 30EA(2)(b) and EA(2). I urge the government to adopt, in full, the opposition’s amendments to this bill, which are entirely consistent with the worthy policy objectives underpinning the legislation.

Mr LAMING (Bowman) (18:39): This therapeutic goods amendment bill carries out some small but fairly important amendments that started last year but did not manage to find their way through the parliament before the election. The purpose of the bill is to make some minor but important changes and to streamline and improve the functions of the Therapeutic Goods Administration. This has been an incredibly burdensome task for this agency to monitor the safety and efficacy of health products in the Australian market. The bill will be including amendments to provide support for the management of the TGA, which is greatly welcomed in this transitional up-classification period of hip, knee and shoulder joint implantable medical devices in the lead-up to the June 2014 transition.
There are also, importantly, amendments to allow the Minister for Health to make legislative instruments the effect of which would be to exclude certain identified products from the definition of therapeutic goods in the act. This ensures that the focus of the act is not overly displaced onto goods that are unlikely to have any public health impact. The current definition of therapeutic goods can sometimes capture some household items that one normally would not expect to be caught up in that legislation. The regulatory impact of all of these proposed amendments I really welcome. The fact is that they aim to either be completely neutral in regulatory burden, to deliver a reduction in that burden or at least to set us up and facilitate future reduction in regulatory burden, such as allowing the minister to make legislative instruments that declare that products that are currently regulated that do not need to be can be seamlessly removed from the act.

There will be questions about whether these amendments, particularly in schedule 1 relating to advertising, do broaden the TGA's powers. We would like it really clear that these changes where regulatory action can be taken under the act by reference to compliance with advertising requirements include compliance with the code. Regulatory action includes approval of therapeutic goods asking a sponsor of therapeutic goods for information about those goods and the cancellation of goods from the register for any form of breach of those advertising requirements. This is a classification that will reflect that longstanding approach that has been taken by the TGA on the provisions of the act which refer to compliance and noncompliance with applicable advertising requirements.

It also contains an amendment that gives the TGA the power to acquire information relating to the compliance of registered medicines with applicable standards. That power I really think is vitally necessary. Why is this power necessary? In essence the TGA can only approve a prescription medicine or an over-the-counter medicine or a biological if its presentation is deemed acceptable. So the main purpose of these amendments is to ensure that the obligation is on the sponsor to ensure that their presentation of a therapeutic good is acceptable and is not misleading to healthcare professionals or to consumers. That continues for as long as those products are entered on the register.

Thirdly, do these amendments as set out in schedule 7 relate to or pre-empt the outcomes of the TGA's review of labelling and packaging? The answer is a definitive no, because the TGA is considering some of these issues and potential reforms in the area of packaging but the bill does not pre-empt any of those processes, what they may be, and any of the measures that are associated with that reform process. That is encouraging. With the issues of consent to import, to supply or the export of goods, currently under the act the TGA can consent to importing into, supplying in or exporting from Australia registered and listed products that do not comply with a particular applicable standard. The TGA can give this consent unconditionally, subject to conditions. However, a decision of the TGA not to give consent is subject to merits review by the minister and the AAT. A decision to impose a condition such as a consent is not currently subject to any of those review processes, and this is an improvement that this bill delivers. These amendments address that anomaly. They provide sponsors with a right of merits review in relation to the imposition of these conditions by the TGA in areas such as consent, including the right of appeal, which I think is also vital for people taking a commercial risk to introduce therapeutic goods to this country.
What is not retained in the bill I know is of key concern to the opposition. A small number of measures were removed from the former bill and I know that they received some focus from opposition speakers. The amendments that have been removed include allowing the TGA to require sponsors or suppliers of therapeutic goods to provide a wider range of information to the TGA or to the public about goods and the circumstances in which a recall could be ordered. But the omission of this particular amendment will not adversely affect the safety of the public because there are provisions in the act already under which the TGA can require sponsors, or even former sponsors, to provide that information about therapeutic goods for which there might be safety issues or potential recall. Also, information can be published on the TGA website about any matter relating to safe use of therapeutic goods or about a decision that is made under the act.

Secondly, the power of the TGA was removed to cancel medical devices from the register for failing to comply with advertising requirements in order to align with the TGA’s power to cancel registered and listed goods and biologicals. The omission of that element from the bill will not adversely affect patient safety because the TGA already possesses the power to cancel medical devices if the sponsor’s certification— which is made when they apply for marketing approval, that their devices comply with applicable advertising requirements—is no longer correct.

Thirdly, the TGA no longer has to impose conditions when permitting the use by sponsors of restricted or prohibited representation in advertisements. The omission of this from the bill will not adversely affect public safety either as the TGA retains discretion on whether to give permission for the use of such representations.

Lastly, there is the extension of power to prescribe in regulations pharmacovigilance reporting requirements for registered or listed therapeutic goods. The omission of that from the bill will also not impact public safety because it was a minor technical amendment which would only have allowed TGA’s pharmacovigilance guidelines to be carried out.

In conclusion, the two main changes as a result of passing this bill will be to reduce regulation, which of course is quite a daunting prospect when one sees the expansive work that is performed under the Therapeutic Goods Act 1989, and provide the minister in particular with the power to remove low-risk products from the operation of this act even though the products may fall within the definition of a therapeutic good. That measure is necessary because of the increasing tendency of claims to be made for a range of goods that suggest that they can influence the health, wellbeing or mood of individuals. This power will facilitate a reduction in regulation, particularly where there are already consumer protection laws in place. The minister must, though, have regard to the criteria when exercising this power, including whether it is likely that specified goods not regulated under the act might harm the health of members of the public, and that will be a pre-eminent consideration for the minister in that case. There is the new power for the secretary to remove products that have been wrongfully included on the ARTG, the register, that are not in fact therapeutic goods at all. By doing so, they exclude them from the regulatory requirements of the regime.

The other encouraging element that I want to emphasise is that we are, as a result of these amendments, contributing to a reduction in potential health risks to members of the public. Firstly, there are the amendments that support the current transitioning of the reclassification of hip and knee joints, which is coming up midway through this year. This follows the
November 2011 inquiry by the Senate Community Affairs References Committee into regulatory standards, where they were looking at the approval of medical devices. These changes will allow for 20 working days for the secretary to decide whether to audit an application for marketing approval for a class IIb device that is seeking classification to class III. This simply allows more time for the TGA to determine whether an audit should be conducted. It allows the TGA to more efficiently manage the expected rush of applications towards the end of the transition period without affecting the sponsors, in having to wait longer, or tying up resources or diverting those resources from other evaluations or reviews that have to be carried out by the TGA.

In conclusion, there are two measures that support ongoing compliance with regulatory requirements. It provides the power to cancel products from the register, which until now has not been available and has been cause for great frustration for those working in the approvals process. By doing this, there will be a power to cancel products including how they are labelled or packaged and any advertising or information that is associated with those goods when they seek approval for marketing. It is no longer acceptable that a sponsor fails to respond to a requirement to provide information that the TGA might require about a good in order to determine whether it should remain on the register or whether there is a safety issue requiring regulatory action.

A number of elements that were included in the bill have been omitted, with some concern expressed by the opposition. The key thing to remember is that the focus is 100 per cent on patient health, demonstrating efficacy, demonstrating safety and demonstrating that, where we can monitor Australian therapeutic products, we can do it with as little regulation as possible.

Ms MacTIERNAN (Perth) (18:49): Likewise, I rise to support the Therapeutic Goods Amendment (2013 Measures No.1) Bill 2013. Some sensible provisions are contained in this bill to amend the legislation so that it does not in an unintended way catch a lot of products that are being marketed as beneficial to health. It would be quite absurd for us to seek to have the TGA deliberate on jewellery, bedding or even clothing because those products are being marketed as health products. Obviously, there is the need for some honesty in consumer communication, but that is better dealt with by consumer protection legislation than it is by the Therapeutic Goods Administration, which deals with products that are very much within the medical sphere. We support that.

Concern has been raised by Labor about the removal of the provisions that require persons who may be affected by a product whose registration has been cancelled to be contacted. We do not believe that there has been a coherent argument put forward to justify the removal of the provisions that would require the TGA to make sure that people who are affected by these therapeutic goods that have been removed from the register—that have been deemed to be no longer acceptable—are contacted. We believe that the provisions that change the obligation of the TGA to contact those persons has not been supported. That has been set out in this place by the member for Fremantle.

I want to use this opportunity to express my concern about some other aspects of the Therapeutic Goods Administration. My concern is that we are seeing some poor-quality results. I would like us to perhaps have a more rigorous regime than we have now. In particular, it reflects a concern that I have—and, no doubt, it is shared by many people—about the impact and influence of big business and, in particular, big pharma. Being a
relatively new member of parliament, I have been quite surprised at seeing the number of events that are organised to deal with pharmaceuticals—promotional events by pharmaceutical companies or interest groups that are associated with the promotion of a particular medicine or treatment. I am not convinced that we really have our settings right. I have raised concerns about the product Strattera, which was an Eli Lilly brand-name for atomoxetine.

This product was originally developed in the 1980s as an antidepressant. It was found to be ineffective, but in the early 2000s it popped up with a new use as an alternative medication for ADHD. It was presented as a non-stimulant suitable for treating people with ADHD, who were not suitable candidates or there were sufficient contraindications for them to be treated with non-stimulants. This drug was promoted by the company as a treatment for the disorganisation disorder—if we can use that term—known as ADHD. While the drug would treat ADHD it would also stop the trade in stimulants that we know is one of the problematic side effects of the widespread prescription of stimulant drugs, which then enter the broader market and in particular the school market. Many schoolkids get their gateway drugs from these prescribed drugs being sold in school playgrounds. This drug was presented as being great, because it was not a stimulant.

Various concerns were raised by the American Food and Drug Administration, but when the drug was considered in Australia for this purpose, there were concerns about the process that had appeared to be acceptable. Two studies were presented. There were 18 medical people involved in the preparation of the first study. It turned out that all 18 were either actively on the payroll of the drug company or had previously been on the payroll of the drug company. How that study could have been considered to be an objective report is very puzzling. We have seen this problem with drugs in the ADHD area, where there has been a great deal of evidence—not just for this drug, but for other drugs—of vested interests in the studies into their effectiveness.

The question is whether the companies can control the evidence, as they are not required to present all reports. It is important that the trials conducted into this drug's former use as an antidepressant should have been examined, as the trials were not just into the effectiveness of this drug to control a condition but also into the side effects of the drug. The company argued it was irrelevant to consider the work done on the assessment of the drug as an antidepressant, because it was dealing with a different cohort of people. However, the dangers presented by this drug in relation to its potential—putting aside the psychotropic problems—to cause liver damage and a range of other physical side effects will not vary greatly between the two target populations. There is a very important principle here, and I am not confident about how it is dealt with on the basis of the way this drug has been treated. I am not convinced that we are rigorously testing the side effects of these drugs.

There have been more and more reports—and they are voluntary reports, because there is no compulsory reporting—of a range of alarming side effects. These side effects are not just psychotropic but also physiological side effects. If a drug is for treating a life-threatening illness, like cancer, one would weigh the side effects quite differently. But, when the disorder really focuses on a child's inattention or the difficulty a child might have in getting itself organised, I think the fact that you are finding these side effects must be weighed much more
heavily, because the mischief that is sought to be relieved is probably not worth the risk that we are seeing.

I am extremely alarmed that there does not seem to be a process for systematic review of the drugs in light of subsequent findings. Finally, after quite some time, we have now had the TGA make a public warning about some of the impacts: clinically significant increases in heart rate and blood pressure, suicide ideation and even attempted suicidal behaviour that has been created by this drug. As I said, I would have thought that, given we are not dealing with a life-threatening condition, this should be an occasion where we go back to the drawing board, review the benefits that we are getting out of this drug, weigh those against these very significant side effects and ask the drug company to produce some better longitudinal studies that are not performed by people who are on the company payroll.

There is obviously an enormous amount of money within this industry and they have enormous influence. I find their lobbying abilities and their funding of consumer groups to advance the particular cause of their drug very worrying, and I believe they are quite distorting of the whole process and the protection regime that we have sought to put in place with the Therapeutic Goods Administration and the Pharmaceutical Benefits Scheme. So, whilst I support this legislation, I think that we have cause for concern about some aspects of the TGA.

Dr Gillespie (Lyne) (19:01): I also rise to speak on the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013. Our government made a commitment at the election that we would continue to work towards reducing red tape and regulation across government through a common-sense approach in the way we do things. These amendments that are being made are common-sense amendments. This bill passed through the House of Representatives in June 2013 and was before the Senate when the parliament was prorogued. The changes that have been made are to address issues and concerns raised by the coalition and by industry and other stakeholders in response to the bill, as well as to reflect the views of the Senate Standing Committee for the Scrutiny of Bills, the Parliamentary Joint Committee on Human Rights, the Senate Community Affairs Legislation Committee, and several submissions to the community affairs committee's inquiry into the previous versions of the bill. I view these amendments from the perspective of my past medical background of 33 years, in which I have had to rely on numerous product information statements and assurances to me and my colleagues that the TGA has indeed thoroughly assessed medicines and other therapeutic goods.

Overall, with these changes we see not only a reduction in regulatory burden but also a reduction in health risks to the public and an improvement in the transparency of the regulatory process. First and foremost, we see an up-classification of implantable joint medical devices—such as for hip, knee, ankle and shoulder joints—that were on the register as of July 2012. The measures up-classify them from class IIb to the much higher and more rigorous level of class III. A two-year transition period, up until July 2014, has been allowed for the proponents to put themselves in for this up-classification, and an allowance of time has been made in regulations for the departmental audit of selected applicants.

Second, the definition of a therapeutic good is very broad and has led to many inappropriate classifications, including of some household products that have been mentioned earlier this evening, like the magnet power band bracelets and mattresses that purport to have
health benefits against dust mites. These are more appropriately regulated under consumer protection legislation. Schedule 3 of the bill allows the minister to remove products that are deemed not to be therapeutic goods from the register by making a disallowable legislative instrument. There are criteria which the minister would be required to consider before making such a legislative instrument to exclude products from the definition of therapeutic goods. This is particularly important for medicines that came in under section 26A.

The bill also clarifies processes for dealing with and approving the product information statement. It allows the minister to suspend or cancel registration if the presentation of goods is not acceptable or if the sponsor does not respond to requests for information. There is, however, retention of a right to internal review and to review by the Administrative Appeals Tribunal of any decision to approve the product information for prescription medicines. This is very important, because the product information is the critical thing that medical practitioners and pharmacists rely on when they are making their advice to patients and consumers. The former bill had proposed that such decisions not be subjected to a separate right to merits review, principally because of the concern that the product information might become inconsistent with the decision to approve the medicine. These queries were raised before the Parliamentary Joint Committee on Human Rights. However, another way of addressing this concern has been found, and the bill maintains a right to merits review for product information decisions.

Transparencies improve for consumers by the inclusion of an obligation to publish either in the Gazette or on the TGA's website the particulars of any decision of the TGA under the proposed new section 9F that facilitates removal of these non-therapeutic goods from the register. It also requires the TGA to publish the particulars of any overturning by the minister on review of a decision by the TGA to cancel or suspend a product from the register or to cancel or suspend a manufacturing licence or a conformity assessment certificate. This was in response to stakeholders in submissions to the Senate Community Affairs Legislation Committee. Most importantly, it also introduces an offence and a civil penalty if a sponsor provides false or misleading information in the product information. It also clarifies the definition of a kit, even if the kit contains only one therapeutic good or biological compound among many products in the so-called kit.

All these are common-sense amendments. Certainly they simplify and clarify the TGA processes. Most importantly, they do not have financial impact on the Commonwealth. The government has assessed the regulatory impact of the former bill and removed selected amendments that would have imposed an unnecessary regulatory burden on Australian businesses. They are common sense, they increase transparency and they increase safety to consumers. I commend this bill to the House.

Mr DUTTON (Dickson—Minister for Health and Minister for Sport) (19:09): I thank all members who have contributed to this very important debate. In particular, I thank Dr Gillespie for his contribution. He has served his local community for a long time, exceedingly well in the area of health. He knows the space well and is a great contributor to this place.

The measures contained in the Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013 will contribute to a decrease in regulation, to a reduction in potential health risks to the Australian public; will involve transparency of the regulatory scheme and provide greater clarity and certainty about the operation of aspects of the Therapeutic Goods Act 1989; will
give new power for the minister to exclude from the regulatory scheme low-risk products that do not represent a health risk to members of the public; and, will provide a basis for ensuring that only those goods for which Therapeutic Goods Act regulation is appropriate continue to be regulated. Claims made about the ability of household items, bedding or jewellery to improve a person's wellbeing or mood may well become caught by the regulatory scheme established by the act when such goods may more appropriately be dealt with under regulatory screens.

By allowing the minister by disallowable instrument to exclude these products from the operation of the act, the focus of the regulatory scheme will remain on goods that have a connection with the alleviation, prevention or indeed treatment of medical conditions or with public health benefits and could, if they were not regulated under the act, represent a health risk to members of the public. The proposed powerful secretary to remove goods included in the Australian Register Of Therapeutic Goods that are not in fact therapeutic goods will also ensure that only those products which justify regulation under the act continue to be covered by the act. Products removed from the therapeutic goods regulatory scheme will still be subject to other more appropriate regulatory schemes such as consumer protection provisions in the Commonwealth Competition and Consumer Act 2010. Measures included in the bill to enable decisions of the TGA to be published on the TGA website as an alternative to publication in the Commonwealth of Australia Gazette will benefit both consumers and industry by providing better access to important information about the TGA's regulatory activities as well as improve transparency in the operation of the regulatory scheme established under the act.

In summary, the amendments in the bill make minor changes to the regulatory scheme for therapeutic goods with benefits to industry and consumers. The government will be giving further consideration to how the therapeutic goods regulatory scheme can continue to meet the needs of all of those who have an interest in its efficient and effective operation. The Australian public, industry, healthcare professionals and consumers in a constantly changing environment, while ensuring the focus remains on the promotion and protection of the health of all Australians.

Question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Ms PARKE (Fremantle) (19:13): I move:

(1) Page 40 (after line 12), after Schedule 15, insert:

Schedule 15A—Public notification and recovery

Therapeutic Goods Act 1989

1 After paragraph 30EA(2)(b)

Insert:

(ba) to inform the public or a specified class of persons, in the specified manner and within such reasonable period as is specified, of specified information, or of information of a specified kind, relating to either or both of the following:
(i) therapeutic goods;
(ii) the circumstances referred to in paragraph (1)(a) in relation to therapeutic goods;

2 At the end of subsection 30EA(2)
Add:
; (d) to notify the Secretary, in the specified manner and within such reasonable period as is specified, of specified information, or of information of a specified kind, relating to the persons to whom therapeutic goods have been supplied.

3 After paragraph 32HA(2)(b)
Insert:
(ba) to inform the public or a specified class of persons, in the specified manner and within such reasonable period as is specified, of specified information, or of information of a specified kind, relating to either or both of the following:
(i) the biological;
(ii) the circumstances referred to in paragraph (1)(a);

4 At the end of subsection 32HA(2)
Add:
; (d) to notify the Secretary, in the specified manner and within such reasonable period as is specified, of specified information, or of information of a specified kind, relating to the persons to whom the biological has been supplied.

5 Subsection 41KA(2)
Omit "one or both", substitute "one or more".

6 At the end of subsection 41KA(2)
Add:
; (c) to inform the public or a specified class of persons, in the specified manner and within such reasonable period as is specified, of specified information, or of information of a specified kind, relating to either or both of the following:
(i) medical devices of that kind;
(ii) the circumstances referred to in paragraph (1)(a);
(d) to publish, in the specified manner and within such reasonable period as is specified, specified information, or information of a specified kind, relating to the manufacture or distribution of medical devices of that kind;
(e) to notify the Secretary, in the specified manner and within such reasonable period as is specified, of specified information, or of information of a specified kind, relating to the persons to whom medical devices of that kind have been supplied.

7 Application of amendments
Therapeutic goods
(1) The amendments of section 30EA of the Therapeutic Goods Act 1989 made by this Schedule apply in relation to requirements imposed on or after the commencement of this item, whether the therapeutic goods to which the requirement relates are registered or listed before or after that commencement.

Biologicals
(2) The amendments of section 32HA of the Therapeutic Goods Act 1989 made by this Schedule apply in relation to requirements imposed on or after the commencement of this item, whether the
As I suggested in my prior remarks, the amendment includes some straightforward but significant changes to the sections within the notification and recovery part of the Therapeutic Goods Act. They are changes the substance which will be no surprise to the government and which are not hard to understand. These changes formed part of the bill as listed during the 43rd parliament and represent an important beneficial change to the scope of the TGA's oversight and protective function. The proposed amendments expand that scope in relation to three categories, namely, therapeutic goods; biologicals, which means a product involving human cells or human tissue; and, finally, medical devices. The proposed amendments will enable the secretary to not only require a sponsor of these products to give notification of a certain event—for example, the deregistration of a product—but also to give more explanation regarding the circumstances of that event. In the case of medical devices, the proposed amendment adds the capacity to require publication of specified information, a capacity that already exists in relation to therapeutic goods and biologicals. Most importantly of all, the proposed amendment will enable the secretary of the department to require from the sponsor of a therapeutic good, biological or medical device the details of those who have received or been treated with a particular product.

This is an important improvement to the way we deal with issues that arise in relation to health products, and it is a reform that I hope the government is prepared to reconsider.

There have been cases in the past where ineffective medicines or defective medical implants have affected thousands of Australians, and, needless to say, in such circumstances it is vital that all those affected receive appropriate information and advice as a matter of urgency. In 2010 and 2011 we confronted the fact that more than 5,000 Australians had received a faulty hip transplant involving a metal-on-metal device produced by DePuy Orthopaedics, a subsidiary of Johnson & Johnson. This has caused pain, ill-health and severe anxiety for people who received those implants, and involved painful and complicated surgery to remedy—and for some it has not been remedied and perhaps never will be. Some patients also now suffer severe cobalt and chromium blood poisoning for which there is apparently no cure.

We have seen other examples, in Australia and elsewhere, involving breast implants that had been supplied, in some cases over a 10-year period, before problems were discovered. Only a few years ago, a French manufacturer of breast implants was forced to admit that it had fraudulently substituted a form of silicon in its implants that was different to the compound that had been assessed and approved for that purpose. This raised questions not only for the women involved but also for their children who might be affected through breastfeeding.

While I am informed that manufacturers and suppliers of pharmaceuticals and medical devices in Australia are usually cooperative with the TGA, these situations I have given
examples of are precisely the kinds of circumstances where you must have absolutely no
doubt regarding the strong and clear regulatory capacity of the TGA to compel the sponsors
and suppliers of health products to give appropriate notification, and notification that includes
the relevant circumstances.

What is more, it is essential we have the regulatory capacity to require the details of those
affected so that the imperative of ensuring that Australian health consumers are contacted and
informed about issues that could have a serious impact on their health is not left in the hands
of the product sponsors alone. I do understand that the word 'regulation' has negative
associations as far as this government is concerned, but I think the government should think
long and hard about the community's expectations when it comes to proper safeguards,
transparency and oversight in the health space.

The amendment I have moved does not add a compliance or regulatory burden in the
ordinary course of things. What the amendment will achieve—as it was designed to do in
consultation with the TGA, the health department and the wider health-care sector during the
43rd Parliament—is a stronger and clearer set of mechanisms to make sure that, when a
problem arises with the quality, efficacy or, most importantly, safety of a health product, the
Australian community and the Australian men, women and children affected can be properly
informed and assisted in a timely way.

As I have said, it is difficult to understand why the amendments I am now moving, and
which were contained in the previous version of the bill, have been cut out. I can only assume
that a slightly over-zealous cutting crew has taken the snip to these provisions in the name of
a broad anti-red-tape crusade without sufficient regard to the public health impact. I would
urge this government to accept this amendment to their version of this bill, which the
opposition is otherwise very happy to support.

Mr DUTTON (Dickson—Minister for Health and Minister for Sport) (19:18): Can I start
by thanking the member for Fremantle for her contribution. I know that she is sincere in her
approach to what is a very serious issue, particularly for those patients whom she quite rightly
identified as having had difficulty around implants or other issues, and the government is very
sensitive to those particular issues and keen to try to strike a balance.

But we do believe that the opposition has gone too far in terms of that which they seek
from the amendments to sections 30EA, 32HA and 41KA of the Therapeutic Goods Act. The
government does not believe that the amendments are necessary and believes that they do
have the definite potential to add to regulatory burden in the absence of a demonstrated need.

By way of background, the TGA can mandate the recall of therapeutic goods in particular
circumstances. For instance, if the product does not comply with applicable standards, the
product is supplied without approval—that is, when it is not included in the Australian
Register of Therapeutic Goods, as required, or when the safety, quality or efficacy of the
goods is unacceptable. The TGA can currently cancel products from the register where there
are safety issues. The sponsor of the product can then no longer supply the product. The
sections that were proposed to be amended relate to the TGA's powers to take action to recall
products already in the market and to provide information to the public about those products.
In circumstances where the TGA can, under existing provisions, mandate a recall, the TGA
can currently require the sponsor of the goods to provide to the public information that those
circumstances—for example, the quality of the goods is unacceptable—exist. Moreover, the
TGA can, in the case of medicines or biologicals, require the sponsor to publish information about the manufacture or supply of those goods. The amendments would have allowed the TGA to require the sponsor to provide to the public directly more information about the circumstances giving rise to a right to recall—for example, a cancellation—and to provide to the TGA information about persons to whom the goods have been supplied.

The removal of these amendments does not represent a risk to the public. The TGA can already require a sponsor to provide information about the safety of a product in matters relating to supply. The TGA can also publish information on its website about the safe use of therapeutic goods and other regulatory decisions made under the act, such as decisions to cancel a product from the register. The TGA is also able to provide information to health-care professionals about the status of therapeutic goods and their safe use. The amendments would have meant that this information could be required to be published by the sponsor or provided by the sponsor directly to a class of persons, such as health-care professionals. In other words, the effect of the amendments was to require the sponsor, rather than the TGA, to make this information available. The government does not believe that, in the absence of a demonstrated need, statutory obligations should be placed on industry. The government is, of course, at liberty to revisit this matter should circumstances change.

There are no restrictions on the TGA publishing such information on its website, which is where the public of course may expect to find it. The TGA now provides comprehensive information on its website about all recalls of therapeutic goods. It also publishes information in the form of hazard alerts about medical devices in relation to which safety issues have arisen. The amendments were not prompted by any particular practical issues experienced by the TGA with sponsors not volunteering information about persons to whom products had been supplied.

I will finish on this final note, which goes not to the member for Fremantle's contribution but to the position of the opposition when in government, because their significant record—perhaps their most outstanding record from a Labor perspective—is that they introduced almost 21,000 regulations but only repealed 104.

It is the case that under Labor, business was burdened with new taxes and regulations without due consideration of the impact. The coalition's priority is to build a stronger more productive and diverse economy through more efficient government and more productive businesses that will deliver more jobs, higher wages and better services for all Australians. The government's deregulation agenda is absolutely central to this cause. On that basis we oppose the amendments.

The DEPUTY SPEAKER (Mr Broadbent): The question is that the amendments be agreed to. There being more than one voice calling for a division, in accordance with standing order 133 the division is deferred until after 8 pm.

Debate adjourned.

Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.
Mr FEENEY (Batman) (19:23): The good burghers of the Latrobe Valley are in our thoughts today as they wrestle with the challenge of bushfires.

I thank you for the opportunity to speak on this important bill today. This is a piece of legislation that Labor welcomes. The provisions in the Veterans Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013 were contained in the Veterans’ Affairs Legislation Amendment Bill 2012. As a consequence of that it should not be a surprise to the House that Labor supports this bill seeing as, of course, we wrote the original.

The previous bill was introduced into the 43rd Parliament in June 2012. As you may recall, it passed the House of Representatives on the 22 August 2012, and in the normal manner was thereafter introduced into the Senate, in fact on the same day. However, the previous bill had not passed the Senate at the time when the parliament was prorogued in August of last year. As a consequence, it lapsed. I will briefly talk to the House about the effect of this bill that is now before the House. As I say this is a bill that Labor supports.

There are several purposes of this bill and I will speak to them briefly. Firstly, it is to amend the Australian Participants in British Nuclear Tests (Treatment) Act 2006 and the Veterans' Entitlements Act 1986 so that the payment of travel expenses for treatment may be approved by the Repatriation Commission before or after the travel has been undertaken. This clarifies provisions relating to advance payments for travel expenses and makes some minor clarifying amendments. Further, this bill amends the Military Rehabilitation and Compensation Act 2004 and the VEA to allow for special assistance or benefits under these acts to be extended to those who would not otherwise be eligible by way of a legislative instrument made by the Military Rehabilitation and Compensation Commission or the Repatriation Commission, respectively, rather than by regulation.

In addition, the bill amends the VEA to extend the application of debt recovery provisions to cover legislative instruments made under the VEA. It also renames the War Precautions Act Repeal Act 1920, the Protection of Word 'Anzac' Regulations 1921. It amends the Defence Service Homes Act 1918 to extend entitlement for benefits under this act to Australian Defence Force members who were on board HMAS *Canberra* as part of Operation DAMASK VI between 13 and 19 January 1993. It also amends the MRCA to clarify that various references to written determinations are legislative instruments and to replace references to 'disallowable instrument' with, instead, 'legislative instrument'.

It amends the MRCA to replace references to telephone and pharmaceutical allowances with reference to payments of the MRCA supplement. It amends the Social Security Act 1991 to correct references to section of the VEA. It amends the VEA to correct references to sections of the SSA in regard to eligibility for attendant allowance. Lastly, it amends the VEA to align definitions of various forms of maintenance income with those that are now contained in A New Tax System (Family Assistance) Act 1999.

The amendments proposed by the bill are primarily technical in nature, as my summary would clearly reveal, but adds flexibility for the payments of some veterans' benefits, extends coverage, makes definitions consistent across Social Security and Veterans' Affairs legislation, improves debt recovery coverage and corrects errors, which are all worthy goals. There are some small differences between this bill and the previous bill, the original bill introduced by Labor, and it would be remiss of me to not make some brief remarks about those.
One difference between the 2012 and 2013 bill is the exclusion of regulations to make reimbursements of pharmaceutical costs and treatment costs for Australian participants in British nuclear tests tax-exempt. The government has said these amendments are not necessary and, of course, for that reason they are not included in this bill. We have elected on this occasion to take the government's undertakings in that regard in good faith. But, be under absolutely no misapprehension, if this is in fact nothing more than a disguised attack on entitlements of veterans and the ex-service community and their families, Labor will be vigilant. If this is in fact a disguised savings measure, Labor will be vigilant. There is no greater responsibility for government than the defence of Australia and Australia's interests. With that comes a profound responsibility for caring for those who have offered the courage, commitment, and indeed sometimes the sacrifice that is required to deliver that protection. The Australian community is proud of our veterans and ex-service men and women. All those who choose a career in the armed services are heirs to a great tradition. Those who choose to serve give a commitment to protect their nation and its interests. It is understood that we owe it to them to ensure their service is recognised, that the nation's gratitude is clear and that they are looked after in their times of need. I am delighted that the Minister for Veterans' Affairs is resolved to bring this legislation back to the parliament and ensure that this Labor legislation is passed. I would humbly submit that he was very lucky to inherit it.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (19:29): I rise to speak on the Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013. I can report to the House that this bill does contain a number of minor technical amendments. It is important that legislation be kept up to date to ensure that it supports the efficient but fair delivery of services to military veterans and their families. In this speech I do want to, with a bit of indulgence, digress a little from the bill before the House to talk about some other important measures the previous government and we as the coalition government have put in place to ensure that the Centenary of Anzac is commemorated and celebrated appropriately as well as to talk about some measures in my own electorate of Riverina. Veteran and military matters in general are very important in my electorate given that the army recruit training battalion has its base at Kapooka, just south-west of Wagga Wagga, and at Forest Hill, just east of Wagga Wagga, is the Royal Australian Air Force base, which also encompasses an important Navy installation.

The bill includes amendments to clarify the longstanding practice by the Department of Veterans' Affairs of providing post-travel authorisation for travel expenses associated with treatment under the Veterans' Entitlements Act 1986 and the Australian Participants in British Nuclear Tests (Treatment) Act 2006. The Australian Participants in British Nuclear Tests (Treatment) Act 2006 provides for eligible nuclear test participants to receive treatment, including testing for cancer. That is very appropriate and must be done. It also includes amendments to ensure that authority for regulations that protect the use of the word 'Anzac' are more readily identifiable by renaming the War Precautions Act Repeal Act 1920 to the Protection of Word 'Anzac' Regulations 1921. Inoperative provisions of that will also be repealed as a matter of good legislative housekeeping.

The Riverina has long paid its fair share to the nation's war efforts. The region's association with Australia's Defence Force really began with World War I and even before that with the Boer War. The Boer War, the second South African war, which began in 1899 and continued...
until 1902, was the war that encompassed Federation in 1901. Certainly the spirit of Anzac forged at Anzac Cove at Gallipoli does live on in the Riverina not just through current and serving Air Force, Army and Navy personnel but indeed through all of the people of the Riverina and the veterans. Many went through the Defence facilities at Wagga Wagga. Because Wagga Wagga is such a good and central place to live, with Canberra just 2½ hours drive and being halfway between Sydney and Melbourne, our major capital cities, they retire in Wagga Wagga. It was recently announced that, as a result of the Suncorp Bank’s analysis, Wagga Wagga is now considered the most family-friendly city in Australia bar none. Canberra was there, but not quite up with Wagga Wagga. I note that the member for Canberra is nodding in approval. It is a good place for veterans to spend their retirement because it has good health amenities and a number of specialists and it is close to Canberra. With so many great Centenary of Anzac events happening in and around the War Memorial, Wagga Wagga is a central place for veterans to live and be able to enjoy the wonderful amenities and facilities that Canberra has.

The spirit of Anzac was certainly on display again at the recent launch of the centenary of the Kangaroo March in Wagga Wagga in my electorate on 7 December 2013. This does relate to veterans and to this legislation. There were many veterans there. The event was attended by the Governor of New South Wales, Her Excellency Marie Bashir, who hails from the town of Narrandera, which is just 100 kilometres west of Wagga Wagga, in my electorate; the Hon. Victor Dominello MP, who was representing the New South Wales government; my good friend Dr Brendan Nelson, Director of the Australian War Memorial; the state member for Wagga Wagga, Daryl Maguire; and General Peter Cosgrove in his capacity as the chairman of the Centenary of Anzac commemorations in New South Wales. I add my congratulations and the congratulations of the people of the Riverina to General Cosgrove on his nomination to be Australia’s next Governor-General.

The launch of the Kangaroo March re-enactment was well attended by hundreds of locals and many veterans. They got into the spirit of things with period costumes. All of this bodes very well for the Riverina’s engagement in the re-enactment that will take place in 2015 to commemorate the centenary of the largest march of the World War I marches held that year. Both Rhondda Vanzella and Graham Brown of Exeter, the President of the Kangaroo March Centenary Re-Enactment Executive Committee, played a wonderful role in that launch.

A highlight of the commemoration of the centenary of World War I will be the re-enactment of the Kangaroo March. It will take place from Wagga Wagga all the way to Sydney. The original march took place on 1 December 1915 with 88 men and concluded at the Domain in Sydney on 7 January 1916 with a 222-strong party. One of those brave 88 men was Private Edward John Francis Ryan of Tumut, or Jack as he was affectionately known. After joining the Kangaroo March in Wagga Wagga, Jack Ryan was deployed to the First World War with the 55th Battalion. He was a recipient of the Victoria Cross for conspicuous bravery and devotion to duty during the allied assault on the Hindenburg defences on 30 September 1918, just weeks away from the armistice.

As part of the Anzac Centenary locals from the Tumut region, including the nearby towns of Adelong and Batlow, are looking to erect a life-sized statue of Private Ryan in his home town. An application will be made as part of the Anzac Centenary Local Grants funding allocation of $125,000, alongside many worthy ideas from the Riverina electorate as to how
best the community can remember the effect the so-called Great War had on our region 100 years ago.

I do acknowledge the fact that the previous government put forward this idea to have $100,000 spent in each and every one of the 150 lower house electorates to commemorate the Centenary of Anzac. I am pleased that the coalition added another $25,000 to that very noble funding gesture of the previous government, and I know that all members would join with me in saying that this is a very worthy way of commemorating a very important event—one which actually forged our nationhood. When Gallipoli occurred, we had only become a nation 14 short years earlier as part of a federation of colonies. Certainly that did more than anything to forge our nationhood and that wonderful spirit that we Australians have.

Further to this, some Riverina residents have applied to the ballot to attend the 2015 Anzac Day commemoration service in Gallipoli. I note the Daily Advertiser, my local newspaper, told the story of Mr David Gill of Wagga Wagga, who served in the Royal Australian Air Force for more than 30 years and who has applied as part of the ballot process. Mr Gill told the Advertiser the Gallipoli campaign tells him of the 'heroism, the endurance and the suffering of people that fought for our freedom'. And he is right, of course. He said he was going to visit Anzac Cove in Gallipoli one day regardless of if he wins a ballot ticket or not. I hope that he does.

Mr Gill is like many Riverina residents for whom the Anzac Centenary and the stories of gallantry and bravery of people such as Jack Ryan of Tumut embodies what the centenary is all about. Certainly another one of those is my good friend John Sullivan, who served in the lower house, representing the Riverina, from 1974 to 1977 in Old Parliament House. Mr Sullivan, who is a councillor on the Narrandera Shire Council despite being an octogenarian, is also heading the Anzac grants committee for my electorate. This committee comprises 28 people who are also very passionate about making sure this commemoration is celebrated and commemorated in the right way throughout my very large electorate.

I also note the ministerial statement issued today by Senator the Hon. Michael Ronaldson regarding the success of the ballot process. Minister Ronaldson has indicated that more than 50,000 applications have been submitted by Australians and New Zealanders for this important occasion in our nations' collective histories.

While the Riverina has a strong historical connection to the Defence Force, which the Anzac Centenary will highlight, the Defence Force continues to play an important role in the life of the Riverina, with Wagga Wagga being the only triservice regional city in Australia. Our local community has a special insight into the service given by the men and the women of our Navy, our Air Force and our Army, so we understand the vital importance of supporting our veterans and recognising the unique nature of active military service. And this bill goes to that as well.

The member for Fadden, the Assistant Minister for Defence, in his 12 December second reading speech on this particular piece of legislation, said:

The bill will clarify the approval and authorisation arrangements for travel for treatment for eligible persons and attendants under the Veterans’ Entitlements Act and the Australian Participants in British Nuclear Tests (Treatment) Act.

In 2012-13 the department processed over 165,000 claims for reimbursement for travel expenses for treatment purposes.
Travel expenses can include costs for transport, meals and accommodation for eligible persons and where necessary an attendant to accompany the eligible person.

Amendments to the Veterans' Entitlements Act and the Australian Participants in British Nuclear Tests (Treatment) Act will make it clear that the Repatriation Commission may approve or authorise travel for treatment, before or after the travel has been undertaken.

And this is important. He continues:

Further amendments in the bill will enable special assistance under the Veterans' Entitlements Act and the Military Rehabilitation and Compensation Act to be delivered in a more timely manner.

This will be achieved by enabling special assistance to be provided by legislative instrument instead of by regulation.

That is something that veterans have been calling for and that is something that the coalition will deliver.

The result will be a more streamlined and therefore quicker process for providing special assistance to veterans, members, former members and their dependants.

This is so crucial because many of these people for whom this legislation is so important put their lives on the line for this nation, and there can be nothing more important for this parliament to do than to look after those people who, through acts of courage, through acts of devotion, through acts of sacrifice, put their lives on the line every time they put on the uniform.

Amendments in the bill will update the Military Rehabilitation and Compensation Act as a consequence of the enactment of the Legislative Instruments Act and will replace obsolete references to pharmaceutical allowance and telephone allowance in the Military Rehabilitation and Compensation Act.

… … …

Minor amendments will also ensure that the Veterans' Entitlements Act debt recovery provisions will be applicable to all relevant provisions of the act, the regulations and any legislative instruments made under the act.

Other amendments in the bill will rationalise and align the maintenance income provisions of the Veterans' Entitlements Act with the Social Security Act.

The remaining amendments in the bill will make minor technical changes to Veterans' Affairs and related legislation.

Although relatively minor, the amendments in the bill will clarify, update and improve the accuracy of Veterans' Affairs legislation.

While not the subject of this bill, it is important to note that the coalition has committed to restoring advocacy funding to 2010 levels, adding $4 million to funds available over the forward estimates. This supports the principle that veterans often prefer to speak to other veterans who have a keener insight into their experiences when they need help or advice. It has also committed to new indexation arrangements for military pensions paid to superannuants aged over 55 under the Defence Forces Retirement Benefits—DFRB—and Defence Force Retirement and Death Benefits—DFRDB.

This is important legislation, and I am sure that Labor, while also recognising the importance of veterans to our nation going forward and in the past, also recognise that this is legislation that needs to pass this House. I commend the bill to the House.
Ms BRODTMANN (Canberra) (19:44): I would like to echo the congratulations to Peter Cosgrove on his appointment to Governor-General that were expressed by the member for Riverina. We are very, very pleased as Canberrans to be welcoming him to Yarralumla. He and his family have had a very long connection to Canberra. In fact, my late mother-in-law taught his children at a Catholic primary school on the north side of Canberra. He has had a very long connection to Canberra, and we very much look forward to welcoming him to Yarralumla. Again, I would like to congratulate Peter Cosgrove on his appointment to Governor-General.

I am very pleased to have the opportunity to speak on this bill tonight, because this amendment was first introduced under Labor in 2012 by my colleague the member for Lingiari, who was then the Minister for Veterans' Affairs. The amendments contained in this bill will update and improve the operation of many aspects of the existing veterans affairs' legislation.

One of the changes made in this bill is to clarify arrangements for the payment of travel expenses for medical treatment for veterans and their carers. The bill makes it clear that travel undertaken for medical treatment can be approved by Veterans' Affairs either before or after the travel is undertaken, removing the pressure on veterans to get their travel approved in advance of their treatment. Deputy Speaker, as I am sure you can imagine, in the lead-up to medical treatment, a person often has higher priorities than travel approvals. In 2012-13, the DVA processed over 165,000 claims for reimbursement for travel expenses for treatment purposes. This change will be welcomed by those veterans and their families. Other changes include replacing obsolete references and repealing redundant definitions that currently exist in this legislation.

Although the amendments in the bill will primarily give effect to relatively minor measures and technicalities, it is, nonetheless, an important bill. It is important because the role of government in supporting veterans is important. The government has a fundamental role in maintaining and enhancing the wellbeing—be it physical, financial or emotional—of veterans and their families. It is also the role of government to be the leader in acknowledging and commemorating those who served Australia and its allies in wars, conflicts and peace operations and to preserve Australia's wartime legacy.

I would like to echo the sentiments that were expressed by my colleague the member for Riverina on the Anzac Centenary grants. I am very much looking forward to meeting with my panel later this month. I have just appointed the judging panel to assess the applications for those grants. The Canberra community has been keen in making many applications for those grants. I encourage Canberrans to make more applications. We have had applications from a wide variety of groups and community organisations. I particularly encourage Canberra schools to get on board with this project. It gives them the opportunity to commemorate our efforts in World War I. As the member for Riverina said, $125,000 in grants will be spread across the electorate of Canberra, to a variety of groups. I encourage RSLs, community organisations and schools to get involved in this program and to make applications. I have appointed a terrific panel, which will be meeting later this month. The panel is drawn from Defence; the ADF; the war widows; and the junior cadets, the youth development organisation. I have historians and a range of people on the panel and I am very much looking forward to meeting them later this month.
My father-in-law is a Vietnam veteran and, by all accounts, came home a changed man. So I know a little about the unique challenges faced by veterans and their families, and I want to talk about some of those challenges today. Some of you may have read the Fairfax feature on post-traumatic stress disorder that was published over the weekend, called 'The silent war'. If you haven't read it yet, I strongly suggest you do. The feature, beautifully written by Scott Hannaford, is both a powerful and a sobering insight into the world of returned soldiers, peacekeepers and police officers suffering PTSD. It details the feelings of guilt, from having left friends behind; of grief, from having lost friends and colleagues; of fear, from having witnessed so much horror; and of shock and trauma at the transition from service back to peacetime existence. The feature also serves as a warning to Australia, to our leaders, to our governments and to our people. I quote:

With Australia's decade-long war in Afghanistan coming to an end, all but a handful of the troops are returning home. For most who made it back in time for Christmas it will mean a welcome return to the routines of family life and work. For others, it will mark the start of a new, silent war that they cannot return from, played out in the homes they find themselves unable to leave, medically discharged from the jobs they love in their early 30s, and wracked by night terrors, panic attacks and isolation.

Major General John Cantwell, a former Commander of Australian Forces in the Middle East, says of Australia's withdrawal from Afghanistan:

There is a large wave of sadness coming our way, and the system - DVA and Defence - needs to be ready for it. I wonder whether we are?

PTSD is one of the most common psychiatric disorders in Australia. The Australian Centre for Posttraumatic Mental Health says that between five and 10 per cent of Australians are likely to experience PTSD in their lives, while up to 12 per cent of serving and ex-serving members will be affected by PTSD in any given year. The Department of Veterans' Affairs, or DVA, says that 1,713 veterans of recent conflicts are suffering from PTSD, and that, of those, 955 are veterans of either Afghanistan or Iraq. However, in reality, this number is likely to be much, much higher. Many sufferers develop symptoms years after their service, and many more remain undetected because they never seek the help they need to treat their PTSD. Of Afghanistan, General Cantwell says, 'We have exposed thousands of young and old Australians to some pretty brutal experiences.' He says the numbers of returned soldiers suffering PTSD will 'grow, and grow exponentially'. As policymakers, we must be ready. It is our responsibility to ensure that the system, Defence and DVA, is ready. Families, too, must be ready and aware of the risks of PTSD.

One thing Scott Hannaford does very well in 'The silent war' is detail the fact that PTSD affects not only returned service personnel but their families as well. He tells the story of Rebecca Clark, who calls herself a 'second generation veteran'. Rebecca has never been to war; she has never had a gun pointed at her face, never had to take a life or endure any of the other unspeakable horrors of combat. But as the daughter of a Vietnam veteran, Rebecca not only had to deal with her father's undiagnosed PTSD and the resulting volatility, temper and mood swings but she herself developed PTSD in her early 20s.

I know from the experience of my husband, Chris, that the life for families of soldiers can be difficult. When my father-in-law toured Vietnam he left behind his wife and five children, all under the age of 10, at Woodside Barracks in South Australia. Woodside is in Inverbrackie in the Adelaide Hills. By 1970 there had reached a fever pitch in terms of the moratoriums.
and the protests against the war. There was a lot of hatred towards the war and, unfortunately, towards anyone who was associated with it—including the wives and children of those serving.

Chris tells of how he, his brothers and his sisters and other Defence kids were bullied and vilified at school, as were their mothers whenever they went out to the local shops. My husband has a vivid memory of his mother putting the bins out one night. Traditionally his father had put out the bins, and this was a dark night. Chris was there in bed—he was only little—looking out the window, incredibly worried about his mum out there in the dark night on her own putting out the bins. It is just one of those little childhood fears that we all have, but I think it highlights how children are acutely aware of the fact that they have a parent at war. And they also have a heightened sense of danger and responsibility in the absence of that parent.

As our soldiers return from Afghanistan, I urge family and friends to be on the lookout for signs of stress in their returned loved one, and amongst themselves. Some signs of PTSD to watch out for include: trouble getting along with colleagues, family or friends; angry or violent outbursts; increased alcohol or drug use; more physical complaints than usual; and poor performance at work. There are a number of community organisations, such as Soldier On and Young Diggers, and there are also a number of Defence and DVA programs that are designed to assist in this transition. I urge returning soldiers and their families to make the most of these.

However, there is also more that we as policy makers can do. I am particularly proud of a body of work that I was part of in my first term, which was the Inquiry into the care of ADF personnel wounded and injured on operations, done through the Defence Subcommittee as part of the Joint Standing Committee on Foreign Affairs, Defence and Trade. The inquiry was a comprehensive body of work which involved hours and hours of discussions and hearings with people from all over Australia—with families, with veterans, with medical professionals, with public servants and with serving soldiers. Most importantly, we heard evidence of terrible hardship and unhappiness among our service people. These are people who have fallen through the gaps, despite the best efforts of the ADF, Defence and DVA.

The report that resulted from the inquiry covers a broad range of areas—from the immediate action following an injury; aeromedical evacuation, which focuses on some of the activities that we were getting involved in in Afghanistan; rehabilitation and support following physical injury; mental health concerns, including PTSD; return from operations; and post-service issues, including DVA and veterans’ support structures. The report highlights a number of gaps in areas where we need to be doing more to support the health of our returned service people. These include mental health—and specifically female veterans' mental health—and improving communications between Defence and DVA in the management of post-service transition. They are just some of the areas.

There has been progress and recognition of the need to support those with mental health issues. Steps have been taken to make improvements in streamlining the DVA and Defence processes and streamlining the information on injured soldiers.

We, as a committee, were impressed by the work done by Major General Cantwell and by community organisations such as Soldier On and Young Diggers, who work in the area of mental health and who are doing great things in changing the culture of stigma and shame that
still exists in the ADF—sadly, resulting in returning soldiers ignoring the signs of mental health issues and other injuries. I would just like to take this opportunity to commend those organisations. I went to the launch of Soldier On, which was just down in Manuka here where the old RSL club was before it was burnt down. There was a tremendous spirit of energy and commitment amongst the men and their families who established that organisation to actually help returned soldiers. I commend Soldier On and Young Diggers and other organisations and groups that are established to help returning Vets who have PTSD and which also assist with their mental health issues.

The report also highlights the post-service life adjustment and how hard it is for a wounded or injured soldier to adjust from being a highly-skilled member of a professional force—a warrior, so to speak—to a seemingly constrained civilian. The inquiry grappled with this issue. In our report we have highlighted the need for greater continuity in the transition from Defence to DVA, and we have recommended expediting or streamlining information technology connectivity and a unique service veteran health ID number. That is extremely important, and it is a theme that ran through a number of the presentations in the inquiry's hearings. DVA still faces dissatisfaction from the veteran community, although we found the department is doing much to improve client service, particularly in having a single point of contact for case management—that was particularly important, and that was a point made very strongly by the Defence Families Association—and in moving to a single electronic claim process and free treatment for PTSD, depression and anxiety.

We have recommended that the department try to be less prescriptive, as well as monitoring its performance through periodic publication of claim-processing times and claim success rates. This will need constant attention, but I hope that the work of the committee will help to bring about improvements and make for better lives for our service people and their families after suffering physical or mental health injury.

I am proud to be associated with the inquiry and with the report, which was tabled in June last year. I urge the government to respond to the recommendations outlined in the report as a matter of urgency. As the ‘wave of sadness’ approaches—to use Major General Cantwell’s phrase—it is all the more important that the government does everything in its power to ensure we are ready.

It is impossible to exaggerate what we owe to our service personnel. In thanking them for their efforts and showing our gratitude for the work they do in securing our nation and preserving our democracy, we have to ensure that we provide the highest standard of care for them upon their return.

Mrs PRENTICE (Ryan) (19:59): I rise today to speak on the Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013, which aims to update and improve the accuracy and operation of veterans' affairs legislation and help to improve efficiency in veterans' affairs matters.

I have spoken many times in this place about the importance of fair indexation of Defence Force retirement benefits, DFRB, and the Defence Force retirement and death benefits, DFRDB, military superannuation pensions. My office has been contacted by many members of the veterans community asking what the coalition is doing for military superannuants. In my electorate, I represent many groups, including the Returned and Services League with sub-branches at Gaythorne, Kenmore-Moggill, The Gap, Toowong, Bardon and...
Indooroopilly-Sherwood, as well as Australian Army Aviation and the VSAS Toowong branch, the Australian Army Training Team Vietnam Association, and many members of the Australian Defence Force at Gallipoli Barracks in Enoggera.

The defence community and the veterans community want fair indexation, and I was honoured to be one of the many coalition members to sign the pledge in 2012 that says: 'The coalition will ensure DFRB and DFRDB military superannuation pensions are indexed in the same way as age and service pensions'. All DFRB and DFRDB superannuants aged 55 and over will benefit. I am proud to stand on this side of the chamber with my coalition colleagues, who understand and value the contribution by veterans to our great nation, where we have pledged our commitment to the fair indexation of military superannuation.

The previous Labor government promised in 2007 to give a fair deal to ex-service men and women and subsequently had six years in which to deliver a fair go for our veterans. But they simply chose to break their promise, refusing to repay the loyalty that veterans have given to all Australians. The coalition took to the 2010 election and again to the 2013 election a policy that would see the fair indexation of DFRDB and DFRB. Under the coalition government's policy for fair indexation, 57,000 military superannuants and their families will be better off. This is set to be delivered and funded in the government's first budget, with the new measures to be effective from 1 July 2014.

In June 2012 veterans received the news that military superannuation pensions would increase by just 0.1 per cent, as opposed to the 0.9 per cent increase announced in March 2012 for age and service pensions. Many veterans received an increase of less than $1 a fortnight, a shameful action as the cost of living increased and Labor introduced an economy-wide carbon tax. Sadly, Labor ignored the veterans community when they introduced the carbon tax, providing a household assistance package to pensioners, low-income individuals and families and students, while veterans—men and women who fought for our country—did not receive a cent of assistance. How disgraceful is that!

As all Australians know, the coalition government is committed to the repeal of the carbon tax, having already introduced a bill, only to have it blocked by Labor and the Greens. It is obvious that Labor and the Greens do not care about the high cost of living for Australian families and for Australia's veterans, otherwise they would respect the mandate the Australian people gave the coalition government at the last election, and support the repeal of the carbon tax.

The coalition government is determined to repeal the carbon tax—and reduce the cost-of-living pressures for all Australians, particularly veterans—and to fairly index veterans' DFRB and DFRDB, because that is the right and just thing to do. It is just and right because of the enormous contribution that these brave Australians have made. It is just and right because when a nation asks its service personnel to go to war, to put themselves in harm's way, we as a nation have an overwhelming obligation to provide proper support on their return. It is just and right because it is the Australian way.

Already the coalition government has been working to improve services to our veterans. In December last year the Minister for Veterans' Affairs officially opened the new premises of the Australian Centre for Posttraumatic Mental Health at the University of Melbourne. The coalition government is committed to addressing mental health challenges facing veterans and ex-service personnel. The Department of Veterans' Affairs is in a collaborative partnership...
with the Australian Centre for Posttraumatic Mental Health and the Department of Defence. This is a partnership which is vital in helping the coalition government deliver the support that our veterans need and deserve. This support will be based on research and testing of the best available treatment available to veterans and their families.

In late 2013 the Minister for Veterans’ Affairs announced grants to help improve veterans and defence community life. Through the Veteran and Community Grants program, $410,000 was put towards upgrades to Men's Sheds and many other veterans and defence community organisations. Since 1999, the Veteran and Community Grants program has helped ex-service organisations continue to provide high-quality services and support to the veterans and defence community and their families, as well as assisting in attracting the next generation of members.

All Australians can be justly proud of the service and sacrifice of our veterans and those currently serving in the Australian Defence Force. Ex-service and community organisations, veterans representative groups, and private organisations and projects that promote improved independence and quality of life for veterans are eligible for funding through the Veteran and Community Grants program. Two of the eight Queensland grants were given to the Defence Force Welfare Association Queensland branch, incorporated at Enoggera, which provided funding to sustain the association’s quarterly newsletter project which is sent to the many veterans and ex-service personnel living in my electorate.

I have seen the vital role veterans and defence community organisations play in providing a central hub of support, recreation and comradeship for so many of our current and former service men and women. I have seen local Men's Shed groups grow in both membership and size during my time as a Brisbane City councillor and now as the federal member for Ryan. I am also delighted to see Men's Sheds team up with other community groups to assist with local projects. Recently, the Bellbowrie Men's Shed group assisted the McIntyre Centre—a horse-riding school for disabled children and individuals to develop confidence and social skills—by moving a fence from an old horse paddock in a block of land being redeveloped. This was a great demonstration of a local developer working with worthy not-for-profit community organisations on a project that benefits local families.

The Centenary of Anzac commemoration is an important time for us as a nation to look back on the significance of Anzac and an opportunity for us to understand where we fought and, importantly, the reason we fought. The Anzac Centenary Local Grants Program is an integral part of the coalition government's commitment to the commemoration of the Centenary of Anzac. Through the Anzac Centenary Local Grants Program the Ryan community has the opportunity to honour the service and sacrifice that epitomises the Anzac spirit. With Gallipoli Barracks at Enoggera, the Ryan electorate has a strong and proud association with the defence forces.

I was delighted to hear of the news that the coalition government has announced an increase in funding available for the local grants program by $25,000 for each electorate. This will mean that communities across the country will now have up to $125,000 available to commemorate the Centenary of Anzac. This increase will ensure that local community groups are given the opportunity to pay tribute to the sacrifices made by the men and women who served our country, and to the families they left behind.
I have been meeting with the Ryan Anzac Centenary Committee to discuss how best to commemorate this important time. I have already received numerous applications for grants for a wide range of community projects representing different aspects of Anzac spirit and the pride we have for those who served our country. I have been working with the Ryan committee which consists of Stewart Cameron, the President of the Kenmore-Moggill RSL Sub-Branch; Trevor Dixon of the National Memorial Walk; Merv Brown from Gaythorne RSL; Ron McElwaine from Sherwood-Indooroopilly RSL; John Pepper from The Gap RSL; Chris Austin from the 9th Battalions Association; and Jeff Hilder from The Gap Pioneer and History Group. Mr Cameron has taken the initiative to develop an Anzac commemoration program with the local schools in the Ryan electorate. He told me that he holds the view that every man and woman who has served has a story which needs to be told and recorded by their community.

At the Kenmore-Moggill RSL Sub-Branch's Anzac Day and Remembrance Day services Mr Cameron has spoken about the members of our community who have served, from 1914 to the present day. As such, he believes that the community should have the opportunity of understanding and reflecting on the stories of our local veterans, past and present.

Mr Cameron and his wife, Cathy, were at a local garage sale a few months ago, where a wide range of different items were being sold as part of a deceased estate. One of the ladies at the sale asked if anyone knew anything about World War I, as she was selling some artefacts and wanted to know a little more. Mr Cameron looked at the medals and other items she had—which, as it turns out, had all belonged to her great uncle—and convinced her not to sell any of them. Her great uncle was 27 when he enlisted in August 1914; he landed at Anzac Cove on the 25th of April and was killed in action just three weeks later. The lady also had her father's RAAF history, as a Lancaster pilot. Mr Cameron was rightly excited that all of this history was discovered simply by chance at one address in Kenmore—a history of war, a history of service to our nation. This is when Mr Cameron approached the Kenmore-Moggill RSL Sub-Branch with a view to celebrating the Centenary of Anzac by having our local schools research our local veterans. With support Mr Cameron then took the concept to the local schools in Ryan. As a result, through the Kenmore-Moggill RSL Sub-Branch, there is a competition for local schools to research the veterans from the Kenmore-Moggill district. The intent is to have year 10 students research those veterans who are no longer with us while the primary schools will research our living legends. The end product will be a history of our community captured as a printed publication in addition to a web based virtual history.

Mr Cameron informs me that students have enlisted the support of the National Archives and the University of Queensland, as well as advertising in the community to uncover local stories. It is exciting that while communities across Australia will commemorate the centenary of Anzac in many ways, the program Mr Cameron has developed involves the community working to understand its history, resulting in an end product that is an enduring legacy that benefits the whole community and future generations.

The Kenmore-Moggill RSL Sub-Branch has arranged to award three prize winners for the best research from the year 10 and primary school students. While this is only the first year of Mr Cameron's project, he envisages the concept can be adopted on a national basis over time.

I look forward to working on this project to assist and promote community awareness in any
way I can, and I look forward to seeing this plan expanded across other Australian communities.

I am proud of the commitment this government has made to our veterans. I am proud of these veterans—heroes all—who put themselves at serious risk in the defence of Australia and the freedom we all enjoy. We must never begrudge this support and never forget their sacrifice.

The DEPUTY SPEAKER (Mr Craig Kelly): I took the view that the deferred division should not be proceeded with until the member for Ryan, speaking at 8pm, had completed her speech, so I did not interrupt the member. The debate is adjourned and the resumption of the debate will be made an order of the day for a later hour.

Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013
Consideration in Detail

Debate resumed on the motion:
That the amendment be agreed to.

The DEPUTY SPEAKER (Mr Craig Kelly) (20:12): In accordance with standing order 133(b), I shall now proceed to put the question on the motion moved earlier by the honourable member for Fremantle on which a division was called for and deferred in accordance with standing orders. No further debate is allowed. The question is that the amendment moved by the member for Fremantle be agreed to.

The House divided. [20:17]

(The Deputy Speaker—Mr Craig Kelly)

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AYES

Albanese, AN
Bandt, AP

Bird, SL
Bowen, CE

Brodie, G
Burke, AE

Burke, AS
Butler, MC

Byrne, AM
Chalmers, JE

Champion, ND
Clare, JD

Claydon, SC
Collins, JM

Conroy, PM
Dreyfus, MA

Elliot, MJ
Ellis, KM

Feeney, D
Ferguson, LDT

Fitzgibbon, JA
Giles, AJ

Griffith, AP
Hall, JG (teller)

Hayes, CP
Husie, EN

Jones, SP
King, CF

Leigh, AK
Macklin, JL

MacTiernan, AJGC
Marles, RD

Neumann, SK
O’Connor, BJ

O’Neil, CE
Owens, J

Parke, M
Perrett, GD

Pilcher, TJ
Ripoll, BF

Rishworth, AL
Rowland, MA

Ryan, JC (teller)
Snowdon, WE
AYES

Swan, WM
Thomson, KJ
Watts, TG
Zappia, A

Thistlethwaite, MJ
Vamvakou, M
Wilkie, AD

NOES

Alexander, JG
Andrews, KJ
Andrews, KL
Baldwin, RC
Billson, BF
Bishop, JI
Briggs, JE
Broadbent, RE
Buchholz, S (teller)
Christensen, GR
Cobb, JK
Coulton, M (teller)
Entsch, W
Frydenberg, JA
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Hogan, KJ
Hunt, GA
Irons, S
Jones, ET
Keenan, M
Landry, ML
Ley, SP
Marino, NB
Matheson, RG
McGowan, C
Morrison, SJ
O'Dowd, KD
Pasin, A
Porter, CC
Price, ML
Randall, DJ
Robert, SR
Ruddock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tehan, DT
Tudge, AE
Van Manen, AJ
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

Andrews, J
Baldwin, RC
Bishop, JI
Broad, AJ
Brough, MT
Chester, D
Ciobo, SM
Coleman, DB
Dutton, PC
Fletcher, PW
Gambaro, T
Goodenough, IR
Hartseyker, L
Henderson, SM
Hockey, JB
Howarth, LR
Hutchinson, ER
Jensen, DG
Katter, RC
Laming, A
Laundy, C
Macfarlane, IE
Markus, LE
McCormack, MF
McNamara, KJ
Nikolic, AA
O'Dwyer, KM
Pitt, KJ
Prentice, J
Pyne, CM
Robb, AJ
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sadmalis, AE
Taylor, AJ
Truss, WE
Turnbull, MB
Varvaris, N
Whiteley, BD
Williams, MP
Wood, JP
Question negatived.
Bill agreed to

Third Reading

Mr DUTTON (Dickson—Minister for Health and Minister for Sport) (20:26): by leave—
I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013

Second Reading

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

Dr LEIGH (Fraser) (20:27): The legislation before us today includes a range of measures to improve the provision of assistance to veterans receiving rehabilitation or compensation under the Veterans' Entitlements Act 1986 and under the Australian Participants in British Nuclear Tests (Treatment) Act 2006. The result of these amendments will be a speedier and more efficient process for providing special assistance to veterans, members, former members and their dependants. By continuing to review and improve the mechanisms by which we compensate our veterans, we pay due deference to the ongoing debt that is owed to our service personnel. We owe it to them not only to recognise and remedy the damage they have suffered but to make sure the means by which we do this are efficient and easily navigated.

In particular the bill will clarify the arrangements that assist those affected by British nuclear tests to get the treatment they need. Those who need to travel for treatment face significant transport costs, they need to feed themselves away from home, they need somewhere to stay, and often they need somebody to travel with them. As we learned during discussions around the bill in 2012-13, the department processed over 165,000 claims for reimbursement for travel expenses for treatment purposes. The bill will enable Australian participants in the testing to better understand the support which they can draw on in dealing with the ongoing effects of exposure.

The history of British nuclear testing in Australia offers a case study in the ongoing evolution in the way we make reparations to Australians who have suffered through extreme circumstances in the name of their country. Both Australian and British governments have made mistakes and we aim here to learn from past wrongs. Naturally those mistakes do not undermine the current strong relationship that Australia shares with friends in the United Kingdom. In recounting the events of the British nuclear test, I acknowledge the help of Hariharan Thirunavukkarasu, who worked in my office and helped prepare these remarks.

The bombing of Hiroshima and Nagasaki ended the deadliest conflict in human history. But the arrival of the nuclear age changed the world for other reasons. The balance of power in the world was up-ended and the United States emerged as the undisputed global hegemon. Predictably, the other great powers scrambled to join the nuclear club and redress the new imbalance. Within two decades of Enola Gay’s fateful flight, the current permanent members of the UN Security Council had all successfully deployed nuclear weapons. For Britain, the
motivation to acquire nuclear weapons was as much about prestige and clinging to the days of its imperial glory as it was about national security. As Foreign Secretary Ernest Bevin eloquently told Whitehall officials:

We have got to have this thing over here whatever it costs, and with a bloody Union Jack flying on top of it.

Australia's role in the rush to nuclear came through Britain's race to acquire the bomb. Initially, the British government sought to obtain a transfer of nuclear technology from the United States. After all, the British assumed their collaboration with the Americans and the Canadians on the Manhattan Project entitled them to the technology. But in 1946 congress passed the McMahon act, which prohibited the transfer of nuclear technology to foreign governments. This was at least partially driven by a mistrust of the nuclear security of their allies. Presaging the plethora of British defectors that would emerge during the Cold War, the British physicist Alan Nunn May was caught in 1945 passing nuclear secrets to the Soviet Union. Spurned by their great wartime allies, the British tried to obtain permission to conduct nuclear testing in the Nevada desert but were again refused. So they turned to Australia.

When the then British Prime Minister, Clement Attlee, proposed conducting nuclear tests on Australian territory, Prime Minister Menzies agreed immediately, without consulting his cabinet colleagues. This was not an anomalous event. It reflected the tenor of the time. British interests were seen as synonymous with Australian interests, and Australian sovereignty was subordinate to Britain. Indeed, the British government told Menzies which Australian ministers could be informed of the operation, and, as the Royal Commission into British Nuclear Tests in Australia found, 'the Australian news media reported only what the UK government wished'. The extraordinary secrecy was a legacy of the war. As Margaret Gowing has noted:

Wartime secrecy produced a distortion of constitutional government in countries such as Britain where atomic matters were never discussed within the small War Cabinet, and Mr Attlee, as Deputy Prime Minister, the Service Ministers and the Chiefs of Staff knew almost nothing about it.

The culture of secrecy was so ingrained that Menzies even misled the public, in a newspaper interview, about the possibility of nuclear testing in Australia. It is a lesson for the current generation about the risks of excessive secrecy. With the benefit of hindsight, it may be a mistake to keep secret even those things that seem worth keeping secret at the time.

After the tests were made public in the early fifties, there was minimal public dissent. When opposition was voiced, critics were denigrated as:

... Communists and ... fellow travellers who wanted our tests to stop while Russia continued with hers.

A Gallup poll in 1954 found that Australians were among the most enthusiastic—even compared with Americans—towards their allies' development of nuclear weapons as a deterrent against communist aggression. An equally sanguine perspective was apparent in the media, with atomic bombs expected to, as The Sun-Herald put it, 'eventually become the Australian Army's hardest hitting weapon'.

Beginning in the 1950s, the British, with Australian assistance, started testing nuclear weapons in Australia. Between 1952 and 1957, 12 major nuclear tests were conducted. The majority took place at Maralinga and Emu Field in the South Australian desert, while some also occurred at Montebello Islands, off the north-west coast of Western Australia. The Maralinga tests continued up to 1963 and included hundreds of so-called 'minor trials', which
were anything but. The minor trials seemed to have been drawn from Hollywood scripts. They included experiments such as crashing planes with nuclear weapons on board, setting fire to atom bombs and placing them in conventional explosions. Ironically, it was the radioactive materials dispersed from the minor trials, not the atomic bombs, which have left the legacy of plutonium contamination at Maralinga today.

In the vernacular of the Pitjantjatjara people, Maralinga translates as 'field of thunder'. This originally referred to the dry lightning strikes that occur in the climate of the Central Australian desert, but 'field of thunder' came to take on a new, more insidious meaning. Don Martin, an Aboriginal man, was in the area for one of the tests. He said:

When the bomb was fired, you [would] get the sight of every shadow in front of you from the flash, and you [would] turn around and [you'd be] watching the mushroom cloud forming, just like a big, boiling oil-fire …

It's that technicolour effect inside the bomb that makes it so magnificent.
But you're not thinking, because it's so far away …
And there's no noise.
And then suddenly you can see this wall coming towards you.
And as it comes towards you … it picks up more and more dust.
And then … the shock hits you.

Karina Lester's father was there, too. She says:

He describes it like a black mist that rolled through, along the ground, through the tops of the trees, and … silently it moved.

It totally confused the animals.

Animals were so used to dust storms, and the noise that [a] dust storm brings … but this was a black mist that came silently across the land.

Karina's father was Yami Lester, of whom Paul Kelly sings:

My name is Yami Lester / I hear I talk I touch but I am blind / my story comes from darkness / listen to my story now unwind.

Following the findings of the McClelland royal commission in 1985, the Keating government paid $13.5 million in compensation to the local Maralinga Tjarutja people.

Currently, the number of Australian participants in the British nuclear test program, according to information obtained from the Parliamentary Library, is a bit under 17,000, almost evenly split between military personnel and civilians. In addition, thousands of British soldiers, mostly men completing their compulsory national service, were involved. Lance-Corporal Johnny Hutton was one of these men. Hours after an atomic bomb was detonated, the 19-year-old would drive out to near ground zero and unearth instruments that were buried to monitor the blasts. For their job, the Army gave them shovels—and steaks for a good meal afterwards. But the Army did not provide anything to cook the steaks with. So, Corporal Hutton says, he and his squad just washed the dirt off the shovels and cooked their steak and eggs on them, over a fire.

Most of the time the men wore shorts and boots, but they were given protective gear to wear when they drove out to the crater to collect the instruments. After doing strenuous work, the heat built up inside the suits and the masks fogged up so that they could not see what they
were doing. So, Corporal Hutton says, they took them off for some relief, breathing in the
dust and radiation.

A more malevolent plan, codenamed Operation Lighthouse, was scheduled for 1959 but
thankfully was never implemented. This was because Britain had gained access to testing
facilities in the Nevada desert and because of a temporary international moratorium on
nuclear testing. But the intent was chilling: the plan for the experiment, so secret that the
Americans were not permitted to see it, was to expose nearly 2,000 soldiers, including 560
Australian troops, to a series of atomic explosions. While those tests did not proceed, other
deliberate testing did.

In May 2001 the British government admitted that Australian troops had been ordered to
run, walk and crawl across contaminated nuclear test sites. However, it denied negligence,
insisting that the troops were only exposed to low levels of radiation and were not at risk. The
British Ministry of Defence claimed that the testing was to gauge the effects of radiation
fallout on clothing, not on personnel.

History is essentially a process of revision and revisiting. We revisit the past and assign
meaning to it from our perspective here in the present. It gives us an opportunity to take pride
in elements of the past which once shamed us, like our convict history. But it also allows us to
recognise our past mistakes, like our treatment of Indigenous Australians. This ability,
nurtured in Australia over our century as a nation, reflects our maturity as a society and our
coming of age as a nation.

In the case of British nuclear testing in Australia, we can acknowledge the inadequate role
of both governments' handling of the tests and their aftermath. We can make amends by
supporting those individuals who were wronged, as this bill helps to do. A local man,
Canberran Alan Batchelor, spent six months at the Maralinga site. He was a lieutenant in
charge of an engineer group. Most of his comrades from that group are dead now. The tests
have had long-term effects on Mr Batchelor and his children. After he returned from
Maralinga, his wife fell pregnant then miscarried a badly deformed foetus. He was then sterile
for nine years. He was later able to have two more children, one is healthy but the other
suffers from intestinal difficulties and deformed teeth.

Recognising the kind of debt we owe to men like Alan Batchelor involves recognising an
obligation that is ongoing. It encompasses the damage done to Mr Batchelor's life and the
damage done to his family. Service, as other speakers in this debate have noted, can extract
severe costs from veterans and their families. The story of Maralinga touches on a broad
range of those costs.

The spirit of the amendments recognises that our commitment to compensate our veterans
and service personnel includes an obligation to shape protocols and procedures that place as
light a burden as possible on recipients. By compressing and streamlining the mechanisms
through which we administer compensation to veterans, we will be better placed to meet the
pressing needs of those who have been damaged by their service. This bill is a step in that
direction and I commend it to the House.

Mr CHESTER (Gippsland—Parliamentary Secretary to the Minister for Defence) (20:40):
I rise to speak in relation to the Veterans' Affairs Legislation Amendment (Miscellaneous
Measures) Bill 2013. As we have heard, the bill will clarify the approval and authorisation
arrangements for travel for treatment for eligible persons and attendants under the Veterans' Entitlements Act and the Australian Participants in British Nuclear Tests (Treatment) Act. In 2012-13, the department processed over 165,000 claims for reimbursement for travel expenses for treatment purposes. These travel expenses can include costs for transport, meals and accommodation for eligible persons and, when necessary, an attendant to accompany the eligible person. Rather than repeat all the details of the bill before the House—I refer those listening tonight to the comments from the Assistant Minister for Defence—I would like to refer briefly to a veterans related activity which I am sure enjoys bipartisan support in this place.

On Saturday night I had the opportunity to join with the Governor-General, Quentin Bryce, the Chief of the Defence Force, David Hurley, the War Memorial Director, Brendan Nelson, the Chief of Navy, Ray Griggs, and several other people of significance within the defence industry at a presentation of what can only be described as a unique and inspiring theatre production called *The Long Way Home*. *The Long Way Home* is part of a performing arts program to assist the rehabilitation and recovery of men and women in the ADF who have been wounded or injured or have become ill in service. This is an extraordinary production and I would urge those listening to the broadcast tonight to look out for opportunities to see it in their own city when *The Long Way Home* tours throughout Australia.

The moving and personal stories of the Australian Defence Force personnel who performed on Saturday night reflect a very recent Australian experience of time at war. *The Long Way Home* builds on other Defence programs and treatment options for ADF personnel who have been wounded or injured or become ill in service. The ADF members that were cast in this play have had direct access to specialised health support as well. It is hard for people who have not seen the production to actually understand what is involved, but there are 13 service men and women who have been working directly with the Sydney Theatre Company and who have shared personal and compelling stories with the playwright and been mentored by some of Australia's finest theatrical talent. It is a unique collaboration of Defence Force personnel who have been either injured physically or suffered from post-traumatic stress and have worked with talented actors and the resources of the Sydney Theatre Company to bring their stories to the stage. It is a remarkable collaboration and an Australian first. I give great credit first of all to these very brave men and women who are performing this inspirational play on stage. It is an incredibly raw experience for them to tell their stories through the script, which was prepared by the writer Daniel Keene and directed by Stephen Rayne from the Sydney Theatre Company.

As Saturday was the opening night, I suppose it was even more raw and emotional for the young actors involved. They were supported by their family and friends and their Defence Force colleagues. It was an emotional night for all involved. I would have to say that there would not have been a dry eye in the house during the course of the evening as they told their experiences. Great credit needs to go to our Chief of the Defence Forces, David Hurley, for having the courage to bring this concept to Australia. As General Hurley pointed out on the night, he had seen a similar program in the UK and wanted to bring it to Australia, but wanted to give it a uniquely Australian flavour. It certainly has that.

*The Long Way Home* is also supported by some particularly high-profile patrons, again crossing the boundaries between the arts and Defence. Australian actor Jack Thompson, who
is no stranger to anyone in this place, and the Victoria Cross recipient Corporal Ben Roberts-Smith are the two patrons. It is part of the official Centenary of Anzac program as well.

This is a new and different approach for the ADF to assist with the rehabilitation and the recovery of wounded, injured or ill personnel. It builds on the more mainstream Defence support programs which are in place. It is an opportunity, I think, which Defence will probably explore even further in the future, because it is giving the participants the chance to improve their movement, their speech and their attention span, to build their self-confidence and to take their ailments out into the public eye and explain what they have gone through, through their own eyes and through their own words.

From Sydney, The Long Way Home production will tour to Darwin, then to Brisbane, Wollongong, Townsville, Canberra, Melbourne, Adelaide and Perth, and that will occur over the next two months. Tickets—I will give a free plug—are on sale now, and I would encourage anyone in those areas to seriously consider purchasing tickets, supporting our ADF personnel and also gaining a better understanding of the trauma that they have been through.

I think it is fair to say that, while some of the participants obviously have suffered physical injuries, the focus of the play is the issue of post-traumatic stress disorder. There are a whole range of services which are available to our personnel who are suffering from PTSD. In addition to this activity, Defence will continue to implement programs and initiatives to reduce the stigma and the barriers, to improve access to treatments and encourage ADF personnel and their families to seek help as early as possible. I think The Long Way Home is going to be very successful in breaking down one of those barriers and breaking down those stigmas for personnel who may be suffering from mental health issues.

As I said earlier, it is very raw. It is an emotional event. It gives some real-life experiences. I think it will be of great benefit to Defence and also to the broader community to understand that these young men and women who we put in harm's way, who take up the uniform of our nation and put themselves in harm's way, are not robots, and they can be hurt. They can be hurt physically and mentally. I think this play brings it home very strongly to the viewing public. Their families and friends have already known about it. I think that, for us who have not had that direct experience of seeing the outcomes of severe physical or mental injuries, to see the personnel live their lives on stage is extraordinarily compelling. So I congratulate everyone who has been involved in the project.

The ADF will continue to support members with post-traumatic stress disorder and ensure that they have the full range of services available to them through both Defence and the Department of Veterans' Affairs. I would like to end my contribution tonight by commending the Australian Defence Force for taking the health and wellbeing of its veterans very seriously. I commend the writer of this production, Daniel Keene, who I mentioned previously; the director, Stephen Rayne; and everyone involved in the Sydney Theatre Company. Finally, I would like to commend Brigadier Alison Creagh, who was the project director, coordinator and commander of the ADF personnel involved in this project. I should not assume, but I do not think Alison has ever been so nervous as she was on the night, having her personnel up on stage. It was a whole different theatre of combat for her. Alison was very excited and relieved, I think, at the end, as was General Hurley. They were very proud to see their personnel up on stage reliving their stories. Of course, the greatest congratulations of all have to go to the ADF personnel who took to the stage, alongside only a
couple of professional actors, and delivered a commanding performance which deserved and received a standing ovation.

Mr ZAPPIA (Makin) (20:49): I speak in support of the Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013. This bill is similar, although not identical, to a bill introduced by the previous government, by the member for Lingiari, the Hon. Warren Snowdon, who at the time was the Minister for Veterans’ Affairs. That bill, as the member for Batman has pointed out to the House, lapsed in the Senate when parliament was prorogued in 2013. It is therefore legislation that is well overdue.

The legislation provides improved arrangements for the payment of travel expenses for treatment under the Veterans’ Entitlements Act and the Australian Participants in British Nuclear Tests (Treatment) Act, otherwise referred to as the BNT(T) act. Participants eligible under the BNT(T) act include Defence personnel, public servants and civil contractors.

British atomic weapons testing, as the member for Fraser quite properly pointed out, was carried out between 1952 and 1963 at the Montebello Islands, off the west coast of Western Australia, and at Emu Field and Maralinga, in South Australia. Many Australians at the time were exposed to radiation from the testing, not only Defence personnel but scientists and public servants, who were also at the time in close proximity to or in the vicinity of the test sites, and other people who entered the contaminated sites at a later date.

In 1985, the McClelland royal commission into the British atomic testing found that significant radiation hazard still existed at many sites many years later. Amongst its seven recommendations, the commission recommended another clean-up of the areas concerned. That clean-up was completed in the year 2000 at a cost of $108 million. In addition, in 1994 — again as the member for Fraser has quite rightly pointed out — the Australian government paid $13.5 million in compensation to the local Maralinga Tjarutja people, and that was also a recommendation of the commission. So the effects of the nuclear testing have been well documented and should not be dismissed, diminished or denied.

I want to focus my remarks on Defence personnel in particular who were affected by the atomic testing both at Montebello and in South Australia at Emu Field and at Maralinga. Often in this place and outside it we praise the service given to our nation by our Defence personnel. That praise, however, is not always matched by the level of support given to them after their service has ended, the kind of support that I believe we would all expect for ourselves and which we would consider to be fair and reasonable if we were in their shoes.

Instead, there seems to exist a culture of denying legitimate claims, avoiding government obligations or making it as difficult as possible to access government assistance even when it does exist. Since being elected to this place I have made representations on behalf of several veterans who from my observations were denied legitimate assistance, or recognition, arising from their defence service. Just before Christmas I met with a resident of my area who discussed with me his experience of the British atomic testing and the injustice related to the testing that he and others have endured. On the same subject, late last year I received an email from Mr Reuben Lette, the national president of the Atomic Ex-Serviceman’s Association, relating to the British atomic testing. I understand that the email was sent to all members of this place. Today I spoke with Mr Lette and I take this opportunity to quote excerpts of his seven-page email. He writes:
We didn't ask our Government to poison us with radiation many years ago.

We didn't ask to roll around in the nuclear fallout dust from the bomb blast that settled onto the ground, we were ordered to do so. Nor did we ask to be lined up with our backs to the nuclear bomb as it went off and then again to turn around and face it. This was done in an unsafe area with no protection at all. We did as we were ordered to. It was as though the British treated us like toast, they wanted both sides done to find out which side got the most radiation poisoning from the bomb blast or the fallout and after-effects. The powers that be needed to know what would happen to us by doing so. We were the guinea pigs used so to keep safe their own personnel.

Well, we died, that is what happened to us, or we got very sick, then and for many years later with many different cancers or attacks to our bones of our bodies.

He goes on to say:

While at all times the British were fully aware as they equipped their own men with all protection that they could issue at the time, the Australians had none.

We didn't ask to fly our planes through the clouds of nuclear radiation caused by the explosion of the atom bomb. We did our ordered duties to fly through the cloud to get samples for testing.

We didn't ask to unload trucks and to carry in our bare hands with no protective clothing or masks highly contaminated with radiation material directly from the nuclear bomb sites into the British scientists' building at the RAAF base Edinburgh in South Australia, we were ordered to.

One of the Air Force servicemen carrying that contaminated material in his bare hands now has bones growing out of each disc in his back, top and bottom, front and back, which are joining up to each other and fusing all his spine together. This is not normal. No doctor can help him nor wants to. He is a too hard basket case to the medical profession.

We didn't ask to get onto the back of the truck and sit on the contaminated material but were ordered to by the officer in charge. We choked on the desert dirt and dust which was full of contaminated particles as the truck raced along the runway over to where the British scientists were. At every bump we would go up in the air with the contaminated materials but when we came down we were covered again in the dirt and dust that came off the contaminated materials. Our clothes, only a pair of overalls, were completely covered in the contaminated desert dirt and dust which had come directly from the nuclear bomb sites.

Nor were we allowed to change our clothes immediately on returning to our normal duties or have a shower from the period from early in the morning until 6.30 pm that night. We were once again ordered that we could not shower or change but to continue on with our daily work.

As Navy servicemen, we were ordered up on deck to witness the nuclear explosion at Monte Bello Islands. We were ordered to turn our backs to the blast, take off our glasses, close our eyes and cover them with our hands. This turned out to be useless as when the blast from the nuclear bomb happened we could see straight through our eyelids, through our hands past the bones, exactly the same as looking at an X-ray of our hands.

Mr Lette states that out of the veterans involved in the testing less than 700 remain today. Amongst the things that the Atomic Ex-Servicemen's Association are seeking is recognition of their service by way of a full TPI pension, a gold card so that all of their medical expenses are covered and a medal in acknowledgement of their service.

This legislation does not go that far but it does introduce important and welcome changes. In particular, the legislation allows for the payment of travel expenses for treatment to be approved by the Repatriation Commission before or after the travel has been undertaken. It also recommends that the Military Rehabilitation and Compensation Act 2004 and the Veterans' Entitlements Act allow for special assistance or benefits under these acts to be
extended to those who would not otherwise be eligible, by way of a legislative instrument made by the Military Rehabilitation and Compensation Commission or Repatriation Commission respectively, rather than by regulation.

I welcome any processes which make the lodgement of claims simpler and less stressful for veterans and others who may already be suffering. Over the years since I have been in this place representing the people of Makin I have had the privilege of associating with many of the veterans in my area. In fact, just over a week ago I attended a National Servicemen's Day memorial service in my electorate, again listening to and speaking to some of the veterans who continue to be active within the area. I have seen them first-hand and have spoken to them on many occasions about the difficulties that many of them have endured since leaving their service. About a year ago I spoke to a young veteran, and I say young because he was only about 40 years old. Both he and his wife had been Defence personnel for Australia. Both of them are now out of their service. Both of them are going through their troubles right now. Both of them argue very strongly that as a government we need to do more for our veterans, particularly after they leave the service.

I make this point very strongly because many of the Defence veterans whom I refer to, and particularly those who might have been affected by the British atomic testing, are now elderly people who cannot and do not have the ability to any longer continue to stand up for themselves. So, in turn, they come to members of parliament like myself and others in the community to make representations for them. This legislation, I believe, goes part of the way to doing that. It is good legislation and I commend it to the House.

Mr ROBERT (Fadden—Assistant Minister for Defence) (20:59): In quickly summing up prior to the third reading, the legislation will clarify, improve and update veterans' affairs and related legislation as part of the coalition's commitment to cutting red tape and removing redundant legislation. The bill takes another step towards fulfilling the coalition government's four-pillar election commitment to veterans and their families.

Debate interrupted.

ADJOURNMENT

The SPEAKER: It being 9 pm, I propose the question:

That the House do now adjourn.

JUTE Theatre Company

Mr ENTSCH (Leichhardt) (21:00): I rise tonight to highlight the great work of a local theatre company, the JUTE Theatre Company. JUTE has recently been successful in receiving another triennial grant from the Australia Council for the Arts. JUTE's artistic director and CEO, Suellen Maunder, wrote to me to let me know that they really appreciate the federal support and would continue to punch well above their weight.

JUTE came into being in 1992 when three passionate theatre makers—Kathryn Ash, Suellen Maunder and Susan Prince—met in Cairns and the creative sparks begin to fly. JUTE's first production launched in 1993 in the height of summer in a shed with no air conditioning. Nevertheless, it was an instant success. Over two decades, JUTE's artists and audiences have been part of an extraordinary outpouring of new Australian stories, producing over 65 new works from regional theatre makers. It is the country's largest producer of new Australian plays. Together with KickArts Contemporary Arts, JUTE successfully lobbied for
$2.7 million in capital works funding to develop the Centre for Contemporary Arts—an incredible contemporary arts performing space.

This year JUTE will present five very diverse pieces of life-changing storytelling. *Propelled*, which is the first one, featuring Doug Robins, was a very uplifting story of living with Duchenne Muscular Dystrophy, a degenerative terminal disease. The audience rose to their feet for a standing ovation every night of the performances. Although the season in Cairns has finished, JUTE is looking at touring this work to Australian and international festivals. Another exciting work is the comical *Proper Solid*, by Indigenous playwright Steven Oliver. It is about the first Australian Aboriginal President in 2067 who is suddenly flung back in time to 2014.

Unfortunately, the state government's financial situation means they have had to make cuts to the arts. This has led to some challenges for JUTE in providing their public performance program. Suellen tells me that *Propelled* was a particularly important show as it gave voice to someone with different abilities. However, to enable this production to go ahead, JUTE had to dig deep into the budget for the remainder of the year. Suellen is very keen to find a champion for this work who might be able to help cover the $30,000 shortfall. There is a fantastic opportunity for corporate sponsorship here and I strongly urge any interested businesses to get in touch with Suellen.

Looking to the bigger picture, my involvement in the development of the white paper for Northern Australia has really highlighted to me the importance of regional arts. When we are looking at how to get people into regional areas, it is not just about incentives like tax breaks. There are other liveability factors, and being able to enjoy the arts, both visual and performing, is certainly a major part of that. It may not be a pull factor for people looking to move to Cairns but it is certainly a retention factor once they get there.

I actively support JUTE and Suellen Maunder. It is an absolute credit that a small regional city like Cairns has produced a theatre company like this. We have to be very proud of them. In fact, in 2012 I featured in the local newspaper in my boxer shorts with a couple of young female performers to promote their *Studio Shorts* show. I have no doubt that I significantly increased the attendance of that show! Over the years—and you may find this surprising, Madam Speaker—being the culture-vulture that I am, I have attended a diverse range of these productions, from a show about the colourful history of Spanish settler Jose Paronella titled *The Impossible Dream* to a fantastic play this year starring Aaron Fa'aoso and Jimmy Bani called *Half and Half*.

It is important that we recognise the value of our performing arts and provide them with the appropriate funding. At the same time, it is not just about the support from local, state and federal governments; it is also about the community. My wife, Yolonde, and I have just purchased season tickets for this year's five shows to show our encouragement. We need to be publicly supporting our local theatre, otherwise we will face the consequences of losing not just this facility but the ability to create new stories that contribute to our regional identity.

**Employment**

Mr GILES (Scullin) (21:05): The member for Leichhardt painted quite a picture towards the end of his contribution that I will try and move past! This afternoon I met with students from Findon Primary School in Mill Park in my electorate. They were excited to be here and
also excited, no doubt, at the possibilities before them. I would like to share their excitement, but it is hard, given the events of recent days, as I wrestle with the question: what can be done to secure good jobs for the communities in Melbourne's north where so many work in manufacturing and where we have so many opportunities that are being squandered. I speak today with respect to those immediately affected by business closures but also to our future—the sorts of jobs and communities we can look forward to, depending on choices that are now being made.

The then Leader of the Opposition, the member for Warringah, claimed to be the 'best friend of Australian workers' and that he wanted to see 'higher wages and more jobs'. With friends like our Prime Minister, one thing is crystal clear: Australian workers do not need an avowed enemy. They desperately need an advocate in place of this opposition in exile—a government consumed by its ideological project at the expense of a jobs plan. We saw the effects of this malign neglect with yesterday's announcement, which had an unfortunate air of deja vu about it, that Toyota would be leaving Australia by 2017. This is a national tragedy, not simply a challenge. The human cost is incalculable. It follows on from a growing number of manufacturers, as well as other businesses, who have made similar announcements since this government came into power. These closures are symptomatic of a government without a plan and, what is worse, a government that seeks to deflect blame onto workers who are the victims of this indolence.

This is a government that behaves like an opposition. One only has to read or hear comments from government members to know that all they talk about is the labour movement, with not a word about governing.

It is worth noting that John Howard could have been characterised as better resembling a friend of automotive workers than the current Prime Minister. His government's Automotive Competitiveness and Investment Scheme initially ran for five years from 2001 before being renewed for another five years in 2005. The government of the day worked with, not against, the automotive industry to manage the transition. The then and now Minister for Industry, the member for Groom, described this as 'a decade of certainty for the automotive industry'. Today the only certainty for these employees is uncertainty.

We heard the Prime Minister today again trying to put the blame for job losses on the carbon tax. Previously, we have heard the Prime Minister and the Minister for Employment blame employees' pay and conditions, where there is simply no basis to do so. Yesterday, Toyota did not mention either the carbon tax or its employees' pay and conditions as being behind their decision to leave Australia. We have already heard from SPC Ardmona that its employees' pay and conditions are not to blame for their current situation, despite the Prime Minister's claims to the contrary.

We repeatedly hear the Treasurer harp on about the supposed 'age of entitlement'. However, much like the Prime Minister's claims about the excessive pay and conditions of Australian workers, this too is a stretch, an untruth. Let's talk about another entitlement, though: that of working men and women to a government that will stand up for them, that will try. It is one thing to fight and lose, quite another not to try—to assert, after the fact, inevitability in terms inconsistent with words spoken late last year, when modest co-investment could have made a difference.

The more than 1,100 people in Scullin currently employed in motor vehicle and motor vehicle part manufacturing deserve better. Decision-makers should have foremost in their
minds a deep appreciation of what job loss means to individuals, the ways in which lives are reshaped, for the worse, as the member for Gellibrand reminded me in his passionate contribution to today's MPI debate. As of today, we must see a transition plan for the employees affected, so that they can build on and make use of their valuable skills, as well as transitioning support for component manufacturers in Scullin and across the country.

The workers affected by this government's contempt for the way they earn a living must be afforded a chance to succeed, but more than that, this government needs a plan, a concrete commitment to standing up for jobs. It could do much worse than emulate the jobs plan that federal Labor took to the last election, which included a new car plan, or Victorian Labor's plan for jobs and growth, which provides 67 practical and affordable initiatives to secure Victoria's economic future and repair the damage of the Napthine and Abbott governments' failure to act.

The people of Scullin—motor vehicle workers today and children like those from Findon primary tomorrow and into the future—need a government that sees jobs as more than a challenge but rather as an imperative, a government that really is a friend and supporter of Australian workers, a government that will put every effort into saving and securing jobs.

**Small Business**

Ms MARINO (Forrest—Government Whip) (21:10): Small business is the heart and soul of the Australian economy, including in my electorate in the south-west of Western Australia. Of the more than two million actively trading businesses in Australia, almost 96 per cent are small businesses and 3.8 per cent are medium businesses. Small and medium businesses combined employ 70 per cent of the nation's private sector workers, or 59 per cent of all Australian workers. Small business alone—those with fewer than 20 employees—account for 46 per cent of all of Australia's workers in the private sector.

That is why small business is so important to the coalition government, and why the federal government has moved to make life easier for small business. The first step has been to reduce the compliance burden that employers face when making superannuation contributions for their workers by having the Australian Taxation Office take over the running of the Small Business Superannuation Clearing House. This is an online service that helps small businesses meet their superannuation guarantee obligations by allowing employers to pay superannuation contributions in one transaction to a single location to reduce red tape and compliance costs.

Another step has been to ensure small businesspeople who call the Fair Work Ombudsman now receive priority service with reduced waiting times. This will help them to efficiently improve their understanding of workplace laws so they are confident to grow, to invest and to create even more jobs. These moves are part of the government's commitment to cut $1 billion of red tape out of the economy and they will certainly make life easier for small business.

There is another important plank in our small business policy. This coalition government will undertake the first comprehensive review of competition laws and policy in more than 20 years. This root-and-branch review delivers on a key election commitment and will help identify ways to build the economy and promote investment, growth and job creation. The competition review will examine not only the current laws but the broader competition
framework to increase productivity and efficiency in markets, to drive benefits to ease cost-of-living pressures and to raise living standards for all Australians. An integral part of any such review will be the need to create a more level playing field for small businesses competing with or supplying major national and multinational businesses. Any review of competition laws will need to look at section 46 of the Trade Practices Act and in particular the definition of 'substantial market power' and its misuse. The federal government has provided the states and territories with draft terms of reference for the competition review, and I look forward to engaging with the review panel over the coming months. I will encourage all interested parties in my electorate to participate through public hearings and submission processes.

The reason we are concerned is that since Labor came to government there has been a decline of 3,000 employing small businesses. That is a major concern given the impact small business has not only in my electorate but right across Australia. Many of these small businesses are family owned and run. Small business people in rural and regional areas often support local events and fundraising efforts. They donate goods and prizes, and small towns rely on small businesses, as do the residents of rural and regional towns. They rely on small businesses in their communities to provide their daily needs, whether for family use or in their own small businesses. If you are a farmer or a grower, usually the small business in your community is the one that you use most, that you rely on and that you need open, no matter what time it is, for the produce or spare parts you need. Whatever it is you need, these are the businesses that provide it.

So I am very pleased that the coalition has shown a distinct commitment to small business. We can see that as well from the fact that we have had the same small business spokesman and minister for an extended period of time. When Labor was in government, we saw perhaps five different small business ministers. We have a dedicated small business minister, and he is as committed as the rest of us are to progressing the interests of small business in what we do as a government.

Health Funding

Ms RISHWORTH (Kingston) (21:15): It saddens me to have to rise today to highlight the coalition's additional broken promise in my electorate. It is very sad that we are seeing continual broken promises from this government less than five months since it was elected. There was a commitment from the coalition during the election campaign that it would not make cuts to health. However, very close to Christmas we saw the release of MYEFO and it was clear that there are cuts to health being made by this Abbott government. These cuts will hurt many, many people right around the country—many vulnerable citizens that are sick and need important services.

One of these cuts is at the Flinders Medical Centre. It was made clear in MYEFO that a cut to the expansion of the neonatal unit at Flinders Medical Centre would be made. I have received a letter from the Minister for Health saying that this funding will not occur, and it was confirmed by the release of MYEFO. Ripping $15 million away from the neonatal unit at the Flinders Medical Centre is atrocious; it is appalling. This neonatal unit is designed to help our most vulnerable citizens. Premature and sick babies who are fighting for life come to the Flinders Medical Centre. There are only two specialised neonatal units in the whole state.
When I visited this unit, I found that it services not only individuals and families from South Australia but also people from across the border in Victoria.

At the moment we have seen a 20 per cent increase in the number of admissions at the neonatal centre, and as a result we are seeing a temporary overflow into temporary wards, which has caused significant problems for servicing by the health professionals who look after these vulnerable families. So it was very much welcomed when Labor committed $15 million to allow for the ward to be expanded and all the services for the patients and families to be together. Unfortunately, now we are seeing that money ripped away and, as a result, there will be many families that will not receive the space. This will, I think, put in jeopardy the care that they should receive.

I have to say that the nurses, midwives and doctors do an amazing job there, but they needed this investment to ensure that they could have the space to provide these important services. So I hope that the Minister for Health will reassess this. Around 200 babies are admitted to the Flinders neonatal intensive care unit annually from around Australia. I think people in South Australia who were looking at this investment, as with many other investments around the country, will be starting to question this government, which said there would be no cuts to health. Unfortunately, we have seen the absolute opposite.

When Labor was in government, we invested significantly in expanding the capacity of our public hospitals. There were expansions earmarked across hospitals in South Australia, and these have been welcomed by many people wanting to see reduced waiting lists and being able to access services. That is why this investment was another important additional investment. I have yet to see from the Minister for Health the explanation of why this cut has been made. What was the basis for choosing to cut the $15 million? The South Australian government saw it as a priority. Unfortunately, this Liberal government does not see health as a priority. So once again I call on the Minister for Health to reconsider this cut, to reinstate the $15 million, which is so important, and not to break a fundamental promise that the government made to the Australian people that there would be no cuts to health. Of course we are seeing cuts right across the board, but in South Australia this cut will hurt many vulnerable families, and I ask the minister to reconsider.

Food Security

Ms MARINO (Forrest—Government Whip) (21:20): The Australian government's international aid agency, AusAID, says:

Food security exists when populations have access on an ongoing basis to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life.

The United Nations has a subgroup called the Food and Agriculture Organization, which is the body tasked with monitoring and maintaining food production and demand. The FAO says that one billion people in the world live with chronic hunger and that this is expected to worsen. In its report Investing in food security it stated:

With global population expected to reach more than nine billion by 2050, FAO estimates that agricultural production will need to grow by 70 percent if it is to keep the world's population fed and healthy. Only about 10 percent of this growth will come from availability of new lands which means that 90 per cent will need to come from intensification of current production. Ensuring that this...
intensification is sustainable will require enormous investments for primary agriculture and storage and processing infrastructure—just to stay abreast of the population growth.

These comments are really concerning, and should be, for all of us, but what is more concerning is the expectation that 10 per cent of the growth in food production will come from new lands. In many developed countries the amount of land available for food production is actually in decline. According to the report by Daniels and Bower in 1997 entitled Holding our ground: protecting America's farms and farmland, the United States of America loses over a million acres of farmland to urban sprawl every year.

In Australia, a report by former member Ian Sinclair estimated that only 10 per cent of Australia's land mass is arable land suitable for soil based agriculture and livestock production. Much of this land is along the highly populated coastal regions where, like America, land is being lost to urban expansion. Food production is not only limited by land, inadequate water is the other great constraint. Worldwide predictions of declining rainfall in food producing areas will continue to impact on our capacity to produce food.

Australia is in a unique position to help address world food shortages and we have some of the best farmers in the world who have the capacity to produce clean, high-volume, high-quality food—one of the key issues Australia has. Our sustainable, competitive advantage, our capacity to produce world class, high-volume, clean, quality food is something none of us should take for granted. I suggest that in the future the capacity to produce quality, clean food will become even more valuable.

Australia is a major food producing nation, with production in 2007-08 measured at $37.4 billion. Of this $23.4 billion worth of food was exported, leaving $14 billion worth of food in the domestic market. However being an exporter of food, even a net exporter, does not mean that Australia is, by definition, food secure. We should not be complacent. Many of our exports are bulk commodities that do not replace domestic variety. In our food exports 72 per cent come from meat, grains, dairy products, wine and seafood. In return, our import profile is much more diverse. Thus as exporters we are secure in our meat and wheat production, but far from secure in an incredible number of other food items. We really need to look at this quite seriously.

In the five years from 2003 to 2008 food imports into Australia increased 50 per cent from $6 billion to $9 billion. During the same period food exports rose by only $1 billion to $23.4 billion, meaning Australia's food trade balance declined by $2 billion. In 2010, the FAO Committee on World Food Security met to discuss food security policy and a number of issues were raised. (Time expired)

**Disability Support Pension**

**Ms BRODTMANN** (Canberra) (21:25): On the eve of Christmas last year, I received an email from one of my constituents voicing her concern about changes proposed by the Minister for Social Services to the disability support pension. My constituent, Jacqui, wrote that she is a 51-year-old woman with multiple sclerosis, currently on the DSP. The DSP was granted to Jacqui in 2010 following her diagnosis after a protracted period of being unwell. Her symptoms include loss of balance, dizziness, frequent paraesthesia in her limbs, frequent migraine headaches, pain and cramping in her left leg and foot, tremors in her right arm and severe heat intolerance and fatigue. Jacqui is generally unable to do the most basic of things outside the home without assistance, mainly due to her problem with balance. A former public
servant, veterinary nurse and financial planner, she is no longer able to work. She was fortunate to get a wheelchair with help from MS Australia and the ACT government.

Jacqui is a single mother of a 16-year-old boy. Her son started year 11 at Narrabundah College this year. Last year, he graduated with distinction from year 10 at Alfred Deakin High School, despite being Jacqui's unofficial carer and missing a bit of school work as a result. He also works part time at a local music shop. Jacqui contacted me out of desperation because the mixed messages she was receiving from the Abbott government had left her in a state of total uncertainty, insecure about her financial future, fearful about how she would continue to provide for her son if her pension were cut. On 1 September 2013, almost on the eve of the election, then opposition leader Tony Abbott, appearing on the ABC's Insiders, said:

And I want to give people this absolute assurance: no cuts to education, no cuts to health, no changes to pensions, and no changes to the GST.

Jacqui says that upon seeing this interview, she breathed a sigh of relief. No changes to pensions, no cuts to health would ensure she could maintain her modest lifestyle and afford much-needed medical care.

However it appears this is yet another election promise that the Abbott government is all too willing to break even though on 1 January a spokeswoman told the Canberra Times that the Prime Minister has always made it clear that all election promises will be honoured. The Prime Minister has said this many times. There is a review underway currently but there are no recommendations before the government to make changes to the disability support pension at this time. However, as I said, this election promise is one the Abbott government is all too willing to break. In December, the Minister for Social Services and member for Menzies flagged changes to the DSP, suggesting that not everyone who is on it deserved to be on it permanently:

We don't want to condemn people to what is virtually a dead-end these days in terms of the DSP.

The DSP might be 'a dead end' to the member for Menzies, but I assure those opposite it is a lifeline to those who receive it. On Sunday, 22 December, the Minister for Finance, Senator Cormann, confirmed on Sky News that the disability pension was being considered for cuts by the government's Commission of Audit.

This—
the disability support pension—
is one of the fast-growing areas of government expenditure. The Commission of Audit is looking at this whole area for us... and is expected to make some recommendations on how that can best be achieved by the end of January.

I say to those opposite: the end of January has come and gone and Jacqui and the other 822,000 Australians living with a permanent and significant disability who rely on the disability support pension are still none the wiser. I wonder if those opposite realise the incredible stress, the anxiety and the uncertainty that they have forced upon DSP recipients. I wonder if Prime Minister Abbott realises that the promise he made prior to the election that there would be no changes to pensions provided a fragment of hope for those who rely on pensions. I wonder if he realises that in breaking that promise he is crushing that hope and breaking their trust.
The disability support pension is a lifeline for those in our community who have to live with permanent disability and illness. It is something we should be proud of as a nation and not somewhere to look for savings.

House adjourned at 21:30

NOTICES

The following notice(s) were given:

Mr Pyne: To move:

That standing orders 1, 34 (figure 2), 43, and 192 (figure 4) be amended to read as follows:

1 Maximum speaking times (amendments to existing subject, as follows)

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<thead>
<tr>
<th>90 second statements</th>
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<tr>
<td>In the House—whole period on Mondays, Tuesdays, Wednesdays and Thursdays</td>
<td>30 mins</td>
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<tr>
<td>In the Federation Chamber—whole period on Mondays</td>
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<td>Each Member (but not a Minister or Parliamentary Secretary)</td>
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(standing order 43)
**Figure 2.** House order of business

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<th>WEDNESDAY</th>
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<td>Petitions (to 10.10 am) Committee &amp; delegation business and</td>
<td>Divisions and quorums deferred 10 am–12 noon</td>
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43 Members' statements

(a) In the House at 1.30 pm on Mondays, Tuesdays, Wednesdays and Thursdays, the Speaker shall interrupt business and call on statements by Members. The period allowed for these statements may extend until 2 pm.

(b) In the Federation Chamber at 4 pm on Mondays, the Deputy Speaker shall interrupt business and call on statements by Members. The period allowed for these statements may extend until 4.45 pm.

(c) During these periods, when called on by the Chair, a Member, but not a Minister (or Parliamentary Secretary*), may make a statement for no longer than 90 seconds.

*Including Assistant Ministers who are Parliamentary Secretaries

Figure 4. Federation Chamber order of business

MONDAY | TUESDAY | WEDNESDAY | THURSDAY
--- | --- | --- | ---
9.30 am | 3 min constituency statements | 9.30 am | 3 min constituency statements
10.00 am | Government Business and/or Committee & delegation business | 10.00 am | Government Business and/or Committee & delegation business
10.30 am | 3 min constituency statements | 12.30 pm | Adjournment Debate
11.00 am | Committee & delegation business and private Members' business | 1.00 pm | 1.00 pm
1.30 pm | | | |
4.00 pm | 90 sec statements | 4.00 pm | If required | 4.00 pm | If required
4.45 pm | | | | 7.00 pm
8.00 pm | | | | |
9.00 pm | | | | |

The meeting times of the Federation Chamber are fixed by the Deputy Speaker and are subject to change. Times shown for the start and finish of items of business are approximate.

Adjournment debates can occur on days other than Thursdays by agreement between the Whips.

Mr Nikolic: To move:
That this House notes:

(1) with concern:

(a) the results of the Programme for International Student Assessment (PISA) 2012 survey, which are the worst for Australia since testing began and show that Australia is falling further behind its regional neighbours on critical objective measures; and
(b) that, in spite of a 44 per cent increase in education funding by the Government during the last decade, student performance has declined, which indicates that there is much more to improving educational outcomes for our children than simply increasing funding;

(2) that the PISA 2012 survey has also revealed how critical teacher quality is to Australia's education system and to lifting student outcomes and how outcomes for students, regardless of which school they attend, are directly affected by the quality of the teaching they receive;

(3) that the Government's response to the PISA 2012 survey emphasises the critical importance of teacher quality to Australia's education system and to lifting student outcomes, coupled with a robust curriculum, expanding autonomy for principals, and encouraging more parental engagement; and

(4) the Government's consistent commitment to ensuring a fairer, needs-based funding arrangement for schools nationally, to deliver better schools for Australian students.

Mr Albanese: To move:

That this House:

(1) notes:
   (a) that investment in infrastructure is a vital contributor to economic growth;
   (b) the broad support in the House for:
       (i) the principle that infrastructure priorities should be developed by experts, based on the benefit to the national economy;
       (ii) Infrastructure Australia as an independent source of infrastructure advice to government; and
       (iii) the continuance and enhancement of the successful role played by Infrastructure Australia since its formation in 2008; and
   (c) the overwhelming desire of infrastructure providers, financiers, and others involved in the infrastructure chain, for a robust, bipartisan approach to the governance of Infrastructure Australia; and

(2) resolves that:
   (a) the issue of the future governance of Infrastructure Australia be referred to the House of Representatives Standing Committee on Infrastructure and Communications for consideration and report back to the House by 30 April 2014;
   (b) that the Committee seeks formal submissions from the public, and specifically stakeholders across the infrastructure chain, on the matter of the governance of Infrastructure Australia;
   (c) that Infrastructure Australia, the Department of Infrastructure and Regional Development, other relevant federal agencies, COAG and its member governments, including local government, be specifically requested to provide input; and
   (d) that until such time as this review is completed, the Infrastructure Australia Amendment Bill 2013 not be further proceeded with in the House or the other place.

Ms Plibersek: To move:

That this House:

(1) notes the:
   (a) ongoing humanitarian crisis in Syria, Jordan and Lebanon;
   (b) former Labor Government's contribution of $100.8 million to humanitarian assistance; and
   (c) Government's contribution of $12 million; and

(2) calls on the Government to immediately increase its humanitarian aid commitment to people affected by the Syrian conflict.
Mr van Manen: To move:

That this House:

(1) commends the Government for its strong commitment to small businesses in Australia;

(2) notes:

(a) that small business is essential to the Australian Economy;

(b) there are approximately 2 million actively trading small businesses in Australia employing 4.6 million people;

(c) small businesses generate over $900 billion in income and contribute around 34 per cent of Industry Value Added;

(d) that under the previous Labor Government, 412,000 jobs were lost in small business and there are 3000 fewer employing small businesses than was the case when the former Coalition Government left office; and

(e) the share of employment provided by small businesses has shrunk from 53 per cent of the private sector workforce in 2007 to 43 per cent under the former Labor Government; and

(3) supports small business owners throughout Australia by endorsing the Coalition's Small Business Policy that outlines 23 initiatives to further remove challenges and roadblocks in their way.

Mr S. P. Jones: To move:

That this House:

(1) notes:

(a) that funds were allocated for Regional Development Australia Funding (RDAF) Round 5 in the 2013-14 budget;

(b) that RDAF Round 5 provided assistance to local government projects to fund the construction of important pieces of small scale infrastructure to support local communities and regional development;

(c) that the Government has:

(i) committed to delivering some, but not all, of the RDAF Round 5 projects; and

(ii) not yet made clear which RDAF Round 5 projects will and will not proceed;

(2) calls on the Government to:

(a) report to the Parliament on:

(i) what, if any, consultation it had with local governments and Regional Development Australia in choosing the RDAF Round 5 projects it has decided to fund; and

(ii) which, if any, of these projects will be funded under the National Stronger Regions Fund; and

(b) provide certainty to regional communities by committing to fund each RDAF Round 5 project.

Ms O'Neill: To move:

That this House:

(1) notes that in July 2013 general elections were held in Cambodia, the results of which have been disputed and led to civil unrest;

(2) notes that on 2 and 3 January 2014:

(a) 5 people were killed by Cambodian security forces while protesting in Phnomh Penh; and

(b) 23 people were detained for participating in protests to secure a better wage for garment workers; and

(3) calls on the Australian Government to:
(a) join human rights organisations and multinational business leaders to express deep concern over the actions of the Cambodian Government;
(b) condemn violence against protesters; and
(c) ask the Cambodian authorities to release those detained for social and political activism.

Ms Parke: To move:

That this House:

(1) commends the Government for reaffirming Australia’s support for the Global Polio Eradication Initiative (the Initiative) by maintaining the $15 million commitment for 2013-14;
(2) notes that:
   (a) on 13 January 2014, India passed three years without reporting a single case of polio, an achievement reports say will lead to the entire South-East Asia Region of the World Health Organisation being certified as polio-free later in 2014;
   (b) lessons learned from India’s success are now part of the Polio Eradication and Endgame Strategic Plan 2013-2018 announced at the Global Vaccine Summit in Abu Dhabi in 2013;
   (c) the Initiative should mobilise the polio eradication infrastructure for broader child survival efforts wherever possible, ensuring that the knowledge, capacities, processes and assets created by the Initiative contribute to reducing child deaths, accelerating the achievement of Millennium Development Goal 4;
   (d) despite ongoing security challenges, in the three countries where polio remains endemic—Afghanistan, Pakistan and Nigeria—the proportion of children vaccinated during 2013 increased;
   (e) in 2013 for the first time in the history of the Initiative, all cases of poliomyelitis caused by a wild virus were due to a single serotype, type 1; the most recent case due to wild poliovirus type 3 occurring on 10 November 2012 in Nigeria, while a case of poliovirus type 2 has not been detected since 1999;
   (f) polio outbreaks in previously polio-free countries—Somalia, Syria, Cameroon—and the presence of the polio virus in Egypt and Israel are constant reminders of the need to ensure the polio program is fully funded and of the need for countries to take full ownership of the implementation of emergency plans; and
   (g) the World Health Organisation, its Initiative partners and the GAVI Alliance have initiated a joint program of work to ensure polio eradication infrastructure systematically contributes to improving routine immunisation coverage; and
(3) calls on the Government to continue to support polio eradication by reaffirming Australia’s commitment to provide $80 million over four years from 2015 to 2018 to the Initiative.

Ms Rishworth: To move:

That this House:

(1) notes:
   (a) the importance of a well-resourced dental system in improving the oral health of our most vulnerable citizens; and
   (b) that well trained and well supported dental graduates are critical to improving the oral health of our nation;
(2) shows extreme concern at the Government’s announcement to cut $40 million from the Voluntary Dental Graduate Program (VDGP); and
(3) calls on the Government to reverse this decision and ensure that the 36 public dental services that were set to host the VDGP in 2014 are able to do so.
Mrs Wicks: To move:
That items 2 and 3 of Schedule 1 to the Financial Management and Accountability Amendment Regulation 2013 (No. 4), Select Legislative Instrument No. 141, 2013, dated 28 June 2013 and presented to the House on 12 November 2013, be disallowed.

Mrs K. L. Andrews: To move:
That this House:
(1) recognises that:
   (a) 13 to 20 March 2014 is national Coeliac Awareness Week, with the aim of increasing rates of testing and diagnosis of coeliac disease;
   (b) coeliac disease is one of Australia’s most commonly under-diagnosed conditions, with an estimated 80 per cent of sufferers currently not diagnosed; and
   (c) diagnosis and treatment immensely improves well-being and quality of life for sufferers of coeliac disease; and
(2) congratulates Coeliac Australia, and its five state organisations, on their work in promoting awareness of the disease, improving quality of life for sufferers, and fundraising for research of coeliac disease.
QUESTIONS IN WRITING

Broadband
(Question No. 3)

Ms MacTiernan asked the Minister for Communications, in writing, on 18 November 2013:

(1) What is the contractual status of the National Broadband Network construction in (a) Ashfield, (b) Bassendean, (c) Beechboro, (d) Eden Hill, (e) Kiara, (f) Lockridge, and (g) Morley, and does this status reflect the construction rollout plan published by NBN Co Limited in April 2013?

(2) What information does NBN Co Limited or any Government agency under the Minister’s direction have regarding the condition of the copper wire network in (a) Ashfield, (b) Bassendean, (c) Bayswater, (d) Bedford, (e) Beechboro, (f) Dianella, (g) East Perth, (h) Eden Hill, (i) Embleton, (j) Highgate, (k) Inglewood, (l) Kiara, (m) Lockridge, (n) Maylands, (o) Morley, (p) Mt Lawley, (q) Noranda, (r) North Perth, (s) Northbridge, (t) Perth, and (u) West Perth?

Mr Turnbull: The answer to the honourable member's question is as follows:

(1) The areas listed in (a) to (g) have not been the subject of an NBN Co build contract. While these areas were listed in NBN Co's one year rollout plan published in April 2013, under previous definitions this simply indicated that construction of the network was scheduled to commence within 12 months. In areas that had not entered the ‘build commenced’ phase, including those listed above, NBN Co had not issued build instructions to delivery partners. NBN Co’s rollout maps have been updated to show only areas where build instructions have been issued to delivery partners or where services are already available.

(2) NBN Co and the Department of Communications do not have specific information regarding the condition of Telstra's copper infrastructure in these areas. However, at the Senate Estimates hearings in October 2013, NBN Co indicated its intentions to test network performance at the node or cabinet level in planning the future rollout of the National Broadband Network.

Afghanistan: Human Rights
(Question No. 5)

Mr Kelvin Thomson asked the Minister for Foreign Affairs, in writing, on 2 December 2013:

In respect of Australia’s use of its position on the United Nations Security Council, how is Australia
(a) advocating for human rights protections in Afghanistan,
(b) seeking to protect the rights of Afghan women and helping to secure their full participation politically as well as in peace talks,
(c) promoting human rights and the rule of law among Afghan authorities,
(d) championing the Women Peace and Security Agenda outlined in Resolution 1325, and
(e) promoting the protection of human rights.

Ms Julie Bishop: The answer to the honourable member's question is as follows:

As UN Security Council (UNSC) coordinator ('pen-holder') for Afghanistan, Australia’s first priority is to ensure that the Council remains fully committed to the international efforts to help protect and advance the basic rights of the Afghan people.

Australia advocates for human rights protections by ensuring provisions in Council resolutions such as the International Security Assistance Force (ISAF) renewal authorisation and United Nations Assistance...
Mission to Afghanistan (UNAMA) mandate support not only security and political transition, but human rights and peace and reconciliation efforts.

Australia coordinated the extension of the UNSC authorisation for the ISAF mission in Afghanistan through to the end of 2014. Australia initiated new text in this resolution (UNSC Resolution 2120) which ensured the Security Council delivered an important message promoting the rights of women and girls in Afghanistan, including in relation to: the protection of the rights of women and girls; the need to protect civilians from sexual violence and all other forms of gender-based violence (including full implementation of the Elimination of Violence Against Women law); condemning the increased targeted killing of women and girls; the importance of recruiting, training and retention of women in the Afghan National Security Forces; the vital role that women play in the peace process; and the importance of Afghanistan implementing UNSC Resolution 1325 on Women, Peace and Security. Similarly, we are working to ensure strong language on the Women, Peace and Security agenda in the UNAMA mandate renewal.

We also draft and author Council statements that condemn attacks against civilians and violations against human rights, and urge continued protection of all persons including women, children, media workers and detainees.

Moreover, we use report briefing and open debates to make public national Statements to the Council, including key messages on continuing to encourage Afghanistan to finalise and implement a National Action Plan on Women, Peace and Security and hold elections that maximise voter participation, especially the participation of women.

More broadly, as outlined above, as UNSC pen-holder on Afghanistan, Australia uses its role to promote human rights and the rule of law amongst Afghan authorities through negotiating mandates, coordinating press statements and resolutions and through our national statements to the UNSC during UNAMA quarterly debates.

During our term on the UNSC, the women, peace and security agenda (WPS) will continue to be a priority for Australia. Australia is working with our fellow members and the UN system to encourage all relevant peacekeeping and peacebuilding operations to address the impact of the situation on women and girls and prevent impunity for sexual violence.

Consistent with Australia's National Action Plan on WPS, we are using our two-year term to pursue a more comprehensive and inclusive approach to these issues across the Council's entire agenda, including advocating for: peacekeeping mandates to include gender perspectives; the appointment of gender advisers and women protection advisers in Council mandated missions; and for WPS to be more effectively integrated into conflict prevention and peacebuilding. We are for example highlighting the impact of conflict situations on women and girls, as well as advocating responses which seek to empower women, and also respond to sexual violence in conflict. We are also advocating for regular briefings to the Security Council to keep the Council informed of gender concerns, including by UN Women, the Secretary-General's Special Representative on Sexual Violence in Conflict, the Under Secretary-General for Peacekeeping, and other relevant UN officials and for peacekeeping reports to the Security Council to address gender issues. We are continuing to support the work of the Special Representative and advocating for Council visits to countries on the Council's agenda to consult civil society, including women's groups.

In April 2013, we participated in the Open Debate on Sexual Violence in Conflict. Our statement highlighted the need to end impunity, make best use of existing sanctions mechanisms, ensure women's participation in conflict resolution and peace building and to deploy systematically gender expertise to Council mandated missions.

In May 2013, Australia and Guatemala co-hosted a UNSC "Arria-formula" meeting on the implementation of the UNSC's women, peace and security agenda and to derive lessons from the experience of those in the field. Australia's then Minister for Defence, the Hon Stephen Smith MP,
delivered opening remarks and Australia's then Ambassador for Women and Girls, Penny Williams, facilitated discussion. The meeting heard from senior UN officials and Gender and Women Protection Advisers serving in UN peacekeeping missions – MONUSCO in the Democratic Republic of the Congo, UNMISS in South Sudan, and MINUSTAH in Haiti. Non-Council UN members, UN agencies and representatives from NGOs also participated.

In June 2013, under the UK's Presidency, we co-sponsored UNSC resolution 2106, focused on ending impunity for sexual violence in conflict, and participated in the related open debate. We have also championed the UK's Preventing Sexual Violence in Conflict Initiative and signed up to the Declaration to End Sexual Violence in Conflict launched in September 2013.

On 6 September 2013, during our UNSC Presidency, Australia co-hosted, with Conciliation Resources and the NGO Working Group on Women Peace and Security, an interactive panel on Women's Participation in Peacebuilding in New York.

In October 2013, we participated in the Open Debate on Women, Peace and Security, which focused on Women, Rule of Law and Transitional Justice in Conflict-Affected Situations. Our statement called on the Council to rigorously strengthen its consideration of the gender dimensions of conflict across the breadth of its work and strengthen women's empowerment and their participation in peace processes and as leaders. We worked to secure a related resolution (SC Resolution 2122) which we co-sponsored that establishes a more systematic approach to implementing commitments on WPS. These measures include: deploying greater technical expertise in peacekeeping missions and UN mediation teams supporting peace talks; improved access to timely information and analysis on the impact of conflict on women and women's participation in conflict resolution in reports and briefings to the Council; and strengthened commitments to consult as well as include women directly in peace talks.

The Australian government is committed to ensuring the promotion and protection of human rights during its term on the Security Council.

Similar to our approach in addressing women's rights, we seek a comprehensive approach to human rights so that these issues are considered across the Council's entire agenda in a systematic way. This includes entrenching respect for human rights law and international humanitarian law and the protection of civilians in Council resolutions and deliberations, highlighting the impact of conflict situations on the human rights of affected populations; advocating for peacekeeping mandates to include human rights monitors; advocating for peacekeeping reports to the Security Council to specifically document and provide options to respond to human rights issues; advocating for regular briefings to the Security Council by relevant UN officials; and advocating for Council visits to countries on the Council's agenda to consult civil society.

International Development Assistance
(Question No. 8)

Mr Kelvin Thomson asked the Minister for Foreign Affairs, in writing, on 3 December 2013:

Which programs will be cut or affected under the proposed reduction to the aid budget of over 11 per cent.

Ms Julie Bishop: The answer to the honourable member's question is as follows:

Diabetes Amputation and Hospitalisation Reduction Program
(Question No. 10)

Mr Kelvin Thomson asked the Minister for Health, in writing, on 3 December 2013:
Will the Government consider the proposal of the Diabetes Amputation and Hospitalisation Reduction Program to fund an extra 1.3 million podiatry consultations and 56,000 pressure offloading devices under the Medicare Benefits Schedule; if not, why not.

Mr Dutton: The answer to the honourable member's question is as follows:
In 2012-13, almost 2 million Medicare rebateable podiatry services were provided to patients with a chronic medical condition, at a total cost to government of $102.3 million.
The Government has inherited an enormous debt and policy priorities, including any expansion of Medicare services, will be considered within this context. Any additional expenditure will be considered when we responsibly can.
Medicare does not cover aids and appliances. Medicare benefits are limited to the costs of professional services rendered by practitioners.
State and territory governments operate aids and appliances programs to assist residents with the cost and/or provision of appropriate equipment, aids and appliances in the community setting.

Afghanistan
(Question No. 11)

Mr Kelvin Thomson asked the Minister for Foreign Affairs, in writing, on 3 December 2013:
In respect of the proposed changes to Afghanistan's Penal Code to reintroduce punishments like stoning for adultery:
(a) what diplomatic action will the Australian Government take to express opposition to the proposal, and
(b) is the Australian Government aware of the perception that this proposal undermines Australia's heavy military and financial investment in Afghanistan since 2001, to fight extremism.

Ms Julie Bishop: The answer to the honourable member's question is as follows:
(a) On 26 November, the Afghan Ministry of Justice told the Australian Embassy in Kabul it had no intention of introducing stoning as a punishment under Afghanistan's Penal Code. It would comply with its international obligations.
This position was subsequently confirmed by President Karzai during an interview on 29 November 2013 with Radio Free Europe, and by Afghan Minister for Justice Ghalib during a meeting with the Australian Ambassador in Kabul on 17 December.
Where matters of this nature arise, the Australian Embassy in Kabul takes every opportunity to register Australia's concerns with the Afghan government and encourage the implementation of international human rights norms.
Given our response to (a), we do not think it is necessary to respond to part (b) of the question.

Live Animal Exports
(Question No. 12)

Mr Kelvin Thomson asked the Minister for Agriculture, in writing, on 3 December 2013:
(1) In respect of a recent Federal Court hearing ( Animals' Angels e.V. v Secretary of Department of Agriculture ) concerning a live export voyage which occurred in 2008, is he able to confirm that the
court heard that (a) his department was allegedly aware of evidence that there had been overstocking of animals on the voyage, and that a representative of the exporter concerned, International Livestock Export Pty Ltd, was said to have told the onboard vet that overstocking of animals was a regular practice in the live export industry; and (b) an investigator from his department had allegedly heard from two highly experienced live export onboard vets, Dr Lyn Simpson and Dr Mike McCarthy, that overstocking was routine during live export.

(2) What action has been taken by his department against the exporter concerned, or any other exporter who has been proven to have overstocked live export ships.

Mr Joyce: The Minister for Agriculture has provided the following answer to the honourable member's question:

(1) In the Federal Court hearing on Animals' Angels e.V. and the Secretary of Department of Agriculture, I can confirm that the applicant made submissions to the court to the effect that the department was on notice of being informed of overstocking on the voyage and that there was a practice of overstocking live animal export vessels. The applicant also made submissions to the court to the effect that a departmental investigator had spoken to both Dr Lyn Simpson and Dr Mike McCarthy about live animal export practices. The judgment has not yet been handed down.

(2) The allegations of overstocking on the voyage were not proven so no action was taken against the exporter concerned.

The department has applied an additional condition to approvals for livestock export consignments for an exporter previously found to have overloaded a live export ship. This condition requires additional oversight of the loading process by Department of Agriculture staff.

Live Animal Exports
(Question No. 13)

Mr Kelvin Thomson asked the Minister for Agriculture, in writing, on 3 December 2013:
Can he indicate the Government's position on overstocking in terms of animal welfare, particularly where there is the potential for heat stress or heat stroke, as often occurs on voyages to the Middle East, and what investigations has his department conducted to establish the extent of overstocking of live export ships by exporters.

Mr Joyce: The Minister for Agriculture has provided the following answer to the honourable member's question:

It is a requirement of the approval of an application to export livestock by sea that the exporter provides the Department of Agriculture with a load plan. The load plan must comply with stocking densities as prescribed by Standard 4: Vessel preparation and loading within the Australian Standards for the Export of Livestock (Version 2.3) 2011 (ASEL).

Load plans for consignments destined to, or through, the Middle East are calculated using Heat Stress Risk Assessment (HSRA) software, known as HotStuff. Department of Agriculture officers attend the loading of livestock vessels to check that livestock are loaded in accordance with the HSRA and load plan before an Export Permit and Health Certificate can be issued.

The Department of Agriculture has not conducted investigations about overstocking of livestock vessels.
Live Animal Exports  
(Question No. 14)

Mr Kelvin Thomson asked the Minister for Agriculture, in writing, on 3 December 2013:
Can he (a) indicate the progress on investigations into the recent allegations of cruelty to Australian (i) sheep in Jordan during the Festival of Sacrifice, and (ii) cattle in Mauritius; (b) explain how such cruelty could have occurred; and (c) detail the action he is taking to prevent such acts of cruelty in the future.

Mr Joyce: The Minister for Agriculture has provided the following answer to the honourable member’s question:
(a) The Department of Agriculture is currently investigating allegations of breaches of the Exporter Supply Chain Assurance System (ESCAS) in (i) Jordan and (ii) Mauritius. The department is committed to a prompt and thorough investigation to ensure that it is as complete as possible. Investigations take as long as needed to ensure a fair and accurate outcome is reached. When the investigations are complete, the reports will be published on the department’s website.
(b) ESCAS was designed knowing that no regulatory system can eliminate the issues it has been put in place to guard against. ESCAS seeks to ensure that adverse animal welfare incidents for Australian livestock are minimised. However, when incidents do occur, ESCAS provides a regulatory process to investigate and address the incidents in a manner that minimises the disruption to trade and improves animal welfare outcomes. In relation to these specific allegations of cruelty to Australian sheep and cattle, the department of Agriculture is currently investigating these allegations.
(c) The Minister has no regulatory or investigative role, the department undertakes regulatory responsibilities.

Pharmaceutical Benefits Scheme  
(Question No. 15)

Ms MacTiernan asked the Minister for Health, in writing, on 3 December 2013:
What action has been taken by the Therapeutic Goods Administration to review the listing of Atomoxetine hydrochloride on the Pharmaceutical Benefits Scheme since its statement on 1 October 2013 regarding the serious adverse events associated with use of the drug by children and adolescents.

Mr Dutton: The answer to the honourable member’s question is as follows:
Medicines are listed on the Pharmaceutical Benefits Scheme (PBS) on the advice of the independent expert body known as the Pharmaceutical Benefits Advisory Committee (PBAC). PBAC is not part of the Therapeutic Goods Administration (TGA). The TGA therefore has no direct role in reviewing PBS listings.

The PBAC considers each PBS listing submission having regard to the safety, clinical effectiveness and cost-effectiveness (value-for-money) of the medicine for the intended use, in comparison with other available treatments.

At its November 2006 meeting, the PBAC recommended the listing of atomoxetine (under the brand name Strattera®) on the PBS for the treatment of patients with ADHD diagnosed between the ages of 6 and 18 years, under certain circumstances (as outlined on the Schedule of Pharmaceutical Benefits). Atomoxetine is currently available on the PBS as an authority required medicine, restricted only for the treatment of patients with ADHD diagnosed between the ages of 6 and 18 years, under certain circumstances. This means that in order to prescribe this medicine, treating doctors need approval from the Department of Human Services (Medicare Australia). The treating doctor must declare the specific
conditions and circumstances that justify the use of this medicine through the PBS. This can be usually
done by phone during the consultation.
The TGA does have an important role in reviewing medicine safety. The TGA published an article on 1
October 2013 for health professionals in its bi-monthly medicines safety bulletin (Medicines Safety
Update) reinforcing the importance of existing precautions regarding the risk of suicidal thoughts and
behaviours associated with atomoxetine.
The article reminded health professionals to carefully weigh the risks against the benefits of
atomoxetine therapy and patients to be carefully monitor for suicidality, especially in the first few
months of treatment and whenever there is a change in dose. The article also advises health
professionals to warn parents and caregivers of the risks, and alert them of the need to monitor for signs
of unusual changes in behaviour or precursors of suicidality.
The management of a patient's medical condition, including direction as to the most appropriate
pharmaceutical or other therapy option/s, is essentially a matter for the professional clinical judgement
of the treating doctor concerned. A treating doctor would consider individual risks and potential
benefits when suggesting a pharmaceutical or other approach for a patient's treatment. When treating a
child or adolescent with ADHD, a treating doctor is at liberty to recommend behavioural and/or
psychosocial interventions without pharmaceutical therapy, depending on the risk/benefit profile for the
individual.
Importantly, individuals or carers of individuals currently taking these medications should contact their
doctor if they have concerns about these medications.

Health
(Question No. 17)
Ms Rishworth asked the Minister for Health, in writing, on 4 December 2013:
Has his department or Health Workforce Australia undertaken any analysis on how the freeze on
uncommitted funds is affecting programs that support universities and health services to provide clinical
training; if so, will he reveal the results.
Mr Dutton: The answer to the honourable member's question is as follows:
Funding has been approved for all participating universities to continue recurrent clinical training
activity until 31 December 2014.

Health
(Question No. 18)
Ms Rishworth asked the Minister for Health, in writing, on 4 December 2013:
Has his department undertaken any (a) work into increasing the Practice Incentive Program for teaching
from $100 to $200; and (b) analysis on an increase, if so, will he reveal the results.
Mr Dutton: The answer to the honourable member's question is as follows:
(a) and (b) My Department has undertaken preliminary work on an increase to payments under the
Practice Incentive Program Teaching Incentive, which is currently being considered.

Health
(Question No. 19)
Ms Rishworth asked the Minister for Health, in writing, on 4 December 2013:
Has his department undertaken any (a) work on implementing a new program for general practitioner
practices to expand their facilities: and (b) analysis into the need for the expansion of general
practitioner practices, if so, will he reveal the results.
**Mr Dutton:** The answer to the honourable member's question is as follows:

(a) The structure of the Rural and Regional Teaching Infrastructure Grants announced in August 2013 is under Government consideration. It is anticipated that information regarding the programme will be available on the Department of Health's website once finalised.

(b) It is anticipated that the funding will facilitate additional consultation rooms and space for teaching medical students and supervising registrars in rural and regional areas. Consistent with the Commonwealth Grant Guidelines and achieving value for money, applicants will be required to demonstrate a need for the grant within their local community.

**Health**

(Question No. 20)

**Ms Rishworth** asked the Minister for Health, in writing, on 4 December 2013:

Has his department undertaken any new work into the coordination of intern positions with the states and territories since 7 September 2013.

**Mr Dutton** The answer to the honourable member's question is as follows:

My department has been meeting regularly with state and territory governments since 7 September 2013 to discuss the coordination of intern positions.

The work in progress will deliver benefits and efficiencies through taking a national approach to managing the demand for internships. The Commonwealth remains involved in these discussions.

**Live Animal Exports**

(Question No. 21)

**Mr Kelvin Thomson** asked the Minister for Agriculture, in writing, on 5 December 2013:

What are the 'additional conditions' applied by his department to exports of slaughter sheep to Jordan and Kuwait that he said (in his letter to me dated 25 November 2013) would strengthen exporter supply chains.

**Mr Joyce:** The Minister for Agriculture has provided the following answer to the honourable member's question:

The additional conditions applied to approvals include:

- Having a supply chain officer in place to undertake regular reconciliation of the sheep
- Applying additional identification to the sheep
- Additional reporting to the department
- Ensuring additional security is in place at the supply chain facilities

**Pharmaceutical Patents Review**

(Question No. 22)

**Ms Parke** asked the Minister for Industry, in writing, on 9 December 2013:

By what date will he release the final report of the 2012 Pharmaceutical Patents Review, and is he considering the draft recommendations released in April 2013.

**Mr Ian Macfarlane:** The answer to the honourable member's question is as follows:

The Government has no plans to release the final report at this stage.

The Government is not considering the recommendations made by the panel in the draft report.

The Pharmaceutical Patents Review panel delivered its final report to the previous government in May 2013, which did not release the report.
As the Pharmaceutical Patents Review was commissioned by the previous government and conducted by an independent panel, the government is not obliged to release the report.