INTERNET

Proof and Official Hansards for the House of Representatives, the Senate and committee hearings are available at http://www.aph.gov.au/hansard

For searching purposes use http://parlinfo.aph.gov.au

SITTING DAYS—2012

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>7, 8, 9, 13, 14,15,16, 27, 28, 29</td>
</tr>
<tr>
<td>March</td>
<td>1, 13, 14, 15, 19, 20, 21, 22</td>
</tr>
<tr>
<td>May</td>
<td>8, 9, 10, 21, 22, 23, 24, 28, 29, 30, 31</td>
</tr>
<tr>
<td>June</td>
<td>18, 19, 20, 21, 25, 26, 27, 28</td>
</tr>
<tr>
<td>August</td>
<td>14, 15, 16, 20, 21, 22, 23</td>
</tr>
<tr>
<td>September</td>
<td>10, 11, 12, 13, 17, 18, 19, 20</td>
</tr>
<tr>
<td>October</td>
<td>9, 10, 11, 29, 30, 31,</td>
</tr>
<tr>
<td>November</td>
<td>1, 26, 27, 28, 29</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

<table>
<thead>
<tr>
<th>Location</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADELAIDE</td>
<td>972AM</td>
</tr>
<tr>
<td>BRISBANE</td>
<td>936AM</td>
</tr>
<tr>
<td>CANBERRA</td>
<td>103.9FM</td>
</tr>
<tr>
<td>DARWIN</td>
<td>102.5FM</td>
</tr>
<tr>
<td>HOBART</td>
<td>747AM</td>
</tr>
<tr>
<td>MELBOURNE</td>
<td>1026AM</td>
</tr>
<tr>
<td>PERTH</td>
<td>585AM</td>
</tr>
<tr>
<td>SYDNEY</td>
<td>630AM</td>
</tr>
</tbody>
</table>

For information regarding frequencies in other locations please visit http://www.abc.net.au/newsradio/listen/frequencies.htm
Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

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

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

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

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

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

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

Printed by authority of the House of Representatives
<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbott, Hon. Anthony John</td>
<td>Warringah, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Adams, Hon. Dick Godfrey Harry</td>
<td>Lyons, TAS</td>
<td>ALP</td>
</tr>
<tr>
<td>Albanese, Hon. Anthony Norman</td>
<td>Grayndler, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Alexander, John Gilbert</td>
<td>Bennelong, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Andrews, Hon. Kevin James</td>
<td>Menzies, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Andrews, Karen Lesley</td>
<td>McPherson, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Baldwin, Hon. Robert Charles</td>
<td>Paterson, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Bandt, Adam Paul</td>
<td>Melbourne, VIC</td>
<td>AG</td>
</tr>
<tr>
<td>Billson, Hon. Bruce Fredrick</td>
<td>Dunkley, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Bird, Sharon Leah</td>
<td>Cunningham, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Bishop, Hon. Bronwyn Kathleen</td>
<td>Mackellar, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Bishop, Hon. Julie Isabel</td>
<td>Curtin, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Bowen, Hon. Christopher Eyles</td>
<td>McMahon, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Bradbury, Hon. David John</td>
<td>Lindsay, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Briggs, Jamie Edward</td>
<td>Mayo, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Broadbent, Russell Evan</td>
<td>McMillan, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Brodtmann, Gai Marie</td>
<td>Canberra, ACT</td>
<td>ALP</td>
</tr>
<tr>
<td>Buchholz, Scott Andrew</td>
<td>Wright, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Burke, Anna Elizabeth</td>
<td>Chisholm, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Burke, Hon. Anthony Stephen</td>
<td>Watson, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Butler, Hon. Mark Christopher</td>
<td>Port Adelaide, SA</td>
<td>ALP</td>
</tr>
<tr>
<td>Byrne, Hon. Anthony Michael</td>
<td>Holt, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Champion, Nicholas David</td>
<td>Wakefield, SA</td>
<td>ALP</td>
</tr>
<tr>
<td>Cheeseman, Darren Leicester</td>
<td>Corangamite, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Chester, Darren</td>
<td>Gippsland, VIC</td>
<td>Nats</td>
</tr>
<tr>
<td>Christensen, George Robert</td>
<td>Dawson, QLD</td>
<td>Nats</td>
</tr>
<tr>
<td>Ciobo, Steven Michele</td>
<td>Moncrieff, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Clare, Hon. Jason Dean</td>
<td>Blaxland, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Cobb, Hon. John Kenneth</td>
<td>Calare, NSW</td>
<td>Nats</td>
</tr>
<tr>
<td>Collins, Hon. Julie Maree</td>
<td>Franklin, TAS</td>
<td>ALP</td>
</tr>
<tr>
<td>Combat, Hon. Greg Ivan, AM</td>
<td>Charlton, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Coulton, Mark Maclean</td>
<td>Parkes, NSW</td>
<td>Nats</td>
</tr>
<tr>
<td>Crean, Hon. Simon Findlay</td>
<td>Hotham, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Crook, Anthony John</td>
<td>O'Connor, WA</td>
<td>NWA</td>
</tr>
<tr>
<td>Danby, Michael David</td>
<td>Melbourne Ports, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>D'Ath, Yvette Maree</td>
<td>Petrie, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Dreyfus, Hon. Mark Alfred, QC</td>
<td>Isaacs, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Dutton, Hon. Peter Craig</td>
<td>Dickson, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Elliot, Hon. Maria Justine</td>
<td>Richmond, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Ellis, Hon. Katherine Margaret</td>
<td>Adelaide, SA</td>
<td>ALP</td>
</tr>
<tr>
<td>Emerson, Hon. Craig Anthony</td>
<td>Rankin, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Entsch, Warren George</td>
<td>Leichhardt, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Ferguson, Hon. Laurie Donald Thomas</td>
<td>Werriwa, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Ferguson, Hon. Martin John, AM</td>
<td>Batman, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Fitzgibbon, Hon. Joel Andrew</td>
<td>Hunter, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Fletcher, Paul William</td>
<td>Bradfield, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Forrest, John Alexander</td>
<td>Mallee, VIC</td>
<td>Nats</td>
</tr>
<tr>
<td>Frydenberg, Joshua Anthony</td>
<td>Kooyong, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Members</td>
<td>Division</td>
<td>Party</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Gambaro, Hon. Teresa</td>
<td>Brisbane, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Garrett, Hon. Peter Robert, AM</td>
<td>Kingsford Smith, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Gash, Joanna</td>
<td>Gilmore, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Georganas, Steve</td>
<td>Hindmarsh, SA</td>
<td>ALP</td>
</tr>
<tr>
<td>Gibbons, Stephen William</td>
<td>Bendigo, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Gillard, Hon. Julia Eileen</td>
<td>Lalor, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Gray, Hon. Gary, AO</td>
<td>Brand, WA</td>
<td>ALP</td>
</tr>
<tr>
<td>Grierson, Sharon Joy</td>
<td>Newcastle, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Griffin, Hon. Alan Peter</td>
<td>Bruce, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Griggs, Natasha Louise</td>
<td>Solomon, NT</td>
<td>CLP</td>
</tr>
<tr>
<td>Haase, Barry Wayne</td>
<td>Durack, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Hall, Jill</td>
<td>Shortland, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Hartsuyker, Luke</td>
<td>Cowper, NSW</td>
<td>Nats</td>
</tr>
<tr>
<td>Hawke, Alexander George</td>
<td>Mitchell, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Hayes, Christopher Patrick</td>
<td>Fowler, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Hockey, Hon. Joseph Benedict</td>
<td>North Sydney, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Hunt, Hon. Gregory Andrew</td>
<td>Flinders, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Husic, Edham Nurreddin</td>
<td>Chifley, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Irons, Stephen James</td>
<td>Swan, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Jenkins, Harry Alfred</td>
<td>Scullin, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Jensen, Dennis Geoffrey</td>
<td>Tangney, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Jones, Stephen Patrick</td>
<td>Throsby, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Jones, Ewen Thomas</td>
<td>Herbert, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Katter, Hon. Robert Carl</td>
<td>Kennedy, QLD</td>
<td>Ind</td>
</tr>
<tr>
<td>Keenan, Michael Fayat</td>
<td>Stirling, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Kelly, Hon. Michael Joseph, AM</td>
<td>Eden-Monaro, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Kelly, Craig</td>
<td>Hughes, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>King, Hon. Catherine Fiona</td>
<td>Ballarat, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Laming, Andrew Charles</td>
<td>Bowman, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Leigh, Andrew Keith</td>
<td>Fraser, ACT</td>
<td>ALP</td>
</tr>
<tr>
<td>Ley, Hon. Sussan Penelope</td>
<td>Farrer, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Livermore, Kirsten Fiona</td>
<td>Capricornia, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Lyons, Geoffrey Raymond</td>
<td>Bass, TAS</td>
<td>ALP</td>
</tr>
<tr>
<td>McClelland, Hon. Robert Bruce</td>
<td>Barton, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Macfarlane, Hon. Ian Elgin</td>
<td>Groom, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Macklin, Hon. Jennifer Louise</td>
<td>Jagajaga, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Marino, Nola Bethwyn</td>
<td>Forrest, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Markus, Louise Elizabeth</td>
<td>Macquarie, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Marles, Hon. Richard Donald</td>
<td>Corio, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Matheson, Russell Glenn</td>
<td>Macarthur, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>McCormack, Michael</td>
<td>Riverina, NSW</td>
<td>Nats</td>
</tr>
<tr>
<td>Melham, Daryl</td>
<td>Banks, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Mirabella, Sophie</td>
<td>Indi, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Mitchell, Robert George</td>
<td>McEwen, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Morrison, Scott John</td>
<td>Cook, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Moylan, Hon. Judith Eleanor</td>
<td>Pearce, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Murphy, Hon. John Paul</td>
<td>Reid, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Neumann, Shayne Kenneth</td>
<td>Blair, QLD</td>
<td>ALP</td>
</tr>
</tbody>
</table>
Members of the House of Representatives

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neville, Paul Christopher</td>
<td>Hinkler, QLD</td>
<td>Nats</td>
</tr>
<tr>
<td>Oakeshott, Robert James Murray</td>
<td>Lyne, NSW</td>
<td>Ind</td>
</tr>
<tr>
<td>O'Connor, Hon. Brendan Patrick</td>
<td>Gorton, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>O'Dowd, Kenneth Desmond</td>
<td>Flynn, QLD</td>
<td>Nats</td>
</tr>
<tr>
<td>O'Dwyer, Kelly Megan</td>
<td>Higgins, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>O'Neil, Deborah Mary</td>
<td>Robertson, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Owens, Julie Ann</td>
<td>Parramatta, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Parkes, Melissa</td>
<td>Fremantle, WA</td>
<td>ALP</td>
</tr>
<tr>
<td>Perrett, Graham Douglas</td>
<td>Moreton, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Plibersek, Hon. Tanya Joan</td>
<td>Sydney, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Prentice, Jane</td>
<td>Ryan, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Pyne, Hon. Christopher Maurice</td>
<td>Sturt, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Ramsey, Rowan Eric</td>
<td>Grey, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Randall, Don James</td>
<td>Canning, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Ripoll, Bernard Fernand</td>
<td>Oxley, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Rischworth, Amanda Louise</td>
<td>Kingston, SA</td>
<td>ALP</td>
</tr>
<tr>
<td>Robb, Hon. Andrew John, AO</td>
<td>Goldstein, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Robert, Stuart Rowland</td>
<td>Fadden, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Rowland, Michelle</td>
<td>Greenway, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Roxon, Hon. Nicola Louise</td>
<td>Gellibrand, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Roy, Wyatt Beau</td>
<td>Longman, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Rudd, Hon. Kevin Michael</td>
<td>Griffith, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Ruddock, Hon. Philip Maxwell</td>
<td>Berowra, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Saffin, Janelle Anne</td>
<td>Page, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Schultz, Albert John</td>
<td>Hume, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Scott, Hon. Bruce Craig</td>
<td>Maranoa, QLD</td>
<td>Nats</td>
</tr>
<tr>
<td>Secker, Patrick Damien</td>
<td>Barker, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Shorten, Hon. William Richard</td>
<td>Maribyrnong, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Sidbottom, Peter Sid</td>
<td>Braddon, TAS</td>
<td>ALP</td>
</tr>
<tr>
<td>Simpkins, Luke Xavier Linton</td>
<td>Cowan, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Slipper, Hon. Peter Neil</td>
<td>Fisher, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Smith, Hon. Anthony David Hawthorn</td>
<td>Casey, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Smith, Hon. Stephen Francis</td>
<td>Perth, WA</td>
<td>ALP</td>
</tr>
<tr>
<td>Smyth, Laura Mary</td>
<td>La Trobe, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Snowdon, Hon. Warren Edward</td>
<td>Lingiari, NT</td>
<td>ALP</td>
</tr>
<tr>
<td>Somlyay, Hon. Alexander Michael</td>
<td>Fairfax, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Southcott, Andrew John</td>
<td>Boothby, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Stone, Hon. Sharman Nancy</td>
<td>Murray, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Swan, Hon. Wayne Maxwell</td>
<td>Lilley, QLD</td>
<td>ALP</td>
</tr>
<tr>
<td>Symon, Michael Stuart</td>
<td>Deakin, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Tehan, Daniel Thomas</td>
<td>Wannon, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Thomson, Craig Robert</td>
<td>Dobell, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Thomson, Kelvin John</td>
<td>Wills, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Truss, Hon. Warren Errol</td>
<td>Wide Bay, QLD</td>
<td>Nats</td>
</tr>
<tr>
<td>Tudge, Alan Edward</td>
<td>Aston, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Turnbull, Hon. Malcolm Bligh</td>
<td>Wentworth, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Vannvakinou, Maria</td>
<td>Calwell, VIC</td>
<td>ALP</td>
</tr>
<tr>
<td>Van Manen, Albertus Johannes</td>
<td>Forde, QLD</td>
<td>LP</td>
</tr>
</tbody>
</table>
# Members of the House of Representatives

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vasta, Ross Xavier</td>
<td>Bonner, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Washer, Malcom James</td>
<td>Moore, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Wilkie, Andrew Damien</td>
<td>Denison, TAS</td>
<td>Ind</td>
</tr>
<tr>
<td>Windsor, Anthony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind</td>
</tr>
<tr>
<td>Wyatt, Kenneth George</td>
<td>Hasluck, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Zappia, Tony</td>
<td>Makin, SA</td>
<td>ALP</td>
</tr>
</tbody>
</table>

**PARTY ABBREVIATIONS**

ALP—Australian Labor Party; LP—Liberal Party of Australia; LNP—Liberal National Party;
CLP—Country Liberal Party; Nats—The Nationals; NWA—The Nationals WA; Ind—Independent;
AG—Australian Greens

**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—A Thompson
## GILLARD MINISTRY

<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon Julia Gillard MP</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister on Digital Productivity</strong></td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td><strong>Minister for Social Inclusion</strong></td>
<td>The Hon Mark Butler MP</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister on Mental Health Reform</strong></td>
<td>The Hon Mark Butler MP</td>
</tr>
<tr>
<td><strong>Minister for the Public Service and Integrity</strong></td>
<td>The Hon Gary Gray AO MP</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister on the Centenary of ANZAC</strong></td>
<td>The Hon Warren Snowdon MP</td>
</tr>
<tr>
<td><strong>Cabinet Secretary</strong></td>
<td>The Hon Mark Dreyfus QC MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>Senator the Hon Jan McLucas</td>
</tr>
<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon Wayne Swan MP</td>
</tr>
<tr>
<td><strong>(Deputy Prime Minister)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Financial Services and Superannuation</strong></td>
<td>The Hon Bill Shorten MP</td>
</tr>
<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon David Bradbury MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
<td>The Hon Bernie Ripoll MP</td>
</tr>
<tr>
<td><strong>Minister for Tertiary Education, Skills, Science and Research</strong></td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>(Leader of the Government in the Senate)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Industry and Innovation</strong></td>
<td>The Hon Greg Combet AM MP</td>
</tr>
<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Brendan O'Connor MP</td>
</tr>
<tr>
<td><strong>Minister Assisting for Industry and Innovation</strong></td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Industry and Innovation</strong></td>
<td>The Hon Mark Dreyfus QC MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Higher Education and Skills</strong></td>
<td>The Hon Sharon Bird MP</td>
</tr>
<tr>
<td><strong>Minister for Broadband, Communications and the Digital Economy</strong></td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td><strong>(Deputy Leader of the Government in the Senate)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Regional Australia, Regional Development and Local Government</strong></td>
<td>The Hon Simon Crean MP</td>
</tr>
<tr>
<td><strong>Minister for the Arts</strong></td>
<td>The Hon Simon Crean MP</td>
</tr>
<tr>
<td><strong>Minister for Sport</strong></td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Minister for Defence</strong></td>
<td>The Hon Stephen Smith MP</td>
</tr>
<tr>
<td><strong>(Deputy Leader of the House)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Defence Materiel</strong></td>
<td>The Hon Jason Clare MP</td>
</tr>
<tr>
<td><strong>Minister for Veterans' Affairs</strong></td>
<td>The Hon Warren Snowdon MP</td>
</tr>
<tr>
<td><strong>Minister for Defence Science and Personnel</strong></td>
<td>The Hon Warren Snowdon MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Defence</strong></td>
<td>The Hon Dr Mike Kelly AM MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Defence</strong></td>
<td>Senator the Hon David Feeney</td>
</tr>
<tr>
<td><strong>Minister for Immigration and Citizenship</strong></td>
<td>The Hon Chris Bowen MP</td>
</tr>
<tr>
<td><strong>Minister for Multicultural Affairs</strong></td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Transport</strong></td>
<td>The Hon Anthony Albanese MP</td>
</tr>
<tr>
<td><strong>(Leader of the House)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Infrastructure and Transport</strong></td>
<td>The Hon Catherine King MP</td>
</tr>
<tr>
<td><strong>Attorney-General</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Emergency Management</strong></td>
<td>The Hon Nicola Roxon MP</td>
</tr>
<tr>
<td><strong>Minister Assisting on Queensland Floods Recovery</strong></td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td><strong>Minister for Home Affairs</strong></td>
<td>The Hon Jason Clare MP</td>
</tr>
<tr>
<td><strong>Minister for Justice</strong></td>
<td>The Hon Jason Clare MP</td>
</tr>
<tr>
<td>Title</td>
<td>Minister</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Minister for Families, Community Services and Indigenous Affairs</td>
<td>The Hon Jenny Macklin MP</td>
</tr>
<tr>
<td>Minister for Disability Reform</td>
<td>The Hon Jenny Macklin MP</td>
</tr>
<tr>
<td>Minister for Housing</td>
<td>The Hon Brendan O'Connor MP</td>
</tr>
<tr>
<td>Minister for Homelessness</td>
<td>The Hon Brendan O'Connor MP</td>
</tr>
<tr>
<td>Minister for Community Services</td>
<td>The Hon Julie Collins MP</td>
</tr>
<tr>
<td>Minister for the Status of Women</td>
<td>The Hon Julie Collins MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Disabilities and Carers</td>
<td>Senator the Hon Jan McLucas</td>
</tr>
<tr>
<td>Minister for Foreign Affairs (acting)*</td>
<td>The Hon Dr Craig Emerson MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Trade</td>
<td>The Hon Justine Elliot MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Pacific Island Affairs</td>
<td>The Hon Richard Marles MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Foreign Affairs</td>
<td>The Hon Richard Marles MP</td>
</tr>
<tr>
<td>Minister for Sustainability, Environment, Water, Population and</td>
<td>The Hon Tony Burke MP</td>
</tr>
<tr>
<td>Communities (Vice-President of the Executive Council)</td>
<td></td>
</tr>
<tr>
<td>Parliamentary Secretary for Sustainability and Urban Water</td>
<td>Senator the Hon Don Farrell</td>
</tr>
<tr>
<td>Minister for Finance and Deregulation</td>
<td>The Hon Gary Gray AO MP</td>
</tr>
<tr>
<td>Special Minister of State</td>
<td>The Hon Gary Gray AO MP</td>
</tr>
<tr>
<td>Minister Assisting for Deregulation</td>
<td>The Hon David Bradbury MP</td>
</tr>
<tr>
<td>Minister for School Education, Early Childhood and Youth</td>
<td>The Hon Peter Garrett AM MP</td>
</tr>
<tr>
<td>Minister for Employment and Workplace Relations</td>
<td>The Hon Bill Shorten MP</td>
</tr>
<tr>
<td>Minister for Early Childhood and Childcare</td>
<td>The Hon Kate Ellis MP</td>
</tr>
<tr>
<td>Minister for Employment Participation</td>
<td>The Hon Kate Ellis MP</td>
</tr>
<tr>
<td>Minister for Indigenous Employment and Economic Development</td>
<td>The Hon Julie Collins MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for School Education and Workplace Relations</td>
<td>Senator the Hon Jacinta Collins</td>
</tr>
<tr>
<td>(Manager of Government Business in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Minister for Agriculture, Fisheries and Forestry</td>
<td>Senator the Hon Joe Ludwick</td>
</tr>
<tr>
<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
<td>The Hon Sid Sidebottom MP</td>
</tr>
<tr>
<td>Minister for Resources and Energy</td>
<td>The Hon Martin Ferguson AM MP</td>
</tr>
<tr>
<td>Minister for Tourism</td>
<td>The Hon Martin Ferguson AM MP</td>
</tr>
<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>The Hon Greg Combet AM MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Climate Change and Energy Efficiency</td>
<td>The Hon Mark Dreyfus QC MP</td>
</tr>
<tr>
<td>Minister for Health</td>
<td>The Hon Tanya Plibersek MP</td>
</tr>
<tr>
<td>Minister for Mental Health and Ageing</td>
<td>The Hon Mark Butler MP</td>
</tr>
<tr>
<td>Minister for Indigenous Health</td>
<td>The Hon Warren Snowdon MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Health and Ageing</td>
<td>The Hon Catherine King MP</td>
</tr>
<tr>
<td>Minister for Human Services</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Title</td>
<td>Shadow Minister</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Leader of the Opposition</strong></td>
<td>The Hon Tony Abbott MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary Assisting the Leader of the Opposition</td>
<td>Senator Cory Bernardi</td>
</tr>
<tr>
<td><strong>Shadow Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Trade</strong></td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td>(Deputy Leader of the Opposition)</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for International Development Assistance</td>
<td>The Hon Teresa Gambaro MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Infrastructure and Transport</strong></td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>(Leader of The Nationals)</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Roads and Regional Transport</td>
<td>Mr Darren Chester MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Employment and Workplace Relations</strong></td>
<td>Senator the Hon Eric Abetz</td>
</tr>
<tr>
<td>(Leader of the Opposition in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Employment Participation</td>
<td>The Hon Sussan Ley MP</td>
</tr>
<tr>
<td><strong>Shadow Attorney-General</strong></td>
<td>Senator the Hon George Brandis SC</td>
</tr>
<tr>
<td><strong>Shadow Minister for the Arts</strong></td>
<td></td>
</tr>
<tr>
<td>(Deputy Leader of the Opposition in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Justice, Customs and Border Protection</td>
<td>Mr Michael Keenan MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Attorney-General</td>
<td>Senator Gary Humphries</td>
</tr>
<tr>
<td><strong>Shadow Treasurer</strong></td>
<td>The Hon Joe Hockey MP</td>
</tr>
<tr>
<td>Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation</td>
<td>Senator Mathias Cormann</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Tax Reform</td>
<td>The Hon Tony Smith MP</td>
</tr>
<tr>
<td>(Deputy Chairman, Coalition Policy Development Committee)</td>
<td></td>
</tr>
<tr>
<td><strong>Shadow Minister for Education, Apprenticeships and Training</strong></td>
<td>The Hon Christopher Pyne MP</td>
</tr>
<tr>
<td>(Manager of Opposition Business in the House)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Childcare and Early Childhood Learning</td>
<td>The Hon Sussan Ley MP</td>
</tr>
<tr>
<td>Shadow Minister for Universities and Research</td>
<td>Senator the Hon Brett Mason</td>
</tr>
<tr>
<td>Shadow Minister for Youth and Sport</td>
<td>Mr Luke Hartsuyker MP</td>
</tr>
<tr>
<td>(Deputy Manager of Opposition Business in the House)</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Education</td>
<td>Senator Fiona Nash</td>
</tr>
<tr>
<td><strong>Shadow Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td>(Deputy Leader of the Nationals)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Indigenous Development and Employment</td>
<td>Senator Marise Payne</td>
</tr>
<tr>
<td><strong>Shadow Minister for Regional Development, Local Government and Water</strong></td>
<td>Senator Barnaby Joyce</td>
</tr>
<tr>
<td>(Leader of the Nationals in the Senate)</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Regional Development</td>
<td>The Hon Bob Baldwin MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Northern and Remote Australia</td>
<td>Senator the Hon Ian Macdonald</td>
</tr>
<tr>
<td>Title</td>
<td>Shadow Minister</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Local Government</td>
<td>Mr Don Randall MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Murray-Darling Basin</td>
<td>Senator Simon Birmingham</td>
</tr>
<tr>
<td>Shadow Minister for Finance, Deregulation and Debt Reduction (Chairman, Coalition Policy Development Committee)</td>
<td>The Hon Andrew Robb AO MP</td>
</tr>
<tr>
<td>Shadow Special Minister of State</td>
<td>The Hon Bronwyn Bishop MP</td>
</tr>
<tr>
<td>Shadow Minister for COAG (Chairman, Scrutiny of Government Waste Committee)</td>
<td>Senator Mari se Payne (Mr Jamie Briggs M P)</td>
</tr>
<tr>
<td>Shadow Minister for Energy and Resources</td>
<td>The Hon Ian Macfarlane MP</td>
</tr>
<tr>
<td>Shadow Minister for Tourism</td>
<td>The Hon Bob Baldwin MP</td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td>Senator the Hon David Johnston</td>
</tr>
<tr>
<td>Shadow Minister for Defence Science, Technology and Personnel</td>
<td>Mr Stuart Robert MP</td>
</tr>
<tr>
<td>Shadow Minister for Veterans' Affairs and Shadow Minister Assisting the Leader of the Opposition on the Centenary of ANZAC</td>
<td>Senator the Hon Michael Ronaldson</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence Materiel</td>
<td>Senator Gary Humphries</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Defence Force and Defence Support</td>
<td>Senator the Hon Ian Macdonald</td>
</tr>
<tr>
<td>Shadow Minister for Communications and Broadband</td>
<td>The Hon Malcolm Turnbull MP</td>
</tr>
<tr>
<td>Shadow Minister for Regional Communications</td>
<td>Mr Luke Hartsuyker MP</td>
</tr>
<tr>
<td>Shadow Minister for Health and Ageing</td>
<td>The Hon Peter Dutton MP</td>
</tr>
<tr>
<td>Shadow Minister for Mental Health</td>
<td>Senator Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Primary Healthcare</td>
<td>Dr Andrew Southcott MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health</td>
<td>Dr Andrew Laming MP</td>
</tr>
<tr>
<td>Shadow Minister for Families, Housing and Human Services</td>
<td>The Hon Kevin Andrews MP</td>
</tr>
<tr>
<td>Shadow Minister for Seniors</td>
<td>The Hon Bronwyn Bishop MP</td>
</tr>
<tr>
<td>Shadow Minister for Disabilities, Carers and the Voluntary Sector (Manager of Opposition Business in the Senate)</td>
<td>Senator Mitch Fifield</td>
</tr>
<tr>
<td>Shadow Minister for Housing</td>
<td>Senator Marise Payne</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Supporting Families</td>
<td>Senator Cory Bernardi</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Status of Women</td>
<td>Senator Michaelia Cash</td>
</tr>
<tr>
<td>Shadow Minister for Climate Action, Environment and Heritage</td>
<td>The Hon Greg Hunt MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Environment</td>
<td>Senator Simon Birmingham</td>
</tr>
<tr>
<td>Shadow Minister for Productivity and Population</td>
<td>Mr Scott Morrison MP</td>
</tr>
<tr>
<td>Shadow Minister for Immigration and Citizenship</td>
<td>The Hon Teresa Ganbaro MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Citizenship and Settlement</td>
<td>Senator Michaelia Cash</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Senator the Hon Richard Colbeck</td>
</tr>
<tr>
<td>Shadow Minister for Innovation, Industry and Science</td>
<td>Mrs Sophie Mirabella MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Innovation, Industry, and Science</td>
<td>Senator the Hon Richard Colbeck</td>
</tr>
<tr>
<td>Title</td>
<td>Shadow Minister</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>Shadow Minister for Agriculture and Food Security</td>
<td>The Hon John Cobb MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Fisheries and Forestry</td>
<td>Senator the Hon Richard Colbeck</td>
</tr>
<tr>
<td>Shadow Minister for Small Business, Competition Policy and Consumer Affairs</td>
<td>The Hon Bruce Billson MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business and Fair Competition</td>
<td>Senator Scott Ryan</td>
</tr>
</tbody>
</table>
CONTENTS

TUESDAY, 13 MARCH 2012

Chamber
STATEMENTS ON INDULGENCE—
   Australian Floods—
   Japanese Natural Disasters—
      Reference to Federation Chamber ........................................ 2613
   Reference to Federation Chamber ........................................ 2613
MINISTERIAL ARRANGEMENTS ................................................. 2613
QUESTIONS WITHOUT NOTICE—
   Carbon Pricing ........................................................................... 2616
   Mining ......................................................................................... 2617
DISTINGUISHED VISITORS ......................................................... 2618
QUESTIONS WITHOUT NOTICE—
   Carbon Pricing ........................................................................... 2618
DISTINGUISHED VISITORS ......................................................... 2619
QUESTIONS WITHOUT NOTICE—
   Economy ..................................................................................... 2619
DISTINGUISHED VISITORS ......................................................... 2621
QUESTIONS WITHOUT NOTICE—
   Economy ..................................................................................... 2621
   Health and Ageing: Programs ....................................................... 2622
   Minerals Resource Rent Tax ......................................................... 2623
   Carbon Pricing ............................................................................ 2624
   Taxation ......................................................................................... 2625
   Afghanistan .................................................................................. 2626
   Second Sydney Airport ................................................................. 2628
   Afghanistan .................................................................................. 2629
   Workplace Safety .......................................................................... 2629
   Minister for Defence ..................................................................... 2630
   Economy ...................................................................................... 2630
PERSONAL EXPLANATIONS ....................................................... 2631
DOCUMENTS—
   Presentation ................................................................................... 2632
STATEMENTS ON INDULGENCE—
   Minister for Defence .................................................................... 2632
COMMITTEES—
   Selection Committee—
      Membership .............................................................................. 2632
PARLIAMENTARY OFFICE HOLDERS—
   Speaker's Panel ............................................................................ 2632
BILLS—
   Corporations Legislation Amendment (Audit Enhancement) Bill 2012—
   Indirect Tax Laws Amendment (Assessment) Bill 2012—
      Reference to Federation Chamber ............................................ 2632
MATTERS OF PUBLIC IMPORTANCE—
   Budget Transparency .................................................................... 2633
CONTENTS—continued

BILLS—
  Customs Amendment (New Zealand Rules of Origin) Bill 2011—
  Offshore Petroleum and Greenhouse Gas Storage Amendment (Significant Incident
    Directions) Bill 2011—
  Nuclear Terrorism Legislation Amendment Bill 2011—
  Members of Parliament (Life Gold Pass) and Other Legislation Amendment Bill 2012—
  Tobacco Advertising Prohibition Amendment Bill 2010—
  Higher Education Support Amendment (VET FEE-HELP and Other Measures) Bill 2011—
    Assent................................................................. 2650
  Tax Laws Amendment (2011 Measures No. 9) Bill 2011—
  National Health Amendment (Fifth Community Pharmacy Agreement Initiatives) Bill
    2012—
    Returned from Senate.......................................................... 2650
COMMITTEES—
  Electoral Matters Committee—
    Report................................................................. 2650
  Corporations and Financial Services Committee—
    Report................................................................. 2653
BILLS—
  Road Safety Remuneration Bill 2011—
  Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill
    2011—
    Second Reading........................................................ 2655
  National Radioactive Waste Management Bill 2010—
    Consideration of Senate Message........................................ 2706
  Indirect Tax Laws Amendment (Assessment) Bill 2012—
    Report from Federation Chamber ...................................... 2706
    Third Reading........................................................... 2706
  Corporations Legislation Amendment (Audit Enhancement) Bill 2012—
    Report from Federation Chamber ...................................... 2706
    Third Reading........................................................... 2706
BUSINESS—
  Rearrangement ............................................................ 2706
BILLS—
  Insurance Contracts Amendment Bill 2011—
    Second Reading........................................................ 2707
ADJOURNMENT—
  de Heer, Mr Ken......................................................... 2720
  Queensland State Election................................................ 2721
  Ipswich Turf Club ....................................................... 2721
  Coeliac Disease .................................................................. 2723
  Bowel Cancer ....................................................................... 2724
  Ride for the Little Black Dress ........................................... 2724
  Democracy .......................................................................... 2725
  South Australia: Public Holidays ........................................ 2726
CONTENTS—continued

Macquarie Electorate: Flood Mitigation ............................................................. 2727
Bass Electorate: Bell Bay Precinct ................................................................. 2729
Internet Content .............................................................................................. 2730
National Day of Action against Bullying and Violence ...................................... 2730
Live Animal Exports ......................................................................................... 2731
Solar Energy ....................................................................................................... 2733
Victoria: Grand Prix .......................................................................................... 2734
NOTICES ........................................................................................................... 2735

Main Committee
CONSTITUENCY STATEMENTS—
  Swan Electorate: Small Business ................................................................. 2739
  Reid Electorate: Vocational Education and Training ...................................... 2739
  Royal Australian Artillery ............................................................................. 2740
  Braddon Electorate: Burnie Waterfront ....................................................... 2741
  Longman Electorate: Epilepsy Awareness .................................................... 2742
  Forbes, Professor John, AM ......................................................................... 2742
  Aged Care ....................................................................................................... 2743
  Fraser, Mrs Helen Whitten, MBE ................................................................. 2744
  Liverpool: CCTV Cameras ........................................................................... 2745
  Mental Health Bill 2011, Western Australia ................................................. 2746

COMMITTEES—
  Social Policy and Legal Affairs Committee—
    Report ........................................................................................................... 2747

STATEMENTS ON INDULGENCE—
  World War II ................................................................................................. 2750

BILLS—
  Indirect Tax Laws Amendment (Assessment) Bill 2012—
    Second Reading ............................................................................................. 2755
  Corporations Legislation Amendment (Audit Enhancement) Bill 2012—
    Second Reading ........................................................................................... 2759

STATEMENTS ON INDULGENCE—
  Australian Floods ........................................................................................... 2766

Questions In Writing
  My School Website—(Question No. 406) ..................................................... 2775
  Australian Learning and Teaching Council—(Question No. 481) ................. 2775
  Australia Network—(Question No. 513) ....................................................... 2776
  Australia Network—(Question No. 514) ....................................................... 2777
  Australia Network—(Question No. 515) ....................................................... 2777
  Australia Network—(Question No. 516) ....................................................... 2777
  Australia Network—(Question No. 517) ....................................................... 2778
  Australia Network—(Question No. 518) ....................................................... 2778
  Australia Network—(Question No. 519) ....................................................... 2778
  Australia Network—(Question No. 520) ....................................................... 2779
  Australia Network—(Question No. 521) ....................................................... 2779
  Australia Network—(Question No. 522) ....................................................... 2779
  Australia Network—(Question No. 523) ....................................................... 2780
CONTENTS—continued

Australia Network—(Question No. 524) ................................................................. 2780
Australia Network—(Question No. 525) ................................................................. 2780
Australia Network—(Question No. 526) ................................................................. 2781
Australia Network—(Question No. 527) ................................................................. 2781
Australia Network—(Question No. 528) ................................................................. 2781
Australia Network—(Question No. 529) ................................................................. 2782
Superclinics—(Question No. 602) ............................................................................ 2782
Attorney-General's: Portfolio Entities—(Question Nos 806 and 812) ...................... 2783
Sustainability, Environment, Water, Population and Communities: Portfolio Entities—
  (Question No. 809) ................................................................................................. 2784
Finance and Deregulation: Portfolio Entities—(Question No. 810) ....................... 2784
Tuesday, 13 March 2012

The SPEAKER (Hon. Peter Slipper) took the chair at 14:00, made an acknowledgement of country and read prayers.

STATEMENTS ON INDULGENCE

Australian Floods

Ms GILLARD (Lalor—Prime Minister) (14:01): In the past few weeks we have seen considerable flooding that has hit the eastern part of Australia, from Queensland right down the Murray-Darling Basin. The flooding indeed has been incredibly widespread, as many members in this parliament would be able to bear personal witness to. Natural disaster declarations have been made in 63 local government areas in New South Wales and Victoria. That gives us some idea about the scale of these events. We have also seen four local government areas, around the Fraser Coast, Gympie and Sunshine Coast regions in Queensland, affected by flooding as a result of extreme weather earlier this month.

I had the opportunity to see the damage myself last Wednesday when I joined the member for Riverina and the local mayor, Kerry Pascoe, on a tour of inspection in Wagga. I understand the Leader of the Opposition was there yesterday. I know my colleague the Minister for Emergency Management visited Shepparton last Tuesday. There are communities still bracing for flooding as the waters slowly make their way through central-western New South Wales and the Riverina, so there are some communities still braced for the worst that will hit their community as parliament meets.

These scenes have become all too familiar: houses flooded up to the eaves with their rooftops poking out of the water like little islands, people riding boats down what are usually suburban streets, sandbags and levees thrown up to protect homes and businesses, livestock stranded and properties and infrastructure damaged. But as we have seen these familiar sights we have seen two other things as well. We have also seen the now familiar remarkable Aussie spirit on display as local residents, volunteers and emergency service and Defence Force personnel work together side by side to protect their communities and to help them recover, and we have seen the three levels of government cooperate seamlessly across the political divide to ensure that all necessary assistance is provided.

There have been too many disasters: too many cyclones, too many fires, too many floods. These events have tempered and toughened our national spirit. The more nature throws at us the more resolutely we stand together and the better our response. Those suburbs and towns in New South Wales and Victoria may be very muddy, and indeed some may feel quite broken, but the character of the Australian people is shining brightly there today and we acknowledge it in this parliament today.

The SPEAKER: I thank the Prime Minister for those heartfelt remarks. I now give the call to the honourable Leader of the Opposition on indulgence.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:04): I rise to support the words of the Prime Minister. Yes, Mr Speaker, in many areas of the Riverina and of northern Victoria these are record or near-record floods, as the members for Riverina, Farrer and Murray know only too well. I thank all three of those members for the efforts they have made to keep me up to date with the flooding and also to stay in touch with the government and with officials on these important matters.
These floods follow earlier floods in south-western Queensland and north-western New South Wales. As the Prime Minister has said, the emergency is not over. As we speak, downstream communities are bracing for the full force of the flood surge. As the Prime Minister has indicated, the worst of Mother Nature tends to bring out the best of human nature. Our emergency services personnel have been doing what they always do, with great professionalism and tremendous commitment. As we have seen time and time again friends and neighbours are pitching in to help. It is the great Australian spirit at its best.

Even though the emergency is not over, it is important that the full panoply of disaster recovery arrangements is put into place swiftly. I think there is some anxiety in Griffith and elsewhere about Centrelink payments. I urge the Prime Minister to consider following the precedent established after last year's floods of $1,000 per adult and $400 per child from Centrelink and of $25,000 reconstruction grants and up to $200,000 in reconstruction loans paid for through the National Disaster Relief and Recovery Arrangements, because the people of the Riverina and northern Victoria are looking expectantly to us in this place.

**The SPEAKER:** I also thank the Leader of the Opposition for those very thoughtful comments.

**Japanese Natural Disasters**

Ms GILLARD (Lalor—Prime Minister) (14:07): I also ask the indulgence of the House today so that we can pause briefly and remember the anniversary of the earthquake and tsunami that struck Japan one year ago. This was the most powerful earthquake ever recorded in Japan and one of the five most powerful earthquakes anywhere in the world since modern records have been kept. The toll was horrendous—19,000 killed or missing, another 6,000 injured, more than one million buildings destroyed or damaged, vital infrastructure wrecked and of course one of the world's worst nuclear accidents, one that has left entire towns and regions abandoned. It is poignant to recall that this disaster struck at 2.46 pm, during school time. Over 500 schoolchildren were killed or lost, including 74 from a school of just 108. Hundreds more will face the future as orphans. The scale of this disaster will resonate for years and decades to come.

It was a very great honour for me to be the first foreign leader to visit the disaster-wrecked part of Japan. I will never forget standing there in the wet and seeing the buildings that remained. There were only a very few of them. Of the buildings that remained, even four-, five- and six-storey buildings had boats and fishing nets on top of them, giving you an idea of the scale of the water and the damage that it had done. I heard stories of people who literally held onto outside fire escapes for their very lives, some of them not making it—some held on and some could not hold on against the force of the water.

Former Prime Minister Kan has said that in the 65 years after the end of World War II this is the toughest and most difficult crisis for Japan. In uttering those words, he was surely right. In affected areas, decades of modernisation have simply been undone in one blow. Japan has suffered a dent in its national confidence, which has occasioned much soul searching and a lot of reflection.

We grieve as friends with the Japanese people but, more importantly, we say to them something that I think within this parliament each of us knows. Japan is a great nation—proud, resolute and strong. We know that Japan will rebuild and, as Japan does, Australia as a friend of Japan will stand with you. We will be admiring of your courage,
mourning your loss and sharing all the help we can in the future.

Mr Abbott (Warringah—Leader of the Opposition) (14:10): As the Prime Minister has noted, 11 March last year was a day of almost unimaginable horror. It left some 20,000 Japanese people dead and some 350,000 homeless. We were united with the Japanese people in grief then and we are united with them in remembrance now. It is worth pointing out that Japan is Australia's best friend in Asia. It is an ally, it is a trading partner and it is a bastion of liberal democratic values. It was right that Australia should have swiftly sent assistance then and it is right that we should pause to remember them now.

Reference to Federation Chamber

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

That further statements by indulgence in relation to the New South Wales, Queensland and Victoria floods be permitted in the Federation Chamber.

Question agreed to.

Reference to Federation Chamber

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

That further statements by indulgence in relation to the anniversary of the tsunami and nuclear disasters in Japan be permitted in the Federation Chamber.

Question agreed to.

MINISTERIAL ARRANGEMENTS

Ms Gillard (Lalor—Prime Minister) (14:12): I table for the information of the House a revised ministry list reflecting changes to the ministry made on 5 March 2012.

The document read as follows—

SECOND GILLARD MINISTRY

5 March 2011

<table>
<thead>
<tr>
<th>Title</th>
<th>Minister</th>
<th>Other Chamber</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon Julia Gillard MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister on Digital Productivity</td>
<td>Senator the Hon Stephen Conroy</td>
<td></td>
</tr>
<tr>
<td>Minister for Social Inclusion</td>
<td>The Hon Mark Butler MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister on Mental Health Reform</td>
<td>The Hon Mark Butler MP</td>
<td></td>
</tr>
<tr>
<td>Minister for the Public Service and Integrity</td>
<td>The Hon Gary Gray AO MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister on the Centenary of ANZAC</td>
<td>The Hon Warren Snowdon MP</td>
<td></td>
</tr>
<tr>
<td>Cabinet Secretary</td>
<td>The Hon Mark Dreyfus QC MP</td>
<td></td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>Senator the Hon Jan McLucas</td>
<td></td>
</tr>
<tr>
<td>Treasurer (Deputy Prime Minister)</td>
<td>The Hon Wayne Swan MP</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Minister for Financial Services and Superannuation</td>
<td>The Hon Bill Shorten MP</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Assistant Treasurer</td>
<td>The Hon David Bradbury MP</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>The Hon Bernie Ripoll MP</td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Minister</td>
<td>Other Chamber</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td><strong>Minister for Tertiary Education, Skills, Science and Research</strong></td>
<td>Senator the Hon Chris Evans</td>
<td>The Hon Greg Combet AM MP</td>
</tr>
<tr>
<td><em>(Leader of the Government in the Senate)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Industry and Innovation</strong></td>
<td>The Hon Greg Combet AM MP</td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Brendan O'Connor MP</td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Minister Assisting for Industry and Innovation</strong></td>
<td>Senator the Hon Kate Lundy</td>
<td></td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Industry and Innovation</strong></td>
<td>The Hon Mark Dreyfus QC MP</td>
<td></td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Higher Education and Skills</strong></td>
<td>The Hon Sharon Bird MP</td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Broadband, Communications and the Digital Economy</strong></td>
<td>Senator the Hon Stephen Conroy</td>
<td>The Hon Anthony Albanese MP</td>
</tr>
<tr>
<td><em>(Deputy Leader of the Government in the Senate)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Regional Australia, Regional Development and Local Government</strong></td>
<td>The Hon Simon Crean MP</td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td><strong>Minister for the Arts</strong></td>
<td>The Hon Simon Crean MP</td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Minister for Sport</strong></td>
<td>Senator the Hon Kate Lundy</td>
<td>The Hon Simon Crean MP</td>
</tr>
<tr>
<td><strong>Minister for Defence</strong></td>
<td>The Hon Stephen Smith MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><em>(Deputy Leader of the House)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Defence Materiel</strong></td>
<td>The Hon Jason Clare MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Minister for Veterans' Affairs</strong></td>
<td>The Hon Warren Snowdon MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Minister for Defence Science and Personnel</strong></td>
<td>The Hon Warren Snowdon MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Defence</strong></td>
<td>The Hon Dr Mike Kelly AM MP</td>
<td></td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Defence</strong></td>
<td>Senator the Hon David Feeney</td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Immigration and Citizenship</strong></td>
<td>The Hon Chris Bowen MP</td>
<td>Senator the Hon Kate Lundy</td>
</tr>
<tr>
<td><strong>Minister for Multicultural Affairs</strong></td>
<td>Senator the Hon Kate Lundy</td>
<td>The Hon Chris Bowen MP</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Transport</strong></td>
<td>The Hon Anthony Albanese MP</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td><em>(Leader of the House)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Parliamentary Secretary for Infrastructure and Transport</strong></td>
<td>The Hon Catherine King MP</td>
<td></td>
</tr>
<tr>
<td><strong>Attorney-General</strong></td>
<td>The Hon Nicola Roxon MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td><strong>Minister for Emergency Management</strong></td>
<td>The Hon Nicola Roxon MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td><strong>Minister Assisting on Queensland Floods Recovery</strong></td>
<td>Senator the Hon Joe Ludwig</td>
<td></td>
</tr>
<tr>
<td><strong>Minister for Home Affairs</strong></td>
<td>The Hon Jason Clare MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td><strong>Minister forJustice</strong></td>
<td>The Hon Jason Clare MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td><strong>Minister for Families, Community Services and Indigenous Affairs</strong></td>
<td>The Hon Jenny Macklin MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Minister for Disability Reform</strong></td>
<td>The Hon Jenny Macklin MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Minister for Housing</strong></td>
<td>The Hon Brendan O'Connor MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Minister for Homelessness</strong></td>
<td>The Hon Brendan O'Connor MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td><strong>Minister for Community Services</strong></td>
<td>The Hon Julie Collins MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td>Title</td>
<td>Minister</td>
<td>Other Chamber</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Minister for the Status of Women</td>
<td>The Hon Julie Collins MP</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Parliamentary Secretary for Disabilities and Carers</td>
<td>Senator the Hon Jan McLucas</td>
<td></td>
</tr>
<tr>
<td>Minister for Foreign Affairs (acting)*</td>
<td>The Hon Dr Craig Emerson MP</td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td>Parliamentary Secretary for Trade</td>
<td>The Hon Dr Craig Emerson MP</td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td>Parliamentary Secretary for Pacific Island Affairs</td>
<td>The Hon Justine Elliot MP</td>
<td></td>
</tr>
<tr>
<td>Parliamentary Secretary for Foreign Affairs</td>
<td>The Hon Richard Marles MP</td>
<td></td>
</tr>
<tr>
<td>Minister for Sustainability, Environment, Water, Population and Communities (Vice-President of the Executive Council)</td>
<td>The Hon Tony Burke MP</td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td>Parliamentary Secretary for Sustainability and Urban Water</td>
<td>Senator the Hon Don Farrell</td>
<td></td>
</tr>
<tr>
<td>Minister for Finance and Deregulation</td>
<td>Senator the Hon Penny Wong</td>
<td>The Hon Wayne Swan MP</td>
</tr>
<tr>
<td>Special Minister of State</td>
<td>The Hon Gary Gray AO MP</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Minister Assisting for Deregulation</td>
<td>The Hon David Bradbury MP</td>
<td></td>
</tr>
<tr>
<td>Minister for School Education, Early Childhood and Youth</td>
<td>The Hon Peter Garrett AM MP</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Minister for Employment and Workplace Relations</td>
<td>The Hon Bill Shorten MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td>Minister for Early Childhood and Childcare</td>
<td>The Hon Kate Ellis MP</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Minister for Employment Participation</td>
<td>The Hon Kate Ellis MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td>Minister for Indigenous Employment and Economic Development</td>
<td>The Hon Julie Collins MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
<tr>
<td>Parliamentary Secretary for School Education and Workplace Relations (Manager of Government Business in the Senate)</td>
<td>Senator the Hon Jacinta Collins</td>
<td></td>
</tr>
<tr>
<td>Minister for Agriculture, Fisheries and Forestry</td>
<td>Senator the Hon Joe Ludwig</td>
<td>The Hon Tony Burke MP</td>
</tr>
<tr>
<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
<td>The Hon Sid Sidebottom MP</td>
<td></td>
</tr>
<tr>
<td>Minister for Resources and Energy</td>
<td>The Hon Martin Ferguson AM MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td>Minister for Tourism</td>
<td>The Hon Martin Ferguson AM MP</td>
<td>Senator the Hon Chris Evans</td>
</tr>
<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>The Hon Greg Combet AM MP</td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td>Parliamentary Secretary for Climate Change and Energy Efficiency</td>
<td>The Hon Mark Dreyfus QC MP</td>
<td></td>
</tr>
<tr>
<td>Minister for Health</td>
<td>The Hon Tanya Plibersek MP</td>
<td>Senator the Hon Joe Ludwig</td>
</tr>
</tbody>
</table>
Ms GILLARD: I also inform the House that the Minister for Resources and Energy and Minister for Tourism will be absent from question time this week as he is attending the 13th International Energy Forum in Kuwait. The Minister for Housing, Minister for Homelessness and Minister for Small Business will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Mr ABBOTT (Warringah—Leader of the Opposition) (14:12): My question is to the Prime Minister. Why has the Prime Minister set the carbon tax at $23 a tonne when the European carbon price is less than $10 a tonne?

Ms GILLARD (Lalor—Prime Minister) (14:13): To the Leader of the Opposition's question, I say that we made a judgment about the price that was necessary to bring around a transformation in our economy to a clean energy future. It is true to say that the European price has been suppressed of late. I do not think there is any mystery about that, given the economic circumstances in Europe. If you looked at almost any indicator in the European economy you would see that it is depressed, because it is reflecting the economic turbulence that we have seen coming out of the sovereign debt crisis in Greece and more broadly. We determined that $23 a tonne was the appropriate price to get a transformation in our economy to a clean energy future. We obviously took the best possible advice too on the likely future of carbon pricing in Europe.

I would say to the Leader of the Opposition that because we have chosen the most effective mechanism to get change in our economy the price is $23 per tonne. What we know from the work of Treasury is that, under the scheme that the Leader of the Opposition peddles, the effective price is $62 a tonne. We also know that with our $23-a-tonne price there is assistance for trade-exposed businesses, families and pensioners in the form of pension increases, tax cuts and family payment increases. In contrast, the Leader of the Opposition's plan comes with a bill for working families of $1,300 each. If you want to look at the most cost-effective way of transforming our economy so that we seize a clean energy future, it is the carbon pricing package this government brought to this parliament and which will be implemented on 1 July. If you want a wasteful scheme, endorse the Leader of the Opposition's.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:15): Mr Speaker, I have a supplementary question to the Prime Minister. Is she aware that the consequences of getting the carbon price wrong, according to a Centre for International Economics report released today, could be an extra hit of
$470 a year on Australian families? What is her response to this report?

Ms GILLARD (Lalor—Prime Minister) (14:15): My response is that there is no getting away from the fact that the cheapest and most effective way of transforming our economy for a clean energy future is through a market based mechanism. Every member of the Liberal Party, including the Leader of the Opposition, went to the 2007 election on that pledge. They believed it then and, indeed, many of them believe it now, even though they have followed the Leader of the Opposition down his cheap and populist path.

The SPEAKER: The Prime Minister will return to the substance of the supplementary question.

Ms GILLARD: On costs and climate change and making sure that we cut carbon pollution, it is amazing me that today, of all days, the Leader of the Opposition would ask questions about this matter, given the CSIRO, through its researcher, has today debunked his climate change policy as absolute nonsense.

The SPEAKER: The Prime Minister will return to the substance or will resume her seat.

Ms GILLARD: We are determined as a government to pursue the least-cost mechanism for change. The Leader of the Opposition is determined to ask working families to pay $1,300 for his costly, wasteful scheme.

The SPEAKER: The Prime Minister will resume her seat.

Mr Pyne: Sat down again!

The SPEAKER: Last sitting Thursday, the member for Sturt said it was too long since his last ejection from the chamber. I may well remedy that.

Mining

Mr SYMON (Deakin) (14:17): My question is to the Prime Minister. How is the government governing in the interests of working people by spreading the benefits of the mining boom? Why is it important to deliver benefits for working people and their families while having a clear plan to return to surplus?

Ms GILLARD (Lalor—Prime Minister) (14:17): I thank the member for Deakin for his question and I thank him for his advocacy in this parliament for the people of Deakin. He does a great job raising their concerns in this parliament. Amongst their concerns is the question: how will our nation fairly share the proceeds of the mining boom? Will we use those proceeds of this once-in-a-generation, indeed once-in-a-hundred-years, opportunity to enrich a few people or will we use the proceeds of the boom to help the many?

As a Labor government, we have been very clear about our choices and the decisions we have made. We are determined that this resources boom benefits the many—that it benefits the many across Australia and that it sets our nation up for a prosperous future. That is why, determined to benefit the many, we have decided that there should be a tax cut for every company. The Leader of the Opposition wants less tax paid by wealthy miners. We say instead, during this resources boom, we should get a fairer share from wealthy miners. We say instead, during this resources boom, we should get a fairer share from wealthy miners and use that to benefit businesses around the nation, including, particularly, small businesses, because we understand around the nation and in electorates like Deakin there are many working people for whom the greatest aspiration is to run successfully their own small business.

We have also determined to share the benefits for the many by doing what
government needs to do to enable superannuation contributions to rise from nine per cent to 12 per cent. We have determined as well to build infrastructure, because the mining boom is hungry for infrastructure, and that makes a big difference for the communities that are yielding wealth for our nation. We want them to have the infrastructure that they need. In all of this, we have taken an approach driven by Labor values and very transparent. We have said to the Australian people, 'These are the things that we want to do,' and we have set about doing them piece by piece.

This is a stark contrast to other approaches to politics in this place. We have, for example, said to the Australian people that we will as a government continue to take the tough decisions necessary to return the budget to surplus. They will be tough decisions, but they will be transparent decisions and everybody will be able to judge them on budget night. In contrast, the Leader of the Opposition has to slash and burn $70 billion in services for working families to even get to the starting line as to where the government is now preparing its budget. Since the parliament last sat, he has committed to keeping these cuts secret and hiding behind a commission of audit. Australians deserve to see a budget in surplus and they deserve to transparently know what it means for them and their families. (Time expired)

DISTINGUISHED VISITORS

The SPEAKER: (14:20): Before calling the honourable member for North Sydney I would like to recognise in the gallery the former New South Wales Treasurer, Michael Egan, who I understand is in Canberra for the swearing in of the Minister for Foreign Affairs, or foreign minister designate—I am not sure whether it has happened as yet. I welcome you to the House of Representatives gallery.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Mr HOCKEY (North Sydney) (14:21): My question is to the Treasurer.

Honourable members interjecting—

Mr HOCKEY: There's a decent Treasurer up there! I refer the Treasurer to modelling by the New South Wales Treasury and Macquarie Generation—

Honourable members interjecting—

The SPEAKER: Order! The member will pause. There is too much noise. The clock will start again and he will recommence asking his question.

Mr HOCKEY: My question is to the Treasurer. I refer the Treasurer to modelling by the New South Wales Treasury and Macquarie Generation that, based on current information, revenue from the sale of permits under the carbon tax could fall short by up to $5 billion a year between 2015 and 2020. How will the government fund this $25 billion carbon tax black hole—a real black hole—in its budget?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:22): I do thank the shadow Treasurer for that question. He is not going to go very far.

Opposition members interjecting—

The SPEAKER: The Treasurer will return to the substance of the question.

Mr SWAN: I do not for any period of time give any credence to the assertions that have just been made by the shadow Treasurer. The fact is that the New South
Wales government has been publishing all manner of modelling in recent times which is, as I just described, bodgie modelling. We have full faith, complete faith, in our modelling.

Mr Pyne interjecting—

The SPEAKER: The member for Sturt will remain silent for the balance of this answer.

Mr SWAN: Our modelling is prepared by one of the most professional organisations in the world, the same people who used to prepare the modelling for those opposite when they were in government, and they had their confidence then just as they have our confidence now. But those opposite will go to no ends to actually go out and trash the reputation of the professional officers in the Department of Treasury here in Canberra for their political aims. That is all about talking our economy down and going out and exaggerating the impact of carbon pricing on our economy.

The SPEAKER: The honourable Treasurer will resume his seat. Has the Treasurer finished his answer?

Mr SWAN: Yes.

The SPEAKER: The member for North Sydney, presumably on a point of order.

Mr Hockey: It is a point of order and it goes to relevance. I would ask the Treasurer to explain how he is going to fund this $25 billion black hole.

The SPEAKER: The Treasurer was straying. He will return to the substance of the question.

Mr SWAN: Mr Speaker, there is not a hole in the modelling. That is the first point to be made, and we should not accept the assertions from the shadow Treasurer. The government has full faith in the federal Treasury modelling, the same people who worked for those opposite over many years and received their support over those years. They are entitled to receive it now. They are entitled to receive that because they are professional.

We have put in place a scheme which reduces carbon pollution, a clean energy package, which of course is welcomed in part by the New South Wales government. We had the Premier of New South Wales stand up with the Prime Minister only last week endorsing our Clean Energy Finance Corporation, endorsing a very important part of the package. So the New South Wales government cannot have it both ways. They cannot on the one hand endorse this $10 billion commitment and on the other shovel out bodgie modelling to discredit what is a first-class scheme which will reduce carbon pollution in our economy and make sure that we are a first-world economy predominantly driven by clean energy.

DISTINGUISHED VISITORS

The SPEAKER (14:25): Before calling the honourable member for Petrie, I notice that in the gallery we have the former Leader of the Opposition, Dr Brendan Nelson, who of course is a former distinguished minister and is now one of Australia's most eminent ambassadors abroad. I welcome you, Dr Nelson, back to the House of Representatives chamber.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Economy

Mrs D'ATH (Petrie) (14:25): My question is to the Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform. Minister, how is the government managing the economy to deliver real benefits for working families and pensioners and why is it important to deliver this support today and in the future?
Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (14:26): I thank the member for Petrie very much for her question but also for the hard work she does in her electorate for all the families and pensioners that she cares so much about. This government is managing the economy and doing it in the interests of Australian families and pensioners.

Of course, it is this government that delivered Australia’s first paid parental leave scheme, which is now delivering to around 150,000 families, and those 150,000 families no longer have to make the difficult choice between staying at home to look after their newborn baby or going back to work. It is also this government that is delivering to those families who have older teenagers staying on at school. We know that that places an added financial burden on families, so this government has delivered up to $4,200 extra a year for those families, never delivered by those opposite. It is this government that is also delivering tax cuts, making sure that families get more money in their take-home pay. It is also the case that it is this government, on our watch, that has seen interest rates go down. A family with a $300,000 mortgage is now paying around $3,000 a year less than they were paying when the Liberals opposite were still in government.

We know how important it is to manage the economy, to deliver for families, to deliver for pensioners. When this Leader of the Opposition was in cabinet he said no to a pension rise. This Leader of the Opposition said that paid parental leave would happen over his dead body.

The SPEAKER: The minister will return to being directly relevant. The minister has the call—to be directly relevant.

Ms MACKLIN: Mr Speaker, this government does understand how important it is to deliver for families and for pensioners. That is why we have delivered a historic increase to the pension—$150 a fortnight higher than when those opposite were in government. One-hundred and fifty dollars a fortnight is what this government has put into the pockets of pensioners, and all this Leader of the Opposition wants to do is claw it out of them.

The SPEAKER: The honourable member for Indi will resume her seat. The honourable member for Petrie on a supplementary?

Mrs D’ATH (Petrie) (14:29): Yes, I ask a supplementary question, Mr Speaker. Minister, you have talked about how the government is delivering for working families and pensioners around the nation. What does this mean for families and pensioners in my electorate of Petrie?

The SPEAKER: The supplementary question is in order. I call the minister.

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (14:29): I thank the member for Petrie for her supplementary question. I can inform her and the people of Petrie that there are real benefits going to that electorate. Around 1,000 families in Petrie are benefiting from our Paid Parental Leave Scheme; around 12,600 families in Petrie will receive increases in family payments; and for those families who have older teenagers, around 4,600 teenage children in Petrie will see a boost to their family payments if those young people stay on at school. Most significantly, around 49,000 taxpayers in Petrie alone will receive a tax cut because of this government’s determination to deliver for the people of Petrie and of course for other Australians.
When it comes to pensioners, the member for Petrie can be very pleased that around 23,800 pensioners in Petrie will receive an increase to their pension next week—23,800 pensioners in Petrie. Of course, if the Liberals were in government we know that they would have all of that ripped out, clawed back—(Time expired)

Honourable members interjecting—

The SPEAKER: Order! The honourable minister's time has expired and she will resume her seat. The minister no longer has the call because she has run out of time.

DISTINGUISHED VISITORS

The SPEAKER (14:31): Before I call the honourable member for Indi, I understand that we have guests in the gallery, guests of the honourable member for Mackellar, distinguished actors Philip Quast and Mark Owen-Taylor, who are in Canberra to star in the play Yes, Prime Minister at the Canberra Theatre. I understand that Mark is Jim Hacker, and Philip is Sir Humphrey Appleby. I welcome you to the chamber of the House of Representatives.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Economy

Mrs MIRABELLA (Indi) (14:31): My question is to the Prime Minister. I refer the Prime Minister to the decision of my constituent Ezio Minutello to close down the Annapurna Estate vineyard, and his statement: ‘For me the carbon tax is the last straw. It's in absolutely everything—packaging, electricity, chemicals, you name it. The minister needs to get outside and actually see what is going on.’ How many more businesses need to close before the Prime Minister admits her carbon tax is already killing jobs?

Ms GILLARD (Lalor—Prime Minister) (14:32): To the member for Indi on the specifics of the business she refers to, of course I am very happy, and I am sure that Minister Combet is very happy, to make contact with this business if she wants to forward us the details. I or Minister Combet would be very happy to have a discussion about the circumstances of this business. As I travel and talk to people I find that, because of the reckless fear campaigning we have seen on carbon pricing from the opposition, many people are finding it difficult to work out exactly what it does mean for them, and I think that it is very important that people have the facts.

Mr Hartsuyker interjecting—

The SPEAKER: Order! The member for Cowper will remain silent!

Ms GILLARD: On the circumstances of small businesses—and I presume the business the member for Indi refers to is a small business—we do want to make sure that small business prospers and thrives in this country. That is why we are committed through the Minerals Resource Rent Tax to giving small businesses a tax cut, giving them a company tax cut early and giving them an instant asset write-off of $6,500 so that they can do investments in their business. This is very valuable to small business, but to do it you need to make sure that you are managing the budget properly and, as well, you need to be passing the Minerals Resource Rent Tax.

Mrs Mirabella: Mr Speaker, I rise on a point of relevance. The question was about the carbon tax, not about the mining tax or any other tax that the Prime Minister wants to introduce. It was about the carbon tax.

The SPEAKER: Order! The Prime Minister will address the specifics of the question.

Ms GILLARD: I have assumed that the question is motivated by a genuine concern about a small business and, in making that
assumption about the motivation of the question, I would have thought people would be interested in benefits for small businesses, benefits that will flow from 1 July this year. If people are not interested in those benefits for small businesses then I do really wonder about their motivations. People who care about small business would care about delivering a tax cut to small business. People who care about small business would be interested in delivering an instant asset write-off benefit for small business. On this side of the parliament we care about small business, and that is precisely why we are delivering those benefits and why we are prepared to say that in the resources boom we have now we should be sharing the benefits with the many, not the few. I understand that the member for Indi and the Liberal and National parties would prefer to benefit a few billionaires, but that is not our approach.

We also want to make sure that the voice of small business is heard at the cabinet table, so I have taken the opportunity of the recent change in ministerial arrangements to make sure that the small business voice is directly at the cabinet table. We will continue to work with small businesses for a prosperous future. I presume we will continue to see fear campaigning and denial of benefits from those opposite.

Health and Ageing: Programs

Mr WINDSOR (New England) (14:36): My question is to the Minister for Health. The minister would be aware that the three Independent MPs have given united support to the Cancer Council's prebudget call for the addition of Australians aged between 60 and 70 to an expanded National Bowel Cancer Screening Program. Given that Australia's overall bowel cancer medical bill is estimated at $1 billion per annum and that bowel cancer is the second most fatal cancer after lung cancer, will the minister join with the crossbenchers and support an additional $15 million per annum from this year's budget towards the program to allow coverage of those two age groups?

Ms PLIBERSEK (Sydney—Minister for Health) (14:36): I want to thank the member for New England for that question. I know that he has a terrific commitment to the health of his constituents and I have very much enjoyed visiting the Manilla Multi-Purpose Service with him at its opening last week and, indeed, stopping in and looking at the new cancer centre as it is being constructed in Tamworth in his electorate. I know also that the members for Lyne and Denison have, with the member for New England, been supporting the Cancer Council campaign for an expansion of the Bowel Cancer Screening Program. Of course I am not able to comment on what may or may not be in the budget but I do want to say that the members are—

Mr Dutton: Why have you reduced the funding?

Ms PLIBERSEK: You could have asked this question had you been bothered, but you can never be bothered to ask a question about health.

The SPEAKER: The member for Dickson will remain silent.

Mr Dutton: Why has your funding gone down?

Ms PLIBERSEK: You can never be bothered to ask a question about health.

The SPEAKER: Order! The minister will pause and the honourable member for Dickson will remove himself from the chamber under the provisions of standing order 94(a). He is very fortunate that he has not been named because I asked him to remain quiet and he continued to interject.

The member for Dickson then left the chamber.
Mr Pyne: On a point of order, Mr Speaker: I note you have removed the member for Dickson under standing orders for not following your admonition to him but I would put it to you that the minister's response to the member for Dickson was just as bad and she should also be asked to leave the chamber.

The SPEAKER: There is a difference. The minister had the call; the honourable member for Dickson did not. The minister has the call.

Ms PLIBERSEK: I want to agree with the member for New England about the importance of bowel cancer screening. He is right in indicating that this is the second most common cause of cancer deaths. Indeed, it is a serious issue. That is why we have committed to ongoing funding for screening for 50-, 55- and 65-year-olds, which will see almost 3.7 million people offered screening over the next four years. It is very important to say that this national screening program, terrific as it is and important as it is in detecting cancers early, when they are much more treatable, is not a replacement for regular contact with a person's GP. People who are outside those screening ages can talk to their GP and can have that test if it is clinically indicated. People are also able to buy a testing kit from a pharmacist for $37. Included in that $37 screening kit is the test itself, the pathology, and also notification to the patient and to their nominated doctor about the results of that test. Thank you for the question. I take it in the spirit in which it was intended—a very worthwhile raising of a very important issue.

Minerals Resource Rent Tax

Ms PARKE (Fremantle) (14:40): My question is to the Treasurer. Will the Treasurer outline for the House the importance of spreading the benefits of the mining boom to all corners of the economy?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:40): I thank the member for Fremantle for that very important question because the government is determined to spread the benefits of the mining boom to every corner of the country and to every postcode in the country. We had the national accounts out for the September quarter last week. Our economy grew by 0.4 per cent in the quarter to be 2.3 per cent over the year. This was a strong result, a very solid result in very difficult global circumstances. What this means is that our economy has now grown more than seven per cent since the start of the global financial crisis, while something like three out of seven major advanced economies have not even got back to where they were. This is because we acted to avoid recession in this country, and because we did that we now have something like 700,000 more people in employment in Australia—something that everyone on this side of the House is really proud of.

We also understand that not everybody is doing well in this mining boom, which is why we are so determined to ensure the benefits of the mining boom are spread more fairly across our community. We have introduced the MRRT—which is going to be in the Senate in the next few weeks, opposed by those opposite—so that we can fund really important reforms particularly for small business. We are giving a tax break to 2.7 million small businesses; something like 18,200 of those are in the electorate of Fremantle. We are providing a historic boost to superannuation savings for something like 8.4 million workers and 48,000 of those workers are in the electorate of Fremantle. Also we are investing in infrastructure in mining regions.

Those on the other side of the House are determined to block these very important initiatives which are supporting our
economy. Why are they doing that? To give a tax cut to Gina Rinehart and Clive Palmer. We know where their bread is buttered. They are on the side of the vested interests.

Because our economy is returning to trend growth, it is also important that we return the budget to surplus. We on this side of the House are determined to return the budget to surplus. We know that those on that side of the House are running away from their surplus commitment because they have a $70 billion crater in their budget bottom line. This is what the shadow Treasurer had to say today at a doorstop when he was asked a question about surplus. He said:

Based on what we know now, we are doing all the costings. All our policies are costed.

The SPEAKER: The Treasurer will return to the question.

Mr SWAN: He then went on to say:

We have found the savings we were looking for.

The SPEAKER: The Treasurer will resume his seat. The Treasurer no longer has the call.

Carbon Pricing

Mr TEHAN (Wannon) (14:43): My question is to the Prime Minister. Given that the city of Geelong produces 98,000 tonnes of emissions and faces a carbon tax bill in excess of $2 million, what assurances has the Prime Minister given to the member for Corangamite that his constituents will not be paying higher council rates as a result of the world's biggest carbon tax, which already threatens 600 jobs at Alcoa in his electorate?

Mr Mitchell interjecting—

The SPEAKER: The honourable member for McEwen will remove himself from the chamber under the provisions of standing order 94(a). When the House is entirely silent, the Prime Minister will commence her answer.
Corangamite and the member for Corio both know well. They have been involved in the discussions about that.

Mrs Mirabella: That is exactly why you don't need a carbon tax.

The SPEAKER: The member for Indi will remove herself from the chamber under the provisions of standing order 94(a).

The member for Indi then left the chamber.

Ms GILLARD: In this parliament, they are once again insulting the people of Geelong. We will not insult the people of Geelong and that region by misrepresenting what is happening with their jobs. We will not insult them by misrepresenting their ability to respond to change. We will not insult them. Those in that region know what it is like to respond to change and come up trumps. We will provide benefits to working people in Geelong through tax cuts and family payment increases. We will provide the pensioners of Geelong with pension increases. What the member who asked the question would prefer to do is to take all of those increases and tax cuts back and then send a bill for $1,300 to every family in Geelong and then not tell them the truth about what is happening with their jobs. What a disgrace; what an insult.

The SPEAKER: Honourable members will be aware that I said that the Prime Minister was to be heard in silence for the balance of her answer. I could pick three or four out on either side. I will not on this occasion. But please take notice that if my request is ignored in future the House might well be half empty.

Taxation

Mr LYONS (Bass) (14:47): My question is to the Assistant Treasurer and Minister Assisting for Deregulation. How have ordinary working Australians benefited from the government's taxation reform, why is it important that they continue to do so into the future and why is transparency important in fiscal policy?

The SPEAKER: I give the call to the honourable Assistant Treasurer for his maiden answer.

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (14:47): Thank you, Mr Speaker. I thank the member for Bass for his question. I acknowledge his commitment to ensuring that we have a government that will deliver in the best interests of working people. The member asked a question about taxation reform and how the benefits of those reforms have been delivered to working Australians. This is a government that has a proud record of reform when it comes to taxation. In the time that we have been in office we have delivered $47 billion worth of personal income tax cuts. That means we are putting more money in the pockets of working people. For an individual on an income of $50,000 a year, these tax cuts mean that each week they are now paying $33 less in tax. That means more money for them to invest in their cost-of-living expenses to ensure that they can provide for their families.

As a government, we have managed to keep overall levels of taxation lower as a percentage of GDP than the levels they were at when we came into office. We have done this at the same time as delivering record investments in education, health and infrastructure. But there are many more things that we can do when it comes to taxation. The member for Bass asked what can be done. This is a government that is committed to delivering a mining tax that will spread the benefits of the resources boom to ensure that all Australians,
regardless of where they live, will be able to obtain the benefits of this resources boom.

We on this side of the chamber want to give a tax cut to small business. Those opposite simply say no. We on this side of the chamber want to ensure that working Australians get an increase in their superannuation so that they can retire with a decent standard of living. They say no.

The SPEAKER: The minister will stop for a minute. As this is the minister's maiden answer, it is not inappropriate that we should listen to the balance of his answer in silence.

Mr BRADBURY: We on this side of the chamber want to ensure that there is investment in infrastructure to make sure that we have a productive economy for the future. But once again they say no.

Mr Billson: What about all the red tape?

The SPEAKER: The member for Dunkley will remove himself from the chamber under the provisions of 94(a). I said that the minister was to be heard in silence.

The member for Dunkley then left the chamber.

Mr BRADBURY: But when it comes to the question of repealing a mining tax and delivering a big fat tax cut to a handful of the wealthiest miners, those on the other side are tripping over each other to say yes.

The member for Bass also asked the question about transparency in relation to plans and commitments. We heard today the member for North Sydney indicate that they have done the hard work and worked out where the cuts are. The only thing that they have not done is told the Australian people.

The SPEAKER: The minister will return to the question.

Mr BRADBURY: It is important that they come clean and tell the Australian people which services—
reject absolutely any criticism or questioning of my commitment to our forces in the field.

**Government members:** Hear, hear!

**Mr STEPHEN SMITH:** There is no evidence to the contrary.

There are words and there are actions. The ultimate test of a commitment to our forces in the field is what a minister and what a government do so far as providing the kit and resources required to carry out the job. In Afghanistan our forces have not been left wanting by me or the government so far as resources and kit is concerned, whether it has been upgraded Bushmasters or more Bushmasters; whether it has been better and more powerful rifles; whether it has been the work that we do in anti-IED or roadside bomb protections, including the work we are now doing together with the Canadians for trucks with ground based radar to detect the IEDs.

Let us be frank about where this has come from. This has come because I absolutely refuse—

**Mr Pyne:** Mr Speaker, I rise on a point of order. The minister was simply asked to confirm or not confirm the accuracy of the story. Clearly, he is not doing that, and you should ask him to return to the substance of the question.

**The SPEAKER:** The honourable member for Sturt will resume his seat, as he no longer has the call. This is a very serious question asked of the minister. He is entitled to answer it.

**Mr STEPHEN SMITH:** Let us be under no doubt as to why this question has come and the context. I make no apology for standing up for an 18-year-old member of the ADF when she was vulnerable and in distress. I make no apology for making very strongly the point in principle that it is wrong to bring into play the conduct of the innocent victim of an alleged sexual assault.

**The SPEAKER:** The minister will resume his seat. Bearing in mind that a point of order has already been taken, I am interested to see why the member for Fadden is seeking the call.

**Mr Robert:** Thank you, Mr Speaker. I raise a point of order. Respectfully, the question deals specifically with combat operations in Afghanistan, and I request the minister restrain his answer to combat operations.

**The SPEAKER:** The member will resume his seat. The minister has 25 seconds left and he will be directly relevant to the question.

**Mr STEPHEN SMITH:** I will conclude my answer where I started: I was surprised, disappointed and saddened by Major General Cantwell’s contribution. I believed it was a wrong and unfair depiction of my visit to Afghanistan and my commitment to our forces in the field. My commitment to our forces in the field will not be trampled upon. It is there for all to see.

**Mr ABBOTT** (Warringah—Leader of the Opposition) (14:56): Mr Speaker, I ask a supplementary question. Can the minister confirm the accuracy of Major General Cantwell’s account of his response to the briefings? Did he have no questions after the joint US-Australian operations briefing other than, ‘What’s next?’, and did—

**The SPEAKER:** The honourable leader's time has expired and the leader no longer has the call. The minister will answer the supplementary question.

**Mr STEPHEN SMITH** (Perth—Minister for Defence and Deputy Leader of the House) (14:57): Major General Cantwell is a respected former member of the Australian Defence Force. He has made his own
substantial contribution. I am not proposing to get into a running commentary about who said what to whom; I simply make the point that I was surprised, disappointed and saddened by the contribution that he made. It was a wrong and unfair depiction of my visit to Afghanistan and a wrong and unfair depiction of my contribution to our forces in the field.

The SPEAKER: The minister has concluded, I think.

Mr Abbott interjecting—

The SPEAKER: Order! The Leader of the Opposition does not have the call at this point in time. Has the minister finished? The minister has concluded.

Second Sydney Airport

Mr MURPHY (Reid) (14:57): My question is to the Minister for Infrastructure and Transport. Will the minister update the House on the need for a second Sydney airport to support jobs and build the nation for the future?

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:58): I thank the member for Reid for his question. This month the federal and New South Wales governments received the most comprehensive independent study ever done into Sydney's and, therefore, Australia's aviation needs. The report makes it clear that Sydney needs a second airport sooner rather than later. Passenger numbers in the Sydney region will more than double up to 2035. Sydney airport is increasingly at capacity and its peak period is growing. Its size and land transport problems mean that the airport cannot deal with these increases. The need to act is clear. By the year 2035, the cost to GDP of turning away flights will be $6 billion. This is an issue about jobs and our economy.

International experience shows that airports create 1,000 jobs for every one million passengers. Without action, growing congestion will hurt productivity as flights are turned away and those that make it face longer delays. We are already seeing the impact on Sydney. Because Sydney is the hub, a delay in Sydney delays the entire national aviation system. We know that four out of 10 flights nationally fly into and out of Sydney. Despite the speed of modern aircraft, airlines today schedule up to 25 minutes extra for Sydney to Melbourne flights than they did in 1965. Think about that. In 1965 they scheduled 65 minutes to go from Sydney to Melbourne. Today, in spite of all the technological improvements, it is 90 minutes. That has an impact on our productivity. It is a handbrake on our growth. And the delays will get worse because Sydney is a hub. A delay in Sydney has knock-on effects across the network. That is why it is a national issue and why it needs to be a bipartisan issue.

The Daily Telegraph captured this point in today's editorial, which was appropriately titled 'If it's built the jobs will follow'. The editorial said that a second Sydney airport:

… would bring employment to a new generation of engineers and airline staff. It would deliver jobs across almost every area of commerce. It would help maintain Sydney's prominence as a hub for business.

This is a critical issue. It is hard. The politics of it are tough. But we need to deal with this sooner rather than later, because it will have a huge impact. I thank those people across the chamber who have entered into a constructive discussion—and I know are entering also into discussions with their New South Wales colleagues—about the importance of us making a decision and moving forward on this vital issue for the national economy.
Afghanistan

Mr ABBOTT (Warringah—Leader of the Opposition) (15:01): My question is to the Minister for Defence. Did the minister utter the words attributed to him by Major General Cantwell, and does the minister deny the strict factual accuracy of Major General Cantwell’s account of his visit to Afghanistan?

Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (15:01): That is effectively the same question as the previous two. Let me make these points. Firstly, out of regard for the contribution that Major General Cantwell has made, and his circumstances, I am not proposing to enter into a piece-by-piece running commentary on his contribution. I make that point firstly.

Secondly, I say again to the House, as I have said outside the House: I was surprised, disappointed and saddened by his contribution. His contribution was neither a fair nor a correct depiction of my trip or of my commitment to our forces in the field.

The SPEAKER: I note that the Manager of Opposition Business is going to raise an issue. I would counsel the minister to observe the standing orders.

Mr STEPHEN SMITH: I simply make the point that I was happy to receive the questions. They have been cause for me not to need to take an opportunity after question time to make the point that I have been misrepresented. I simply make the point, as well, that the article also referred to my colleague the former Minister for Defence, Mr Fitzgibbon. He has been quite clear about the accuracy so far as the material is concerned with respect to him.

Workplace Safety

Mr HAYES (Fowler) (15:02): My question is to the Minister for Employment and Workplace Relations and Minister for Financial Services and Superannuation. Will the minister update the House on Australia’s workplace safety record and the importance of this parliament making every effort to improve safety for working people?

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (15:03): I would like to thank the member for Fowler for his question. He is interested in Australian workplaces. He knows that 48,000 of his constituents are going to get an increase in superannuation courtesy of this government.

In terms of the question he asked me about workplace safety, it is not appropriate that anyone in Australia should go to work and not be able to come home. It is not appropriate that this issue of workplace safety is just consigned as a state issue or an employer or a union issue. It is about time that workplace safety was an issue for the parliament of Australia. In fact, today we have released reports from Safe Work Australia, one tabling the number of workplace fatalities for the 2009-10 year. In 2009-10, 216 people went to work and did not come home.

I tabled another report about the cost of workplace injuries in Australia. The report states that the cost of Australian workplace injuries is $60 billion. That number does not begin to capture the ripple effect of death or serious injury—the families, the people who will not have a father or mother, or the brother or sister who is no longer with us. There is the upheaval to the workplace and to the workmates. Then there is the cost. It is salutary to remember that something like 3,000 people have died at work in the last seven years. Also, it is most likely that in the same time another 14,000 Australians have died from industrial diseases. That is why
this place needs to deal with some of the issues of safety.

One of the most important issues to deal with safety is what happens on Australia's roads. That is why the Road Safety Remuneration Bill 2011, which is in front of this House, should be supported by all members. There were something like 567 deaths in the last seven years in truck related fatalities—95 bystanders, 30 pedestrians hit by trucks; and there are 1,000 serious injuries every year. This bill does not pretend that by passing the bill all of these truck fatalities and injuries will suddenly and miraculously cease. But it does recognise the causes of truck fatalities: speeding; the long shifts; the late shifts; and the inexperienced drivers due to the high turnover in the industry because people simply cannot make a living in the industry.

Our bill proposes to make Australia's roads safe. Even if some opposite just want to listen to the interests of those who do not want to pay any more to Australia's truck drivers, even if those opposite say that there is not a direct link between road fatalities and the way people are remunerated, I know that my family and so are yours. (Time expired)

Minister for Defence

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (15:06): My question is to the Minister for Defence. Does the minister regret actively and publicly lobbying to leave the Defence portfolio, given the impact his active interest in moving on must have had on his relationship with the defence forces?

Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (15:07): Mr Speaker, I am very happy to answer the Deputy Leader of the Opposition's question. I have made the point over very many years, both as a frontbencher in opposition and as a minister in government, that the question of allocation of portfolios is entirely a matter for the Prime Minister of the day. When the Prime Minister indicated to me after the 2010 election that she wanted the former Prime Minister, Mr Rudd, to be the Minister for Foreign Affairs, I asked her if I could serve in Defence and I was greatly honoured when she said I could.

I have made the point repeatedly that I am very happy doing this job. It is a very important job in our national security space. In the most recent reshuffle, I said consistently from day one until the Prime Minister made her announcement that these were entirely matters for her. Indeed, I said to a number of people in the course of that week that I had been around long enough to work by the old adage that you never quite know what a reshuffle is going to look like until you see the Prime Minister's press release.

I am very happy doing the important job in the national security space that I do. I am very happy making our contribution and our commitment not just to our forces in the field in Afghanistan but to our national security interests, whether that be peacekeeping in Timor-Leste, peacekeeping in the Solomon Islands, peacekeeping throughout the United Nations or the work that we do in our region, in the growing Asia-Pacific area.

Economy

Ms BRODTMANN (Canberra) (15:08): My question is to the Minister for Housing, Minister for Homelessness and Minister for Small Business. Will the minister update the House on what the government is doing to support the ordinary hardworking Australians who run small businesses? Why is it important to recognise their contribution to the economy and ensure they get a fairer share of the nation's wealth?
Mr BRENDAN O'CONNOR (Gorton—Minister for Housing, Minister for Homelessness and Minister for Small Business) (15:09): I thank the member for Canberra for her question and acknowledge her long association with small business. Indeed, she was a small business person herself before coming to this place. The government made a very important decision when confronted by the global financial crisis. It made a decision to stimulate the economy by investing in education and housing, providing accommodation for many and some great benefits for students across the land. But the other beneficiaries of that decision were the working people of this country, including those in small businesses. Every member of this place would know that in their own electorate many employees of small businesses worked on those stimulus packages to build, maintain and construct those fantastic pieces of infrastructure. It was a very important decision to make. It allowed us, when private capital was contracting, to invest to ensure that small businesses in this country survived and thrived, and many did exactly that.

We want to continue to ensure there are conditions for small businesses in this country to do well and to succeed because, as we know, small business is the engine room of our economy. It employs 4.7 million Australians. It is over 20 per cent of the GDP. It is a very important sector of our economy indeed. For that reason, when we seek to enact the minerals resource rent tax initiative we do so so that we can create the environment in which small businesses can thrive and we do so to ensure that they get a tax break, because they deserve one. That is why we are looking to ensure that those businesses have a $6,500 instant asset tax write-off so that they have cash flow, particularly businesses that are in their infancy. Everybody knows that it is absolutely critical that there is cash flow when you are starting up a business or when you have a small business. Whether it be a sole proprietor, a microbusiness or small business in general, these decisions by government are absolutely critical for our economy. That is why it is very disappointing that those on that side who pretend they are the party of small business will not support it.

The SPEAKER: Order! The minister will return to the question.

Mr BRENDAN O'CONNOR: Indeed, Mr Speaker. I am asked about small business. It would be absolutely disappointing, a crying shame, if we did not allow the mining tax to be enacted to ensure that millions of small businesses in this country get a tax break, because that is what they deserve. We on this side will do that. Those opposite pretend to be the party of small business, so they should get out of the way and let us pass that legislation.

Ms Gillard: I ask that further questions be placed on the Notice Paper.

PERSONAL EXPLANATIONS

Mr FITZGIBBON (Hunter—Chief Government Whip) (15:12): Mr Speaker, I wish to make a personal explanation.

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

Mr FITZGIBBON: Yes.

The SPEAKER: Please proceed.

Mr FITZGIBBON: On Saturday the Sydney Morning Herald published an article authored by Major General John Cantwell. I reject and regret the claims made by the retired Army officer. They entirely misrepresent my time as defence minister.
DOCS

Presentation

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:13): Documents are presented as listed in the schedule circulated to honourable members earlier today. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:

- Australian Competition and Consumer Commission—Telecommunications—Telstra’s compliance with the retail price control arrangements—Report for 2010-11.

Debate adjourned.

STATEMENTS ON INDULGENCE

Minister for Defence

Mr PYNE (Sturt—Manager of Opposition Business) (15:14): Mr Speaker, on indulgence, very briefly: the Minister for Defence during question time indicated that he was going to use the end of question time to indicate where he had been misrepresented—

The SPEAKER: No. Indulgence is withdrawn. The minister said that he was going to seek leave to make a personal explanation, but having been asked questions on the subject he was able to clarify his position during the course of question time.

COMMITTEES

Selection Committee

Membership

The SPEAKER (15:14): I have received advice from the Nationals Deputy Whip requesting that he be discharged from the Selection Committee, and nominating Mr Coulton to be a member in his place.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:15): by leave—I move:

That Mr Neville be discharged from the Selection Committee and that, in his place, Mr Coulton be appointed a member of the committee.

Question agreed to.

PARLIAMENTARY OFFICE

HOLDERS

Speaker's Panel

The SPEAKER (15:15): Pursuant to standing order 17, I lay on the table my warrant revoking the nominations of the honourable members for Oxley and Cunningham and nominating the honourable members for Kingston and Robertson to be members of the Speaker’s panel to assist the chair when requested to do so by the Speaker or the Deputy Speaker.

BILLS

Corporations Legislation Amendment (Audit Enhancement) Bill 2012

Indirect Tax Laws Amendment (Assessment) Bill 2012

Reference to Federation Chamber

Mr FITZGIBBON (Hunter—Chief Government Whip) (15:16): by leave—I move:

That the bills be referred to the Federation Chamber for further consideration.

Question agreed to.
MATTERS OF PUBLIC IMPORTANCE

Budget Transparency

The SPEAKER (15:17): I have received letters from the honourable member for Fraser and the honourable member for Flinders proposing that definite matters of public importance be submitted to the House for discussion today. As required by standing order 46, I have selected the matter which, in my opinion, is the most urgent and important; that is, that proposed by the honourable member for Fraser, namely:

The urgent need for market-based reforms and for strict and transparent budgeting.

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

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

Dr LEIGH (Fraser) (15:18): Today's matter of public importance is on the need for market based reforms and the need for strict and transparent budgeting. I want to start by talking about market based mechanisms in dealing with environmental challenges. This used to be a pretty controversial area, and in fact the first person to raise it was none other than that controversial figure George HW Bush, George Bush Snr, who suggested that we might deal with environmental challenges by putting a price on the externalities. He faced objections, but the objections at that time came from the Left. It was those on the progressive side of politics who took some time to come around.

But from the very beginning, as you can see in such important documents as the honours thesis of the member for Flinders, the Right was signed on. The Right understood intuitively that this was a good way of harnessing market based mechanisms, that the choice of market based mechanisms would provide a more effective way of dealing with environmental challenges. That view still holds sway among conservatives in many countries. If you go to the United Kingdom, you will find a conservative party committed to the use of market based mechanisms to deal with climate change. If you go across the ditch to New Zealand, you will see the same thing: conservatives who understand that price mechanisms beat direct action. It was true in Australia when those opposite went to the 2007 election promising to put a price on carbon pollution, and it was true until that famous tipping point in Australian politics, the one vote in the coalition party room that tipped the coalition from good economics into populism.

We have seen the same thing in water pricing. A terrific speech that I would commend to the House was given by the Minister for Sustainability, Environment, Water, Population and Communities to the Sydney Institute last year. It pointed out that some commentators have suggested that there is an irony in Labor being the party backing the market system. As the minister pointed out, when it comes to that view, it is dead wrong. It is this side of the House that has been committed to market reforms in Australia's history. It took a Labor government to put in place banking deregulation, to float the dollar, to put in place competition policy and, in the area of agriculture, to get rid of the old AWB monopoly and reform drought policy. So it is not surprising that it is a Labor government that is now using market based mechanisms, because we know that is the best thing to do in order to preserve the interests of the most disadvantaged and that it is the most efficient way of getting to the solution. Pricing carbon is more efficient and more effective than...
direct action, and the same is true of putting a price on water.

So in both these policy areas we face a choice. On carbon pollution the coalition reject the science and they reject the economics of putting a price on carbon pollution. They want a direct action scheme that the CSIRO have just said will not get to its goals and that will cost every Australian household $1,300. When it comes to water pricing, the coalition rejects the use of water markets. But, of course, it was not always this way. Moves towards water markets were enhanced when the member for Wentworth was the relevant minister under the Howard government and when he was the Leader of the Opposition he supported carbon pricing as the most efficient way of dealing with climate change.

But it is not just in the area of market based reforms that this side of the House are the free marketeers. When it comes to listening to economists, it is the Gillard government that takes economic advice when it comes to preparing our budget. And when it is pointed out to the Leader of the Opposition that he cannot find a single economist to back his direct action scheme, he attacks Australian economists. When he finds that he cannot find a single Treasury bureaucrat who is willing to back his election costings, he goes and attacks Treasury.

Let us go through what happens with the coalition's 2010 election costings. When they went to the last election the coalition used a private accounting firm, WHK Horwath, and the member for North Sydney said at the time that the two accountants from that firm had certified 'in law that our numbers are accurate'. He told ABC Radio in November 2010:

If the fifth-biggest accounting firm in Australia signs off on our numbers it is a brave person to start saying there are accounting tricks.

And he said:

I tell you it is audited. This is an audited statement.

The member for Goldstein strongly vouched for the costings, saying they were 'as good as you could get anywhere in the country, including in Treasury'. But, in fact, we now know that that document was a one-page report produced two days out from the election and it was the result of a carefully worded agreement between the accountants and the coalition to produce work that would be primarily not of an audit nature. As Peter Martin pointed out in the Sydney Morning Herald last December, that led to two $5,000 fines plus cost orders for the accountants that had prepared these dodgy costings for the coalition.

So you would think that, after all of that, the coalition would take a deep breath and would say, 'Well, clearly, using private accounting firms didn't work for us last time and we have the $11 billion black hole.' For a little while it did actually look as though the coalition were going to learn. A bipartisan parliamentary report on the Parliamentary Budget Office backed it in. It was backed by the member for Higgins and Senator Joyce. But it was only when they realised that they had a hole in their costings—a hole that emerges when you are the kind of opposition leader who says yes to every special interest and no to every tax increase—that the coalition decided they had to back away from a parliamentary budget office. So they backed away from having a parliamentary budget office in what I have to say was one of the most extraordinary late night debates in this place that I have been involved in. The members for Goldstein and Mackellar began attacking the institution of Treasury and Treasury secretary Ken Henry, who, as members know, was appointed by Treasurer Costello to that position. The member for Mackellar said:
This Parliamentary Budget Office is something that is simply linked to the coattails of Treasury. She went on to say:

I made the point that Treasury and the head of Treasury had been rewarded for things that they had done to assist the government.

The member for Goldstein said very boldly of his costings at the last election:

There was no black hole. This was a politicised black hole. This was something fabricated with the use of Treasury officials to give the government a political advantage.

These were the outrageous attacks that we saw from those opposite on a great Australian, one who has served Australian economic policy making extraordinarily well, and on a great government department, one that has done valuable work in producing good economic policy.

When those opposite are faced with an independent Treasury who finds an $11 billion black hole in their costings, they go and attack Treasury. Those opposite are like a rich kid who, when his maths teacher says, 'No, I think you've got an answer to a question wrong here,' goes to the principal and says, 'Can we get the maths teacher sacked, please.' They are all noblesse oblige. They are all about this: 'If our economics is wrong let's go and attack the economists.'

But, of course, these days those opposite are probably wishing they had a black hole as small as $11 billion. Their black hole is now $70 billion. That is the equivalent of stopping the pension for two years or stopping Medicare payments for four years.

It is not just I pointing this out. The opposition leader likes to visit various Canberra based businesses, but when he visited CRT Building Supplies he got a little bit more than he bargained for. Steve Bailey, who I would like to point out is not a member of the Greens or the Labor Party, heckled Mr Abbott about his $70 billion black hole. He said:

I think he doesn't care for the people on low incomes; he cares about people like Gina Rinehart and Clive Palmer. He's out for the big boys not the little people like us. It's a media opportunity for him, it's a stunt with no substance.

The Leader of the Opposition is happy to use my constituents as a political backdrop for his media stunts. He is happy to go along to local schools and trash Australia without once mentioning that he voted against the new school buildings that he is probably sitting in at the time.

It is Canberrans who would suffer most if the coalition were to win office. The member for North Sydney likes talking about the 12,000 Canberra public servants whom he would make redundant. Originally he liked to say this was from natural attrition, but he has given up that one lately and he is now talking about getting rid of whole departments. The department of climate change is on the chopping block. As for the department of health, the member for North Sydney says there are 5,000 people there and he does not know what they do. There are two answers to that. The first is he could ask the Leader of the Opposition, who was the minister for health when the Howard government was in office and when the department of health also employed about 5,000 public servants. Otherwise he could actually pay some serious policy interest to the things that the department of health are doing. I am waiting for the member for North Sydney to have his Rick Perry moment: 'I'd like to get rid of three departments—the department of climate change, the department of health and that other one that I can't quite remember right now.' But I am sure the member for North Sydney will think of a third department to get rid of. It is deeply ironic that the member for North Sydney is out there speaking about
job security and about the Australian economy. If he is interested in job security, he might want to have a good, hard talk to the 12,000 public servants that he intends to make redundant. But frankly they are still $70 billion short. Even after firing those 12,000 public servants, they need to find some other way of getting there. The shadow minister for immigration has suggested a novel way of getting there. He has decided that, when he is going to get costings done, rather than go to accounting firms, he will go to catering firms, because it was catering firms that did the opposition's costings for Nauru. That is an innovative scheme that might well get the opposition there—McDonald's may well have some interest in costing the opposition's health policy. It really does reflect much of what those opposite think of budgets. They think that government is an all-you-can-eat: you can just go out there and have it all. You can eat everything and worry about dieting—worry about where the money is going to come from—tomorrow.

We have also seen in recent days a really troubling development: the abandonment of countercyclical fiscal policy by those opposite. Those opposite have now said that they would not have put the Commonwealth budget into debt during a downturn. It is very clear what that would have meant. A no-debt position means that when your revenue write-downs come—let us not forget that two-thirds of the debt that Australia took on during the global financial crisis was revenue write-downs, not stimulus—you are going to pull the government back. Not only are you going to fail to prop up the private sector, you are going to do exactly what the private sector is doing—you are going to follow them down into the downturn. There is a precedent for that: Herbert Hoover during the Great Depression. He is why the Great Depression was not a momentary blip lasting a year or two but something that lasted a full decade. Those opposite are the Herbert Hoovers of economic policy. It is no great surprise, really, because they are led by somebody who, in the words of one of his predecessors, John Hewson, is genuinely innumerate. As John Hewson said, 'He has no interest in economics and no feeling for it.' Or as another coalition scion, Peter Costello, said when speaking of the Leader of the Opposition: 'Never one to be held back by the financial consequence of decisions, he had grandiose plans for public expenditure.' A former cabinet colleague of the Leader of the Opposition said, 'He's just spend, spend, spend.' Another said, 'He never really understood the meaning of fiscal conservatism.'

Those opposite are constantly out there with their economically illiterate plans, talking down the economy. The Australian economy now enjoys gold-plated AAA credit ratings from the three major agencies. When was the last time that happened? It has never happened before. This is the first time in Australia's history that we have enjoyed a AAA rating from every major ratings agency. So when you hear those opposite speaking about the state of the Australian economy—trash-talking the Australian economy and trying to damage consumer confidence—it is important to remember what they say when they are overseas. When the opposition leader leaves this country, he says: 'Australia has serious bragging rights. Compared to most developed countries, our economic circumstances are enviable.' That is absolutely true. I only wish that they would say when they are back in Australia.

Mr CIOBO (Moncrieff) (15:33): It is indeed a privilege to be able to follow that contribution from the member for Fraser. It is genuinely incredible to me to think that someone in the chamber could have as much audacity and as much front as to give a
speech laden with as much hypocrisy as that to which we have just listened for 15 minutes. The member for Fraser has put forward a matter of public importance that calls upon the need for market based reforms and underscores the need for strict and transparent budgeting. Let us break it into those two areas. Let us deal first with the call by the member for Fraser for market based reforms.

As he lectured us, as no doubt the member for Fraser is fond of doing, on Labor's approach to strict budget transparency and its so-called market based reforms, my mind immediately turned to the Labor Party's efforts with respect to NBN Co. The member for Fraser spoke for 15 minutes about the need for market based reforms and how crucial they are. To use his words, a market based mechanism is the most efficient means that is available to a government. So what is the Labor Party doing with NBN Co.? Channelling great Soviet leaders of bygone eras through their Stalinist vision and working everything out on the back of a coaster in a VIP aircraft between the former Prime Minister and the then minister for communications, the Labor Party decided that they would embark on a tremendous exercise on behalf of the taxpayers of Australia. 'We will build the NBN Co.,' they said. Apparently, that is the kind of market based reform that the member for Fraser talks about.

Let us look at what NBN Co. is going to do. We see under the Labor Party the creation of a legislative monopoly that will renationalise telecommunications in this country. We are going to see a fixed-line communications monopoly that will be rolled out across Australia, which was to have cost taxpayers $4.7 billion, when Labor first mooted its plans, and which is now forecast to cost taxpayers $50 billion. That is quite a blowout: $4.7 billion to $50 billion. That is quite a change in reforms, but we will go into that in more detail when we get onto Labor's economic track record more broadly to do with the budget.

We know that, under Labor's so-called NBN Co.—their so-called market based reform, which hands a legislative monopoly to NBN Co.—Labor are going to decommission HFC pay TV cables currently run by, for example, Optus. They are also going to decommission HFC pay TV cables run by Telstra with respect to broadband. Take my own home on the Gold Coast, a city of 500,000 people, to use a very personal example of how absurd Labor's NBN policy is. I currently—and it is not just me; it is the whole suburb I live in—have HFC cable running right past my front door. I am currently tapped into broadband speeds that are often around 40 megabits per second. Certainly they are substantial broadband speeds and speeds that I would not use in a pink fit. But, despite the existence of this technology, rolling right down streets across the Gold Coast, Labor's grand vision, channelling a Stalinist vision, is to make all of that completely and utterly useless. They are going to use taxpayers' money to effectively duplicate that same service and roll fibre down the street. This is why Australian taxpayers have no faith in the Labor Party. It is because they understand one fundamental truth about Labor—that they are completely and utterly reckless when it comes to spending taxpayers' dollars.

We have a perfectly good broadband system that works currently, that is privately owned and that is competitive. It has multiple players operating in the space. But Labor has said: 'No. We don't want to deal with that market based approach. We want to roll out one great monolith. We are going to roll out the great people's NBN Co. funded to the tune of $50 billion by taxpayers' dollars.' So I say to the member for Fraser: 'Don't
lecture us about market based reforms. Get your own house in order first. That is what you need to do. You need to recognise that you are simply going to waste some $50 billion of taxpayers' money.' That is money that could be used to build more hospitals, provide better health care, improve roads, provide greater safety on roads and save lives on roads. That is where that money could be spent rather than on duplicating a service that I already enjoy today, on the basis of a false promise from NBN that in five or six years time they will roll fibre down my street. What a joke! What an absolute joke you are, Member for Fraser, as all members of the Labor Party are with respect to the kind of gross incompetence and ineptitude they have displayed with the NBN Co.

More broadly than that, let us also look at what Labor has done, because the second part of this MPI deals with the issue of the need for 'strict and transparent budgeting'. Labor Party members certainly have a high degree of gall when they talk about the need for strict budgetary control. This is coming from a government who like to bandy about this figure of $70 billion. Do you know what the $70 billion figure is? The $70 billion figure is the net assets that the previous coalition government left this lot when we lost power in 2007. That $70 billion was the Commonwealth's financial position of net savings after toiling for 12 years to repay the $96 billion of debt that Labor left us last time they were in office. That $70 billion represents the social dividend that Australians enjoyed after the former Treasurer, the member for Higgins, made hard decisions year after year to deliver that to the people of Australia. The $70 billion represented an opportunity to reinvest taxpayers' funds to build more hospitals, to build more schools and to provide a dividend back to the people of Australia.

What did the Labor Party do? They took their $70 billion of net assets and in four short years turned it into $130 billion of debt. When I go along to schools today, I see all these Labor senators and members spruiking the great vision that is the Building the Education Revolution, which we know was the brainchild of the current Prime Minister. I see them looking at the kids and saying: 'This is an example of our largesse. This is an example of what great nation builders we are in the Labor Party.' Do you know what I see when I look into the faces of what are predominantly year 7 students? I see kids who are going to be indebted for the next 20 years to pay for Labor's promises. Every time a Labor member stands up at one of these BER openings and every single time they cut a ribbon on a school hall, it is the Australian kids who have been mortgaged for that. It is their future that has been mortgaged to pay for this lot to wander around the countryside with their chests pumped out as if they are in some way delivering something for the Australian people. All you are delivering is debt. All you are delivering is misery for them in the future. You are denying Australians services tomorrow so that this government can run around the countryside and say, 'Look at how wonderful we are.'

The most galling aspect for me is the member for Fraser, with his chest pumped out—because he is a great economic whiz kid, this one!—saying: 'We are a AAA rated country. Aren't we wonderful? Look at what we did. We have the world's greatest finance minister. He gave us a AAA rating.' This is the lot who went from a $70 billion surplus to $130 billion in debt. This is the lot who borrow $100 million a day. You can hear the Greeks from here. That applauding you can hear is the Greeks. They are applauding the great visionaries in the Labor Party who keep talking about countercyclical spending. I will
say one thing to the member for Fraser: if you were serious about your countercyclical spending then I am sure you would be a consultant to the Greeks. I suspect you would be over there saying: 'Spend, spend. You are in so much trouble; you need to spend more money.' I suspect the member for Fraser would believe that, with all the riots and protests that are happening in Greece, if they keep destroying enough buildings eventually that will be stimulation for the whole economy because they will have to rebuild them all. According to the logic of the member for Fraser, it is the best thing that could happen: 'Burn more buildings. Tear more buildings down. It will stimulate the economy when you rebuild.'

This lot are a joke. They are an economic joke. Anybody who recognises where this country has come from and the work that was undertaken by the previous coalition government understands that this government understands nothing when it comes to strict budgetary competence. Let us talk about the need for strict budgeting. This is the third component of the member for Fraser's matter of public importance today. This would be the kind of strict budgeting that saw, for example, the Building the Education Revolution, originally costed at $16.2 billion, blow out by $1.7 billion. That represents eight per cent waste. This would be the government that promised all kids laptops in schools—a $1 billion program that blew out by $1 billion. And fewer than half of them were delivered. Again, there have been all of these great visions. It was a $1 billion program that blew out by 100 per cent. The Home Insulation Program is another example of the strict budgetary control that the member for Fraser talks about. That blew out by $1 billion. It was a $2.45 billion program when initially costed by the Labor Party which blew out by over 40 per cent. The solar panel rebate had an $850 million blowout. The Green Loans Program saw $300 million wasted. There were the consultancies to government that the Labor Party promised prior to the election that it would reduce by $395 million. But what happened? Oops, they accidentally cost $1 billion more. As another example, there was the great economic stimulus that the member for Fraser spoke about—the great example of countercyclical spending by government, the thing that saved the nation, according to Labor Party folklore. These were the stimulus payments that saw some $46.6 million paid to dead Australians and to Australians living overseas. What a great economic stimulus that was. Member for Fraser, perhaps it all went to the people living in Greece? Perhaps it stimulated the Greek economy? Maybe it should have been $2,000 instead of $900?

The cream on all this was that the government spent a further $50 million of taxpayers' money advertising the fact that it was giving $46.6 million of taxpayers' money to dead people and to people living overseas. That was a great stimulus to the Australian economy—all those dead people out there buying up at Harvey Norman. There was also the Strategic Indigenous Housing and Infrastructure Program. This was an example of the Labor Party crying about what it was going to do to help Indigenous people in the community. It is a $672 million program which was designed to deliver 750 new houses by 2013. Unfortunately, again displaying the lack of competence that this government has, $45 million was spent and for that money one house was built—one house.

There was another $35 million that was put across to secure a Security Council seat at the United Nations. We wonder whether that is lying in tatters at the moment. I had the good fortune of being at the United Nations recently, and I have to say that for
all the lanyards and all the little lapel pins and gift baskets that are handed out at the United Nations, I am not sure Australian taxpayers are getting value for their $35 million. I am even less sure of it now that we know that the member for Griffith has been knifed in the back, sent to the back bench and basically relegated from any kind of official record of Labor Party history.

There are so many examples of this being a government that is completely out of touch when it comes to so-called strict budgeting, when it comes to so-called transparency and when it comes to so-called market based reforms. But the best example that one can find to underscore that this is a Labor Party that has no idea when it comes to strict and transparent budgeting is to look at what it has done with the budget over the last several years. The forecast outcome for 2011-12 was a $13 billion budget deficit. The 2011 budget deficit came in at $22 billion and MYEFO then saw that increase to $37 billion. So it went from $13 billion to $37 billion—a 184 per cent increase in the budget deficit. That is money borrowed to pay for the kind of spending that the Labor Party has been engaged in. It stands out as the single best example of how this government has no idea and no competence.

Mr GEORGANAS (Hindmarsh) (15:48):
This debate on a matter of public importance is a great opportunity to speak about this Labor government's reforms and the good things that we have been doing for the Australian nation. Here we go again, listening to those opposite once again talking down the economy, saying anything, doing anything, just to wreck confidence and wreck jobs for their own political purposes. That is a disgrace. This is a time when the Australian economy is a clear standout. We have seen what has taken place around the world. We saw the US celebrate, with joyous screams, only a couple of weeks ago when its unemployment rate came down to 8.2 per cent. We have seen unemployment in Europe reach staggering amounts—I think it is 10.7 per cent at the moment. We are the envy of world economies, and those opposite, for their own political purposes, talk down the economy and confidence. All they are trying to do is wreck jobs for their own dastardly political interests.

Our economy has grown by seven per cent since the GFC. That is remarkable. It did not happen by us sitting back, folding our arms and saying the GFC was only a hiccup, as the shadow Treasurer said. This was a real issue that confronted us. All of the advice that came from Treasury was that over 250,000 people would be unemployed or lose their jobs and would not be able to pay their mortgages if we sat back and did exactly what those opposite wanted us to do—to fold our arms and just ride it through.

The member for Moncrieff criticised our Building the Education Revolution. When I go to BER projects in my electorate—and I have pretty well opened all of them thus far—I see BER construction sites and building projects that cost $2 million, $1.5 million, $3 million, and at each and every one I ask the same question: how many people were employed on this project site? The answer I get is anything from 50 to a couple of hundred people. When you multiply that by 26,000 across the nation, you can see how we got out of the GFC. We did not get out of it by taking the opposition's advice; we got out of it by taking Treasury's advice. I am very pleased that we did, because today many of those mums and dads still have their jobs, they still have a good economy—one of the best economies in the world—and we are still doing fine compared to the rest of the world. The rubbish that we have just heard from across the chamber is so cynical. They are doing this just for their own political
purposes. At the same time they talk down our good economy, one of the best in the world. When the Leader of the Opposition was in London recently, he admitted that we were doing well and that we had one of the best economies in the world.

Our market orientated reforms have been the basis of the greatest changes to Australian life. When we look at our history across Australia, at the improvements to the Australian quality of life that we have seen over the last half century, a lot of those reforms were during the Hawke-Keating years. A lot of the things that were put in place have built the foundations for us today to have a good market economy. Labor has introduced into Australia market oriented reforms that have made us more productive, more flexible and dynamic, more efficient and much more wealthy than we would have been if we had listened to those on the other side. When Labor pursued the market oriented reform of floating the dollar, those opposite opposed it. When Labor pursued the market oriented reform of increasing competition in the finance industry, those opposite opposed it. When Labor pursued the market oriented reform of dramatically increasing our private national savings and private investment, through superannuation, those opposite opposed it. Nothing has changed—they oppose everything. They are, after all, the 'noalition', as they have come to be known, opposing for the sake of opposition. When Labor pursued the market oriented reform of enterprise based wage and productivity bargaining, those opposite opposed it. When, eventually, those opposite assumed the Treasury benches, we saw nothing like the market oriented reform of Labor. We only saw decreasing productivity gains and increasing lethargy.

Labor has continuously, consistently, been the one party in the national debate that has pursued market based reform that actually improves ordinary Australians' quality of life. We saw that throughout the GFC. Labor reform gave rise to a modern, competitive, export oriented economy which was strong and flexible enough to withstand the worst financial crisis the world has seen since the Great Depression. We did that thanks to the market oriented reforms of the Hawke-Keating governments, and we are doing it today as well. Let us not be cute with the truth on that point. Families across our nation survived largely intact through the GFC, which devastated the lives of millions of families in comparable countries around the world. Our unemployment rate was roughly half that of the United States and much lower than Europe's through that period.

Of course, the work of this Labor government contributed substantially to the confidence in the Australian market, in lounge rooms and on showroom floors that saw us sustain our economy and our jobs through the years of the GFC. In contrast to money being wasted, as the member opposite said, we saw our economy get through because of the reforms that took place during the GFC. Just as the Hawke-Keating governments engaged in pro-market reform as the best vehicle to deliver sustainable improvements to the quality of life of ordinary Australians across the nation, so too has this Labor government.

The agenda of taking care of Australia and Australians through taking care of the economic settings and structures remains absolutely fundamental to this government and to Labor. Labor is the party of market reform, unlike those opposite. We embrace the market as a mechanism for the prioritisation of tasks, the allocation of resources and the reward of effectiveness. Consequently, we share our corner—the corner of economic theory and sound economic practice—with the conclusions of
the Productivity Commission, Treasury, eminent economists here and abroad and economists throughout our community.

The opposition has in its corner the old guard theorists of command economics, the discredited apologists for Soviet style economic administration, and those who dream of Sugarcandy Mountain, where everything is predetermined, safe, fluffy and nice, guided by the invisible hand slipping into your back pocket. That is the reform of those opposite.

There is no better example of the gulf that exists between Labor's and the other side's approach to economic questions than the policy area of climate change. We heard the member for Fraser talk about it earlier. On the government side, we have a market mechanism, an emissions trading scheme, to drive change on the basis of cost, profitability, innovation and competitiveness, at least possible price to the community as a whole. On the other side, we have a command economy style system where a fat cat sits back and taps winners on the shoulder, picking those of the biggest polluters to whom the opposition would hand over billions of taxpayers' dollars. The Leader of the Opposition says his polluter subsidy scheme is a market approach because, and I paraphrase: 'We'll go to the market to ask for companies to come forward asking for handouts. That makes it a market approach.' Unbelievable. There is no commodity. There is no pricing. There is no trading. There is no engagement bar those lucky few who get a whopping great cheque in the mail. Clearly, there is no market, no market approach and no market based reform by those opposite.

We also have the government's focus on returning the budget to surplus—good for the bottom line and good for the increasing availability of capital for private sector investment. No-one can argue with that. The conservatives supported returning the budget to surplus. They harped on about it for years. Now they would not even do it themselves. If they were in government, they say it would not rank as more than an aspiration at this point in time. In other words, they would continue to deliver deficits year after year. They would continue to spend more than they can afford. That is quite obvious from what those opposite are saying. We cannot know what they are doing. We do not know what their future will be. The other day we heard the member for Curtin, Julie Bishop, tell us, 'That's not what Tony Abbott meant' in relation to a conversation with the Indonesian ambassador. So we do not know what he means half the time. Those opposite would continue to dry up available capital and make it even harder for Australian businesses to invest in their own futures and the futures of their employees and their families.

Let us not forget who all of this is for. It is for the people of our electorates, the people of our suburbs and neighbourhoods, who need that job, who need that pay packet and who need the business they work for to work hard and smart and to make a profit. The people of this nation, the mums and dads, their kids, the uncles and aunts, each rely on jobs, which in turn rely on performance in their respective marketplace and on making a dollar. I support the policies and the market reforms of this government. (Time expired)

Mr McCORMACK (Riverina) (15:58): It is interesting to note that the government and the member for Fraser have put forward this topic for today's matter of public importance debate. I agree: there is an 'urgent need for market based reforms and for strict and transparent budgeting'. This is no more so than with the issue of water, especially in and around my electorate of Riverina. This parliament has long agreed
that there needs to be a water plan which satisfies the triple bottom line approach, taking in the social, economic and environmental implications of any reform. Our nation should not, cannot and must not implement water reform which does not meet all three of these important objectives. Unfortunately, this Labor government is rushing headlong towards reform which is not 'conducive to a prosperous future'. They are the words that the Prime Minister used in question time today: 'conducive to a prosperous future'. We all in this place want a prosperous future and we should be doing everything we can to make that happen.

The Labor government wants to legislate a Murray-Darling Basin Plan before the end of the financial year. Public submissions on the draft end on 16 April. Helen Dalton, who heads the Women for a Living Basin—members of which met the water minister and other key stakeholders on 29 February—sensibly wants the public consultation period to be pushed back. I have written to the water minister to ask for that to happen. Mrs Dalton argues that the recent flooding rains in the Riverina and elsewhere are reason enough for everyone to push the pause button on this whole flawed process. The districts around Griffith have never previously been flooded. The events of the past week are unprecedented. The ungauged Mirrool Creek, normally just a quiet country stream at best, became a 15-kilometre wide lake swamping Yenda and much of the Murrumbidgee Irrigation Area last week. The water has still not receded in many parts.

In other districts, the worst is yet to come as they brace themselves for the swollen waters of the Murrumbidgee River to peak in their locations. Locals will be cleaning up and counting the cost for many weeks and months ahead. Those with a stake in the Murray-Darling Basin Plan—and that is everyone who resides in the now flood-affected Coleambally and Murrumbidgee irrigation areas—have a little more on their mind at present than putting together careful and considered submissions about water reform and sending them to the independent authority.

The fact that Australia is out of the drought for the time being at least is also good reason not to rush into any binding and restrictive policy which would place the nation's food security and ability to meet its global and domestic food task at risk. The water reform being pushed through by the environmentalists without so much as a thought to water savings made in the past, in the name of efficiencies and healthy rivers, is not market based. It is not common sense. It is not good policy, and it is not in the national interest.

In this, the Australian Year of the Farmer, I find it amazing that the government is willing to allow our farmland, the best agricultural land in the world, to be hocked off to any overseas investor who simply turns up with a chequebook. At present, unless a farm or agribusiness is worth $244 million, it can be sold to a foreigner without so much as raising an eyebrow in the Foreign Investment Review Board, and certainly not by the Treasurer, who gets the final say on any such buyouts. When Labor came to office it lifted the trigger for notification of an overseas purchase to $230 million and in the midst of recent controversy about the fact that this figure was too high—and it is way, way too high—the amount was increased by another $14 million. What a farce, just like this government!

Now the trade minister has outlined plans to harness capital from emerging economic giants such as China and India to spark a so-called 'revolution' in Australian food production. A report in the *Australian* newspaper yesterday said:
Dr Emerson believes rising global food demand will provide lucrative opportunities for Australia but warns that the scale of investment required to meet the demand will require offshore investment.

He told The Australian yesterday that just as foreign investment by Asian nations seeking energy security had bankrolled the development of the booming resources industry in previous decades, the demand for food security could unleash a new wave of investment in Australian agriculture.

It may come as news to the trade minister, but all our farmers want is a fair go. They want water availability. They want the government to start spending some of the $5.8 billion set aside by the coalition to achieve real, genuine and lasting water saving outcomes in on- and off-farm infrastructure. They want the government to acknowledge the role they play in feeding our nation and others around us. They want to be able to get on doing the job that they do best: farming the land and helping to grow our country, rather than spending time writing submissions to uncaring bureaucrats about water security and attending meetings in Griffith, Canberra, Deniliquin and Shepparton and elsewhere to argue their case and to fight for their futures.

In answer to the trade minister's call to tap Asia for farm funding, the National Farmers Federation demanded more policies to boost productivity and strengthen the economy to help farmers rise to the production challenge. This is the appropriate response. The NFF is correct. Tonight in Parliament House representatives of Apple and Pear Australia Ltd will be here to present their wares and give an update on the state of their industry, an industry forgotten and, indeed, rebuffed by this government, which allowed New Zealand apples, despite the obvious and serious risks of fire blight, to enter our markets for the first time in 90 years last August. As the shadow minister for agriculture and food security—and I am glad that he is here at the table listening to this—said:

Agriculture continues to be ignored by Labor who simply sees the portfolio as a funding pool which they can divert funds elsewhere to cover up their wasteful spending in other departments.

Well said, shadow minister.

The Labor government needs to show it is serious about research and development by supporting programs such as the Aussie Apple Accord. Labor passed a number of resolutions at its national conference last November which focused on research and development for increasing the sustainable production of more food. Apple and Pear Australia has unveiled a multimillion dollar Aussie Apple Accord to prepare the industry for the future with innovation to improve quality and productivity, and this program meets the criteria of Labor's resolutions. Given this and the fact that Labor is supposedly serious about agriculture and improving R&D, Minister Ludwig should support the Aussie Apple Accord and give the industry the government's backing.

Yet despite all this, Labor has the hide today to stand here and talk about market based reforms. Labor has delivered nothing based on markets, nothing based on what is needed, and nothing to help this country. On 1 July Labor's insidious carbon tax will hit the Australian economy and hit it hard. Labor calls it the 'clean energy bills' and a 'price on carbon'. Why not call it what it is—a tax, a toxic tax, an unwanted tax, a tax which will do nothing for the environment yet will sap the life out of so many of our industries including agriculture and cost so many Australian jobs.

Agriculture is not excluded despite what you might hear from those opposite. Costs for farmers will rise and make it harder for the agricultural sector to compete. Modelling
by agricultural industries has showed that farmers will be hurt by this carbon tax directly with increased electricity and gas prices which will flow through to fertilisers, chemicals and other inputs. Electricity price rises of up to 10 per cent and gas by nine per cent will compound, hurting farming families, when regional areas are already paying disproportionately higher prices than metropolitan areas. Shipping, rail and aviation cost increases are already having a dreadful impact on agriculture. Transport costs will increase in 2014 when heavy vehicle fuel will be subject to the new tax. Regional Australia cannot move ahead without the heavy transport industry, so these increases in costs will be directly relevant. Price increases will erode farm profitability—as if they are not having a hard enough time as it is—as farmers compete on a world market with other countries which are not subject to this tax. Labor goes on in this MPI about transparency. Labor should never use the word 'transparency' in this parliament. After all, it was the Prime Minister who said, prior to the 2010 electorate, 'There will be no carbon tax under the government I lead,' and soon we will have one. Talk about transparency!

We talk in this MPI about strict and transparent budgeting. The previous coalition government ran accumulated budget surpluses of $97 billion and turned $96 billion of net debt into $70 billion of net worth. And what did Labor under Kevin Rudd and Julia Gillard do? They blew it all. This Labor government has run accumulated deficits of $167 billion and is on course to $136 billion of net debt. The cost of just servicing the interest is heading towards $7 billion a year. Labor has not delivered a surplus since 1989-90 and this year will be its tenth deficit in a row. The member for Longman was not even born when Labor delivered its last surplus. The government will bear a massive increase in expenditure over the next few years in off-budget expenditure such as the $50 billion NBN and other disastrous policies. (Time expired)

Mr HAYES (Fowler) (16:08): The Australian economy is $1.4 trillion strong. It is a major economy and it is the envy of the world. I do not know whether anyone had the opportunity last night to watch Four Corners. It was a salient program which put into perspective what occurred to the so-called 'Celtic tiger'. It certainly laid a lot of the blame for what occurred in Ireland on a lack of regulation and on a government which took its eye off the economy. We can all succeed when money is pouring in but it takes fiscal and budgetary responsibility to drive productivity. That is not what occurred in Ireland. In fact, it did not occur in many euro based nations and they are paying a price for that now.

Our economy is the envy of the world. You only have to look at recent comments made by the IMF which gave credit to the way the Australian government responded to the global financial crisis. That brings me to a good point. I have heard a lot of criticism of this government from speakers on the other side, but no-one has pointed to the global financial crisis. The reason they have not done so is that they had a view as to how we should respond. With respect to the member for North Sydney, I know he was not shadow Treasurer at the time, but the deputy leader of the Liberal Party was. Her view on the global financial crisis was that we should wait to see what happens. We would find in Hansard that that was their position: we will wait and see what happens. There was nothing about fiscal discipline or supporting a budgetary discipline, nothing about following the advice of Treasury. The global financial crisis in this country was a real test of how people react, not only people who ran the Treasury benches but those who

CHAMBER
aspire to be there. Those opposite, the so-called ‘alternate government’, had that position—to wait and see what happens. When it comes to spending money on schools, the Building the Education Revolution stimulus package, all those opposite make sure they go to every school opening but I have never once heard them bagging them out when they get there. Those opposite front up like hypocrites yet they come into this place to oppose spending on schools.

We put $5.7 billion into social housing. I was at a social housing project the other day in New South Wales. We were talking about getting more access into maintenance. In fact, the federal government gave money to every state to increase the maintenance activity on social housing, to relieve some of the social housing pressures, particularly in states such as New South Wales. That created jobs. It gave a lot of young people their first start in a job. It built on tradesmen. Preference was given to organisations which put on apprentices throughout that project. But when they came into this place, what did they do? They opposed that as well.

Two weekends ago we went to Liverpool City Council, which is dominated by members of the conservative party. We supported what they wanted to do under the Regional and Local Community Infrastructure Project. We opened one the other day where $1.6 million went into upgrading Liverpool pool—something really good for a local community. There was a bunch of Liberals there and some Labor people as well, of course. The politics of it did not matter; we were doing something for our local community. I had to remind people—I just could not help myself—that those opposite opposed every one of those local and regional projects, putting money into local communities and creating jobs, something they often talk about in their conservative constituencies but never in this place do they support spending in those areas.

If you could define it you would not say it is all care and no responsibility; it has to be feigned care and absolutely no responsibility. Let us not take away from their ability to put politics into everything. They put politics into the way that schools are funded and into doing something with regard to social housing. And they certainly put politics into the process of addressing the global financial crisis through the stimulus regime, which is pretty spectacular because, after all, that was the advice from Treasury. I understand that those opposite see Treasury as being made up of the public servants that they want to cut by another 12,000. They probably have a view about that.

Mr FRYDENBERG: More than that.

Mr HAYES: The Member for Kooyong is right. He is apparently going to bring some wisdom on foreign affairs to the opposition benches. Think about what happened at the last election. We were taken to task on our costings. We put them before the independent Parliamentary Budget Office for assessment. Those opposite waited. When did they put their costings in? They did not. Instead, they engaged their own auditor. What happened? Their auditor was found to have committed gross breaches of professional accounting standards. Those were their actions when it came to transparency. They went and engaged their own auditor, they set the standards against which he was to assess it be and then they took it to the people and said, ‘This is ticked off.’ They did not go through the Parliamentary Budget Office. They did not have it independently assessed. What happened? At the end of the day, there was an $11 billion black hole. That is the way that they look at market forces.
Stepping forward a little, they want to have a Rolls Royce version of paid maternity leave so that people can get up to $75,000 in half a year. What do those sitting over there in cockies corner think about that? Those in Sydney and Melbourne will benefit from this Rolls Royce version, but it will certainly not look after people in the Riverina or anywhere else out in their constituencies. I would have thought that we would have seen some consternation on that side of the House about that.

This is not just about how well you look after people. The buck stops somewhere. You have to pay for what you want to do. Their plan is a magic pudding. But the reality is that they are going to implement their plan by increasing taxes on business in order to pay for it. All those people opposite talk about the merits of the business based system and how we have to free up the economy. But they are the ones putting big new taxes on business with a view to funding their paid maternity leave commitment. And while I keep saying 'their' commitment, I know that it is not their commitment but rather the commitment of the Leader of the Opposition. It was not backed the other day by Andrew Robb, the shadow minister for finance. And it is probably not backed by the member for Kooyong and a few others who have a realistic view about economics.

When they talk about transparency, what they are actually talking about is playing politics with people. No greater example of that can be seen than their position with respect to the minerals resource rent tax. They are going to rewrite the fairytale books. We are talking about a top-of-the-town Robin Hood who is going to take money from the poor and give it to the rich. Their position will take money that was going to go to reducing taxes on small business, take money that was going to increase superannuation from nine per cent to 12 per cent and take money from vital infrastructure projects and return it to those at the top end of town in the middle of a mining boom. And these very same people have not asked for their money back. They are the people who negotiated the mining tax. Mr Abbott is going to say, 'We're not going to take it off you; we're going to give it back to you.' He is going to renege on reducing taxes on small businesses and renege on increasing superannuation for the workers in this country and he will not be in a position to deliver essential infrastructure.  

Mrs PRENTICE (Ryan) (16:19): In assessing any action proposed in this place, I start from the premise that while government has an obvious responsibility to regulate the affairs of its citizens it should only do so to the extent reasonably necessary. Indeed, in this place we should be mindful of the need for ongoing oversight to avoid excessive intrusion into the lives of citizens and business. No doubt there are those on the other side who would agree with that fundamental approach. Where we disagree is that I, along with my colleagues on this side of the chamber, am very seriously concerned at the dead arm of overregulation. I am genuinely concerned when the government thinks that it can run businesses better than private enterprise. I am genuinely concerned that the track record of this government is ringing all the alarm bells of a runaway train.

This government is reaching back into its sad and sorry socialist past, absolutely committed to greater regulation, more bureaucracy and increasing intrusion into business and the marketplace. If you look at their track record, you will see the clear and present danger that this government poses to business and to the wellbeing of all Australians. The people of Australia should be alarmed, not just alert.
There is an urgent need for market based reforms and strict and transparent budgeting, because this Labor government has abandoned the principles of good governance. On both counts of today’s matter of public importance, this government does not understand what a market based reform is, and the Treasurer and this government do not understand what strict and transparent budgeting means. Since 2007, we have seen many instances of this government introducing legislation and reform packages that fail to comply with good governance. We urgently need market based reforms precisely because the Labor Party no longer understands what these words mean.

This has not always been the case. I urge the government revisit the history of their own party. At the turn of the century, in 1901, the new Federation of Australia was the richest country in the world and by a considerable margin at that. We truly were the lucky country. Several decades later came Gough Whitlam. In 1972, unemployment stood at 2.6 per cent. Three years later, in 1975, it had risen to 4.9 per cent. Between 1972 and 1975, on almost every measure, the Australian economy was in sharp decline because we had a Labor Prime Minister who unwound any of the market based reforms that this country had implemented and set about re-regulating industry and controlling more and more aspects of economic activity. We had a Labor Prime Minister who believed that racking up massive debt and rapidly expanding the public sector borrowing requirement would somehow be beneficial to future generations of this nation. There is an urgent need today for market based reforms, because the situation I have just described sounds very familiar. We have had exactly the same kind of government since 2007. Many commentators have stopped calling Gough Whitlam the worst Prime Minister this country has ever had, because the two prime ministers since 2007 have been far, far worse.

Prime Minister Gillard should learn from her own party’s history. After Malcolm Fraser and the Campbell committee began the process of economic liberalisation in 1979, the two subsequent Labor prime ministers continued that trend. Some of the true great market reforms that were so desperately needed occurred under their watch, with the full support of the Liberal Party. This country was finally back on track. We had the deregulation of the airline industry, the floating of the dollar, the giving of independence to the RBA and significant tariff reductions. Bob Hawke recognised that something needed to change and, unlike Prime Minister Gillard, he stood up to the fundamentally antimarket unions and this led to the introduction of enterprise bargaining agreements, ending more than a century of centralised wage fixing. These were all important reforms, and the Howard government continued implementing significant market based reforms, including privatising Telstra and introducing the goods and services tax, and reducing income taxes.

After Prime Ministers Rudd and Gillard's appalling mismanagement, there is now a desperate and urgent need for the reintroduction of sound market based reforms. This Labor government has lost its way, and no actions by Prime Minister Gillard since 2010 have reversed the sclerotic direction of this country. Instead, the government thinks that market based reform amounts to putting a price on something. The concept of a market based reform is such an anathema to this government that it thinks more regulation equals less regulation! A pricing mechanism set up by government fiat, that exists only by government legislation and that is set up simply to take money from some to give to
others is not a market based reform. If the Prime Minister were truly honest with the Australian people, she would at least admit that all she means by a pricing mechanism is an artificial increase in price—an increase designed to hurt Australian families and to take even more of their hard-earned money from them.

We should also consider this government's record on the market based approaches of privatisation, liberalisation and deregulation. On the first count, privatisation, as the member for Moncrieff commented, this government is going to waste $50 billion plus on renationalising the telecommunications and broadband sector with the National Broadband Network Company. No other country in the world has suggested such an antimarket approach to the future of broadband, which is why this government has failed to even do a cost-benefit analysis on this policy, to say nothing of last century's outmoded monopolistic system.

On liberalisation, this Labor government has continued to bow to vested interests and has effectively abandoned further negotiations with the World Trade Organisation or negotiations with other countries for free trade agreements. This government continues to prop up failing industries like the car industry. The coalition supports the manufacturing industry but, unlike this Labor government, we do not do so to the detriment of the future of this country.

On deregulation, Australians know who controls the Labor Party—and that is the unions. Deregulation of any part of the economy is on not the ALP's agenda, because the faceless men of the ALP are constantly drawn back to the days of government control. They do not understand the market and they do not trust what they do not understand. The House is scheduled later today to resume debate on the Road Safety Remuneration Bill, a bill that will set up a new tribunal and a new layer of regulation for road transport workers—an unsurprising piece of legislation from this government—which expressly aims to increase regulation and government control of the economy. This government has form when it comes to economic mismanagement and crazy interventions in the marketplace. One just has to look at pink batts, the widespread mismanagement of BER funds, NBN Co., solar rebates and of course the outlaying of $900 to people who were in fact dead.

This government's inability to introduce market based reforms, combined with its demonstrable incompetence, make it absolutely mandatory that there be a return to strict and transparent budgeting. This is a government that, as a direct result of its incompetence, has had to introduce 19 new or increased taxes. This is a government that has turned $70 billion of net worth into accumulated deficits of $167 billion and $136 billion of net debt. Under no sane person's definition is this strict budgeting.

The member for Fraser mentioned many times the words 'budget black hole'. Well, when election time arrives, the Australian people need not be worried about who will be the better economic managers and who will put this country back on track. The member for Fraser declined to mention the many black holes that this government has. Despite the government having the resources of Treasury behind it, we learned in December that, instead of the $22 billion debt forecast by Treasury for this year, the debt would in fact amount to more than $37 billion.

Moreover, this government is also a very avid fan of creative accounting—of using tricks in the budget so that Australians do not
know the full fiscal picture. This is why in the underlying cash balance and over the forward estimates the true cost of what this government plans to do is not revealed—like the $50 billion-plus cost of NBN Co., the $10 billion that the government plans to spend on the Clean Energy Fund, the $36 billion on 12 new submarines, the Commonwealth share of the National Disability Insurance Scheme and the dental program commitment to the Greens. All Australians have a fundamental right to know how their hard-earned taxpayers' money is being spent, which is why the coalition strongly supports the introduction of a truly independent Parliamentary Budget Office. The government allowed it to pass but in a weakened form that will not allow it to truly serve as an independent judge of spending estimates. This is true Labor style: tax, tax, tax; spend, spend, spend—and try to hide the true cost of what they are doing while they are at it.

On the management of the economy, the Australian people know that the coalition will leave them in a better position. They know which party will leave families better off. The coalition is committed to appropriate, sound market based reforms. When it comes to sensible economic management and market reform the coalition has a track record of achievement—a track record built upon by the shadow Treasurer, a track record which gives hope, reward and opportunity to the Australian people, who have been so badly let down by this sad and tired Labor government.

Mr MELHAM (Banks) (16:30): Order! The discussion is concluded.
incorporating a dissenting report, together with the minutes of proceedings.

In accordance with standing order 39(f) the report was made a parliamentary paper.

Mr MELHAM: by leave—On behalf of the Joint Standing Committee on Electoral Matters, I present the committee's advisory report on the Electoral and Referendum Amendment (Maintaining Address) Bill 2011. There are 1.5 million eligible Australians missing from the Commonwealth electoral roll. The Australian Electoral Commission estimates that 600,000 of those 1.5 million eligible electors had previously been on the roll. Many of the 600,000 were removed from the roll when they moved house and failed to update their details with the AEC. This bill will help reduce the number of people removed from the roll. The AEC will have the power to directly update the address details of people who are already on the roll.

In Australia, enrolment and voting is both a right and an obligation. All Australians should take responsibility to meet their enrolment obligations in order to ensure they can participate in selecting their representatives. The methods to enrol and update enrolment details are not onerous. However, some electors neglect to update their details unless they are motivated by an impending electoral event, while others believe that the Commonwealth roll will reflect state enrolment or change of address details that have been supplied to another government agency.

Currently a change to address details must be elector initiated. When the AEC receives information about a change of residential address, it writes to the person instructing them to update their details, but it cannot take the next logical step and update the details. Worse still, if the person fails to respond, the AEC is obliged to remove them from the roll on the basis that they are no longer entitled to be enrolled at the previous address.

The AEC's Continuous Roll Update process is limited because it can only use the third-party data received to encourage the elector to update their details; it cannot do it for them. However, if the person does not respond, the same data can be used to remove them from the roll. It is a fundamental inconsistency that this data can be used to remove eligible electors from the roll but not keep them on the roll.

The state of the roll necessitates the introduction of direct address updates as a matter of urgency. It will provide the AEC with greater flexibility to help counter the trend in declining enrolment over the last decade. It is appropriate for the AEC to have this power and to determine the agencies from which it will receive data. The AEC will continue to use data from Centrelink, roads and traffic authorities and Australia Post, which has been tried and tested in the CRU and objection processes.

I would like to take this opportunity to thank my fellow committee members for their contribution to the inquiry. I also thank the groups and individuals who participated by making submissions or appearing at the public hearings. I also thank the committee secretariat for their assistance. I commend the report to the House.

Mrs BRONWYN BISHOP (Mackellar) (16:33): by leave—I rise also to speak on the report of the Joint Standing Committee on Electoral Matters on the Electoral and Referendum Amendment (Maintaining Address) Bill 2011 and particularly to draw attention to the dissenting report. The JSCEM is a very political committee. A number of reports we have brought in come down with the Labor Party and the Greens on one side and the coalition on the other. It
is that way because we are utterly opposed to the agenda that the government, together with the Greens, is running.

This time I draw the House's attention to the euphemisms we see in legislation, such as the title 'maintaining address'. It is not at all about maintaining an address; it is about changing an address without the knowledge or consent of the person who is on the roll. Once again we have these euphemisms that mislead people as to what is being attempted. The bottom line is that under the Electoral Act there is an obligation on an elector to enrol. There is plenty of case law that says the act of enrolment is part of the entitlement process to vote.

There is an obligation on every elector, when they change their address, to notify the Electoral Commission of that change of address. If people are not on the roll, it is because they have failed to meet that obligation. In terms of the electoral law itself, there is strict liability. If someone fails to notify of their change of address, there is meant to be a prosecution—there is meant to be a fine. There has never, ever been one issued.

I asked the AEC if I could look at the letters they write to people when they find from their matching process that someone may have changed their address. The letters are pathetic. They just say, 'We think you have probably moved; would you mind telling us your new address?' There is nothing about the fact that they have an obligation. On one letter, there was a mention of a fine. On all the rest, there was nothing.

One of the things that makes me so angry about this whole process is the fact that the AEC is lock-step with the Labor Party and the Greens to get this change in. They do not live up to their obligation to keep the integrity of the roll as the most important obligation they have under the electoral law. They never put forward any evidence; it is always just 'a submission'. It is never backed up by research or anything that is brought to the committee that shows how things work.

But we were very fortunate this time. We called as a witness Dr Clarke from the Australian Privacy Foundation and he made a submission to the hearing. As well as being from the Privacy Foundation, he is a man who works as a consultant focusing on strategic and policy aspects of e-business, so he knows something about data matching. I quote what he had to say when he was talking about matching names:

Name is enormously variable in its recording and is routinely 'scrubbed'—a new word introduced to the whole debate—that is the term used—in order to try to muck around with the data, modify the data, in order to make it seem right. It is differently scrubbed by every different agency, so we have differential collection for different purposes in different ways with different data-quality measures with different data-scrubbing measures, and then we bundle all this together and match it. The false positives that arise from this are enormous, as indeed are the false negatives, because there are enormous numbers of occasions where matches could in principle be discovered which in fact are not discovered by the algorithms that are used. It is extraordinarily error prone. In circumstances like these you would think enormous care would be taken, enormous justification would have to be provided, proportionality would be taken account of and it would only be done when there are very serious benefits to be gained.

If you go to the report of the JSCEM committee into the 2010 election, one of the recommendations that was made by the majority—that is, Labor and Greens—was the process of updating enrolment details of electors on the basis of data that the Electoral Commission chooses. To date it has chosen three, but there is nothing to prevent it
choosing anything it likes in the world—no scrutiny, no nothing. When the majority of the committee recommended that this process take place, it then said that approval of the agencies chosen by the AEC should be made by disallowable instrument—that is, subject to tabling and disallowance. Is that provided for in this bill? No, definitely not, because Labor and the Greens think there will be a political advantage to them.

It opens up the opportunity for fraud and it lowers the integrity of the roll itself. When this was introduced I said, 'This sounds to me like the precursor to the automatic enrolment procedures that the Greens and the Labor Party are also anxious to have where again these highly suspect sources are used to put people on the roll without their knowledge or without being contacted.' Why do I say they are not contacted? For the simple reason that the Electoral Commission writes to the new address and says, 'We believe you're at this address. You've got 28 days to tell us if you're not.' But of course if they are not at that address they do not get the letter, so they do not respond and they have 'changed' for their address. So when they turn up wanting to vote with an existing address, where they may still live, they are not on the roll.

The whole thing is just a fudge. It is totally dishonest to call the bill the 'maintaining address' bill when it is a 'changing address' bill. We see this government, which is based on a farrago of lies, again and again using misleading language to try and bring about an advantage which they see will follow to them as playing the voters off a break. Very simply, the coalition is rigorously opposed to these measures. There was no evidence given of what has transpired in other jurisdictions where it has been tried as, again, the AEC, Labor and the Greens are lockstep. We will vote against the legislation and we will take measures to rectify the situation should we be returned to government.

Corporations and Financial Services Committee Report

Ms SMYTH (La Trobe) (16:42): On behalf of the Parliamentary Joint Committee on Corporations and Financial Services I present the following reports of the committee: the statutory oversight of the Australian Securities and Investments Commission report, March 2012, and the report on the 2010-11 annual reports of bodies established under the ASIC Act.

In accordance with standing order 39(f) the reports were made parliamentary papers.

Ms SMYTH: by leave—I am very pleased to speak to each of these reports today as the representative of the Parliamentary Joint Committee on Corporations and Financial Services. In the report on the statutory oversight of the Australian Securities and Investments Commission, regarding ASIC's key priority area of informing confident and informed investors and financial consumers ASIC told the committee of its success with the MoneySmart website. I know from my experience in my electorate that the website has been very well received and I commend ASIC on its efforts in putting it together. In November 2011 the website won the award for the best government website. The site had had over a million visitors at that stage. Large numbers accessed the associated mobile phone applications, Twitter and Facebook. Of even greater significance is that over 90 per cent of those who accessed the website had followed up with some action in relation to their finances. That is certainly commendable.

ASIC also told the committee of its actions holding gatekeepers to account. There had been 17 enforcement outcomes...
over the previous six weeks, including six criminal convictions initiated by ASIC. ASIC had issued a consultation paper to investigate research houses with a view to rating them in the same way that agencies are rated. In addition, ASIC informed the committee that it had released a regulatory guide on prospectuses, with the aim of informing consumers and influencing their assessments of financial products. In terms of fair and efficient financial markets, ASIC noted that it is monitoring ASX technology following a recent outage and is reporting on ASX licensees.

In ASIC’s recently released annual report, the committee was interested in the allocation of resources against the organisation’s objectives. The chairman told the committee that in staff allocation there was roughly an equal balance between deterrence and stakeholder teams, with half the front-line personnel engaged in deterrence. Mr Medcraft noted that the market supervision aspect of their role was working very well, with a particular focus on prosecuting cases of insider trading. The committee commends the high level of deterrence activity completed by ASIC. It remains interested in the relationship between the ASX and ASIC and encourages ASIC to follow up on those matters it has recently identified. The committee certainly commends ASIC on the successful development and implementation of the MoneySmart website. It encourages ASIC to continue to strengthen its educational unit. The committee is interested in gaining further information from ASIC on specific educational activities and flagged this as a topic for examination at a subsequent hearing.

The committee was given further information on ASIC’s actions on product disclosure. Australian law does not oblige disclosure at the portfolio level, and Mr Medcraft indicated that Australia is somewhat behind best practice in countries such as the United States, where such disclosure is routine and easily available with current technology. ASIC has raised this issue with the Financial Services Council and the Association of Superannuation Funds of Australia, which I understand are now working on developing industry standards with portfolio-level disclosure.

The committee will continue to monitor the adequacy of ASIC’s resources and will consider the allocation of those resources to ensure that a good balance between deterrence and education is maintained. Since the bulk of ASIC’s non-taxation revenue comes from business registration fees, the committee recommends that the basis on which company registration fees are set be disclosed and an explanation made as to the process of determining late fees.

Finally in relation to that report, the committee is particularly interested in the matter of defining and dealing with financial crime and determining clear and consistent guidelines as to whether activities are fraudulent. It supports efforts to quantify the extent of criminal activity and acknowledges the difficulty of doing this where terminology may be fluid or categories may be variable. The committee recommends that ASIC take steps to use available information to collate and analyse definitions of, and approaches to, financial crime, with a view to developing standard definitions and classifications that might be used across the Commonwealth.

I turn to the second report, the report on annual reports, which has been prepared in accordance with section 243 of the ASIC Act. The report examines the annual reports of bodies established under that act—namely, the Auditing and Assurance
Standards Board; the Australian Accounting Standards Board; the Companies Auditors and Liquidators Disciplinary Board; the Corporations and Markets Advisory Committee; the Financial Reporting Panel; and the Financial Reporting Council. Together with ASIC and the Takeovers Panel, these bodies form the administrative organs of the financial services framework established under the ASIC Act.

In reviewing the annual reports, the committee considers operational matters of key interest. The committee did not hold hearings or seek submissions for the purposes of its review. Overall, the committee was satisfied with these reports. It has made some comments on matters concerning the Companies Auditors and Liquidators Disciplinary Board, to which I will direct my final remarks.

The board hears applications from ASIC or from the Australian Prudential Regulation Authority to cancel the registration of auditors and liquidators. For its review of the board's 2009-10 annual report, the committee noted its concern about the low number of referrals to the board. One year on from the details provided in the 2010-11 annual report, it would appear that the underutilisation of the Companies Auditors and Liquidators Disciplinary Board is continuing. The decline in the board's caseload is somewhat evident when viewed against its caseload in previous years, so the committee will certainly monitor developments in that area.

In reviewing the annual reports, the committee also considers whether there is scope to improve the operation of the ASIC Act. In reviewing the CAMAC annual report, it was noted that section 158 of the ASIC Act allows CAMAC to second staff from an organisation established under the 1989 Australian Securities Commission Act. Needless to say, this act and the organisation have now been repealed. The committee notes the operation of section 158 of the ASIC Act and recommends that the section be reviewed to ensure its accuracy and appropriateness given the current legislative regime.

Finally, I would like to thank the secretariat for their assistance in preparing these reports and certainly the ASIC officials for their continuing cooperation.

**BILLS**

**Road Safety Remuneration Bill 2011**

**Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011**

Second Reading

Cognate debate.

Debate resumed on the motion:

That this bill be now read a second time.

Mr NEUMANN (Blair) (16:49): When I was speaking to this road safety remuneration legislation previously, I addressed some of the issues raised by the member for Flynn, who spoke before me. He is a Queenslander like me and he raised two major issues in his speech. He thought that, firstly, there was inadequate road funding by this government, particularly for Queensland, and, secondly, he cast doubt on and in fact denied the linkage between road safety and rates and remuneration in the road transport industry. I will deal with both of those in the context of this speech.

I took the opportunity during the break to get hold of the budget investing in regional Australia. This is not a document prepared by the Queensland branch of the ALP. This was actually prepared in relation to the budget and it is a document that he and any LNP members in Queensland can access and it is dated 10 May 2011. It makes the point...
that this government will invest $6 billion over 11 years, with $5.6 billion conditional on the passage of the MRRT legislation. The point I made to the member for Flynn was that this government has doubled the road funding and increased by 10 times the rail funding to $36 billion. Also, in my home state of Queensland we have doubled road, rail and port funding to $8.5 billion. That is an incredible increase compared to the previous government's record. We saw the manifestation of that with the opposition of those opposite to the Ipswich Motorway, linking Ipswich and Brisbane, across three elections, and now their LNP candidate in the state seat of Bundamba is saying that it is a waste of money to build the motorway.

While the member for Flynn talked about roads, I make the point that the member for Flynn, who was saying that we should increase road funding in Queensland, where he and I both live, actually voted against the road funding increase that we will provide with passage of the MRRT legislation. In fact, I had a look at what the 2011-12 budget committed funding for across a number of years and it is interesting to note that so many of those particular road projects are in Queensland—the Blacksoil Interchange in my electorate, supported by the Council of South-East Queensland Mayors but opposed by those opposite; the Townsville ring-road; the Peak Downs Highway; the upgraded intersection of the Bruce and Capricorn highways. Then I came across another one, the Gladstone Port Access Road, in the electorate of Flynn. I would like all those persons who might be listening to this to note that the member for Flynn did not support that and neither did any of his LNP comrades and colleagues who voted against that. The funding for the Mackay ring-road study—$9.5 million, in Queensland—and the Scone level crossing study—$1.8 million, in New South Wales—was brought forward in that budget as well.

Queensland will benefit to the tune of $2 billion in that regard under the regional infrastructure funding that we are providing as a result of the passage of the minerals resource rent tax. But those opposite, particularly LNP members, have voted against that particular funding for Queensland. All of the projects that I have listed are ones that the member for Flynn has voted against, and all his colleagues and comrades from the LNP in Queensland voted against them. They voted against every single one of those. So they should not come into this place and say that we should put more money into road, rail and ports and then sit over there and vote no again and again. Former US senator Robert Kennedy said that about 20 per cent of people would oppose everything all the time. The trouble with those opposite is that they oppose everything all the time—and they have opposed every single road funding project that I know of in South-East Queensland. Also, when it came to flood recovery—and we have rebuilt over 9,000 kilometres of the 10,000 kilometres of road that were affected in Queensland—they actually opposed the funding and the flood levy to help rebuild Queensland. So it is rank inconsistency, if not hypocrisy, for those opposite to ask us to spend more money on roads when they have opposed the very funding which will make a difference.

The second point I want to make is that the member for Flynn should consult with his colleague and comrade the member for Hinkler, who was actually the chair of a committee that looked into the issue of the linkages between safety and the rates and structure of remuneration in the road industry. I will give the title of the report and suggest that the member for Hinkler go and have a chat with the member for Flynn. The
report was called Beyond the midnight oil: managing fatigue in transport and it was prepared by the House of Representatives Standing Committee on Communications, Transport and the Arts in 2000, 12 years ago. As I said, it was chaired by the Hon. Paul Neville, the member for Hinkler. Then there was the Quinlan inquiry in 2001 and there was the Mutual Responsibility for Road Safety case in 2006. We had the Wright-Quinlan inquiry in 2008, the National Transport Commission Review report in 2008 and the Safe Rates Advisory Group report in 2010. So if we have the experts all telling us the same thing and the many inquiries, coronial findings, reports and investigations across decades telling us there is a linkage between road safety issues and the rates and structure of remuneration in the transport industry, it beggars belief that those opposite should come into this place and say there is no linkage. Unsafe roads result in accidents, deaths and injury—and it is not to be sniffed at and sneezed at and laughed at and it is not to be belittled, because it is a tragedy. Three hundred and thirty Australians die every year in truck crashes in this country, 5,300 Australians are injured every year in truck crashes and the trucking fatality rate is 10 times the national fatality average by industry. Those truck related deaths and injuries are a cost to taxpayers of about $2.7 billion. This is a major issue.

I want to applaud the work done by Tony Sheldon of the Transport Workers Union of Australia, its Queensland state secretary, Peter Biagini, and all the people in the Queensland branch of the TWU because in a big state like Queensland this is a particularly important issue. There was a survey done by the TWU, conducted in 2011, and I think it is worth putting in Hansard its stark findings. Forty-eight per cent of drivers reported almost one day a week in unpaid waiting time, 56 per cent of owner-drivers had to forgo vehicle maintenance because of the economic pressure of the need to work to keep up with the high cost of repairs, 27 per cent of the people surveyed felt that they had to drive too fast, too quickly, and nearly 40 per cent felt pressured to drive longer than they were legally permitted to do so. Many said that came directly or indirectly from the person that was paying the remuneration and from the paying client.

So this is an important issue and we are morally bound to make our roads safer. It is the key to making sure that Australians are cared for. Road transport is really the responsibility of all of us. It is the responsibility not just of the industry but of all the states and territories, as well as the national government. This legislation is a world first and it is high time that we did this, and the fact that those opposite cannot bring themselves to support it is a shame and a tragedy and a disgrace. The bill will establish a new road safety remuneration tribunal. It is about safety and fairness in the industry. It will be empowered to make inquiries. It will be empowered to negotiate, mediate or conciliate. It will have the power to make determinations called road safety remuneration orders, which are in addition to any rights that people might have through collective agreements, through industrial instruments, through contracts of employment and, in the case of the self-employed, independent contracting arrangements. Those orders can be made by the tribunal on application or the tribunal can initiate the orders itself. It will be empowered to help resolve disputes in the industry among all those people involved—the drivers, the hirers, the participants—and, as I said, it can do it by mediation or conciliation or, indeed, by private arbitration if agreed between the parties. It will establish
a compliance regime, and it will make a difference.

I think this is an important piece of legislation. Prior to the last redistribution in Queensland I had the privilege of representing the Lockyer Valley. I attended the Lights on the Hill memorial—a day when truck drivers came in their thousands, with their families, to Gatton to remember those people who were killed and those people who lost their loved ones, as well as the importance of road safety. I saw important people like Kathy White, who was one of the founders. I saw what this meant to those people, and I saw how important the trucking industry is. Each year they place on the walls the names of the drivers in the industry who have passed away. We take pride in this industry. This industry delivers its produce from the farming sectors of our economy to the markets, at places like Rocklea, and to the ports. It delivers not just food but also clothing to retail outlets. This industry involves sacrifices by men and women and by families who do not get to see their loved ones.

This legislation will make a difference. It is supported by all parts of the sector. And the only major political institutions, economic institutions and societal institutions that will not support this legislation are the coalition parties that sit opposite. I find it extraordinary that they will not listen to the sector and will not support the trucking families and partners—and the whole industry—in the way we need to through this legislation.

Mr BILLSON (Dunkley) (17:01): Today we are talking about the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011. I have listened with interest to contributions from all sides of the parliament about the measures contained in these bills. It is interesting that what was presented to this parliament as a transport matter has now morphed its way into being an issue of concern for the employment minister. I think in some respects that highlights what is actually happening with this bill.

This legislation has been discussed in terms of its claimed contribution to road safety—to the care of motorists and families using Australia's roads and to the too-high work accident statistics relating to drivers of heavy vehicles. That is the starting position, but what sits behind that is a proposition to create a new tribunal that plonks itself fairly and squarely between truck drivers and their customers, and that includes independent contractors. There are even claims to have it extended to the courier industry and a range of other areas. So in effect it is becoming an award structure for a sector that really has not sought to have such a constraint on the way in which it does business and the way in which owner-drivers, in particular, offer their services and the terms they negotiate with their clients and customers.

But these bills seek to change that. The bills seek to create a road safety remuneration tribunal that will set rates under broad powers to investigate and establish those rates and conditions for any segment of the heavy vehicle industry. Under that broad distinction, this legislation covers road transport, the distribution industry, a number of long-distance operators, the cash-in-transit industry, the waste management industry, transport owner-drivers and independent contractors. And, as I mentioned, more recently there has been a push to get into the courier space. For those who are interested, this measure will not cover everyone in that space, but it aims to cover many—about 80 per cent of employee drivers and about 60 per cent of owner-operators—reflecting the reach of the
corporations power under which this measure is being instigated and also the fact that it deals with interstate activities and does not seek to deal with intrastate activities. That is important, because intrastate transport arrangements already have, in a number of jurisdictions, something equivalent to a tribunal operating in New South Wales, Victoria and Western Australia, as I understand it.

So we already have something happening at a state level. Now there is a proposition that started as a road safety measure and that has morphed into an employment issue, to apply to some of the traffic across Australian roads. It is interesting that this body will comprise industry members and members of Fair Work Australia but will actually have powers beyond those that Fair Work Australia has available to it. It will have the power to prepare a work plan with a view to making road safety remuneration orders, RSROs, and then setting those orders to deal with remuneration and related conditions. The tribunal can do that on its own initiative or when it is urged to do so by industry participants and industry associations. So this is a very powerful body. This is a body that injects itself into the commerce, the transactions and the supply of transport services between businesses and that seeks to say that it knows best—and it does so in the name of claiming to create safer roads and safer work conditions for drivers.

It is interesting to listen to members opposite. They seem to airbrush out any of the criticism of these bills—and there has been quite a lot of criticism. This is not, as the member for Blair characterised it, a measure that is 'universally endorsed'. That is quite far from the point. In fact, a number of concerns have been raised through the committee inquiry process that led the dissenting report to conclude that there is no compelling evidence, that no causal link has been established between this measure, the tribunal it seeks to establish, the powers that that tribunal would exercise and the consequences for road safety—either for other road users or for truck drivers in particular.

The coalition members on that committee, having heard and considered all of the evidence, said that they were unconvinced that safe rates will lead to an improvement in road safety outcomes. The coalition members, to their credit, pointed to and were fully supportive of the need for a multifaceted approach to reduce accident rates in the transport industry. It was interesting that the member for Blair in his contribution talked about road investment as an example whereby if the road infrastructure continues to be improved then we would hope to see improvements in road safety, and therefore significant reductions in fatalities of general road users and truck drivers in particular.

That evidence of a causal link that has been claimed and asserted over and over again is not available. It is not presented. In fact, many would say it is counterintuitive, because all of the powers that are available to make sure inappropriate demands are not placed on truck drivers are already there. There are mechanisms under state laws and, in some cases, federal laws to take action where drivers are forced to do things they should not do in the name of road safety that breach the constraints that are imposed on them that deal with safety requirements, antifatigue measures and rest measures, the pace at which their vehicles can travel and the duration of their driving sessions. Recently, we have seen some high-profile examples with Lennons Transport, and Scott's in South Australia, as evidence of the toolkit that is available now.
This legislation is really about implementing a Transport Workers Union agenda to impose their influence, their demands and their requirements on a sector where independent contractors and self-employed people are at present freer to negotiate the terms and conditions of the services they supply to their customers. This is about union control. This is about undermining independent contracting and self-employed as a legitimate business structure with responsibilities not only to their own business but to their customers and the requirements to uphold the legal obligations on them currently passed by state and federal law. That is what this bill is actually about.

If you look through the material that has been presented, you will see the hesitation from many substantial industry players in the way they have reacted to the unsubstantiated assertions that this legislation will improve road safety—for example, the submissions from the Australian Logistics Council and the Australian Industry Group. They pointed out that they do not believe there is a link between road safety remuneration rates, and it certainly has not been proven. A similar opinion was presented by the Independent Contractors Association and the National Road Transport Operators Association (NatRoad), as well as the Toll Group, who are quite active in this space.

It is right that the government can cherry-pick particular advocates who say this is a good thing and it is not surprising that some of those interests that are being drawn from to provide evidence that this will somehow be good for the industry have their own interests at heart. I have talked about the TWU and their interest is understandable. They want more union members, more control, more influence and more capacity to exercise power and to pursue their agenda within the sector. That is understandable and for a union that is quite a legitimate ambition. That does not mean it is good public policy. Some other, larger transport groups have been cited as being supportive of it.

It has been known for decades that some of the larger transport companies undertake discussions and negotiations with the TWU to get peace and tranquillity in their workforce on certain terms and conditions, only then to happily and, in some cases, actively see those same terms and conditions pushed throughout the sector so that they are at no commercial disadvantage but can benefit from the industrial peace that they have negotiated. One would argue that that is a cunning business strategy, but that does not mean it is good public policy. It pushes up cost structures. The argument being put is that it is about the remuneration available to truck drivers.

My friend and colleague the member for Flinders made the point about the increasing cost burden that will be imposed on this sector as a result of the carbon tax. There are great burdens on operating transport vehicles at a time when customers and, in some cases, big customers are disinclined to pay more for the service. That does not mean you set to one side the restrictions currently on transport operators. That does not mean you can all of a sudden ignore questions of fatigue, slotting of rest breaks or speed. They are not put to one side; they continue to be there. It is wrong of the government to just reject the link between the increased cost burdens that it is imposing on transport operators and come into this chamber and claim that this is somehow a remuneration issue without taking into account the impacts on the cost of operating these businesses.

There is also an issue about the independent contractor being able to offer his or her skills and services at a price that
they are happy to negotiate with their customers. There is a legitimate concern within the sector with regard to this tribunal setting what it claims will be a minimum price. That will actually set a benchmark price and there will be no capacity for people to negotiate and offer other advantages for contracting with them because a new norm will be set, a new default payment rate—one that does not take account of those other measures that I talked about that have a direct and clear evidence based link with road safety and heavy vehicle use.

The other thing that is worth reflecting on is if there is a toolkit that ensures transport operators are not being forced, cajoled or encouraged to do things they should not do, and there is contractual relationship between them and their customer, I remain bewildered to this day why the government do not provide protections in relation to the contract itself. I have described a range of state and federal laws that apply that limit and guide behaviour and conduct to ensure heavy transport driving is safer. But in terms of the contract itself, the government continually refuse to pick up a policy that the coalition have been advocating—that is, extending the unfair contract terms protections. Such protections are available to consumers and we believe those protections should be extended to small business. If a small business is confronted with a ‘take it or leave it’ standard contract from a big customer who is completely disinclined to adjust or adapt, or hear from the small business about their concerns, then there is an avenue for redress through extending the unfair contract terms protections that are available for consumers.

Why doesn't the government deal with that? If it claims there is an imbalance in the contractual relationship between a big business and an owner-driver, for instance, why not tackle that contractual relationship rather than contrive this area of injecting more union control into the commercial relationships between people in this country?

This also draws out the issue that, as I understand it, 50 per cent of all vehicle accidents involving heavy transport vehicles are the fault of someone else, so you can see how spurious that argument is when you look at the crash record. As you look at what is happening across the country and at the statistics dealing with heavy transport accidents, bear in mind that there are at least three jurisdictions that have something that looks like, sounds like, walks like and squawks like this tribunal. If that is the answer, why are we seeing some of the trends we are seeing in heavy vehicle accidents? Why are we also not dealing with the simple fact that half of all those heavy vehicle accidents are not caused or instigated by the heavy vehicle driver but by someone else?

These are the facts. The idea being asserted here is that this will make our roads safer, yet no conclusive evidence has been presented to back up that case. There are other remedies available to address the mischief, the problems and the issues that the bill seeks to address, but those other remedies do not empower the Transport Workers Union and the union movement more generally to inject themselves further into the Australian economy. Those other remedies do not have the problem of undermining a legitimate business model, that being an independent contractor or a self-employed owner-driver, a very important part of the small business community which has faced hostility at every turn from this government despite assurances from the Minister for Employment and Workplace Relations, Mr Shorten, when he was Assistant Treasurer, that the government would take no action to make life more difficult for independent
contractors. This measure does. It is another broken promise and it is something that goes against the assurances that have been given.

Finally, when we are talking about making our roads safer, that is an ambition we all share. But, as the coalition pointed out, not only for those using roads and those drivers and the families of people who want to see loved ones come home, a multifaceted approach is required to reduce the accident rate, not some sham tribunal that injects unionism—(Time expired)

Ms KING (Ballarat—Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing) (17:17): I rise to support the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011. I do so as the parliamentary secretary who has responsibility for the Gillard government's road safety initiatives.

Every year, some 1,300 Australians are dying on our roads. Every year, some 30,000 people are hospitalised as a result of road trauma. And, whilst we are seeing a reduction in the number of fatalities on our roads, we are actually seeing an increase in the number of those who are seriously injured. We have the balance right in terms of getting the road toll down, but we are certainly seeing a large increase in serious injuries. Every day, around 90 Australians have their lives drastically changed by a serious injury sustained in a crash. I have repeated these figures many, many times.

The statistics for heavy vehicles are no more comforting. During the last 12 months, there were over 200 deaths across Australia involving trucks; almost 50 deaths involving trucks in my home state of Victoria. Heavy vehicles make up around three per cent of the total vehicle fleet, yet they are involved in almost 20 per cent of all road fatalities.

Members in this House should understand that heavy vehicles are over-represented in crashes on our roads, something that those opposite should think long and hard about when they are voting on these bills. I also acknowledge the fact that many of these truck crashes do not just involve the truck driver but result in other drivers, pedestrians, motorcyclists and cyclists being killed.

These statistics paint a very grim picture, one that the Gillard government is continuing to address. Although the latest road death statistics show that the numbers are continuing to fall, the Australian government is continuing to look at new ways to get the number of these fatalities down. I have no doubt that the majority of members and senators have been affected by the impacts of road trauma. Road trauma takes a very heavy toll on every state and territory, every city and every rural town across every corner of this country.

The Road Safety Remuneration Bill 2011 being debated today highlights the Australian government's ongoing commitment to tackling road safety. With this bill we seek to remove incentives for drivers to drive unsafely. This new road safety remuneration system aims to remove those financial incentives that see truck drivers driving while tired or speeding in order not to lose money. Excessive speed is a major contributing factor in around 15 per cent of truck crashes, and fatigue is a major contributing factor in 14 per cent of truck crashes, and that cannot be ignored. Speed and fatigue take a huge toll on our roads.

Without action and with a growing road transport industry, the number of road crashes involving trucks will continue to rise. Over the last decade, the number of kilometres travelled by commercial heavy vehicles increased by more than 20 per cent. There are more truck drivers on the road,
driving longer hours and longer distances with even tighter deadlines.

This bill establishes a new Road Safety Remuneration Tribunal, which aims to promote safety and fairness across our road system. With this bill we will see a system where truck drivers are paid more fairly and where truck drivers are not encouraged to speed or drive when tired to simply cover their costs. This tribunal is set to take a good look at the practices that exist within our road transport system and, where necessary, determine minimum pay rates and conditions for drivers. The tribunal will consist of experts across the road transport industry, along with members of Fair Work Australia.

If this tribunal finds that there are specific issues within the industry, it will make a determination to tackle these issues. These determinations will be known as road safety remuneration orders and will complement existing workplace rights.

Of significant importance is the fact that the bill allows for the tribunal to resolve disputes between drivers and their hirers or employers, along with others involved in the supply chain. This will be done through mediation, conciliation or private arbitration.

This tribunal will be looking for issues giving rise to incentives for unsafe road transport practices. The tribunal is also equipped to make safe remuneration approvals in relation to remuneration and related conditions in a road transport collective agreement. We have extended enforcement powers to the Fair Work Ombudsman to ensure that road safety remuneration orders, safe remuneration approvals and other determinations made by the tribunal are met.

The establishment of the Road Safety Remuneration Tribunal complements the hard work of my parliamentary colleague Minister Albanese over recent years with the establishment of the National Heavy Vehicle Regulator, which will become operational on 1 January next year.

The bill is one of a number of ways in which the Australian government is acting to address road trauma. Last May, other transport ministers endorsed the National Road Safety Strategy 2011-2020. The strategy aims to cut the road toll by at least 30 per cent by 2020. It is not just the Australian government's plan to reduce road trauma but the plan of every jurisdiction across the country. The Australian government believes death and serious injury should not be accepted as an inevitable cost of road travel. This strategy is based on the Safe System approach—safe roads, safe speeds, safe vehicles and safe people. The Australian government has already tackled some of the actions outlined in the strategy. Last year I announced a new Australian government fleet purchasing policy which mandates that all light passenger vehicles purchased by the Australian government must have a five-star ANCAP safety rating from 1 July 2011. Having safer vehicles on our roads is a vital first step.

The National Road Safety Strategy looks at a broad range of steps to reduce our road toll. Many of these steps seek to reduce the number of road crashes involving heavy vehicles and complement the measures in this bill. Some of those steps include the implementation of antilock braking systems and load proportioning brake systems for heavy vehicles; considering increasing heavy vehicle cabin strength; electronic stability control and lane departure warning systems for heavy vehicles; increasing the effective application of chain of responsibility legislation to prosecute heavy vehicle speeding offences; and harmonising legislation to assist cross-border enforcement.
Governments are also looking to improve
driver licensing arrangements for heavy
vehicle drivers, including options for the
adoption of competency based standards.
Governments have agreed to look at other
measures to improve fatigue management in
the future such as the development of
telematics as a regulatory tool for heavy
vehicle speeding and electronic work diaries
instead of paper based diaries for truck
drivers.

Other initiatives already acted upon by
this government include the investment of
more money in road infrastructure than
under any other government in our history.
We have doubled the roads budget to a
record $28 billion over six years—the
greatest investment in the nation's highways
and roads since the creation of the national
highway network. This has included building
more truck stops and rest areas. Under the
Gillard Labor government's $70 million
Heavy Vehicle Safety and Productivity
Program we have already seen the delivery
of 34 new and 59 refurbished rest stops; nine
new and 18 refurbished parking areas; five
new and 16 refurbished decoupling bays; 15
bridge strengthening projects, and 14
warning sign projects. This is the first ever
federal program dedicated to rectifying the
unacceptable lack of safe, modern roadside
facilities along the nation's highways.

In our time in office we have also seen
more funding for black spots and more
funding for Roads to Recovery—fixing
many country roads that more and more
trucks are travelling on. And there is more
money in national highway investment like
the duplication of the Western Highway
from Ballarat to Stawell, which is notorious
for heavy vehicle trauma. All of these things
demonstrate the government's commitment
to road safety.

The Australian government is also
contributing to international efforts on road
safety. Last year in Parliament House, I and
my parliamentary colleague the
Parliamentary Secretary for Pacific Island
Affairs officially launched the Decade of
Action for Road Safety. With this launch we
announced that the government will provide
$6.2 million to the World Bank's Global
Road Safety Facility to improve road safety
across the world. The Australian government
was one of the co-sponsors of the resolution
proclaiming the Decade of Action for Road
Safety by the United Nations General
Assembly in 2010. We will continue
working with our international counterparts
to address road safety issues over the coming
decade.

This bill is yet another step in the
Australian government's determination to
bring down the toll on our nation's roads. It
is unacceptable that, while only three per
cent of our nation's vehicle fleet are heavy
vehicles, heavy vehicles are involved in 20
per cent of road deaths. It is unacceptable
that over 200 deaths each year are the result
of crashes involving heavy vehicles—with
speed or fatigue being a major factor in a
large proportion of these.

The government are putting measures in
place to deal with these issues. We have
agreed to a new National Road Safety
Strategy, we are a co-
sponsor of and
contributor to the Decade of Action for Road
Safety, and we have taken the lead in the
establishment of the National Heavy Vehicle
Regulator. And now, with this bill, we are
establishing the Road Safety Remuneration
Tribunal. Members have a decision with this
bill—to either support the implementation of
the Road Safety Remuneration Tribunal to
improve the level of safety in our road
system or do nothing. The Gillard
government are acting on this issue because
we must.
I thank my parliamentary colleagues who have put so much work into this bill and into the work behind it over previous years. I also recognise the many road user groups, unions and industry leaders who have taken the time to work through this reform with government. Members on this side are supporting this bill and the related bill because we know that we must act to improve safety on our roads. I appeal to those opposite to do the same. I appeal in particular to those National Party members in this House—the members for the electorates of Riverina, Parkes, Gippsland, Dawson, Cowper and Wide Bay. The number of fatalities involving heavy vehicles is greatest in your electorates. More people die in crashes involving heavy vehicles in your electorates than any others. Your leader has said that if he could pass a law that could deliver safer roads then he would do it. That is exactly what these bills do and they should be supported. I commend the bills to the House.

Mr BRIGGS (Mayo) (17:27): I strongly oppose the Road Safety Remuneration Bill. It is a veiled attempt by the Labor Party to give more power to its union mates; it is an attempt cloaked in a pretend effort to improve safety for Australians on the roads. It is typical of the modern Labor Party and how low and contemptible they have become that they would use the deaths of people on roads, the wives and husbands and families of people who have died on roads, as part of a political campaign to increase the power and reach of trade unions in this country, with all the benefits that has for the Australian Labor Party. It is one of the worst pieces of legislation we are likely to see from the Labor Party in this parliament, which is saying something.

We heard the Parliamentary Secretary for Infrastructure and Transport and member for Ballarat using all those catchcry Labor words such as 'safe' and 'fair', suggesting that if you are opposed to this legislation then you are for cancer. It is the typical Labor way—you cannot oppose anything that they put 'safe' or 'fair' in front of because when they do that they are automatically morally superior to anyone else in this place who argues that legislation is bad and is not going to achieve anything it has set out to do. There is not once skerrick of proof in the bill or the supporting evidence or the submissions to any of the inquiries that paying someone more will increase the safety of people on the roads.

How do we know that this is a power grab for the trade union movement? Because the legislation has been given to the minister for trade union mates. It started with the Minister for Infrastructure and Transport. If it was a genuine attempt at road safety, you would say that would be a reasonable ministry to be looking after this bill. But then, very shortly after, just before the bill appeared in the House, it was handed to the new minister for union power and mates. The new minister for union power and mates will use lots of words and talk about how he is the worker's friend, how this is all about ensuring that the worker is protected and how Australian roads are being made safer for the public. But, as so often with the modern Australian Labor Party, this bill is really about protecting the vested interests they stand for in this place. They do not stand for the Australian worker; they stand for vested interests. They are about ensuring that they continue to get political benefit out of the workers who pay their union fees.

How do we know that? We need look no further than the member for Dobell and what he did with a corporate credit card from the trade union movement. The HSU represents workers who push trolleys around hospitals. Those workers pay their levies to ensure they
have some industrial protection. Instead, expenses of over $100,000 were incurred in very questionable ways—details of which have yet to be revealed by an investigation which seems to be taking as long as the Second World War. This is the modern Labor Party and what they stand for. They are all about vested interests. Here is the member for Throsby—another one who stands for vested interests.

Mr Stephen Jones: On a point of order, Madam Deputy Speaker: I understand that leniency is often given in debates on legislation, but how can this, by any stretch, be relevant to the legislation before the House?

The DEPUTY SPEAKER (Ms Grierson): I will continue to listen closely to the member for Mayo's contribution.

Mr BRIGGS: The member for Throsby is certainly irrelevant. There is no doubt about that. This bill is irrelevant to the safety of Australians on the roads. This bill is not about the safety of Australians on the roads; this bill is about dragging independent contractors—small business people, entrepreneurs—into the employment net so that these people opposite can drag them into union membership and increase the amount they can get out of contributions. It is a revolving slush fund. That is what this bill is about.

There is no evidence at all, anywhere, that this bill is about increasing the safety of Australians on the roads. All we have heard from those opposite is rhetoric—that this is about safety and fairness. One question this legislation raises is: why do we need a separate set of employment arrangements outside of the Fair Work Act? If the Fair Work Act is so good and is working so well, why do we need another law? We have heard for years, ever since the Howard government pursued very sound reforms to address the thuggery and intimidation which went on for so long in the building industry, that we did not need two laws—we only needed one set of industrial laws in this country. But now, somehow, we need two sets of laws. We need another set of laws for the transport industry to address safety. If the Fair Work Act is such a failure, why not just amend it?

There is a perverse aspect of this bill and its relationship with the Fair Work Act. If a truck company is appropriately paying its workers under the relevant award but this new body finds the truck company should be paying more, that implies that the Fair Work provisions have led to the workers being underpaid—by the Labor Party's own law. By the Labor Party's own standard, this is a farce. It is a farce because this bill is not about safety; it is about union power. It is about giving Mr Sheldon and his mates at the TWU access to more people. With more people on the books, you have more people to pay contributions and more people to pay for the union credit cards—and we have seen what they pay for.

The way the lowest paid workers in our society have been represented and treated is a disgrace. Those opposite are about vested interests. They are not about higher wages. They are not about a high road for Australian workers. They are about looking after their mates and looking after the vested interests. They cloak it in spin. They cloak it in the spin of safety and they cloak it in the spin of fairness.

The DEPUTY SPEAKER: I think the member for Mayo should confine himself to the legislation.

Mr BRIGGS: I certainly am speaking about the legislation, Madam Deputy Speaker. To bring people who have lost loved ones on the roads into the galleries of this parliament and use them in a political campaign is low-rent at best. There is not a
word about safety in this document. There is not a word about the link between high pay and safer roads. We know—and the coalition has pursued this for many years—that, to increase safety on roads, you need to increase infrastructure funding to improve the Australian road network. That is an ongoing task and it is something I agree with members opposite about. It is an ongoing task, particularly in rural areas where large transport firms operate more regularly. In fact there have been, sadly, many terrible road deaths in my own electorate on the freeway which connects Melbourne with Adelaide—not all of them have involved heavy transport, but many of them have. It is an ongoing battle. It is an ongoing issue which needs to be given a lot of attention—and, I must say, state governments across the country have given it a lot of attention. There remain many roads, however, which need to be improved and there are additional measures we can look at to improve road safety. Shifting more freight off roads and onto rail is a good idea. It is something we should be pursuing and giving consideration to.

But this bill is not about that. This bill is about attacking entrepreneurs in our society—those who seek to become small businesses and not employees. We know the Labor Party have never liked independent contractors. They voted against the legislation in the mid-2000s which defined independent contractors and gave them their own set of laws. This bill is about dragging those people into the employment net so they are accessible for union membership. We saw Mr Sheldon and his mates last year in the Qantas dispute; we saw their behaviour in relation to a great Australian company. They went on TV day after day bringing industrial mayhem down on that company, trying to drag it down. They will run around and sign these people up, not to increase their safety—no, no, no—but to increase the numbers and the power within the Australian Labor Party. That is what this bill is actually all about. We know of no better example of that—no further proof is needed—than the transfer of this bill from the Minister for Infrastructure and Transport to the 'minister for big union mates'. That is what happened the week before this bill was introduced into the parliament. That is exactly what has been sought—

Mr Bowen: Madam Deputy Speaker, I rise on a point of order. In addition to your admonition of the honourable member before, which he has ignored, he is also required to refer to honourable members by their correct title.

The DEPUTY SPEAKER (Ms Grierson): That is correct. Thank you. I am sure the member for Mayo will continue to adhere to the standing orders.

Mr BRIGGS: Thank you, Madam Deputy Speaker. I appreciate that the Minister for Immigration and Citizenship has had a difficult couple of weeks and that he has been kept in the portfolio—

The DEPUTY SPEAKER: The member for Mayo will continue with the debate.

Mr BRIGGS: This legislation, in addition to being just another attempt at—

Mr Bowen interjecting—

Mr BRIGGS: You are indeed on the frontbench, minister. You are in a portfolio that we all know you love so much. You are very happy with what you are doing in that portfolio. Madam Deputy Speaker, I have been diverted and I apologise for taking the interjection. This bill will continue to add to the red tape burden that this government is so readily engaged in across so many areas. It is an attempt by the government to undermine its own Fair Work Act, as I have
already discussed, and it is adding another area of regulation to the employment relationship, which presumably the Fair Work Act was about fixing. We heard much from the Prime Minister, when she was the Minister for Workplace Relations, about how it was such great legislation and about how it was a return to fairness—that word again—in the country. Of course, it is so good that the government needs a separate jurisdiction to deal with the issue before us.

We also know that not everyone supports this legislation. Many in the road transport industry are raising genuine concerns about it. They are similar concerns to what I have raised, which is that this legislation is not about safety, it is about union power. We also know that Anna Bligh and the Labor government in Queensland do not support it. How do we know that? They put in a submission to the House of Representatives inquiry into this legislation a few weeks ago, just prior to the Queensland election being called. The Queensland Labor government does not support it. The road industry does not support it. Who does support it? Aha! The TWU. And that, of course, is what this is all about. This legislation is not about the sad circumstances that thousands of families across Australia are subjected to with the loss of their loved ones. It would be an awful experience to lose a loved one in any sort of accident. But to use these people as part of a political campaign says it all, I think, about where the modern Labor Party is at. This bill should be opposed because it is not about safety; it is not about fairness. It is about this government's vested interests. It is about what always drives this government. The government is not about higher wages in the future. It is not about creating circumstances for people to get on with their own economic freedom and to create the chances they want to take. The government is about looking after the vested interests of its chosen few, its A-class workers, its shareholders. This is exactly what this bill is about.

This legislation is a payment for the years and years of union support with funding, donations and numbers at ALP conferences; it is to ensure that the government continues to get that support. To use people's misery and deaths to do so is a disgrace, and it is the reason that this bill should be opposed. It will not help those people. It will not ensure that Australians are safer on the roads. All it will do is empower the government's union mates even further. It is a terrible piece of legislation. I urge the government to withdraw it. I urge the parliament to oppose it.

Ms Rishworth (Kingston) (17:41): It is not surprising that the member for Mayo is opposing this bill. As he mentioned previously in his contribution, he is against fairness for building workers and he is against fairness for truck drivers. Indeed, we know that he is one of the champions of Work Choices. So, in fact, one could say that he is against fairness for working people. We do know that Tony Abbott is desperately trying to bury Work Choices. He says it is dead, but the member for Mayo is one of the people who is desperately trying to resurrect it, giving it mouth-to-mouth and getting it back out there so that Work Choices will be reintroduced and the unfairness associated with that legislation will be brought on all people. It is not surprising that once again the Liberal Party is rejecting fairness for working people around this country. So, for very good reasons, I urge the opposition to support this important piece of legislation.

Unlike the member for Mayo, I am very, very pleased to rise today to support the Road Safety Remuneration Bill 2011. I think it is incredibly important that we try and remove the economic incentive that encourages truck drivers to be involved in
unsafe work practices on our roads. Safety on our roads is not just the transport industry's business; it is everybody's interest. The workplace health and safety standards for truck drivers are not, as I said, just the industry's business. When we see collisions on our roads between trucks and other road users, more often than not it is a family car that receives the brunt of the force of that collision. Needless to say, the majority of injuries and fatalities are sustained by the passengers in those cars. Everyone in this House agrees that any death on our road is an absolute tragedy. So it is important that the opposition gets behind this bill to ensure that the number of deaths that have occurred in recent years does not continue.

We know, from studies, that over 250 people on average lose their lives and that over 1,000 people suffer serious injuries as a result of accidents involving trucks on our roads. Truck drivers should not have to accept speeding, overloading their trucks, driving excessive hours or cutting back on vehicle maintenance as part of their job description. The abundance of unsafe work practices and workplace health and safety breaches are part of the transport industry culture and pose serious risks to drivers' safety and to the safety of everyone else. We cannot simply sit idly by and watch the number of road fatalities trickle through the Australian Bureau of Statistics data each year without ensuring that we are doing everything possible to prevent these accidents from happening.

This side of the House is committed to improving work practices in the transport industry and to reducing the cost in lives that is currently so sadly occurring. It has taken a Labor government to take this issue seriously. It is this Labor government that is committed to improving safety outcomes for truck drivers while also ensuring the long-term viability of the road transport industry.

Through the National Road Strategy 2011-20 we are focused on addressing problem areas such as speeding, fatigue and dangerous work practices in the trucking industry. Part of that is through setting up the new Road Safety Remuneration Tribunal, which this legislation introduces.

Australian truck drivers work hard to make a living, and the government wants to support measures that ensure pay and related conditions encourage them to drive safely, manage their hours and maintain their vehicles. We have begun improving working conditions for truck drivers through the Heavy Vehicle Safety and Productivity Program, which we set up to improve safety and productivity outcomes for the heavy vehicle industry through funding projects over the last four years. That funding has gone towards projects for rest areas, parking and decoupling bays, enhancing roads and technology trials. It is the first Commonwealth program dedicated to this kind of reform, but we recognise that there is more work to be done.

It is this Labor government that has continued to push the agenda for road safety through the implementation of further measures that will improve driver working conditions and reduce the number of deaths and injuries we see each year. It is this government that is committed to getting to the crux of the issue by focusing on the causes of incidents involving road transport vehicles that see thousands of innocent Australians caught in the crossfire.

The government recognises the good work of the Transport Workers Union. We heard the member for Mayo make comments about this, but the Transport Workers Union does stand up for its workers and it does a very good job. I commend its longstanding safe rates campaign, which called for improvement to transport industry rates of
pay and driving practices to improve safety for all people on the road. That led to the 2008 report from the National Transport Commission, which examined payment methods and the impact they had on safety, and the chain of responsibility obligations that could be applied in developing legislation.

It is interesting to hear the opposition continue to say that there is no evidence to link rates of pay and economic incentives with work health and safety practices on our roads. I urge the opposition to have a look at some of the evidence. The Transport Commission review did find a link between rates of pay and safety outcomes for truck drivers. If the rate of pay is not substantial enough it creates an incentive for truck drivers to drive longer for more pay, which means factors like speeding, fatigue and the use of illicit substances, as well as other unsafe practices, come into play.

In response to the National Transport Commission's report, the minister consulted with industry stakeholders and developed models for possible reform in the industry, building on the recommendations in the NTC report. As part of the process, a Safe Rates Advisory Group was established by the government to provide expert industry advice on policy options for national reform. The Safe Rates Advisory Group then developed a directions paper and made recommendations that a tribunal be established to deal with safety and pay issues for both employee and owner drivers, as set out in the National Transport Commission's review.

So, unlike what the opposition would have us believe, this legislation has been through extensive consultation and review. We now have before us a good piece of legislation. While those on the other side continue to do what they do best—say 'no'—we are working with stakeholders to look at better outcomes. Once again, I urge the opposition to get on board with this and not just say no.

The bills before the House seek to complement existing legislation to promote safety and fairness in the road transport industry so that truck drivers are paid reasonably for the work they do and to remove any economic incentives for drivers to take unacceptable risks on our roads. The introduction of the legislation will fulfil the recommendations made by the Safe Rates Advisory Group in its directions paper, which say clearly that the economic incentives for truck drivers to practise poor workplace health and safety need to be broken.

The Road Safety Remuneration Tribunal will work by looking into sectors, issues and practices within the road transport industry and, where appropriate, determine mandatory minimum rates of pay and related conditions for employed and self-employed drivers. If the tribunal determines that a sector of the industry has poor safety outcomes as a result of low remuneration, the tribunal will be able to make a road safety remuneration order to improve on-road safety outcomes for drivers operating in that sector. In addition, the tribunal will be empowered to grant safe remuneration approvals in relation to the remuneration and remuneration related conditions contained in a road transport collective agreement between a hirer and self-employed or independent contractor drivers with whom the hirer proposes to contract.

Other functions of the bill will be to empower the tribunal to resolve disputes between drivers, their hirers or employers and participants in the road transport industry supply chain by mediation, conciliation or private arbitration, and to establish a compliance regime for the
enforcement of orders, safe remuneration approvals and any orders arising out of the arbitration of a dispute.

This is an important piece of legislation, which a lot of my constituents have very much welcomed. In my electorate there are a lot of truck drivers and independent contractors and other people who have recognised that they have to work around the clock to ensure they get the pay to make ends meet. They work longer and longer hours, and often do not have the time to look after their equipment or have the time they need in a whole range of areas that they have identified are important. In fact, Daniel, a driver in my electorate, said to me that he believes this bill will definitely stop fatalities and draw into the industry people who want to drive, because there is more money in it. This point—that we need to ensure that people are getting paid appropriately and are not taking risks—is an important one.

We have seen today that the opposition is again saying no to another sensible bill on which there has been consultation and work with stakeholders. The opposition seems to deny that there is a link between remuneration and the improvement of safety on our roads. This is despite evidence to the contrary; reports looking at the economic incentives have been coming out regularly. Of course the opposition would not want facts in any debate. It does not want facts, it does not want information, it does not want studies and it does not want consultation. All it wants to do is say no. It just wants to leave the existing systems in place.

I heard the member for Mayo talk about infrastructure and I have to say that I was quite surprised by him saying that he supports increasing money in infrastructure, because while the opposition were in government they spent years neglecting our infrastructure right around this country. I know in my own electorate it took an election of a Labor government to start investing in infrastructure. It is interesting that their argument is, 'Don't do anything about this; just put more money in infrastructure,' when it was not their track record to put any money into infrastructure. It has actually been this government that has. I take it from the member for Mayo that he is actually applauding us in that endeavour, and I hope he does support us in the future. I know the opposition did not agree with Infrastructure Australia. That was obviously an important body that was, once again, all about economic infrastructure and investment in infrastructure after consultation. Hopefully, this is a sign from the member for Mayo that he is going to get on board with our infrastructure spending. This might mean that he will support our mining tax as well. Obviously that is important in raising funds for good economic infrastructure. I am not sure, but maybe he was flagging that.

Certainly we are not going to just stand by and allow road fatalities to continue happening. I am not under any illusion that this bill will remove all fatalities from our roads. This is always going to be a fact of life in Australia. But we should not leave any stone unturned. We should ensure that we are doing everything possible to make sure we do not have any deaths that could have been prevented. This is a very important piece of legislation. As I said, it has been through significant consultation. It has gone through a commission. It has gone through a working group. It has gone through discussions with stakeholders and a whole range of people. We are now in a position to implement it. Once again, I call on the opposition to put their obstructionist politicking aside and actually get on board and say yes to something. This would be a
very important piece of legislation to say yes to.

In conclusion, improving road safety and workplace health and safety is a responsibility of those elected to parliament and we should not shirk away from it. We often hear people in the opposition talk about health and safety as perhaps not something that this House should be focusing on. I note that certainly when it comes to the harmonisation of health and safety we see scare campaigns put up by the opposition saying, 'Volunteers will be going to jail now.' That was in an actual letter that was sent out to my constituents. This opposition will go so far. Of course, that is not true. Volunteers will not be subject to onerous responsibilities under the health and safety legislation but, once again, this opposition does not stop at running these scare campaigns. But we on this side of the House think it is important to have a safe and healthy workplace. We do not believe that anyone, any worker in this country, does not deserve to go to work and be safe and come home alive and uninjured. Establishing this tribunal is an important step to ensure that there are safe working conditions for our truckies. It will not only protect our truck drivers but also serve to protect every road user. Once again, I call on the opposition to support this legislation. I commend the bills to the House.

Mrs ANDREWS (McPherson) (17:56): I rise today to speak on the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011. These bills before the House will create the Road Safety Remuneration Tribunal, which will have a variety of powers in regard to the road transport industry, including road transport and distribution industries, long distance operations, the cash-in-transit industry, the waste management industry and other road transport drivers, including independent contractors. I note that this is a rather broad definition, capturing both employees and independent contractors in industries that were not contemplated during the consultation period. The bills before the House will cover all employed and self-employed drivers who operate in the road transport industry and will establish a new Road Safety Remuneration Tribunal with the power to inquire into sectors, issues and practices within the road transport industry. The tribunal will also be given broad powers to set pay rates and conditions for sectors within the road transport industry.

The coalition is dedicated to ensuring that roads are safer for all Australians, from local residents to freight drivers. The Howard government introduced a variety of programs to provide safer road networks, such as AusLink, the first ever national transport plan and the Roads to Recovery program. It is interesting to note that the Roads to Recovery program was first scheduled to expire in 2005 but was extended due to its success. It is great to see that it is still going strong today, with funding allocations planned for up to 2013-14.

When we look at the bills before us, however, we see there are several issues of concern. The government has introduced this legislation to address concerns regarding the road safety transport bill. However, when we look at the provisions it is apparent that there is much more of a focus on industrial relations. The legislation has come about based on the assumption that there is a link between pay rates and road safety outcomes, and this is an issue of contention.

Before I discuss this very important issue, there are three other issues that are of concern as well, namely that the legislation adds another layer of red tape to the heavy vehicle industry, removes the independence of independent contractors and overlaps with
other legislation which is currently in force or being developed. I will address each of these issues in further detail. Firstly, with respect to the issue of the extra layer of red tape imposed by this bill, red tape is always a blight on any industry or business. We therefore must move to reduce as much of it as possible, wherever it is possible to do so and not create any more. In relation to the heavy vehicle industry we must make it a priority to put appropriate regulations in place to ensure safety on our roads but these should not be onerous. It is only fair to note that the industry has developed its own codes of conduct, providing an operational framework for organisations to assist in regulating the actions of road transport drivers.

There are currently many regulations and pieces of legislation that the heavy vehicle industry is subjected to at a national and at a state level. To name just some of these, there is the independent contractor legislation, the workplace health and safety legislation and the National Heavy Vehicle Regulator, NHVR, which is due to commence on 1 January next year. When the National Heavy Vehicle Regulator commences, it will standardise several previously conflicting legislative requirements. Successive governments have spent a great deal of time and effort to develop this regulator, with significant consultation and negotiation taking place. The National Heavy Vehicle Regulator will make companies directly responsible for the behaviour of their drivers when such behaviour is deemed unsafe. This will be done through the national chain of responsibility provisions.

The NHVR is just one example of regulation that covers the industry. However, this bill will add more bureaucracy and therefore more red tape. The heavy vehicle industry will therefore be less flexible because of this bill, with efficiency gains also likely to be limited. There may also be the stifling of innovation, with the advent of road safety remuneration orders to reflect the standards in force at a particular time, whereas the current provisions allow for adaptability and flexibility.

Secondly, the bill will most likely erode the position of independent contractors as independent contractors, who are currently outside the jurisdiction of the Fair Work Act. They will also now be covered by this legislation. A new class of employment relationship will be created that is neither employer-employee nor a hirer-independent contractor. This will in effect reduce the autonomy of owner-drivers by removing their independence and will leave independent contractors in the road transport industry being treated differently to those independent contractors in other industries. Unfortunately, there are a small number of dangerous drivers who already break existing laws. However, this is being used as reason to make owner-drivers become subject to this legislation's provisions, which are similar in nature to those in the Fair Work Act. This point has also been put by the Independent contractors' association.

I said earlier that I had concerns about the government's assumptions that there is a link between remuneration and road safety outcomes, and that this bill will improve road safety. In their submissions to the House of Representatives Standing Committee on Infrastructure and Communications, the Australian Industry Group made it clear that it had those same concerns. Along with the Australian Logistics Council, AiG does not believe there is definitive proof that there is a link between road safety and remuneration rates. There is a significant body of evidence to support the statement that excessive speed is the major cause of many road accidents. It clearly is not the only issue. Road design and
condition, driver skill level, vehicle condition including maintenance, as well as drugs and alcohol can all be contributing factors to an accident.

In its submission AiG suggested that a variety of in-vehicle safety technologies can assist with the management of driving behaviours, which cause accidents, such as speeding. Measures such as compliance with speed limiter regulations along with vehicle monitoring systems that utilise telematics may also assist with improved road safety outcomes. AiG summarised this issue by stating:

Improvements in safety will only be achieved if safety hazards are appropriately identified, controlled and, where possible, eliminated.

I also add that there have been concerns in regard to the scope of the tribunal's orders. The tribunal can make an order with respect to a person in the supply chain, as well as to remuneration and other related conditions. The Civil Contractors Federation has said that civil contractors under this bill may incur a responsibility to a third party whom they do not directly hire or over whom they have no direct control. Of course, this is a huge concern.

You have only to look at the number of heavy vehicles going up and down the M1 in my electorate of McPherson to realise the key role the road transport industry has in maintaining other industries and businesses across Australia. Thousands of people travel this stretch of road daily, including heavy vehicles. But at numerous locations the M1 can resemble a car park due to the heavy congestion. Further, it can be quite dangerous for both residential and business users, who are forced to compete in the frequent traffic deadlock.

Although the government claims that remuneration can solve the issue of road safety in the industry, one has only to look at the M1 to see that the solution is more difficult than the government suggests. We need to provide a multifaceted approach that takes into account the many factors that may contribute to safety concerns. Firstly, we need to provide proper transport infrastructure for road users.

A few weeks ago I wrote to the Minister for Infrastructure and Transport to ask him to do just that in my electorate. I have asked him to provide information on the status of the M1 upgrade between Nerang and Tugun, the time frame for the approval of the project proposal report and when the works are expected to begin and be completed. Also, I have asked for the time frames for any further upgrades through to Tugun. I have now received a response advising that the upgrade of the M1 from Worongary to Mudgeeraba has been approved, with construction anticipated to commence later this year and to take about 18 months to complete. By the time this part of the upgrade is complete, it will be early to mid 2014, some seven years after the money to upgrade the section of the M1 from Nerang to Tugun was committed. That is about half of the section of road that was committed for the upgrade, so it is a long time. Until that time, we on the Gold Coast will continue to experience extensive delays. Those delays push people that should be using the M1 off onto residential areas, which can contribute to significant road safety issues in that part of the road and in the community.

Secondly, we need to look into implementing education and awareness programs for road transport drivers, as well as implementing new technologies in the industry. Any decent safety scheme provides for some form of education and awareness, and this should be obvious, not an option. Further, advances in technology provide today's businesses and industries with avenues that were not available to previous
generations. If we can harness those technologies in the road transport industry, it will be for the better.

Before concluding, I do wish to voice my discontent that I speak before we have had proper consideration of this legislation. I believe that there should be further consultation and the community should be very widely involved. I am concerned that Labor is trying to push these changes through before the community in particular has had the opportunity to properly consider their implications and before due consideration has been given to the industry and to the very many concerns that they have with this bill.

I believe that this is nothing more than a thinly disguised wages claim. The Gillard government and the TWU are making this wages claim by making the very loose connection between remuneration and road safety. This is an assumption that is yet to be definitively proven. I share AiG’s argument that if we are to improve road safety there must be a holistic approach by government. To improve road safety, we must focus on having better roads, on implementing education and awareness programs and on looking at ways to use new technologies to improve road safety. Increasing remuneration is not the answer.

Mr BANDT (Melbourne) (18:10): I rise to speak in favour of the Road Safety Remuneration Bill 2011 and cognate legislation, and I commend the government for introducing it. Road safety affects us all, and anything we can do to improve it should be adopted. Road transport contributes around 1.7 per cent of Australia’s GDP and employs almost a quarter of a million Australians. It is a significant industry beyond any doubt. Unfortunately, it also has the highest incidence of fatal injuries of any industry, with 25 deaths per 100,000 workers in 2008-09, which is 10 times higher than the average for all industry. The cost to the economy of these losses has been calculated at about $2.7 billion a year, but this should not primarily be an economic argument. We have to remember that, for truck drivers, the roads are a workplace. The inside of their cabin is a workplace. It is a space that is shared by all of us, and we all have a common interest, every time we get in a car or go out on the road on our bikes or walk across the road, to make sure that whoever is driving that very large truck potentially coming the other way is well rested and enjoys a safe and healthy workplace.

I heard some comments from the opposition about this being a thinly disguised wage claim and the threats that this might provide to people who genuinely want to be independent contractors. A basic principle that underpins this seems to have escaped some of the contributions to the debate—that is, when you have supply chains that are able to move from principal to contractor and down to the person who ultimately does the work, unless you have in place an approach that regulates the whole of that supply chain then you will find that it is the person at the end who almost always suffers. They are the one who is faced with the prospect of not getting work next time. They are the one who is told by the supermarket, ‘We want you to wait outside here for three or four hours before you pick up your load’—and that is unpaid time. That means by the time they pick up their load they are potentially fatigued more than is fair. In this context I note and support the long-running campaign by the Transport Workers Union for safe rates in the road transport industry. I have met with them recently and met drivers who are going to be affected by this legislation. I have since signed a pledge to make our roads safer by supporting this bill, and today I honour that commitment.
Despite what has been said, this bill is the result of a lengthy and drawn-out process. There was a parliamentary inquiry into the issue of fatigue in transport in 2000. In addition, the National Transport Commission examined and reported on this topic in 2008. The Safe Rates Advisory Group was then established by DEEWR. In 2010 there was a paper entitled Safe Rates Safe Roads, and 45 submissions were received. A regulatory impact statement was then prepared by DEEWR. There is strong evidence that we need the measures in this bill. I will run through some of that evidence.

A survey conducted in 2011 by the Transport Workers Union illustrated the dangerous on-road behaviours that drivers are currently forced to engage in as a result of the economic pressures they are put under every day. The survey results show that 48 per cent of drivers report almost one day a week in unpaid waiting time. For delivery drivers it is more than 10 hours a week. This represents 300 to 500 hours per year worked without pay. Fifty-six per cent of owner-drivers have had to forgo vehicle maintenance because of economic pressure, the need to keep working or the high cost of repairs; 27 per cent felt they had to drive too fast; and nearly 40 per cent feel pressured to drive longer than legally allowed. Many say that the pressure comes directly or indirectly from the client. There are many other examples of evidence from over 20 years of commissions of inquiry and coroners reports explicitly linking rates of pay and safety. The 2008 report by the Hon. Lance Wright QC and Professor Michael Quinlan stated:

There is solid survey evidence linking payment levels and systems to crashes, speeding, driving while fatigued and drug use. The 1991 federal Department of Transport and Communications report Long-distance truck drivers: on-road performance and economic reward said:

Any deviation from a fixed salary tends to encourage practices designed to increase economic reward which are not synergetic with reducing exposure to risk.

Sworn testimony from Associate Professor Michael Belzer, of the University of Michigan, before the New South Wales Industrial Relations Commission Mutual Responsibility for Road Safety case in 2006 said:

Every 10% more that drivers earn in pay rate is associated with an 18.7% lower probability of crash, and for every 10% more paid days off the probability of driver crashes declines 6.3%.

I note in this context that the vast majority of industry associations and leaders are in favour of this bill, including the Victorian Transport Association, the Australian Industrial Road Transport Industrial Organisation, various small fleet operators and various large fleet operators as well.

There is also evidence to suggest that pressure coming from higher up the supply chain is contributing to some of these unsafe practices. Almost a quarter of the drivers surveyed by the TWU believe pressure was coming from beyond the transport community. It is well known that we have a duopoly in the supermarket market and these two big retailers are responsible for one-third of all freight movements in this country. They aggressively leverage their economic power to increase their profits in many areas and I have no doubt that this occurs with road transport as well. Even large companies such as Heinz have noted this, with their chief financial officer recently stating that this is a very difficult environment. The reality is that, with two key customers, the environment for grocery manufacturers has become inhospitable. If large corporations such as Heinz are feeling this pressure, then truck drivers and their employers will be feeling it far more.
I believe, and the Greens believe, that there is enough evidence to support external intervention in the transport market. The only conclusion, other than allowing the continuation of horrendous practices, is that we must establish an effective and enforceable framework for maintaining safe rates and conditions. In our opinion this bill provides such a framework. It gives effect to four key principles: the universal application of a safe rates system to all supply chain participants, including client accountability for safe performance, planning and safe rates; safe rates and related conditions for long- and short-haul employees and owner-drivers determined by an independent tribunal; the capacity to make binding determinations and resolve disputes amongst supply chain participants; and an appropriate and adequate enforcement regime. All these principles are to be supported and I commend the bills to the House.

Mr BRUCE SCOTT (Maranoa—Second Deputy Speaker) (18:17): I thank the member for Gippsland for allowing me to jump the queue, as it were, and speak ahead of him. This Road Safety Remuneration Bill 2011, its associated amendments and the cognate bill we are debating, in their original form, I thought were about road safety. It now appears that the Road Safety Remuneration Bill is about industrial relations. Once that got out amongst the trucking industry in my electorate, I got a whole wave of comments and emails from industry, from saleyards, from boards and from the trucking industry. They have genuine concerns—and I hope the minister is prepared to listen to these genuine concerns of the industry.

I am not convinced—and I know that many in the industry are not convinced—that you can link, as this bill attempts to do, road safety to the rates of pay that drivers get. It is about safety. Truck drivers operate under very strict rules in terms of the time limits that they can operate those trucks. They have got times and they have to log those times in their logbooks and show when they have rest breaks. They are very much obliged by law to comply with the maximum time they can have as one shift before they have got to have a rest break. These logbooks are audited by the Road Transport Authority. Even on the haul between Brisbane and Sydney there are cameras above the New England Highway just south of my own electorate that record the trucks as they come through and can photograph or capture on film the drivers and the times they passed through that checkpoint. So there is also an electronic checkpoint being used, and rightly so, to make sure truck drivers comply with maximum driver hours in a day. This is designed to make sure that they do not go beyond that, because it is about road safety, not about the remuneration they receive.

I was interested to receive from the Queensland government—a government of this government's flavour—submission 022, received 2 February 2012. It was directed to the inquiry secretary. It said:

I am advised that these matters were addressed in the Queensland Government submission to the Directions Paper in the following terms—and this is what is important, and it was addressed to the Standing Committee on Infrastructure and Communications. This is how they have responded:

Queensland did not support any of the models proposed in the Directions Paper but argued that safety in the road transport industry is multifactorial and should be addressed with a number of intervention strategies.

They went on to say:

Queensland does not believe that the setting of specific rates or methods of payment by the proposed Tribunal under the legislation is likely, in itself, to encourage employers, employees and
owner-drivers to adopt a broad range of safe work practices.

It goes on further:

Queensland does not support moving the setting of rates of pay away from the industrial arena and into transport arena and recommended that economic modelling be undertaken to determine the effects of initiatives that aim to address road safety through economic regulatory measures, such as a system of safe payments.

So what they are saying is that they do need more work. They are not walking away from the need to make sure that our roads and transport operate safely. It is most interesting that the Queensland government said in its submission to the inquiry:

Queensland did not support any of the models proposed ... Queensland does not believe that the setting of specific rates or methods of payment by the proposed Tribunal under the legislation is likely, in itself, to encourage employers, employees and owner-drivers to adopt a broad range of safe work practices.

If the government thinks that, if it passes, this bill will improve safety on the road, they are deluding themselves. I do not walk away from this, nor do any of my colleagues on this side of the House, nor would anyone in this place. We want to reduce as much as possible the loss of life as a result of road accidents across this country.

I have roads in my electorate right now, particularly with coal seam gas opening up in the Surat Basin, where trucks are running almost nose to tail. It is just like coming along the Ipswich Highway on a Friday afternoon once you are west of the Toowoomba Range going into my electorate. The volume of heavy traffic across the Warrego Highway is unprecedented. The Warrego Highway was never built for that volume of traffic, nor for the loads being carried. When these roads were built they started off as narrow bitumen roads and they have been extended out. They were built for 10-ton trucks, for single-axle semitrailers. Now they are carrying massive loads to Roma with AB-triples and further east with B-doubles. Some of the loads of mining equipment are astounding. There are great trucks of two and three connected together and carrying mining equipment on a road built for a 10-ton truck. Upgrading our highways is where there has to be an investment in road safety. In my own constituency, the Warrego Highway is a great example.

When it comes to drivers having to comply with the length of time they can drive before they must take a rest, the Warrego Highway, where it was a 110 kilometre highway, has now been reduced in some areas to 80 kilometres per hour. That is certainly going to slow down the trip for the truck operator. Why is it now 80 or 90 kilometres an hour? Because of the rough surface, where it is not as safe as other parts of the highway where the speed limit is 100 or 110 kilometres per hour. That means a driver will be slowed in moving towards an end point. That means, as a result of the legislation which requires him to work maximum hours because of driver fatigue, he might have to pull up and not complete the trip — because of the roughness of the road.

I am interested in investment in road infrastructure. I guess governments of all political persuasions have had to deal with this issue. I am not one to say that every government has been perfect in this area. We have a massive country and a large network of roads. When this government came to power they imposed on the trucking industry an additional tax on fuel excise which was going to be used — this was the sales point — to establish rest stops for trucks across Australia. I wrote to the minister after they had been in government almost three years. My question to the minister was submitted on 23 February 2011. I asked the minister:
... how many rest stops have been built in the Maranoa electorate as a result of the $70 million four year Heavy Vehicle Safety Package, and on which highways, local roads and main roads are they located?

My electorate covers almost the full length of the Warrego west of Toowoomba, two-thirds of the Landsborough Highway and a large slice of the Capricorn Highway—all major roads—a link to the north into the resources areas and into the outback areas of my electorate. We also have a road link between Darwin and Townsville used by the Defence Force to bring heavy equipment to the south or transport it north. The answer to my question was:

Two new heavy vehicle rest areas have been built and one existing bridge will be upgraded under the Heavy Vehicle Safety and Productivity Program in the Maranoa electorate.

I drive a lot on my roads. I have not been able to do a great deal of driving because of flooding in the last couple of years, as much as I would like to. I am still looking for those two rest areas but I would have thought that with a large electorate such as Maranoa, which is heavily dependent on the transport sector, we would have seen at least half a dozen. The trucking industry is paying the extra tax. They have said they are prepared to pay it if the truck stops are built.

The trucks coming out of the channel country at the back of my electorate with three trailers, type 2 road trains, are burning something like a litre every 600 metres and they are paying their tax every 600 metres for these truck stops. They will often do 12 hours before they hit the bitumen, and they are looking for truck stops.

I was out there at the end of last year talking to one of these truck operators. He was trying to comply with the logbook requirements while driving on these roads. He said that it was virtually impossible and that to do so you had to take another driver with you. And who pays that cost? The producer. In this case, he was bringing cattle in from the channel country out of Western Queensland, getting them to rail and then bringing them further in. This government and future governments must invest in upgrading our roads, because that is where we can substantially improve road safety on the roads in the electorate that I represent in this place. And I am sure it is the case in other parts of Australia.

I also got a letter from the saleyards organisations. They are concerned about what it might mean for the saleyards. The beef industry is a very big industry in my electorate. Across Queensland, in fact, the beef industry is the second largest industry by export value, just behind the coal industry. Cattle are nearly always moved on roads, as the member for Herbert would know. They wrote to me and said that their members, while never stepping away from their responsibility regarding heavy vehicle driver fatigue laws, are deeply concerned about this proposal. What they are concerned about is that trucks coming into saleyards might have to now employ a manager to make timeslots for when these trucks can arrive and unload, adding further costs for those in the trucking industry and for producers. It would also complicate something that is already working now and impose further costs on the saleyards. My own home town of Roma has the largest store stock cattle selling centre in Australia. This is not just the member for Maranoa speaking: the saleyards people have genuine concerns. This concern came from the President of the Australian Livestock Markets Association. And it was unsolicited, such is their concern. They want their voice to be heard in this parliament.

In conclusion on the Warrego Highway, I ask the minister for transport—who is responsible at the end of the day for road...
construction and upgrades—whether the funding mentioned in the answer to my question for the upgrade of the bridge over the Maranoa River at Mitchell will be provided and when. Is it going to be reengineered as a result of the flooding that we had recently, which did substantial damage to the bridge over the Maranoa River? I believe that the design that they may have had will be inadequate. They now have to upgrade it and have it at a higher level than the flood level that saw the old one go underwater. I think that is what they had the plans for. I say to the minister: I would like to know the answer to that question as well. (Time expired)

Dr LEIGH (Fraser) (18:32): We have all seen horrific images of fatal motor vehicle accidents, the twisted and torn remains of cars, the spray of shattered glass that marks the sites and that look of shock, anguish and disbelief on people's faces. Every death that occurs on the roads is not just the tragic loss of one person's life. Rather, it spreads ripples right through the community. It is children who grow up without a parent; it is family birthday celebrations without an aunt or an uncle; it is the distinctive laugh of a friend no longer heard at Friday night drinks. That is why the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011 are so important. These bills address the heartbreaking loss and tragedy of the road toll and its far-reaching cost to the nation.

Workplace health and safety reform has been a core part of the work of this government. No matter what job you do, when you go to work you should expect to come home at the end of the day. The men and women who are our valued transport workers deserve that peace of mind. And their families deserve it too. I am proud to represent in this place the Australian Labor Party, a party that was formed to represent the interests of working people 121 years ago. That is our heritage. It is a heritage that we do not shy away from. We will defend it at every turn. This legislation is 21st century Labor values in action, protecting the interests of workers on the road.

The statistics of the road toll are chilling. The road toll has declined substantially over recent decades but it is still the case that in an average week four people are killed and another 80 are seriously injured. Last year, 1,368 Australians lost their lives on the roads and many more were hospitalised. The road transport industry has the highest incidence of fatal injuries. In 2008-09, that industry had 25 deaths per 100,000 workers. That is an astonishingly high death toll for any industry. It is 10 times the average. According to the Bureau of Infrastructure, Transport and Regional Economics, that imposes a cost on the Australian economy of $2.7 billion a year.

Substantial work has been done on the relationship between remuneration and safety. In the case of R v Randall John Harm in 2005, Justice Graham found that the truck drivers had clearly intolerable pressure placed upon them to get produce to the markets or goods to their destination. In 2008, the National Transport Commission reviewed remuneration and safety in the Australian heavy vehicle industry. It found that commercial arrangements between parties about the transport of freight have a significant influence on road safety. Drivers often find themselves at the bottom of the contracting chain. They do not have the commercial ability to demand rates that would let them perform their work safely and legally. Owner-drivers are often forced to accept work at the going rate or end up with no work at all. Remuneration for owner-drivers tends to be low and working hours can be extraordinarily long.
A major issue for owner-drivers is unpaid queuing times—spending time that is not covered just sitting with the engine running waiting for their load to be loaded or unloaded. The National Road Transport Operators Association estimates that distribution centres regularly require drivers to wait up to 10 hours before loading or unloading. Many are not paid for the waiting time—they cannot even claim the waiting time as an official rest break—and that impacts on their income and it impacts on their fatigue management. That means that these drivers are losing 10 hours of driving time and that creates a perverse incentive for them to make up for lost time either by driving additional hours, speeding or contravening mandatory fatigue management systems.

A study funded by New South Wales WorkCover found that truck drivers were frequently forced to break driving regulations in order to make a living. It found that 60 per cent of drivers admitted to nodding off at the wheel over the last 12 months—60 per cent! Drivers in that study were working an average of 68 hours a week. Almost a third told the study—anonymously, though, of course—that they were breaking driving laws and doing more than 72 hours a week. Only 25 per cent of those drivers reported to be paid for waiting times. Almost 60 per cent of drivers were not paid for loading or unloading.

This bill ensures that we have safer roads not only for drivers but for all Australians. The economic and social cost of unsafe roads is massive for drivers, their families and the general community. The road transport industry know this. They know that their industry is one of the most dangerous in Australia. That is why the Gillard government is committed to introducing a safe remuneration system for drivers. I commend the minister at the table, Mr Shorten, for his hard work in making this happen.

This bill addresses the root causes of unsafe driving practices. It addresses the underlying economic factors that create an incentive for unsafe road practices or that inadvertently encourage them. It will establish the National Road Safety Remuneration System, the Road Safety Remuneration Tribunal and a separate education and compliance framework. The tribunal will include members from Fair Work Australia, along with independent work, health and safety experts. We have determined that a sector of the industry that has poor safety outcomes as a result of low remuneration will be able to make a road safety remuneration order to improve the on-road safety outcomes for drivers operating in that sector. This system is scheduled to commence on 1 July 2012.

Michael Belzer, in his paper to the Safe Rates Summit in 2011 titled 'The Economics of Safety: How Compensation Affects Commercial Motor Vehicle Driver Safety', said the following:

Higher driver pay is associated with safer operations. Clearly the more drivers are paid, and the more they are paid for their non-driving time, the less likely they are to have crashes.

He went on to say:

If the fundamental exigencies of markets work at all, then cargo owners' need for lowest price will lead to a race to the bottom and safety will suffer. Because economic forces are involved, economic solutions must be considered.

I want to speak to some of the objections that have been made to this bill. The Australian Logistics Council is opposed to the measures in this bill. Their managing director, Michael Kilgariff, has said that rather than improving safety the bill merely adds another layer of regulation. He has claimed that it will impede industry efforts to improve safety. I acknowledge the work that the ALC has
done in their Retail Logistics Supply Chain Code of Conduct. That is a code that covers safe scheduling, loading of vehicles, securing loads and driving plans. I very much appreciate the work that has been done by Michael Kilgariff and other members of his staff, such as Alicia Hewitt, but I do believe that this bill is an important step in contributing to safer roads.

Evidence demonstrates we need a different approach to get safer practices in the road transport industry. Michael Belzer, who I quoted before, has a 2006 study that demonstrates that every 10 per cent more that drivers earn in pay is associated with a 19 per cent reduction in the chance that they will have a crash. Every 10 per cent more paid days off reduces the probability of driver crashes by six per cent.

New South Wales Deputy Coroner Dorelle Pinch's findings into the deaths of drivers Anthony Forsythe, Barry Supple and Timothy John Walsh found:

As long as driver payments are based on a (low) rate per kilometre there will always be an incentive for drivers to maximise the hours they drive, not because they are greedy but simply to earn a decent wage.

A 2011 survey by the Transport Workers Union of Australia found that 48 per cent of drivers have almost one day a week in unpaid working time. It found 56 per cent of owner-drivers have to forgo vehicle maintenance because of the need to keep working; 27 per cent felt they had to drive too fast; and 40 per cent felt pressured to drive longer than legally allowed.

Andrew Villas, a former driver, testified to the New South Wales Industrial Relations Commission:

When I was required to perform excessive hours I would sometimes experience a state of mind that I can only describe as hallucinations, which I considered to be due to sleep deprivation. I would see trees turning into machinery, which would lift my truck off the road. I saw myself run over motorcycles, cars and people ... I estimate that I had experiences like these roughly every second day. They were not an uncommon thing for me ...

If ever there were dangerous and unsafe working conditions they are the ones which Mr Villas has described. This government is not prepared to sit back and ignore such risks to transport workers, their families and the general public.

Many members and employees of the Transport Workers Union live in Fraser. They include ACT bus drivers, truckies and paramedics. I would like to especially thank Klaus Pinkas, the Secretary of the ACT sub-branch of the Transport Workers Union and his team. I know he has worked with community transport workers for fair and safe conditions. He has been a strong advocate for their rights and for their workplace needs. I would like to thank Klaus for the conversations that we have had about this bill and his hard work in making it happen.

One of the duties that I am pleased to have as the member for Fraser is to chair the ACT Black Spot Consultative Committee, a federally funded program, which each year spends $1 million making ACT roads safer. It is a terrific program, because we ensure that every dollar spent produces at least $2 of public benefits. We cannot fund the black spot remediation program unless the cost-benefit study comes back with at least a two-to-one return. So it is always a pleasure, as part of that committee, to be able to see federal government funds go where they are needed most, whether that is fixing up signage, line markings and frangible posts, or ensuring that roads are safer for motorcyclists and for bicyclists. All of the programs that we fund through the Black Spot Program go to making sure that the ACT's roads are safer.
As the Prime Minister has said, ‘Australia's truck drivers work hard to make a living. But they should not have to die to make a living.’ We on this side of the House have the interests of workers in everything we do. The Labor Party, as its name suggests, is the party of work. We are the party of workers. That is why we want transport workers to go to work, come home safely and receive fair pay for their day's work. And, for those who are opposing this bill, I have one question: would you let someone, a worker, near you, who might injure you, who had not slept for long enough? Would you, for example, let a surgeon operate on you who was beginning to hallucinate because they had been working for too long? Driving up to 62 tonnes of heavy vehicle is a position of equal responsibility and skill.

For the first time, under this bill, we will have a proper national approach that can examine all of the factors that contribute to the carnage in the industry, and the power to enforce solutions. This government is looking after those at the bottom of the contracting chain so they receive a fair day's pay to do their work safely and legally. There is too much death and too much injury on our roads and in the road transport industry. I sincerely hope that this bill can make a difference in bringing down the road toll. I commend the bills to the House.

Mr CHESTER (Gippsland) (18:46): I appreciate the opportunity to speak in relation to the Road Safety Remuneration Bill 2011 and cognate bill. I will note from the outset that the coalition has indicated it will be opposing the bills.

Before I raise my concerns about the bill itself, I want to make a couple of comments about what I consider to be a quite disappointing process that was undertaken in this place in the last sitting week. Debate started on this bill without waiting for the House of Representatives Standing Committee on Infrastructure and Communications to table its report, and I think that is quite a serious insult to both the chair of the committee and all the members who served on that committee, because I know they have taken this matter very seriously. As a supplementary member of the committee for the purpose of the inquiry into this bill, I sat in on the public hearings and I want to thank all the committee members for the manner in which they conducted themselves during that hearing; I think it was handled very responsibly by the committee members. But I think that bringing on this debate in that last sitting week did reflect very poorly on the government. It goes to the core issue of trust, which is something that this government has trouble dealing with. If we cannot even trust the government to listen to the concerns of and evidence presented by submitters to the inquiry before the legislation is presented to the House, I am not sure why they would expect the people of Australia to trust them on any other issues either.

Moving to the substance of the debate, I would like to make a couple of observations and reinforce the comments that have been made by the Leader of the Nationals in relation to this issue. I do acknowledge that this is not a simple issue; it is a very complex debate and it does not lend itself to simple slogans. It also does not lend itself to some of the emotional arguments that have been put forward by those advocating on the other side of the issue in pretending that somehow they have an answer to this issue of road safety in the legislation that is before the House. I do take exception to some of the language that has been used and directed at members on this side, as if suggesting that any one of us does not strongly support the need to invest in road safety. I do not think
there is a member in this chamber who is not concerned about the level of deaths and injuries in the heavy transport industry. And if it were possible with the stroke of a legislative pen to change all of that, to reduce the trauma on our roads, I would be the first to vote for it. But, on balance, I just do not believe they have made the case for the legislation that is before us here this evening.

As someone who has campaigned actively on road safety initiatives in my own electorate, in my role as the shadow parliamentary secretary for roads and regional transport and also as a local member advocating in particular for the need to upgrade the Princes Highway, it is an issue that I am very passionate about and I think there are members on both sides of the chamber who have a shared interest in this issue. In particular, members of the committee which inquired into this bill were deeply concerned about the level of deaths and injuries on our roads involving heavy vehicles. So, for the benefit of those opposite who have sought to lecture members on this side, I do not believe that either side of the House has a mortgage on compassion and empathy for those who have lost loved ones on our roads, and I think it does not reflect very well on those who have sought to score political points out of this debate.

There is a genuine, shared desire in this place to reduce the road toll, but I fear, as I said earlier, that this legislation is not the answer. It is unfortunate that it has been portrayed as some sort of Holy Grail or some sort of silver bullet for the issues we are faced with. I genuinely hope that, if this legislation does pass through the chamber here tonight and the reforms are introduced, that actually does lead to a reduction in accidents and fatalities, and I would be the first to congratulate the government if that were the case. I genuinely hope that it does achieve what they think it is going to achieve. I just fear that what it is actually going to do is to distract governments and industry from taking what I think is required: a more holistic approach to road safety.

So I am not suggesting there is not an issue with safety in the heavy transport industry, and I am not suggesting that fatigue management is not part of the problem. I just remain unconvinced that the government and those advocating for this legislation have been able to present a direct and causal relationship between pay rates and road safety. In essence what I am saying is: I am unconvinced that setting a minimum rate of pay will turn an unsafe truck driver into a safe truck driver.

In the context of this debate we need to be mindful of the scale of the problem, and those opposite have rightfully raised their concerns in relation to that. But, according to the Bureau of Infrastructure, Transport and Regional Economics, during the 12 months to the end of June 2011, 185 people died from crashes involving articulated and heavy rigid trucks. That is a tragic result. There is not a member in this place who does not have some concerns about the safety of the heavy vehicle drivers and other road users. But it needs to be noted that for articulated trucks this was a decrease on average of 3.5 per cent per year over the three years to June 2011, and for heavy rigid trucks a decrease by an average of 14.7 per cent per year over the same period. So it is unfair to suggest that there has not been some progress, and I give credit to governments in all jurisdictions which have been involved in introducing a range of other initiatives which are now in place and showing some positive results, even without this legislation that the government is determined to introduce. So, at a time when the freight task has actually grown in this country and there are more trucks than ever on our roads every day of the week, we have actually seen an
improvement in those accident statistics. That is not again to suggest for a second that we should drop our guard or in any way seek to diminish the tragic fact that 185 people lost their lives during that period.

Everyone in this place, members of parliament in other jurisdictions, police officers, trucking company executives, unions and industry associations are working with good intentions to reduce the road toll in the heavy vehicle transport sector, but the key question is: will the legislation that we are debating tonight actually deliver the result that is being attributed to it? I fear that it will not. Others have noted and, given that the minister is in the chamber, I think it is appropriate for me also to note the fact that the minister for industrial relations now has carriage of the bill before the parliament, which I fear indicates where this issue is heading—that this is more about industrial relations than road safety. This is not in any way to ridicule the role of the Transport Workers Union in this issue. I was present when its members gave evidence to the committee and I have no doubt that they are genuine in their desire to reduce the road toll in their industry. It is not about seeking to ridicule the TWU in that regard. I think their submission was well constructed and their position was well argued at the public hearing, but I still think it lacked the critical evidence which directly linked so-called safe rates with road safety. There are reasons why members on this side have expressed their concern that this is more about industrial relations and a power grab by the TWU under the guise of road safety. Yes, I do accept that the TWU cares very deeply about road safety—but so do members on this side of the House. It is important that in this debate we be very rational and objective about that and not use emotional gimmicks to try and vilify one side as opposed to the other.

The bill establishes the new Road Safety Remuneration Tribunal, which is to be given broad powers to investigate and set the pay rates I have referred to and conditions for any segment in the heavy vehicle industry. Other members have gone through how the tribunal operates and I am not going to spend much time looking at that this evening. The bill covers the broadly defined road transport industry, which includes the road transport and distribution industry, long distance operations, the cash in transit industry, the waste management industry and all road transport drivers, including independent contractors. The tribunal will have very broad responsibilities. It must prepare an annual work plan with a view to making a road safety remuneration order and, in doing so, must consult with the industry.

I do accept that members opposite have indicated there has been a lot of consultation in relation to this issue. It is not that anyone could suggest this has come out of a clear blue sky; this has been debated for many years. I am not one of those who are suggesting there has not been consultation, but I do still have a concern about the evidence that has been claimed to be irrefutable proof of the link between safe rates and road safety. I am still concerned that the link has not been established. The crux of the issues that we are dealing with is the setting of a safe rate. I had the opportunity to participate in the inquiry. I read all of the submissions to the inquiry and heard the evidence that was submitted to the committee and I also took the opportunity to meet with four of the biggest trucking transport operators and seek their feedback. It is unfortunate that we do not hear enough from people on the ground in an issue like this. We had about 27 submissions to this inquiry. I was given the opportunity to write to the transport companies in my electorate, and four of them contacted me very quickly
afterwards and raised their concerns in relation to the issues that the bill presents. I really wish they had had the opportunity to present to the committee, but it was only a short inquiry and the hearings were held in Canberra. What they told me was very compelling evidence from people actually on the ground who are directly involved in the industry on a daily basis and who are working every day to keep their drivers safe on the road. They are not the cowboy operators who often get vilified on our current affairs type programs on television. They are people who have a long history in the industry and they have a very proud involvement in working with their employees to improve safety outcomes in the workplace. Two of the employers I am talking about received Australia Day honours for their work in the transport industry. They are very reputable people who are working very hard in our community and doing a great job. They told me that the biggest road safety issue of all was the road environment itself.

I fear that governments of all political persuasions—I am not suggesting it is governments of only one political persuasion—have conveniently focused their road safety endeavours more on the legislative and regulation side of the equation, on enforcement and advertising campaigns and things like double demerit points on long weekends, as their mechanism for tackling the road toll because it has saved them from having to spend all the money that is required to improve the safety of the road environment. I am not saying that those measures are not useful in themselves; but I believe that governments have used those tools to virtually blame the travelling public for the fact that we have such severe road trauma in our community and have dodged their responsibility to invest in the road environment to meet the demands of modern vehicles.

It was interesting that the first thing the road transport operators in my electorate raised with me was the safety of the road environment. They did not use the words 'holistic approach to road safety', but that is what they are talking about. They are talking about the complete picture rather than picking out one part of the jigsaw and pretending we have got an answer for it. What I have said to this government, to the previous Labor government in Victoria and to the current Victorian coalition government is that we need to build safer roads to meet the demands of the larger vehicles that are using our roads today—not just the heavy vehicles in the commercial sector but the large recreational vehicles which are on the road. In addition we need to invest more in the provision of decent rest areas and decent facilities for the travelling public and the heavy vehicle sector. It is very hard to expect a transport operator to just pull over and get a bad night's sleep on the side of the road. We have to provide decent facilities for them to actually get some rest when they are resting. The government could do a lot more work in that area. I congratulate the Leader of the Nationals for the work he has done in that area to promote those issues in the broader community.

Time is against me in going through all the issues that people from my electorate raised in relation to this legislation, but I would like to draw attention to one operator who made a submission to the inquiry, Mr Ross Ingram from Bonaccord Freightlines. In his submission he pointed out that governments need to take a long-term view, particularly in relation to roads and bridges, and not just have the piecemeal planning we have seen in the past. He made the point:
All future roads and bridges should be constructed to accommodate two trailer and one truck combinations.
He went on to highlight some of the areas that need to be upgraded on his regular route. But he also pointed out:
The Federal Government needs to plan more for the future of the Transport Industry - Setting high level strategic goals, using Education not litigation, and have a long term vision.
The final point he made was:
Industry needs one set of rules to comply with, not seven and it needs to be simple to understand, and written in language that is easy to interpret. Currently, what is law in one state for size of vans, weight distribution and log books, can be different in another state.
You really cannot beat feedback from people on the ground who are dealing with this issue on a daily basis. My local operators have also raised with me concerns about safety and the difficulty for them in attracting younger drivers to the profession. They told me that they are under pressure from the mining industry. They have a lot of older and more experienced drivers who are moving out of the industry and in regional areas they have an ageing workforce, which presents them with some long-term challenges.
The point I am making is that this is an extraordinarily complex issue. We cannot pretend that we have a silver bullet or Holy Grail that will suddenly turn around the accident and fatality rates in the heavy transport sector. My concern is that we already have a very heavily regulated heavy vehicle transport industry, and at the moment there are already extensive provisions in place to deal with transport operators who flout the laws. If anything, there is a concern among many transport operators and the drivers themselves that relatively minor breaches, perhaps a logbook omission or an innocent mistake, are penalised very heavily. That again puts pressure on them financially.
So we cannot look at this as just a single issue of so-called safe rates and pretend that we will solve all the problems in terms of road accidents and trauma in the heavy vehicle sector.
I fear that this proposed legislation is going to add just another level of red tape to the heavy vehicle industry. This industry is already subject to numerous other regulations and legislation at both state and federal level, some of it quite inconsistent. The bill will add further complexity to what is an already bureaucratic area and will not achieve its goals in relation to road safety. Rather than making life more difficult for the heavy vehicle sector we need to be focusing on more consistent regulations across state borders, improving the safety of the road environment itself and enforcing the laws we already have to control some of these rogue operators who endanger themselves and other road users. I thank the House. (Time expired)

Mr ZAPPIA (Makin) (19:01): I welcome the opportunity to speak to this legislation and to join my colleagues in supporting it. This is important legislation, it is good legislation and it is overdue legislation. The legislation will establish a new Road Safety Remuneration Tribunal, whose objects are to promote safety and fairness in the road transport industry. The tribunal will also be empowered to resolve disputes between drivers, their hirers or employers and participants in the road transport industry supply chain by mediation, conciliation or private arbitration.

The Road Safety Remuneration Bill is of course about much more than that. This bill...
is about fairness, ensuring truck transport drivers get a fair day's pay for a fair day's work. It is about workplace safety and making the workplace for transport drivers safer. It is about corporate responsibility. Corporates have for too long abrogated their public responsibility by subcontracting out work, leaving the owner-drivers and the public to pick up the real costs. It is also about worker exploitation, using subcontracting as a means to exploit workers. The case for this legislation is best put in the opening paragraphs of the Transport Workers Union's 'Safe Rates' submission. I want to quote from those opening paragraphs, which state:

For too long, the Australian road transport industry has been Australia's most dangerous industry. No other industry is responsible for 330 deaths in a year. No other industry injures 5,350 people per year at the rate of 31 per day.

Sadly, the crisis threatens to get worse. In the three years to March 2010, fatal crashes involving heavy rigid trucks increased by an average of 0.3% per year. In the year before the Wright/Quinlan Inquiry, the number of deaths in articulated heavy vehicle incidents increased by 5.4% when compared to the previous year ...

Each road death costs approximately $1.7 million. Each injury in an incident costs $408,000. When the non-monetised social cost of road deaths, injuries and illness, family breakdown, pain and suffering is included in the measurement of what road deaths and injuries cost the community, the damages bill is immeasurable ...

Of the 330 people killed each year in heavy vehicle crashes, around 16 per cent, or 52, are the drivers of the heavy vehicles. That is more than the fatalities in the construction industry and more than the fatalities in the manufacturing industry. For decades, different reports, inquiries and coronial findings have lead to the same conclusions: transport industry drivers are being pressured into taking unacceptable risks, including breaking the law, just so that they can make a living.

According to some estimates from the Department of Education, Employment and Workplace Relations, average owner-driver income is approximately $29,000 a year, or less than half that which an employee driver would earn if working the same hours. Recent media reports in Adelaide have highlighted the extent to which drivers are taking drugs, breaking speed and weight limits and tampering with speed control devices on trucks. For owner-drivers, the cost of entering the industry can run into hundreds of thousands of dollars, with a B-double truck typically costing between $300,000 and $400,000.

Employing another driver is not affordable. An owner gets to know their vehicle, and they take care of it because repairs can be very costly. The return on the financial outlay requires the vehicle to be on the road most of the time and for the owner to be driving it. Those objecting to this legislation will argue that, firstly, it is not needed because the establishment of the National Heavy Vehicle Regulator will resolve many of the current problems; secondly, consumers will end up paying more for goods; thirdly, voluntary schemes and codes are adequate; and, fourthly, higher remuneration will not lead to a reduction in fatalities and accidents. We have heard those arguments put not only by those in the industry who object to this legislation but by speaker after speaker from the coalition side objecting to this legislation. None of those objections withstands scrutiny; it is quite the opposite, as all the flawed arguments have been soundly rejected by research and analysis. I do not know how much more research and analysis the members opposite need to be given before they are convinced that those arguments simply do not stand up. We have been debating these issues for some
20 years. It is interesting to note that those who have objected most strongly to this legislation are the industry sectors that have the most to gain from the existing arrangements. But not all transport sectors oppose this legislation and I understand that the Australian Road Transport Industrial Organisation, the Australian Livestock Transporters Association, Australian Container Freight Services and private transport operator Linfox have all expressed support for measures in this bill.

The road transport industry employs 246,000 Australians and accounts for 1.7 per cent of Australia's GDP. It is a growing industry sector, with employment over the next five years expected to increase by almost another 13,000. But it is a sector which costs taxpayers $2.7 billion each year from truck related fatalities and injuries. We have heard members opposite talk about other factors which contribute to those fatalities and injuries. Quite rightly, they have referred to road conditions, rest-stop facilities, health and safety legislation, and even truck design, construction and maintenance, which all contribute to road fatalities and accidents. Whilst that may be true and whilst those factors also need to be simultaneously addressed, you cannot deny the fact that the current conditions which owner-drivers are subjected to are a significant cause of those fatalities and those injuries. Therefore, to say that we need to fix up all of the other matters before we look at this legislation is simply absurd. And the fact is that this government is looking at all of those other matters and has effectively doubled investment in infrastructure in this country. Much of that investment goes into road transport systems. We have introduced a heavy vehicle transport regulator and we are looking at having uniform laws across the country. Those matters are being addressed simultaneously, but you cannot ignore or put aside perhaps what is the most contributing cause to those injuries and fatalities: the very conditions which drivers are subjected to. In fact, the evidence that unreasonable demands and expectations placed on drivers by many of their clients—and I would refer to them not as clients but as employers—are a major cause of the associated fatalities and injuries is indisputable.

According to a Transport Workers Union of Australia survey, 48 per cent of drivers report almost one day a week in unpaid waiting time; 56 per cent of owner-drivers have had to forgo vehicle maintenance because of economic pressure, the need to keep working or the high cost of repairs; 27 per cent feel that they had to drive too fast; and 40 per cent feel pressured to drive longer than legally allowed. It is all right to say that they should not be doing any of those things and that it is their fault that they are, but they do those things because of the pressures they are under to meet delivery timetables and to ensure that they are on the road long enough to get a return for the time that they spend in their truck. Fatigue, substance abuse, speeding and poor vehicle maintenance standards all increase the risk of driver accidents. But let us not forget that those accidents are not only to themselves but to other road users. So this bill is about making roads safer as well. It is true that other factors may also contribute—like poor roads and driver error—but overwhelmingly the cause is linked to low-payment rates.

I want to refer to two other matters that are relevant to this legislation. Firstly, there is the impact on the personal health of drivers under the current scenario and the current arrangements. Drivers being deprived of sleep, working long hours, taking stimulants and possibly other drugs, eating poorly and working under constant pressure and stress. The health impacts must
come at a huge personal cost to the drivers and a huge cost to the nation.

The second matter I want to refer to is the effect on the families of those drivers. Families see drivers leaving home, not certain whether they are going to return, with the drivers being away for days on end and with the families being without the drivers for days on end. The drivers have very little social and family time because it all comes at a high financial cost. For them it is not a case of saying, 'I'll take a week or a fortnight off and go away on a holiday,' as every hour they take off costs them a considerable amount of money. Every hour that their truck is not on the road means that their ability to make monthly repayments to the finance company becomes even more difficult. So they simply cannot afford to have what most Australians take for granted, recreational time with their families. The price they have to pay is simply too high.

I want to finish with a personal account. I do so because other speakers have come into this place and said we need to talk to other sectors of the trucking industry and those who operate the trucks. A long-time family friend of mine, who has passed away, was an owner-driver for most of his working life. He drove interstate. He spent most of his time doing that. He would often talk to me about life as a truck driver and he confirmed to me everything that the Transport Workers Union is saying about the conditions to which drivers are subjected. He too had to work to very tough time lines. Sometimes he too had to wait 12 to 24 hours for the next load to be put on. Sometimes he too had to avoid doing repairs on his truck because he simply did not have the time for the truck to be off the road, let alone consider the cost that he would otherwise incur. He too saw his health suffer as a result of that. Everything that this legislation seeks to rectify he confirmed to me from his own real-life experiences as an owner-driver. Sadly for him, he did not live to retirement age because his poor health saw his life end early. For the sake of other owner-drivers, I strongly support this legislation and I commend it to the House.

Mr FLETCHER (Bradfield) (19:14): I am pleased to speak on the Road Safety Remuneration Bill 2011 and cognate bill. If you had listened to the Minister for Infrastructure and Transport and to a number of speakers from the other side of the chamber you would think that the bill before the House this evening is about one question and one question only: do we want to save lives on the road or do we not? Of course, if this bill were really about that simple question, then the decision for the House to make would be a very simple one, because everybody wants to save lives on the road. All sides of politics are united in wanting to make Australia's roads as safe as possible. As a number of speakers from all parties have pointed out in this debate, the issue affects not only those who work in the road transport sector driving heavy vehicles or other vehicles but everybody who uses the roads in Australia. That means, in essence, every Australian. So there is no question that the objective of improving road safety is one which is of paramount importance.

In this House we are not called upon to decide easy propositions. We are not called upon to say whether or not we are in favour of safer roads. We are called upon, as we consider this bill, to say whether we are persuaded that the measures in the bill will in fact assist in delivering safer roads. We are called upon to answer the question: are the measures in this bill effective for increasing road safety? If they are, and if no more cost-effective measures that deliver the same outcomes can be found, then of course it becomes a very easy decision for the House to make: we ought support the measures in
this bill. But if that test is not satisfied it does not make sense to support this bill.

In the time available to me I will argue three points to the House. Firstly, notwithstanding its name, this is not a bill about road safety. This is a bill which establishes a complex new tribunal and gives it a broad range of powers, many of which may be exercised in circumstances where safety is not even considered by the tribunal. Secondly, I put to the House the proposition that the logic at the core of this bill—the logic that if you pay drivers more, if you mandate paying more to drivers, you will improve road safety—is not proven. The central proposition upon which this entire proposed legislative edifice rests is without substance. It is without foundation. It has not been proven.

Thirdly, I highlight the fact that there are other, better regulatory tools to deal with the objective of road safety, an objective in support of which all sides of politics are united and an objective which is of critical importance to those who work in the road transport sector and their families and to all users of the roads in Australia.

Let me turn therefore to the first proposition I am putting to the House this evening. Despite its name, this is not in essence a bill about road safety. Let us look at some of the provisions of this bill and see what it actually does. This bill establishes a new industrial tribunal with a very broad set of powers. The tribunal will have the power to make orders relating to remuneration and related conditions. It can do so, should it choose, entirely on its own initiative without the matter being initiated by drivers or employers or by large customers of drivers. Under section 27 of the bill those orders can deal with an extremely broad range of matters. They can deal with such matters as remuneration and employment conditions and with industry practices such as loading and unloading, waiting times, working hours, load limits, payment methods and payment periods. The terminology which the bill uses is to speak of a road safety remuneration order, but when you analyse the provisions of the bill you see that there is no requirement for such an order to have anything to do with road safety. For example, there is no requirement for the tribunal to be satisfied to any particular standard that the measures it is imposing will achieve a safety outcome. In other words, we have a tribunal that is vested with a very broad set of powers that it can exercise in relation to the road transport industry, very broadly defined. If the tribunal so chooses it could very well make orders that are predicated upon an argument in relation to safety, but there is no requirement on it to do that at all; it can make orders which it, in its discretion, considers appropriate. Of course, those orders can be made on the application of any parties, including unions and industrial associations, under section 32(2)(d) of the bill.

What we have is a proposed legislative apparatus under which a new tribunal is to be established. It will have very broad powers to set wages and other terms, not just of remuneration but on which a company engages a supplier, and to impose those terms, and it will be under no duty whatsoever to be satisfied in relation to safety. We are simply required to take it as an article of faith that the body will have regard to safety considerations. It goes without saying, because this is legislation introduced by a government which is very fond of administrative complexity and complex legal approaches, that a detailed regime has been established. A new tribunal has been created and given broad powers to make penalty orders. A president has been appointed and then there are to be two to
four persons appointed to serve on the tribunal part time who have experience in workplace relations. We know what that means under this Gillard Labor government. We know what that is code for. And then there can be two to four persons with experience in the road transport industry. They are appointed for up to five years. There is a complex apparatus in this legislation to establish a new tribunal. We are told that it is to do with safety, but when you analyse the provisions you see that there is no necessary linkage at all. We are simply required to take it on trust that these extensive powers will be exercised having regard to the achievement of safety objectives.

That brings me to the second point I wish to make in the brief time available, which is to address the central theory upon which this legislative edifice is premised. The central theory underlying this legislation is that the problem of road safety in the road transport industry is a consequence primarily of the fact that drivers are forced to work in unsafe conditions as a result of either the basis upon which they as employees are remunerated as a means of pay or the basis upon which they as a supplier of services to an organisation receive payment. For example, we are told that drivers of heavy vehicles are forced to work to unrealistic schedules, that they are given time frames within which to travel from, say, Sydney to Brisbane and that when you factor in unloading times and all the other things that have to be done they are simply impossible to achieve without speeding. This is the kind of example which is given.

I do not doubt for a second—nobody on the coalition side does—that there are instances of reckless and dangerous behaviour in this industry, as there are in every industry. The question we need to turn our minds to is whether the remedies set out in this legislation are going to solve the problem. The core suggestion is that if drivers are paid more they will not speed. This makes no sense. The logic simply does not hang together. If you are a driver today who receives a certain payment and you drive in an unsafe manner, who is to say tomorrow that if you are paid more you will not take the extra payment and continue to drive in exactly the same way? The answer is that we just do not know. The burden of proof, which sits with the government to demonstrate that this is a sensible measure which can be expected to be effective in solving the problem it is designed to solve, has not been met.

Do not take my word for it, notwithstanding the fact that I am an objective and disinterested observer. Take the words from the regulatory impact statement prepared by the department. It says:

There is some research to suggest that the remuneration for drivers is a factor in safety outcomes, however data at this point in time is limited and being definitive around the causal link between rates and safety is difficult.

You could not have it put more clearly than that. There is no proven link that the relevant department was able to point to in preparing the regulatory impact statement to accompany this bill, which responsible parliamentarians need to consider as we weigh up the merits of this bill. When Mr Sheldon, the secretary of the Transport Workers’ Union, came before the House of Representatives Standing Committee on Infrastructure and Communications I asked him how we were to be satisfied that there was a causal linkage between the tribunal awarding drivers higher payments and a safer outcome. Mr Sheldon had this to say:

If you are a truck driver with a quarter of a million dollars of equipment and you are required to work excessive hours to be able to pay your
bills, people decide to work it. If you have to work excessive hours to keep your job, people decide to work it.

It seems to me that if people are choosing to work particular hours now it has not been demonstrated to the satisfaction of the parliament that that is going to change if awards of changed remuneration are made.

The third point I want to make in the time that remains available to me is that there are other regulatory tools better suited to dealing with the urgent and important problem of road safety. Firstly, as we all know and as the House has been told many times in this debate, the National Heavy Vehicle Regulator starts in 2013. Under those arrangements, there will be national chain-of-responsibility provisions making companies directly responsible for the unsafe behaviour of their drivers. Secondly, the workplace health and safety model laws commenced in a number of Australian jurisdictions on 1 January this year impose a requirement to ensure workplace risks are as low as reasonably practical. To take a third example, in the state of New South Wales, should this legislation pass into law, it will be the fourth layer of regulation applying to driver fatigue.

The question before the House this evening is whether the mechanism in this legislation is likely to be effective in improving road safety. The House has not been provided with proof that the mechanism will have an effect and, for that reason, on this side of the House we are unpersuaded and we are not supporting these bills.

Mrs D'ATH (Petrie) (19:29): I rise to speak in support of the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011. These bills will establish a new Road Safety Remuneration Tribunal, which will have the objective of promoting safety and fairness in the road transport industry. The principal bill lays out the powers and functions of the tribunal, which will be empowered to inquire into sectors, issues and practices within the road transport industry and, where appropriate, determine mandatory minimum rates of pay and related conditions for employed and self-employed drivers. These determinations will be known as road safety remuneration orders.

The tribunal will also be empowered to resolve disputes between drivers, their hirers or employers and participants in the road transport industry supply chain about remuneration and related conditions insofar as they provide incentives to work in an unsafe manner. The tribunal will be made up of a mixture of Fair Work Australia members and expert members with qualifications relevant to the road transport industry. The bill will also establish a compliance regime for the enforcement of road safety remuneration orders, safe remuneration approvals and any orders arising out of the arbitration, by consent, of a dispute.

This bill will complement existing federal legislation such as the Fair Work Act 2009 and the Independent Contractors Act 2006, current state based schemes dealing with owner-driver contracts and proposed state based heavy vehicle laws. The principal objects of the bill recognise the government's intention to provide a framework that promotes a safe industry by ensuring that drivers in the road transport industry do not have pay and pay related incentives and pressures to work in an unsafe manner. This includes unsafe work practices such as speeding and working excessive hours. The bill also ensures that road transport drivers are paid for their work including loading or unloading their vehicles, or waiting for someone else to load or unload their vehicle. It also includes developing and applying reasonable enforceable standards throughout
the road transport industry supply chain to ensure the safety of road transport drivers and ensure that hirers of drivers and participants in the supply chain take responsibility for implementing and maintaining those standards.

We have heard from the member for Bradfield and the member for Mayo that this bill allegedly does not deal with fairness or safety. In fact, the member for Mayo only a couple of hours ago went so far as to say there was no reference to the words 'fairness' or 'safety' in this bill. All I can say to the member for Mayo is that he must not have read the front cover or even opened the bill to look at its contents.

I will not go to numerous references throughout the bill to fairness and safety but I will draw the attention of the member for Mayo and those on the other side of this debate to sections such as section 20, which specifically goes to matters the tribunal must have regard to. Section 20 subsection (1) states:

In deciding whether to make a road safety remuneration order, the Tribunal must have regard to the following matters:
(a) the need to apply fair, reasonable and enforceable standards in the road transport industry to ensure the safety and fair treatment of road transport drivers.

It could not be made any clearer. Those of us who are elected to this parliament should at the very least be able to read a piece of legislation that clearly articulates the purpose of that bill, which is fairness and safety. As I say, I do not intend to use the time that I have to go through every section that is outlined there, but I have already stated what the principal objectives of this bill are in relation to removing those incentives and pressures for unsafe work practices.

Why is it important for this bill to be introduced? We have already heard from the member for Mayo that this industry has an award—there is the Fair Work Act—and if this is all working why do we need to do anything else? If it is not working, why do we not just fix that act or fix the award? This is evidence that the member for Mayo, along with many on the opposition side, has no idea of the issues facing the road transport industry. These are issues that have plagued this industry for many, many years. There have been numerous coronial inquiries, government reports, judicial determinations and academic studies outlining why it is necessary to introduce separate legislation to deal specifically with the transport industry.

The Transport Workers Union of Australia's website notes that these reports and studies have indicated that legislation needs to give effect to four key principles: firstly, the universal application of a safe rates system to all participants in the supply chain, including client accountability for safe performance, planning and safe rates; secondly, safer rates and related conditions for all drivers including long- and short-haul employee drivers and owner-drivers determined by an independent tribunal; thirdly, the capacity to make binding determinations and resolve disputes amongst supply chain participants; and, fourthly, an appropriate and adequate enforcement regime.

For far too long drivers have been pushing themselves on our roads to meet ridiculous time lines to put food on their tables and pay their bills. These drivers have gone to extraordinary lengths to do their jobs. We have heard of the accounts of taking stimulants and prescription or other drugs just to meet their demands. These drivers want to drive safely; their families want them to drive safely; we want them to drive safely. How can drivers be expected to drive safely, obey speed signs and take appropriate breaks to avoid fatigue when there is insufficient
legislation to protect them while they do this? We all know the effect fatigue has on drivers, on fine motor skills and concentration.

When we turn a blind eye to what is happening in the road transport industry, we say it is okay for these drivers to put themselves at risk. We say that it is okay for them to put other lives at risk because, when we talk about the road transport industry, an unsafe industry means unsafe roads for all road users. The road toll is already too high. Too many people die on our roads every year. Families lose loved ones and sometimes whole families are lost. Sometimes these accidents involve truck drivers who also have families who grieve. These drivers are just trying to do their job, a job that we need them to do. Without truck drivers our businesses suffer and our economy suffers. We have heard the minister already state that the road transport industry is an integral part of the Australian economy. Road transport accounts for over 1.7 per cent of Australia's total GDP and employs over 246,000 Australians. Australia's freight task has increased at an annual rate of 5.6 per cent and is forecast to continue growing.

We have heard this evening the offensive deriding of the union movement by those on the other side of this debate. The member for Mayo was particularly scathing of the union movement in his comments on this bill. I think his words were that we are just trying to give more power to our mates in the unions. Nothing could be further from the truth. I am more than proud to stand here and congratulate the Transport Workers Union and the union movement. They should be congratulated on their safe rates campaign. We should congratulate the union, their members and every person in the community who has signed up and supported this campaign. It is long overdue, and it is their hard work and advocacy that has seen this come to fruition.

I appreciate that opposition members, particularly the member for Mayo, are very nervous about unions, and I can understand why. It is unions that give workers a voice, and we know that the opposition do not like workers to have a voice. When in power, they have done in the past, and would do in the future, everything possible to ensure that workers have no voice and cannot act collectively in their common interest. That is what these workers have done. They have acted collectively in their common interest not just to get better pay, not just to get better conditions but to actually save lives—not just for their own safety but for others on the road as well—and they should be congratulated.

All workers deserve the right to have laws in place that provide a safe workplace. All workers deserve to have regulation within the industry that they work in that ensures that where unsafe work practices are allowed to occur the individual or business can be held liable. Every worker wants to go home at the end of a work day without injury. Every child or partner wants to have their mother, father or partner come home from work. The Gillard government is committed to improving the road transport industry. We have listened to the industry and we are acting in the interests of the industry.

Some of the statistics that the Transport Workers Union have put together are quite horrifying: the 330 Australians killed every year in truck crashes, the 5,300 Australians injured every year in truck crashes and a trucking fatality rate 10 times the national fatality average by industry. This death and injury causes immeasurable family and community devastation. There is a $2.7 billion cost to taxpayers each year from truck related deaths and injuries. Misuse of
unfettered commercial power by massive industry clients like Coles is the root cause of death and injury. Clients squeeze the industry so hard that drivers are often forced to work too long or too fast just to make a living for themselves and their families. This is what the Transport Workers Union has identified as the crisis: someone’s mother, son, sister, brother or dad.

We heard from the member for Mayo today that we are just politicising these people. But these are workers, real people who are sick of hearing about these fatalities. It is not just numbers to them. This is their husband or their wife, their brother or their sister, their son or their daughter, and we do need to talk about them. That is the problem. We cannot just talk about this as a piece of black-and-white law and statistics that do not affect people. This is all about people, and that is why we need to introduce this legislation.

The Transport Workers Union website notes that a survey conducted in 2011 by the TWUA illustrated the dangerous on-road behaviours that drivers are currently forced to engage in as a result of economic pressures. According to the survey results, 48 per cent of drivers report almost one day a week in unpaid waiting time; 56 per cent of owner-drivers have had to forgo vehicle maintenance because of economic pressure, the need to keep working or the high cost of repairs; 27 per cent felt they had to drive too fast; and nearly 40 per cent feel pressured to drive longer than legally allowed, with many saying that the pressure comes directly or indirectly from the client.

In the brief time I have left I want to acknowledge the great work that our drivers do. I met some of my local truck drivers just last year when they came to the Redcliffe showgrounds for the Brisbane Convoy for Kids, raising money for sick kids. It was incredible to see truck after truck coming into the showgrounds. I met the drivers and I met their husbands, their wives and their kids, some of whom go to school with my kids—for the first time I realised that they were truck drivers. I talked to them about the risks and about how they feel and are valued by our society and our community. We do not realise the benefits that they provide to our economy by just getting into those trucks every day and driving. Whether they are short-haul drivers or a long-haul drivers, they do an amazing job and an important job for our economy. We need to keep those drivers safe. We need to make sure that they go home to their families each night. That is why I support this bill.

Ms MARINO (Forrest—Opposition Whip) (19:43): The government has admitted that this legislation is flawed, which is why the government is proposing to move a series of amendments to the Road Safety Remuneration Bill 2011, which is before the House, along with a cognate bill. However, neither industry nor the opposition has seen the amendments. Really, where are they and why aren’t we debating them right now?

I know that the transport industry is essential to this great nation. I am a regional member of parliament. The road transport industry delivers virtually everything in the Australian community, everything it needs to survive and to thrive. So vital is this sector that Australia cannot survive without it. It is an industry that is frequently undervalued and underestimated. We take for granted everything on our breakfast table and in our houses and sheds, never thinking about how they actually got to the retailer or to our premises. The Trucks provide nearly all urban freight transport and are the only means of transport in most rural and regional areas. Even grain production in Western Australia needs trucks to get to the rail
depots and many farmers are now trucking grain freight direct to ports.

My father was a pioneer of cartage contracting and earthmoving in the southwest of Western Australia and my brother is a small business operator in the freight and transport industry. I have spent countless hours in prime movers—from Diamond Ts to an International and Mack trucks—so I am directly aware of the issues in the transport industry and I do know that safety is critical to those involved. However, as in every other industry, there are some people in the transport sector who risk their own safety and that of other road users and the community, and there are those who do the wrong thing.

In my electorate in 2011, two men from my community were killed while they were standing on the side of a busy highway. They were killed by a truck which had run off the road. This was a dreadful tragedy and I feel extremely sorry for their families. Nothing can possibly eliminate their suffering from the loss of their loved ones. The truck driver involved was charged with dangerous driving causing their deaths, found guilty and sent to jail. There is nothing in the bill before the House today that would have prevented such a dangerous driver, who was negligent behind the wheel and showed a disregard for other people's safety and his own, from causing such a crash. I agree with the shadow minister that, if we could pass a law to eliminate tragedies or make road safer for truck drivers and other road users, we would support it in a heartbeat.

There are many things that could and should be done to improve safety, but this bill is not providing all of those answers. For instance, in my electorate fatalities on the Coalfields Highway and roads between the industry centres of Collie and Boddington have fallen by over 90 per cent over the past two years. Local police have said that the South West Industry Road Safety Alliance has had a dramatic influence on the reduction of road deaths near Collie. The alliance provides a collaborative approach to road safety. It incorporates major industry, state road authorities, local government and police in and around Collie and Boddington. The group has worked at a practical level. There have been major infrastructure improvements to intersections, the installation of street lighting and the development of car parks to encourage car pooling and bus services.

The alliance conducts major road safety campaigns at Christmas and Easter which include altered workforce travelling times to avoid peak holiday traffic, education campaigns and local television, radio and print road safety advertising. The alliance has implemented voluntary heavy vehicle curfews and a local road safety education calendar with supporting resources and signage. I know there are ongoing workplace road safety toolbox sessions and the development and implementation of fleet safety policies. This is what is happening. These are all practical, workable and working measures. In fact, it has been so successful that it has been replicated in other areas.

In my experience, the majority of truck drivers and transport industry workers are committed to safety, particularly when you consider the numbers of trucks and truck movements on Australian roads. Their priority is to get home safely to their families and the majority do their job the best way they can so that the rest of their communities can do the same. It must be recorded in this debate that a large proportion of accidents involving trucks are actually caused by car drivers. New South Wales RTA research concluded that other road users are
responsible for 69 per cent of fatal crashes involving a heavy vehicle.

I know from first-hand experience that many motorists simply do not understand how to drive in heavy vehicle traffic and, as a result, cause accidents. A will give you an example. I am driving a prime mover heading towards the lights at the bottom of the reasonably steep Armadale Hill near Perth. My truck is fully loaded and my combination's load weighs around 42 tonnes. I am slowing down through the gears and giving myself at least 200 metres to stop at the lights. I am at least 100 metres away from the nearest car in front of me. And what happens?

In that braking space, several cars pull in front of me, some literally diving into the lane right in front of my truck. And what happens? They put their brakes on the minute they pull in front of me. How on earth do those motorists think that I will be able to safely pull up in the remaining space, and why would they be surprised to see my bullbar taking up the majority of their rear-vision mirror? This is happening right now. Right as we speak, I guarantee this is happening. It is happening across Australia every single day and it is one cause of serious accidents.

Many truck drivers I know spend their time on the road every day anticipating such driver behaviour, and work overtime trying to prevent these types of accidents. In recent local *South West Times* media in relation to the road safety message, South West Industry Road Safety Alliance Chairman and Acting South West District Superintendent Lysle Cubbage said:

... motorists could make the biggest difference—people shouldn't speed or drink drive and they should wear seatbelts and avoid driver distraction.

The government has confirmed that this bill is far more about industrial relations and increasing union power than it is about safer roads by simply taking the legislation from the Department of Infrastructure and Transport to the Department of Employment and Workplace Relations. It sets up and empowers a new tribunal to introduce a range of arbitration arrangements that are clearly industrial relations measures, not safety measures. It creates major changes for independent contractors. It will remove the independence of owner-drivers, which will treat independent contractors in the heavy vehicle sector differently from independent contractors in any other industry, and perhaps it is actually a warning for what is ahead for all other independent contractors.

Independent Contractors Australia noted in their submission to the House inquiry into this bill:

The Bill should be rejected. The government presents it as a road safety measure. Don't be fooled. It is a direct attack against self-employed truckies. It sets a model for further attacks against all self-employed people in Australia. In fact the Bill is a government ploy designed to give huge power to the Transport Workers Union.

In delivering this power to the TWU, the Bill will probably breach competition principles and laws that prevent price fixing, will result in increases in road transport costs affecting all consumers, reduce productivity and suppress driver incomes. All this, and it would do nothing to improve the safety driving habits of truckies.

That was Independent Contractors Australia. The Civil Contractors Federation said:

A consequence of the setting of Road Safety Remuneration Orders to owner/drivers would be the setting of a floor price, or benchmark which may not take into account the individual specifications of a particular job. An operator who has 10 years experience in a particular type of cartage would be rewarded the same as an operator who has little or no experience.

---

CHAMBER
I would ask another question: how on earth will the tribunal set wage rates when the transport businesses, their clients and individual business operations are so absolutely diverse?

It is also not the case—as the government seems to suggest through this legislation—that all transport companies treat their drivers poorly or pay them badly. There is also nothing in this legislation to address what I believe is a road safety issue—the critical shortage of experienced truck drivers in the south west of WA.

Good operators are constantly leaving local transport and haulage companies to work in the north-west in the mining industry. Transport companies are continually putting time, effort and money into training their drivers. By the time the drivers have the necessary experience, certification and accreditation and have been put through the various site inductions, the companies have invested thousands of dollars in each and every employee. They then have to watch that investment walk out the door and fly out to the mines. Transport company owners in my electorate are, by majority, already paying above average and award wages to keep their highly valued employees. They know their businesses depend on their drivers.

I believe there are some safety issues in the transport industry which we in this parliament should be looking at. However, as the habit of this government is to come up with the wrong answer to whatever question is before us, instead of supplying practical solutions, we see the government, through this bill, simply giving unions more power to dictate to small and medium businesses. This bill imposes the latest extra layer of red tape and cost on small businesses at the same time that the government is imposing more cost and compliance on the transport sector through the carbon tax. Transport Workers Union National Secretary Tony Sheldon said on Ten News on 11 July 2011:

Under the carbon tax, drivers will be forced to do longer hours, sweat their trucks further, have less maintenance, and that means more deaths.

We know that the Australian Trucking Association has said that the carbon tax will add $510 million to costs in the trucking industry in 2014. Through this carbon tax on fuel, the carbon tax will not apply to only 400 or 500 businesses in Australia, but initially to 60,000 businesses which face increased air, rail and maritime transport costs. By 2014, when the tax applies to trucks on roads, this number will jump to 100,000 Australian businesses and millions of Australian families. And it is not as if the transport sector has been ignoring the issue of carbon emissions. According to the Australian Trucking Association in its submission to the government on the carbon tax:

The trucking industry has already spent millions on improving its environmental outcomes. A recent report commissioned by the ATA shows:

- the industry's greenhouse gas emissions fell 35 per cent per billion tonne kilometres between 1990 and 2011, as a result of improvements in engine technology and the use of safer trucks with greater capacity.
- emissions of carbon monoxide, hydrocarbons, nitrogen oxides and particulates from new engines fell dramatically between 1995 and 2010. For example, particulate emissions from Euro 5 engines (mandated from 1 January 2011 for all new trucks) are 92 per cent lower than the particulate emissions from new model trucks built in 1995.

The new Euro 5 standards cut emissions but come at additional cost to the truck purchaser. I have had people in my office who have said that it can cost them at least $50,000 per unit. It is not unusual for truck owners to pay that sort of money to reduce their carbon footprint and upgrade their
vehicles without being able to recoup those costs in their businesses. This means the trucking industry is already paying extra carbon costs to reduce their emissions—something unrecognised and unrewarded by the Gillard government.

Many in the transport industry have raised their concerns about this legislation. The Australian Logistics Council's managing director, Michael Kilgariff, said:

Rather than improving safety, the Bill will add another layer of unnecessary regulation that will impede industry efforts to improve safety and productivity levels which have flat-lined in recent years.

This regulation comes on top of existing laws applying to wages, conditions, contracting arrangements, road use, vehicle standards, fatigue, speed, mass, dimension, loading, substance abuse and record keeping, as well as general workplace health and safety obligations. The Australian Industry Group's Heather Ridout has identified that:

The Government's announcement of a new Road Safety Remuneration Tribunal is based on the flawed logic that paying drivers differently and at higher rates of pay will lead to improved safety. Road safety is a critically important issue for employers, employees and the wider community, but the proposed Tribunal is not the answer.

The National Road Transport Operators Association has urged the government to 'pull' the bill because it believes it will not improve safety. The bill covers the road transport industry including distribution, long-distance operations, the cash-in-transit industry, the waste management industry and all road transport drivers, including independent contractors. As I said, there is still more to be done and I support genuine road safety initiatives such as the Industry Road Safety Alliance South West and practical measures. However, the bill before the House certainly does not deliver those outcomes.

Ms HALL (Shortland—Government Whip) (19:58): Deputy Speaker Symon, I would like to congratulate you on your appointment to the Speaker's panel. I believe that this is the first time that I have spoken in the chamber when you have been in the chair. I am sure that you will do a wonderful job.

I rise to support the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011. I do so because I support road safety and sound occupational health and safety legislation. This legislation will ensure that workers in this industry are protected in ways that they are not at the moment. The bills will establish a new Road Safety Remuneration Tribunal, whose objects are to promote safety and fairness in the road transport industry. It will be empowered to inquire into sectors, issues and practices within the road transport industry and, where appropriate, determine mandatory minimum rates of pay and relative conditions for employed and self-employed drivers in addition to any existing rights employed drivers have under the industrial instruments and contracts of employment and any existing rights that self-employed independent contract drivers have under their contracts for services. A determination may be made by the tribunal on its own initiative or on application.

The tribunal will also be empowered to grant safe remuneration approvals in relation to remuneration and remuneration related conditions contained in road transport collective agreements. It will be empowered to resolve disputes between drivers, hirers, employers and participants in the road transport supply chain by mediation, conciliation and private arbitration. It will be a mixture of Fair Work Australia and an expert panel of members with qualifications.
relevant to the road transport industry and it will establish a compliance regime for the enforcement of RSROs.

This legislation will complement existing federal legislation, such as the Fair Work Act and the Independent Contract Act 2006, which was brought in under the Howard government. It will also complement state government schemes dealing with owner-driver contracts and proposed state based heavy vehicle laws.

I first became aware of the conditions that many drivers in the road transport industry work under when I was involved in an inquiry into independent contracting and labour hire arrangements. The report that the then House of Representatives Standing Committee on Employment, Workplace Relations and Workforce Participation brought down, Making it work, opened my eyes. The most powerful submission and the most powerful evidence given to that inquiry was from the Transport Workers Union. It came from drivers who were pushing the envelope each and every day, in many cases just to make enough money to keep their rigs on the road. The legislation that we have before us today is long overdue. It is legislation that will benefit the whole of our community. It is not just about ensuring that there is proper and adequate remuneration for drivers. It is also a road safety initiative.

I will run through some of the strong arguments why members on both sides of this House should support this legislation. Members should not just stand up and support special interest groups within their own electorates, support big business or concentrate on profits, blaming the drivers and attacking the unions. These owner-drivers are small business operators. Each and every day they go out there and work very hard. Their downtime is time that they are not paid for. It is a very difficult industry to make a living in. It is a very hard industry for those who are employed in it. It is to the government's credit that it is finally recognising that those drivers deserve to have a decent wage.

I compliment the member for Hinkler, who is sitting in the House. I know that he understands a lot of the pressures that truck drivers are under. He brought down a report when he was chair of the transport committee called Burning the midnight oil. It showed the pressures that drivers were under in trying to make a living. That has not changed.

I will give a few statistics. Every year, 330 Australians are killed in truck crashes. That means that each and every year 330 truck drivers are farewelled by their families and friends. These families and friends say goodbye to their loved one and that loved one never returns home. Around 5,300 Australians are injured each year in truck crashes. They are not only those who are driving but families who are going away on holidays and people going to work. Trucking fatality rates are 10 times the national fatality average by industry. That is an incredible figure. Death and injury cause immeasurable family and community devastation. It costs the community.

Those people who are left without a father or in some cases a mother who was the main income earner are then forced to initially look towards the welfare services that operate within this country. Their standard of living and lifestyle falls down around their ears. The associated economic costs of hospitalisation, rehabilitation and maybe a lifetime of unemployment are enormous. As a community, I do not think that we can allow that to continue. The government feels that way and that is why we have introduced the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration
The cost to taxpayers each year from truck related deaths and injuries is $2.7 billion. That shows you just how expensive it is when you take into account all those things I mentioned earlier. The root of this problem is the unfettered commercial power of the big industry clients. It is the one issue that pushes the drivers to go that little bit further and then it causes death and injury. These big commercial powers squeeze the industry so hard that drivers are often forced to work too long or to drive too fast just to make a living for themselves and their families. Keeping a truck on the road is very expensive—the fuel and other associated costs of operating a truck are enormous.

We like to think that the people who are delivering essential goods and services throughout Australia are going to be fairly paid for the work that they do, but the fact is that currently they are not. Some employers are paying the right wages, and some drivers are getting the right sort of compensation for their work, but there are many, many thousands that are forced to push the envelope, to go a little bit faster, to work a little bit longer than they should just so that they can survive. This leads to dangerous on-road behaviour.

This all relates to the economic pressure that is placed on the drivers. Forty-eight per cent of drivers report almost one day a week is unpaid waiting time. They are standing there with their truck waiting for the goods to be loaded. As a consequence, they have got to make up the time they have lost while they are waiting. Fifty-six per cent of owner-drivers have had to forgo vehicle maintenance because they have economic pressure to keep their truck going. It is imperative that we look at these issues. Twenty-seven per cent felt they had to drive too fast, and 40 per cent feel pressure to drive longer than is legally allowed. I believe there have been some checks recently in New South Wales which have shown that these behaviours are taking place. It is all about pressure. It is coming indirectly from the clients and it leads to unsafe trucks being on the road and unsafe behaviour from drivers who are being forced to push themselves to the limit just so they can make ends meet.

I will give the example of Tom, who lives on the Central Coast of New South Wales, which is part of my electorate. He completed a survey and summed up some of the pressures and dangers in the industry. He said:

I'm doing 24 hours in unpaid waiting times a week. With trailers being pre-loaded by—

the company—

I cannot afford to wait another an hour or so unpaid while they unload and reload a set of trailers to get the legal weight. I carry overweight regularly and I don't have a choice.

He carries overweight regularly and he does not have a choice. That is the pressure that is being put on drivers by the way the industry is operating at the moment.

It is time for the government to act. It is time for governments in all jurisdictions to come together and work to make this industry safer and to protect not only the drivers, not only those who work in the industry, but also the community as a whole. It is a major occupational health and safety issue for those drivers and it is one that cannot be ignored. The solution is quite simple: introduce a safe rates system and the legislation we have before us today, and make sure that we have an industry that operates in accordance with proper safety guidelines.

It was in 2000, I think, when the member for Hinkler chaired the committee which brought down the Beyond the midnight oil report. It is 2012 and really nothing has
changed in that time. Drivers are still pushing the envelope; drivers are still forced to keep their trucks on the road when they should be going in for service; drivers are still forced to fudge their logbooks just so they can make a living; and drivers are still being forced to drive faster than they should. Drivers are still being forced to do all of the things that they really should not be doing. As a government we should be putting in place proper laws to make sure that they do not have to do this.

I was interested to hear the previous speaker. She was talking about 'red tape' relating to bookkeeping and substance abuse. I actually think as the government and as the parliament we should be ensuring that we have legislation in place that stops that substance abuse and makes sure there is proper record keeping. With the introduction of the Road Safety Remuneration Bill and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill, that is exactly what we will have—good safety legislation. (Time expired)

Mr NEVILLE (Hinkler—The Nationals Deputy Whip) (20:14): Mr Deputy Speaker Symon, may I commence my contribution by congratulating you on your elevation to the Speaker's panel. These bills being debated tonight, the Road Safety Remuneration Bill 2011 and the Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011, envisage a new Road Safety Remuneration Tribunal, and this legislation has been the subject of a Standing Committee on Infrastructure and Communications referred legislation inquiry. I want to make it clear that, from my perspective, the committee's report is a fair and accurate record of the evidence that we received, both in the submissions and in the public hearings. However, the coalition members of the committee reached different conclusions from the evidence that was brought before us, and we did not support the final recommendation of this report.

The objective of these bills is to promote the safety and fairness of the road transport industry by establishing a Road Safety Remuneration Tribunal which may set pay and contract rates in the road transport industry by issuing road safety remuneration orders, or RSROs. The RSROs may contain minimum remuneration and employment conditions in addition to those contained in an award. The RSRO may also address industry practices such as loading and unloading, waiting times, working hours, load limits, payment methods and periods.

The tribunal can also make an order to 'reduce or remove remuneration related incentives, pressures and practices that contribute to unsafe work practices, for example speeding and excessive working hours'. Further, the tribunal may also grant safe remuneration approvals, which are a form of collective agreement determination in relation to road transport collective agreements between hirers and self-employed drivers. It will also be empowered to resolve disputes between drivers, hirers and employers, and others involved in the road transport industry supply chain, with any orders being enforced by the Fair Work Ombudsman.

As I said before, the coalition members of the committee understand and appreciate the intention of the bills. However, we do not believe that the measures contained in them will have a significant impact on improving safety for truck drivers and other road users. Indeed, it should be noted that there has been a gradual improvement in the accident and fatality rates in recent years, despite the increase in the national freight task.

The coalition has always prioritised road safety, and that is why we created the first
ever national transport plan, Auslink and Roads to Recovery; restored the Black Spot Program; and supported the development of the National Road Safety Strategy. The key issue for coalition members in assessing the legislation is whether the proposed reforms have the desired effect of reducing unacceptably high rates of injuries and fatalities on our roads. There actually could be some unintended and dire consequences for individuals and entities involved in the trucking, freight and logistics industries.

One scenario that has been put to me is that of livestock saleyards. At no time in the entire saleyards process do the yard owners actually own a single animal. Other regulations state that saleyard managers are in charge of animal welfare while livestock are at a facility but at no time do they ever take ownership of that stock. When livestock arrives at the saleyards facility, the vendor's agent is in charge of them and, once the sale has taken place, responsibility is transferred to the new owner. In effect, the saleyard operator simply provides a facility and acts as a landlord yet they are covered by the proposed legislation and, for them to be able to function legally and effectively under the legislation, they may have to employ a logistics manager who would be able to allocate trucks to particular slots. This expense will have to be recouped from the industry, which in turn comes back to more pressure on the owners and ultimately the drivers.

Another consideration is the facilities for truck drivers currently provided at saleyards. Most of these facilities include parking, toilets and showers for the entire transport industry, not just livestock haulers. It has been suggested by some in the saleyards sector that these rest-stop facilities may only be open to drivers who have a prearranged loading or unloading timeslot. I certainly do not want to see that happen.

Members would be aware of my strong belief that we need more and better rest stops for drivers, including truck drivers. This was one of the findings of Beyond the midnight oil; 3,000 is what we suggested. Apart from improving rest facilities for truck drivers, we need to maintain and improve roads—a point supported in a number of submissions to the inquiry. The committee received plenty of evidence which supported a sharper focus on improving roads and enforcing existing laws and regulations, and it was frequently put to the committee that these and other measures would have a greater impact on road safety.

In its submission to the inquiry, the Civil Contractors Federation told the committee: …road safety is a broader issue and improving road safety requires a holistic approach rather than being based on a narrow focus upon the method and quantum of remuneration.

Noel Porter of Porter Haulage in Victoria said:

There is no such thing as a safe rate.

There are however safe roads. Which we currently do not have.

We feel that the evidence points to ongoing fatigue and extended waiting times at loading points and later at distribution centres, supermarket unloading bays and the like, and they need to be the first point of attack.

During this inquiry, I met with a delegation of women who had lost their partners, husbands or family members in trucking accidents. I met with Johanna de Beer, a mother who had lost her son; Lystra Tagliaferri, a wife who had lost her husband, Lisa Sawyer, a sister who had lost a brother; Suzanne de Beer, a wife whose husband had been killed; and Stella Minos, the wife of an owner-driver. I was deeply moved by their circumstances. And, as one who lost his best friend who was a long-haul driver just 15 or 20 minutes from his home at the end of a
long transport run, I can well appreciate their loss and their family tragedy. I pledge myself to continue to pursue better physical conditions for truckies and owner-drivers, but I do not see how introducing two layers of remuneration solves the problem. You end up with two regulators and with cross-jurisdictional problems. I am not in the business of union bashing, and Tony Sheldon knows that. I am a great supporter of the trucking industry and its drivers. I just do not agree with him in this instance.

In terms of committee credibility, my mentor was the Hon. Peter Morris, the Minister for Transport in the Hawke era and Chairman of the House of Representatives Standing Committee on Transport, Communications and Infrastructure in the Keating era. He urged us as his colleagues—and that was as colleagues of both political persuasions—to report on the evidence in our inquiries. I think it is a great waste of effort and a great pity if standing committees simply divide along party lines and report as the government wants them to report, especially when reviewing legislation, so I was really upset to have to disagree with the report. In fact, I can proudly say that during the 10 or 11 years that I chaired the House of Representatives Standing Committee on Communication, Transport and the Arts we did not have one dissenting report between the two sides of politics. I thought that was quite remarkable—and we brought down some very heavy reports. The only dissenting comments that we had were, strangely, from government members who wanted to toughen up our recommendations. They were not speaking against them; they just wanted them to be stronger. I also remember the member for Oxley was trying very hard to get funding for the Brisbane to Ipswich Road when one of our reports came down. One of our recommendations did not align with his plan for that road. I went to see him and said that if he wanted to put in a dissenting report I would understand. He said, 'No, Paul. This is a great report. I would not spoil it by a dissenting report.' That was the spirit we had in those days, and I hope in matters as important as road transport we continue along those lines.

The member for Shortland mentioned 'beyond the midnight oil'. Some people ask me why we called the report Beyond the midnight oil. The reason was very simple. We all talk about 'burning the midnight oil', which is when we say we are doing more than we should or we are pushing ourselves more than is reasonable. But when we said 'going beyond burning the midnight oil' we meant that we were ratcheting up yet another notch, and that is what we found in the transport industry. We went out to truckies' service stations in the middle of the night. I remember one north of Armidale and in the cold hours of the morning talking to truckies, looking at the food they ate and working out how many hours they had driven. We got two of the best experts in the world on transport fatigue, who happened to be in Australia at the time, to give evidence and they put a lot of emphasis on what is known as circadian rhythms. They are the times of your daily cycle when your alertness is at its best. There are certain hours between midnight and dawn when, no matter how well you are adjusted, you are not at your best. There was also work from the University of Adelaide that showed how fatigue caused danger for truck drivers. So I have no inhibitions about strict laws that come down hard on employers who mistreat their employees, who force them to drive faster than they should or to take on time limits that are unachievable. I have no problems with prosecuting people who try to get their employees to bodgie up their logbooks. I believe there should be stricter controls enforced on supermarkets and
loading organisations to make sure truckies
get a fair go in loading their trucks and do
their genuine work on the highway, not
sitting around, as one speaker said earlier, for
one day in every week just waiting for loads
or waiting to be unloaded.

I had another bit of a problem with the
report. I know it may have been well
intentioned, but the idea of trying to extend
this legislation to courier drivers and
Australia Post contractors is, to my way of
thinking, going a bridge too far. I am not
saying that there may not be a case for better
regulation in those two fields; I am not
saying that at all. But, if we are going to
have two layers of regulator, both dealing
with money and money related conditions,
and then we push this agenda into other
fields of transport, I ask the questions: where
will it end and will it give healthy certainty
to business? I think not.

It was interesting that both the New South
Wales and Queensland governments, two
governments of different political
persuasions, disagreed with the legislation.
The Queensland government said,
'Queensland does not believe that the setting
of specific rates and methods of payment by
the proposed tribunal under legislation is
likely in itself to encourage employers,
employees and owner-drivers to adopt a
broader range of safe work practices.' I think
that quote from the Queensland government
says it all.

Debate adjourned.

National Radioactive Waste
Management Bill 2010
Consideration of Senate Message
Bill returned from the Senate with
amendments.
Ordered that the amendments be
considered at the next sitting.

Indirect Tax Laws Amendment
(Assessment) Bill 2012
Report from Federation Chamber
Bill returned from Federation Chamber
without amendment, appropriation message
having been reported; certified copy of bill
presented.
Bill agreed to.

Third Reading
Mr GRAY (Brand—Special Minister of
State and Minister for the Public Service and
Integrity) (20:30): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Corporations Legislation Amendment
(Audit Enhancement) Bill 2012
Report from Federation Chamber
Bill returned from Federation Chamber
without amendment; certified copy of bill
presented.
Bill agreed to.

Third Reading
Mr GRAY (Brand—Special Minister of
State and Minister for the Public Service and
Integrity) (20:31): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

BUSINESS
Rearrangement
Mr GRAY (Brand—Special Minister of
State and Minister for the Public Service and
Integrity) (20:32): I move:
That order of the day No. 2, government
business, be postponed until the next sitting.
Question agreed to.
Insurance Contracts Amendment Bill 2011

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr BILLSON (Dunkley) (20:33): Madam Acting Deputy Speaker, what a treat to be able to speak with you again this evening and convey the coalition's support for the Insurance Contracts Amendment Bill 2011. In speaking to this bill, I would like to make a few points about the legislation itself and the events that gave rise to it. The coalition, along with the rest of Australia, watched on in disbelief in early 2011 as a series of tumultuous weather events hit Australia. It was a reminder to us that we live in a nation of searing droughts and flooding rains and that, as a nation, we often feel the full effects of Mother Nature at her most angry.

Members of parliament, including me, lent a hand to friends and strangers alike in the clean-up efforts for both the floods and the cyclones. It was heart-wrenching to see homes and businesses ruined, lives shattered and, tragically, in some cases lives lost. I went to join my friend and colleague Mr Tehan in his community to visit and speak with small business owners in Skipton and to help with the clean-up of a significant house that played an important part in Henry Bolte's early life. The whole town of Skipton had virtually been inundated by floodwaters. Few things could be worse than losing your home or your business. All sides of politics in this place share a common goal of wanting to see these towns and regions get back on their feet as soon as possible.

The coalition never begrudged spending federal money on reconstruction after the floods and Cyclone Yasi. We supported the spending of $5.6 billion to rebuild the communities and the infrastructure they depend upon. Where we differed from the government was in the levying of a new tax on Australian families in the form of a flood levy. The government and the Prime Minister had already called on Australians to donate their money and to volunteer their time, and they did in droves and they did generously. Australians heard the call loud and clear. We can all recall the TV footage of teams of ordinary Australians shovelling and mopping and removing debris. Sometimes they were even helping complete strangers, but it did not matter. They wanted to help out in this time of great need for people they often had not ever met before.

But then, having voluntarily donated their time and money, the government hit them with a new tax. It is unprecedented in Australia's modern history for a government to beg Australians to donate generously with their money and their time and, after they have done so, to then hit those very same people with a new tax. It is unprecedented but, sadly, it is typical of today's Labor Party. They never lose an opportunity to impose a new tax. It was the coalition which did the heavy lifting to identify $2 billion of savings that would have allowed the government to fund the reconstruction without increasing the tax burden on all Australians. That was the fiscally prudent thing to do. The reconstruction package, which we welcomed, did not cover all of the financial needs. It did not cover the cost of homes and businesses destroyed by floods. This was left up to the insurance policies of individuals and businesses in affected areas.

Unfortunately, many Australians were left high and dry by their insurance companies. Some people thought they were covered for the water damage to their property, but it turned out they were not covered for the type of event that occurred. There were disputes
about the differences between stormwater and flood. There were disputes about different kinds of flood. In my travels to New Farm, outside Brisbane, and to the community of Skipton, I learnt of concerns about the definition of interruption to business in insurance. The causal factor was once put to a business not to have been the floods but an electricity serviceman turning off the electricity. It did not matter that the substation was about to be inundated. This was used as a justification to deny cover.

So the definitions were complex, confusing and did not help consumers to fully understand the explicit events for which they were covered. We were apprised of many examples where assurances were given but proved not to be sustained when the need for support through insurance coverage was called upon and needed most. Those words of assurance proved to be hollow and did not represent what consumers understood to be the cover that they were paying handsomely for. These events showed that clarification and certainty are needed for Australian insurance holders.

The coalition welcomes this move to introduce a standard definition of 'flood' and a key fact sheet on insurance contracts. It would be surprising if we did not support these reforms since they were the coalition's idea. Last February—fully a year ago—at the Queensland Media Club, my friend and colleague the shadow Treasurer laid down seven key reforms that were required to ensure the confusion and financial loss would never occur again. The first step was to require insurers to communicate clearly to policyholders the terms and conditions under which they are covered for flood or other prescribed natural disasters and the compensation and support they would receive in the event of such disasters. Mr Hockey suggested this could be done via a leaflet in the annual policy renewal. To their credit, the government have tried to achieve this through the key fact sheet proposal embodied in this legislation. Unfortunately, they have omitted crucial information from this bill, a point which I will return to in a moment.

Mr Hockey outlined a second step, which was to improve national flood-mapping data. This would allow the insurance industry to better assess and price flood risk. The need for this national flood-mapping data has become even more evident since the time of the floods. In my own community, on Melbourne's Mornington Peninsula, we have a number of watercourses—Kananook Creek and the wetlands—in the vicinity and they have long been a source of great pride for our local community. Now, and it is quite unexplained, those attributes and assets are being held out as a justification for astronomical increases in insurance renewals. A constituent of mine, Dianne Tame, is one of the residents affected and she and a number of her neighbours in Clovelly Parade, Seaford have been subjected to tenfold premium increases on the basis of alleged new flood risk. When contacting her insurer she was told that the flood mapping that was used and was relied upon was provided by the local council. Concerned about this, Ms Tame and her neighbours contacted Frankston City Council, only to be told, 'What a load of codswallop.' The area in which they lived had not been identified by the local authority as being flood prone and there was no information to suggest that it had at any stage in the past been—or would in the future be—declared as such and the source of the declaration or evidence or information being relied upon by the insurance company had not been provided by them. We have gone back to the insurance company to pose the question about how they did arrive at
their designation of this particular area as flood prone.

A similar episode has happened up in the Goulburn Valley area, and I wonder whether this is a tactic of some insurers seeking to price themselves out of the market so as not to carry the risk of this kind of insurance into the future. It still remains a mystery how areas of the City of Frankston have been designated as potentially likely to face inundation when there is no such evidence to support such a conclusion. We will continue to pursue that to find out just where this information has supposedly come from.

The third step that Mr Hockey outlined was to require local councils to review the appropriateness of construction of homes and businesses in flood- and fire-prone areas. What is required is better land-use planning. The fourth reform was to request the Council of Australian Governments to review building standards with a view to making buildings more resilient to natural disasters. We have gained many insights into the robustness of building styles, designs and construction techniques as a result of these very challenging experiences of late. Step 5 was to raise community awareness, with governments to coordinate the issuing of regular reminders of the risk to all households and businesses in flood- and fire-prone areas, and also to develop and issue flood and fire action plans to at-risk households and businesses.

The sixth reform was to require state governments to mandate that all sellers of residential and commercial property include advice as to the risk of flood, fire and other natural disasters in the sale documents. And the final step was to investigate investment in new or upgraded dams or levees to provide additional contingency mitigation from the effects of flood. This should consider the additional benefits of dams as storage for urban, agricultural, manufacturing and mining water supplies and as a source of low-emission power.

These are constructive steps that could readily be adopted by the industry and by the various tiers of government. They would go a long way to avoiding the uncertainty faced by many Australian insurance holders in the aftermath of natural disasters. Most importantly, they are crucial steps in managing the risks to ensure random events such as floods have less of an impact on the financial standing of households and businesses. They also add to the evidence base against which insurers can price risk and therefore offer competitive insurance policies to the Australian public. The risk of overpricing risk is that the insurance coverage becomes too expensive so fewer Australians would take out this important protection of their financial and property interests.

This bill is an example of a government that has finally found religion on coalition economic policy—and I wish it would happen more often on issues such as debt, deficit and banking reform. While the coalition is supportive of the principles of this bill, we believe it is deficient in two respects. Firstly, it has taken 12 months to finally bring this important legislation before the House. This is too slow. In that time we have seen another round of floods in Queensland and New South Wales. Households and businesses in the affected areas would have slept easier at night if they had had an answer and some assurance on these reforms.

The second shortcoming is that there is no standard definition of ‘flood’ actually in the bill. The definition will be contained in regulations yet to be made. The Assistant Treasurer has issued an exposure draft of the regulations regarding the standard definition.
of floods, but the final definition is yet to be released. There can be no parliamentary scrutiny of the definition. Members of the House voting on this bill are being asked to take it on trust that the definition will be adequate. Members who represent flood-prone seats cannot provide absolute assurance to their constituents that the government has got it right. The absence of a definition creates more uncertainty. This is counter to the intention of the bill, which is to reduce confusion and to ensure policy holders have an understanding of what they are covered for and, perhaps even more importantly, what they are not covered for. Instead of providing certainty, the government has created uncertainty.

A further shortcoming of this bill is that key information about the key fact sheet for insurance contracts is yet to be disclosed. For example, we do not know if all insurers will need to provide a fact sheet for new policies, or whether it only has to be provided when specifically requested by the policyholder. Again, the missing information will be contained in the regulations. To make a particular point of this, I note that the Treasurer issued a discussion paper on the key facts sheets provisions on 29 February 2012, with submissions closing on 23 March 2012. Yet here we are, on 13 March, being asked to debate and make a decision on the legislation without key facts and supporting information that go to how this bill will actually work. In many ways the success of this reform will be determined by the crucial details which are yet to be announced. I have touched on earlier examples where, even where the definition of flood is known, the interaction with other provisions impacting on insurance policy coverage and the protections being purchased needs to be teased out in more detail. Interruption of business insurance is expensive, but to find it cannot be relied upon when needed comes as a great additional shock to the many small business people I have spoken with since these natural disasters.

Overall these are sensible reforms. However, they should have been more timely and more of the crucial detail should have been contained within the legislation. Notwithstanding these shortcomings, the coalition will support this bill. We hope that the government can be true to its word and that the detail yet to be provided is consistent with the ambition and the statements the government made when introducing this legislation.

Mr NEUMANN (Blair) (20:46): I speak in support of the Insurance Contracts Amendment Bill 2011. I thank the member for Maribyrnong, Minister Shorten, and the Prime Minister for their support for me personally and for my community during the flood. I represent most of Ipswich and the whole of the Somerset region. The floods in January 2011 affected 1,500 homes and 473 businesses, many of which were agribusinesses, in Ipswich. They affected 530 houses and 400 businesses, about 279 of which were agribusinesses, in the Somerset region. These regions really were hard hit as the Bremer River, the Brisbane River and the release from the Wivenhoe Dam raged across the Brisbane Valley, the rural parts of Ipswich, into the Ipswich CBD and down into Goodna, in the electorate of the member for Oxley.

This legislation will not solve every single problem that the people of the Somerset region and Ipswich have suffered. They continue to suffer emotional and psychological trauma. Doctors tell me they still see patients who have been traumatised by the floods. In many ways people are still getting back on with their lives. If you drive through some parts of my electorate at night you still see large numbers of houses without
lights. People have moved away from those areas. I will give an illustration: 550 children attended Ipswich East State School; there are now 450. Its catchment is in the very flood affected areas of Bundamba, Booval, North Booval, East Ipswich and Basin Pocket. I was at the school recently and spoke with the kids in the classrooms. There were school captains and many kids in years 6 and 7 living in flood affected communities.

I read an editorial in an issue of the *Queensland Times* newspaper published directly after the 1974 flood. Ipswich in those days had 74,000 people; now it has over 175,000 people. The editorial said that we have to learn the lessons, take action, move on and not allow the same mistakes to occur again. Sadly, we did not learn every lesson we needed to, and the consequences are that people are still suffering. We hope that these legislative changes will make a difference, that they will bring simplicity to the law and conciseness to the people’s understanding of their legal rights. I think that the key facts statement and the clear simple definition of flood will go a long way to solving this problem.

The insurance industry has a lot to answer for; it really does. I am a member of the Standing Committee on Social Policy and Legal Affairs, and I spoke earlier this evening in the Federation Chamber in relation to our report *In the Wake of Disasters*, which has 13 recommendations. Once again, I urge the government to take up those recommendations and to have a strong cop on the beat with ASIC, the regulatory and monitoring authority, in relation to the insurance industry. It should be not just a licensing authority but a monitoring authority with tough sanctions and tough enforcement to make sure that insurance companies honour their code of practice not simply in the breach but actually in observance, and that there are penalties. Sadly, that is not the case. The code of practice needs to be complied with in flood situations. It needs to be mandatory and it needs to be across the whole industry. We welcome the moves by the Insurance Council of Australia to take some small steps along that way, but it is simply not good enough. I hope the government takes up the recommendations we have made.

One of the big problems we found in my community was caused by the definition of flood. People just about needed a master’s or a doctorate in law to understand the definition. I looked up my own insurance policy with Ansvar—I think I am pretty well educated, and I practised as a lawyer for a long time—and saw that the word ‘flood’ was mentioned a couple of times. I found I did not have riverine flood coverage. Sometimes people looked at a policy and then had to look at a website and then look at some other part of the policy. It was difficult for them. Hydrologists were a challenge at times. Another big problem we had—and this is where this legislation will help in some way—was defining what a flood was. Was it flash flood? Was it stormwater? Was it rainwater run-off? Where did it come from? How were you affected? Businesses and homes were affected by this. Was it riverine or inland water flow? Was it caused by a creek, the Bremer River or the Brisbane River? Was it caused by Deebing Creek or Bundamba Creek or did something else cause it? It was often difficult. It did not matter whether you were a church, like the Salvation Army at Bundamba, or a business like Llewellyn Motors or the flower business of Coral and Kevin Larsen at Fernvale; it was all a challenge and it was difficult for people to understand. At times it was uncertain, and people did not really know where they stood. It is important that we amend the Insurance Contracts Act and the law in relation to these issues because the
Insurance Contracts Act is the main legislation governing insurance contracts in this country. It came into being in 1986. Under an insurance contract, the parties must act in the utmost good faith. I do not think that has always been the case with insurance companies in how they have dealt with people. Facts need to be materially given if they affect the mind of a prudent insurer in determining whether to accept insurance.

The intent of the Insurance Contracts Act was to improve the flow of information. That has not always been the case. People have often felt traumatised by the flood and then traumatised by the claims-handling process. They were not always told about their rights. Sometimes they were, regrettably, dissuaded from making claims. At other times they were not given the information that they needed. These are really big problems in the area of insurance. They were not often given information about internal and external dispute resolution processes or their right to contact FOS or where they stood with legal aid. All of these issues were not necessarily covered.

I think a standard definition of flood would make a big difference. In fact, it is not the shadow Treasurer but the member for Maribyrnong who has led this charge on behalf of the government. He came to my electorate. We did not have any CEOs of insurance companies come to my electorate of Ipswich for the two fora we put on. The CEO of the Insurance Council of Australia came on those occasions, to his credit, and stayed for a short period of time on both occasions. But no-one came to Ferndale in the Brisbane Valley when we put one on with Senator Joseph Ludwig. The definition of 'flood' that the minister is proposing means the covering of normally dry land by water that has escaped or been released from the normal confines of any lake, river, creek, natural watercourse—whether modified or not—reservoir, canal or dam.

It has taken a lot to rebuild Queensland, my home state. But the insurance companies really had the capacity to play ball and to cooperate more fully. The insurance industry in this country—and the big players are Suncorp, IAG, QBE Insurance Group and Allianz Australia—had the capacity. They have a total asset base of about $130.9 billion. They had a revenue of $42.1 billion and a profit of $5.6 billion in 2011. This was at the height of the impact of Cyclone Yasi in North Queensland, floods in rural Victoria, floods in Western Australia and terrible floods in Ipswich, Brisbane, the Lockyer Valley and the Brisbane Valley, and they were still making $5.6 billion in profit in the industry. They are not exactly short of a quid, so they can come to the party and take a more community approach with respect to their social and community obligations to people.

It is important to legislate to increase consumer protections and consumer knowledge. A key facts statement is particularly important. I know that Minister Shorten, the Minister for Financial Services and Superannuation, made that point very clearly when he announced that a key facts sheet on home building and home contents insurance policies would become mandatory for all home building and home contents insurance policies. He said this—and I agree with him:

Too many people are confused by lengthy insurance contracts and product disclosure statements.

The key facts sheet will provide clarity on what is covered by home building and home contents insurance policies and will make it easier for people to compare different policies. People are entitled to know exactly what is and what is not covered under their insurance policies. The deadline for
submissions in relation to that key facts sheet is 23 March 2012.

The member for Dunkley was quite critical of us in relation to the flood levy, but the flood levy was necessary. Let me give you a couple of illustrations. In terms of raising money—and people gave incredibly generously of their time, their effort and their money—even in a city like mine, with a pretty spectacular mayor in Paul Pisasale, who has a great capacity to raise money all over the place, there was only about $2 million to $3 million raised in the Ipswich mayor's flood appeal. In the Premier's flood appeal, far less than $300 million was raised. But we know it will cost about $5.8 billion to rebuild after the floods, cyclones and disasters. Where are we going to get the money? Realistically, do you expect people to put their hands in their pockets yet again? It was a necessity for us to do a flood levy. The member for Dunkley criticised us in his speech in relation to this, but I do remember the Leader of the Opposition on national TV saying in the next day or so he would come up with how they were going to come up with the $1 billion and not agree to the flood levy. One day went past, two days went past and then a couple of weeks went past and there was a kerfuffle in the coalition party room in relation to this issue. They could not come up with $1 billion. How in the world they are going to come up with $70 billion to get themselves back to where we are I will never know. How they are going to pay for their paid parental leave scheme is another story entirely. Eventually they had to go to the One Nation play book. That is how they eventually got it—through the deferral of foreign aid. In the end, if they followed their policy, they were still left with problems.

**Dr Stone:** Madam Deputy Speaker, I rise on a point of order. I believe that the speaker is straying quite substantially from the topic of this bill.

**The DEPUTY SPEAKER (Ms AE Burke):** The member for Murray will resume her seat. I do believe the speaker has strayed quite substantially as well, but I am the one who determines these things. The member for Blair should refer to the bill before the House.

**Mr NEUMANN:** I will. I took the opportunity to rebut the absurd and outrageous claims of the member for Dunkley in relation to it.

There are amendments in this legislation. We are doing it, as the member for Dunkley did say, through standard definition by regulation. I do not see those opposite taking any great exception in relation to these issues when it comes to other regulations. A standard definition of 'flood' for riverine flooding and other types of flooding that covers small businesses, strata title and home building and contents is not an outrageous, ridiculous thing to have. A key facts statement that is allied to a product disclosure statement also will provide consumers with key information regarding home and contents insurance, whether these are combined or individual. This matter was referred to the House of Representatives Standing Committee on Economics back in November 2011. The committee released its advisory report on the Insurance Contracts Amendment Bill in February 2012 and recommended that we pass the bill. That also was the recommendation of the Standing Committee on Social Policy and Legal Affairs in its report, which was handed down in February.

There are important reforms here. We are doing other things apart from those. We have taken the initiative on flood mapping and data with a portal and information that is available to people. We think this is particularly important. We have made the point that councils need to have that kind of
information available to consumers and ratepayers because, when you talk of thousands of people being affected in a community like mine, the impact on people's lives is incalculable. This legislation is in the best interests of my community. I have no doubt it is in the best interests of Queensland and our nation. I support the legislation.

Dr STONE (Murray) (21:01): As we speak in this chamber tonight about the Insurance Contracts Amendment Bill 2011, the small community of Barmah is bracing itself for floodwaters which could wipe that small town out. That community has come at the end of a long string of small towns that have experienced floodwaters over the last 10 days. Just up the basin or flood plain from them is the small town of Nathalia, which has received national attention as it battled its floodwaters with an innovation of a large aluminium levee, admittedly a levee supplemented by some 300,000 sandbags. But the town of Nathalia refused to evacuate. The vast majority of people fought to have its houses and industry saved from the floodwaters. Then there were Tallygaroopna, Congupna, Katunga, Katamatite, Tungamah, Naringaningalook, Shepparton East—those small communities were all in the last 10 days or so fighting for their homes, for their businesses, for their farms and they would have been so grateful if years ago this government had got around to a common definition of flood.

The definition of flood is one of the key components of this bill tonight. We so much need a nationally agreed definition of what a flood actually is. We have found that insurance companies play with the terms and hope that they can get away with a flood definition that they do not have to pay out on, for example, a 'storm event'. So many of my constituents cannot get flood insurance because they live on a vast flood plain. But when you have, as we did in this instance, 12 inches of rain over three days—that is, 300 millimetres, nearly the annual rainfall, in just three days—that is a storm event when it falls down upon your home. The roof of your house takes in water and it is a storm event. But we are finding already that different insurance companies are saying: 'We are very sorry. We know you are in deep strife there—you have lost your place; you have been under water for 10 days and will be under water for another couple of weeks—a metre at least, perhaps two—but we're quite sure that we won't be able to do anything for you.'

This is a serious problem in Australia. We are a place of droughts and flooding rains; we understand that. But we must have a standard definition of flood, and that is the main purpose of this bill, as I said. We are very much looking forward to seeing how that definition will be worded. We have to be satisfied that the definition chosen is adequate, and there are some recommendations from various inquiries about how that wording might be framed. It is a shame that we could not have seen that definition in advance to be able to be more comforted by this bill before the House tonight.

The second component of this bill is the provision of a sheet of key facts to be given to policyholders. This is also a very good idea, and we support the concept. But we want to know more details. We need to be sure that the regulations that go with this bill identify through the key facts sheet the different terms by different insurers. Is it something that is supplied annually with the renewal of a policy? Is it something that you would find if you seek it on a website? How is the key facts sheet to be supplied? Is it going to be guaranteed to be in plain English? Are we going to have someone oversight that, if there are complaints about it still being so complex that you need a legal
opinion to define just what is contained in the key facts sheet? We support both of these elements of the bill. We just wish there was more detail at this stage to be sure that we are going to get something right.

The other problem with this is that these are baby steps. I was very pleased to take part in a recent inquiry by the House of Representatives Standing Committee on Social Policy and Legal Affairs into the operation of the insurance industry during disaster events. Volume 1 has been tabled and it is a very excellent report. We just wish that this bill had contained some of the recommendations that we found were very important as we went all through eastern Australia and into Western Australia looking at the disasters that had occurred in the last 12 months to two years.

When we looked at the responses of different insurers, we found so much evidence of insurers who were delaying assessors arriving and different insurers having different decisions about the type of disaster event for different claimers in the same street, as was the case in Queensland. We found people still waiting for assessors to arrive 12 and more months after the initial event.

I am not surprised at that, but it was shocking when one of my constituents from Shepparton East, after 12 inches of rain fell on her home in just two to three days, contacted RACV, her insurer, asking urgently for an assessment and was told, 'We really think this is probably a flood, so your claim is probably not going to make it and, by the way, we are very busy and we won't get an assessor near you for at least 12 months.' This is extraordinary. The woman making the call was pregnant; she needs a home for her family. She needs to have her house fixed as fast as possible. Her husband is very concerned that, if they have to wait 12 months for an assessor, they are not going to be able to get good value for money, and what are they going to do about their family's living arrangements in that intervening time?

The insurance inquiry undertaken by the House of Representatives Standing Committee on Social Policy and Legal Affairs recommended, for example, that we must have a national flood overlay that means that insurance companies do not simply employ anyone that they like to call a hydrologist and then, no matter what their qualifications, take that assessment of the situation as either supporting the claim or ruling it out of order completely. We recommended that claimants had to be informed about the qualifications, the employer and the role of external experts that are appointed by their insurers to help interpret their claim. We recommended a maximum of 12 weeks for external experts to provide the reports.

In relation to the floods now devastating parts of my electorate, some of my claimants, in contacting their insurers, have been told, 'We're busy and it will take a very long time to get to you.' That is not good enough in this time of emergency. We recommended in our inquiry a maximum time frame for accepting or denying a claim. We recommended a time frame for responding to requests for information—not just a call centre to tell people over the phone that they were not likely to succeed with their claim and, really, not to bother anybody again. We recommended an undertaking to communicate all decisions about insurance claims to the claimant in writing, with clear and explicit reasons relating to that particular claim. We recommended a time frame for informing claimants of the progress of their complaint or dispute.

That would all seem to be common sense, but, come a disaster, the insurance industry is
allowed to ignore its code of conduct. The code of conduct is in fact not mandatory; it is just voluntary. Therefore it is the goodwill of insurers as to whether they take any notice of their code of conduct at all. Through our inquiry and also through the two floods that have devastated my electorate in the last 14 months, I have found that insurers will very often do all they can to ignore the code of conduct, whether it is during an emergency or not.

We also found that insurance companies were not telling their claimants about the internal dispute resolution processes within their company nor about the Financial Ombudsman Service, which is specifically paid for by the insurance industry to investigate claims that have not been resolved to the satisfaction of everybody. The Financial Ombudsman Service was the best-kept secret when it came to claimants and what they were trying to progress as they battled the insurance companies for a fair deal.

This bill, as I say, is baby steps in the right direction, but a lot more has to be done, and most urgently. We really do need that national flood overlay. There was a recommendation in the Shorten inquiry that it be a web based data set, perhaps maintained by Geoscience Australia. That is so important in a country like ours, which has numerous flood overlays provided, some by catchment management authorities and some by local government agencies. Some are very old and out of date. Some are now out of date because levees have been built or removed since their time of initial development. I would argue that these flood overlays are as important as the common flood definition, and of course easy communication in the sense of a key facts sheet is just common sense. It seems extraordinary that we have to legislate for an insurance company or any business at all to provide a key facts sheet to its customer or its clients in something as important as insurance.

I want to pay tribute to those who are struggling with the floods in northern Victoria as we speak because many of them know that they will never be able to insure against flood given their location and their topography on the great northern Victorian floodplains. As a nation we have to consider what those businesses, large and small, are going to do when it comes to being devastated by a once-in-100-year event like we are currently experiencing. The Nathalia abattoir was inundated just 10 days ago. Riverland Oilseeds in the town of Numurkah was affected. The hospitals at Nathalia and Numurkah were both isolated by floodwaters, with Numurkah hospital being seriously damaged by floodwaters. If those places cannot buy flood insurance or if it is offered at prices that are totally unacceptable in terms of the high cost, what are we going to do for them in order to ensure that they can be sustained over a longer period of time?

There is a failure at the moment in the insurance sector where companies like RACV and CGU are now deliberately trying to get rid of numbers of their policyholders by 200, 300, 400 or 500 per cent increases in premiums, hoping that those people will simply go away, because they just do not want to carry the risk anymore. What do those particular home owners do? They live on a floodplain, they farm on a floodplain or they have some other enterprise there and they do need to be able to ensure that they can rebuild, regroup and sustain their enterprise after this one-in-100-year event.

We lost about $2 billion worth of livestock and infrastructure in the floods of January-February 2011. The bill for this flood will probably be similar. When I flew
over the area on Monday and when I drove around, as I have done over the last week, past the dead and bloated sheep floating in the floodwaters, past the fodder rolled up against the fences, past inundated dairy farms and past all of the homes that are now severely damaged, with one metre of water or more having gone through them, I kept hoping that the insurance companies to which people had been paying premiums for sometimes 20 or 30 years would look very hard at the event which led to this inundation: the three days of rainfall equivalent to an annual rainfall in our normal years. I know that already there are battles going on between policyholders and the insurance companies. I just want to give a couple of examples of the sorts of problems that we are having in my part of the world. For example, in Mooroopna, where we have had the flood very recently, I have had people who own homes discovering through their bank accounts that thousands of dollars extra had been taken out and that the cost of their insurance policy had gone up from, say, $500 to over $5,000 without their being properly informed that that had been the case. The direct debit had simply alerted them to the fact that they now had a lot less money in their bank account than they had assumed was there.

We really do have a problem with insurance in Australia. We have insurance companies that do not have a mandated code of conduct. We allow that code of conduct to be flouted completely in a time of disaster. We need to look at the recommendations of the report called In the wake of disasters, the House of Representatives Standing Committee on Social Policy and Legal Affairs report. This bill is, as I say, just baby steps and long overdue. The definitions of flood should have been made at least two or three years ago. The key statement of facts of course should happen, and it is almost childish having to make legislation in that regard. A lot of recommendations have been made through a number of reports. I am hoping that this government understands the importance of this sector and the fact that businesses and homes depend on decent insurance coverage at an affordable price and that we move on to make a great number of new pieces of legislation work, which will bring about a better outcome for all Australians and make them sustainable.

Ms OWENS (Parramatta) (21:16): I am actually really pleased to stand to speak on these amendments to the Insurance Contracts Act. It is in many ways a very technical bill. It deals with a very, very important matter, which is the way in which consumers are informed when they take out an insurance policy and the extent to which they understand the nature of their coverage. But the bill itself is quite technical. It deals with two aspects of the many reforms underway in terms of insurance in Australia, particularly a standard definition of flood and a key facts sheet. But rather than deal with those specifics which will be covered in the regulations, it deals with the way in which those elements are handled.

It deals with what insurance companies have to do with the standard definition; whether an insurance company can exclude high-risk items such as jetties or seawalls; what lead-in time is necessary for insurance companies to make the adjustments necessary to put this in place; and in terms of the key facts sheet, whether it is an electronic copy or whether it needs to be a hard paper copy; when it needs to be given out; whether it needs to be given on a cover note; and whether it needs to be given out every time a person changes their insurance. There are lots and lots of technical aspects that define the way in which the standard definition and the key facts sheet actually work in practice. Again, these are very important technical
details because they will support some very important changes in the insurance industry particularly in relation to flood.

The changes that we are talking about today came about, as all of the speakers have said so far, because of the significant natural disasters during 2010 and 2011. When the major floods first started happening just before Christmas last year, I was actually out camping in a national park out of mobile phone range on my way up to Carnarvon Gorge. I did not realise that it was happening. Fortunately, I stopped at my parents' place and we did not quite go as far as we were intending. There were people helicoptered out from our next stop the next day, so we were lucky in the end. We got out of our parents' place the day before the road was closed and we drove through very shallow water most of the highway back. We only just made it back. We were some of the very lucky ones. Many, many others of course were nowhere near as lucky.

The aftermath of the flooding revealed that many people had inadequate or no insurance cover. The worst part of that is that many of those people thought that they did have appropriate cover only to find out, on top of the loss of their home and possessions and in many cases people that they loved, that the insurance cover they thought they had was in fact non-existent. That was the primary stimulus for the government putting together the National Disaster Insurance Review back on 4 March 2011. That review had a very serious look at the nature of insurance cover in Australia and made some 47 recommendations.

In parallel to that, the government also released a consultation paper called Reforming Flood Insurance: Clearing of the Waters in April 2011. The purpose of that was to engage the community in suggesting improvements to the regulatory framework and other aspects of Australia's insurance market. The paper contained two key proposals which were designed to improve clarity for consumers in relation to insurance policies and in particular the cover provided for various types of flood, namely, a standard definition of flood and a key facts sheet to outline the key information in relation to home building and home contents policies. The Insurance Contracts Amendment Bill implements those two proposals.

Its purpose, essentially, is to make it easier for people seeking to take out insurance to understand what it is that they are insuring their homes for. It also covers home building, home contents, small business and strata title insurance. It covers that group of people who are less likely to engage insurance brokers who, in most cases, wade through the product disclosure statements themselves, or do not in many cases. So it is particularly targeted at people who need help in working their way through what are incredibly complex documents.

As the member for Blair said in his speech, these product disclosure documents can be quite onerous. I also, like the member for Blair, think of myself as fairly confident when it comes to taking care of these things. I recently found myself in a situation where I had a bit of water damage in my home—not due to any external activity but a leaking pipe—and I found myself not knowing whether I was covered either in spite of my thinking that I was so clever and so on top of these things. I turned out to be covered but it could just as easily have gone the other way for me. When I sit down now, as I am doing at the moment, to review my insurance policies across a range of things, I realise that it is really a two-day job by the time you sit down and work your way carefully through these rather long documents, particularly if you want to compare one policy with another. It really is a substantial
task indeed. Again, anything that we can do that makes it easier for people who have the good intention of covering themselves well to do that is a very good thing. One of the problems with the current flood definitions used by insurance companies is that there are three broad categories of flood. There is stormwater rainfall run-off, sometimes called 'flash flooding' and so the word 'flood' appears in definitions relating to those. Usually the term refers to high-intensity short-duration storms which produce localised flooding and most insurance policies but not all of them cover this risk—again, the words 'flash flooding' might appear under current regulation. Then there is the riverine inland flooding, which is inundation caused by watercourses or catchments overflowing their banks due to long duration rainfall over large areas. Some insurers provide cover for this risk, but many do not. Whether it is included or excluded in the definitions of this can vary greatly. The third category is actions of the sea, sea level rise and storm surge, which is inundation caused by movement of seawater. Few insurance policies cover this risk and we have seen people particularly on rivers closer to the ocean that were caught in the definitions of flood where insurance companies saw in some cases that it was tidal rather than riverine. So there are three basic definitions. For a person in the street it is hard for them to see how those definitions are clear. It is very easy to see how a person reading through a very lengthy product disclosure statement, who is not familiar with the way insurance companies think of these three types of flood, could be confused by what their insurance policy does or does not cover.

The standard definition of 'flood' does something really simple. It means that if you use the word 'flood' you will be referring to riverine or inland flooding, according to the definition in the regulation. So if you use the word 'flood' at all in the insurance policy, it will refer to that definition, which means that things like stormwater rainfall run-off and actions of the sea may be covered separately but they will use different terminology. It clarifies quite substantially what is covered in an insurance policy. Under current law the term 'flood' is not defined in the act, which results in insurers defining the terms in different ways, as I just described. Under the new law, insurance providers will be required to use a standard definition of the term 'flood' in all cases for home and building contents, small business and strata title insurance policies and their supporting documents. The term 'flood' will be defined in the regulations.

The key facts sheet is also something people wanting to compare insurance policies or wanting a clear picture of what they are covered for will find very useful. It is a short statement of one page which outlines what the insurance policy covers, what is not covered, the cooling-off period, what type of cover is offered under the policy and an explanation of how the key facts sheet is to be used.

Under the current law, the existing disclosure obligations in the Corporations Act require an insurer to disclose information in a product disclosure statement, which again can be quite long. I think my home and contents one is 47 pages. Last time I asked my insurance company about flood insurance, they told me that I could probably find it on page 22. I am not sure I would have got to page 22 if I was in a hurry. Many people are in a hurry when they take out insurance policies. People move home, people buy a home, people move into a new flat and they quite often find themselves wanting to cover their contents quite quickly. So there are many reasons
why we do not get to page 22 of our product disclosure statement.

The new law, in addition to that existing product disclosure statement, requires the insurer to provide a key facts sheet, which outlines the information I described before. There is widespread support for these amendments. It is something the community has wanted for a long time and it is that business supports. In submissions to the Economics Committee's inquiry, industry was highly supportive of both the standard definition of flood and the key facts sheet. The National Insurance Brokers Association commented as a general statement that they support both of the initiatives—the standard definition provisions in relation to flood and the key facts sheet. Similarly RACQ Insurance supported both measures. The Insurance Council of Australia commented that they strongly endorsed both of the initiatives—the standard definition of flood and the key facts sheet—and in addition to the industry groups, the Consumer Action Law Centre was also highly supportive of the initiatives. It is worth quoting them. They stated:

We understand that there is now broad agreement on the proposed definition of flood. This is something we strongly support. We believe that a standard definition will assist in reducing disputes about when someone who experienced a flood is or is not covered. Key facts sheets, which are designed to provide simple and accessible information about a policy so that a consumer does not have to wade through hundreds of pages of product disclosure, is also a good reform which, if implemented properly, will empower consumers in the marketplace to make more effective choices.

I might also comment on the extent of consultation that went into these amendments and the consultation which is still going on into the regulations for the key facts sheet and the definition of 'flood'. It was clear when in its public hearings the Economics Committee met with representatives from the Treasury, the insurance industry and the consumer groups that there had been substantial consultation. Industry raised some technical issues which were of concern to them and it was clear that the discussions with Treasury on finding answers to their concerns were well and truly underway. The economics committee agreed that a number of those issues were quite serious and that the consultation process to find answers was well underway. It was clear that the consultation process had been quite effective. Industry concerns were being taken into account. If you read the transcript, you will see that it was probably one of the easier public hearings, where for virtually every issue there was already an answer.

Debate interrupted.

ADJOURNMENT

The DEPUTY SPEAKER (Ms AE Burke) (21:30): Order! It being 9.30 pm, I propose the question:

That the House do now adjourn.

Mr de Heer, Mr Ken

Mr HUNT (Flinders) (21:30): It gives me great honour to rise in the House this evening to recognise Ken de Heer, a constituent in my electorate who passed away, sadly, at the age of 72 on 29 February this year after a four-year battle with bladder cancer. It gives me particular honour to be able to do so in the presence of his brother, Derril, and his sister, Patricia, in this House this evening. They are here representing his family, his friends and his community, in the case of Patricia, who comes from Baxter in the Mornington Peninsula. It is a real pleasure to have you here.

The reason that I want to particularly acknowledge Ken is that he was one of the leading lights in the development of the Mornington Peninsula community over the
last 20 years. He was also one of the leading lights in the surf-lifesaving movement on the Mornington Peninsula over the last 20 years. In particular, he was the driving force, the founder and the motivating energy behind the foundation of the Sorrento Life Saving Club. In so doing, he was fundamental to saving many lives over many years. Right throughout the peninsula and indeed throughout Victoria there are families that would not be whole, that would not be as they are, but for the energy, the drive, the passion and the commitment of Ken and of all of those whom he inspired to work with him on a voluntary basis at the Sorrento Surf Life Saving Club.

Let me go back to the beginning. Ken was born on the Falkland Islands in 1940, during the Second World War. His brother, Derril, was born in 1943 and his sister, Patricia, in 1944. Their father, Walter, was an Australian who had been working in oil on the islands. Their mother, Vivienne, was from the islands. They went first to Edinburgh and then after the war to Australia, in 1946. The family established themselves in the Hunter Valley. Dad worked in the Kurri Kurri coalmines and lived through the 1949 to 1951 strikes as the mines were modernised. It was a difficult period.

During his youth, Ken travelled in Europe for a period. He finished his schooling in year 8, but that was never a hindrance. This was somebody who had enormous energy. After he settled in Victoria, his found his first love, the Port Lonsdale Life Saving Club. He started with that club in 1960. He transferred to the Apollo Bay Surf Life Saving Club in 1967 and spent an incredible 23 years performing patrols. He served as president and became a life member in 1979. He subsequently moved to Sorrento. He trained the Portsea Surf Life Saving Club junior boat crews for two years before forming the Sorrento club. Ken founded Coppins restaurant in 1996 at Sorrento surf beach. He witnessed tragedy and he resolved to do something about it. As a consequence of that, in 1998 he established the Sorrento Surf Life Saving Club.

As part of that process, over the years he helped lead the push to raise half a million dollars—which in those days was a very large sum of money—to establish the clubhouses. I know those clubhouses; the community knows those clubhouses. Many lives have been saved, much fun has been had and many things have been learnt because of the creation of the Sorrento Surf Life Saving Club. As president of the club, Ken ensured that within five years those clubhouses were constructed from nothing. More than that, over the years he was a councillor and a great contributor to the community. In particular, he was the driving force behind the creation of the Sorrento Youth and Community House. And there is more: he was involved in the Sorrento football club. He was a great figure on the southern peninsula.

We all represent electorates that contain figures who make our communities what they are. Ken was loved by and loved Kim and was very proud of his son, Nicholas, who is 22 and a carpenter. On behalf of our community, I thank Ken's family for his contribution. You should be incredibly proud of him.

Queensland State Election

Ipswich Turf Club

Mr NEUMANN (Blair) (21:35): I am concerned that so-called 'can do Campbell Newman' is a 'won't do' when it comes to the people of Ipswich. The non-elected leader of the Queensland LNP has travelled all over the state but has not visited Ipswich since July 2011. More concerning, he has not committed to funding important projects in Ipswich. Indeed, the LNP did not support the
relocation of Bremer High School. They have made no commitment to the redevelopment of the Ipswich Hospital and opposed the school upgrades under the State Schools of Tomorrow program and the BER projects across Ipswich.

In February 2012, the Bligh Labor government and Racing Queensland announced funding of $6 million for a vital upgrade of the Ipswich Turf Club, an historic club that is a regional icon. The redevelopment is an important step towards the Ipswich Turf Club becoming a hub for three codes of racing. The $6 million would be used to build a tunnel under the course, to provide a sealed float and car park area, a swab stall and 150 tie-up stalls in the infield. Campbell Newman and the Queensland LNP have refused to commit to this important project. The chairman of the Ipswich Turf Club, Wayne Patch, urging a bipartisan approach, said this recently:

Ipswich is a fundamental part of the Queensland racing program and a vital spoke in the thoroughbred racing wheel. We just want the LNP to provide some surety to the members of the turf club, the interested thoroughbred parties in Ipswich and the community that racing in Ipswich will prosper whatever government should be elected later in the month ... The LNP's refusal to commit to it jeopardises the entire project.

This has created a lot of media commentary in Ipswich. On 3 March 2012 the *Queensland Times* had the headline, 'Racetrack left off funding list'. On 7 March 2012, the *Queensland Times* had two articles headed 'Racing revamp on ice' and 'Why won't you back us Campbell?' The Queensland LNP does not understand Ipswich and the West Moreton region. It does not understand what makes our community tick.

The Ipswich Turf Club is a proud and historic club, having grown from the first races held in Ipswich in 1848, to the first official race meeting in Queensland in 1859, to the forming of the Ipswich Amateur Turf Club in 1890 to race at the Bundamba Racecourse and to its renaming in 1988 as the Ipswich Turf' Club. The track was renamed in 1991 as the Ipswich Racecourse. The club holds 52 race meetings a year. I go to the annual Labor Day race day on a Monday during the Labor Day weekend every year. I am proud and pleased to go there with my Labor Party friends and union comrades and thousands and thousands of people from across Ipswich.

The biggest event of the Ipswich Turf Club is the Ipswich Cup, with a turnover of $5 million alone. The Ipswich Cup has wider economic benefits to the Ipswich region, which include benefits to hospitality, hotels and motels, hairdressers, fashion outlets, taxi drivers and the like. Ipswich Mayor Paul Pisasale estimates the wider additional benefit to Ipswich to be about $5 million. The Ipswich Cup is the biggest meeting by attendance across the whole of Queensland and is the biggest provincial club meeting in Australia, attracting 21,100 people in 2011. And everything points to it being as successful this year. It has been named in the top 20 meetings in Australia.

The Ipswich Turf Club is a club that gives back to its local community. The turf club gives $150,000 a year to local charities and sporting organisations, including St Mary's Cathedral restoration, the St Edmund's College Foundation, Crime Stoppers and the Ipswich Legacy Club, to name a few. The club hosts a range of community events throughout the year, such as the mayor's Christmas Carols by Candlelight—an incredibly successful and popular event for the past six years; the monthly Handmade Expo; the annual Ipswich City Council Plant Expo; and car shows. The turf club made its facilities available to local football clubs for sign-on days during last year's floods.
I want to draw attention to the great work of the members of the Ipswich Turf Club Management Committee and General Manager Brett Kitching, who I have known for many years. Brett's enthusiasm, professionalism and management style have been a contributing factor in the success of the club over the past year. The club has made an incredible effort to become an integral part of the Ipswich community and has done so successfully.

But the Queensland LNP, and its non-parliamentary leader, Campbell Newman, just do not get that, nor do they understand our community. I call on him to show the same bipartisan commitment, the same determination and commitment to our region, that Premier Anna Bligh has. I call on him—or whoever may be running his party after the election—to commit $6 million, should they win, to the Ipswich Turf Club. To her credit, Premier Bligh recognises that the injection of $6 million will help build a vital and vibrant racing facility in Ipswich. I call on Campbell Newman and the coalition to do the same. (Time expired)

Coeliac Disease

Mrs ANDREWS (McPherson) (21:40): The week from 13 to 20 March is Coeliac Awareness Week, and this provides an opportunity to highlight to the community the prevalence, symptoms and management of this disease. Coeliac disease is a hereditary disease where the immune system reacts abnormally to gluten, a protein found in wheat, barley and oats, resulting in changes to the lining of the small intestine where the villi become inflamed and flattened. This in turn leads to malabsorption of nutrients, as the surface area of the bowel is significantly reduced by the flattening of the villi.

Coeliac disease is hereditary—a genetic predisposition needs to be present for the disease to develop. The prevalence of coeliac disease varies across different population groups due to its hereditary component. It is uncommon in Africa, Japan and China but is much more common in Ireland, the United States and Italy. It is estimated that coeliac disease affects one in 100 Australians. Based on current population figures, this means that there are about 226,000 sufferers in Australia, although the Royal Australian College of General Practitioners puts the figure somewhat higher at 250,000.

The exact figure is not known precisely, but it is estimated that approximately 70 per cent of sufferers are not diagnosed, continue on throughout their lives unaware that they have coeliac disease and therefore continue with a gluten-containing diet that is most likely posing risks to their health. In Australia, underdiagnosis means that there are about 160,000 Australians who have coeliac disease but do not yet know it.

Why is coeliac disease so often undiagnosed? There are a number of reasons for this, including the fact that it is not easy to diagnose. Blood tests are usually used as an initial screening tool followed by a small bowel biopsy to confirm the diagnosis. Whilst there are other methods with varying reliability, the small bowel biopsy is the gold standard for diagnosis. Also, the symptoms can be vague and many people with coeliac disease can be asymptomatic. It can be particularly difficult to diagnose in children. As it is often difficult for the child to describe their symptoms or the symptoms are unspecific—for example, the child says, 'I've got a stomach ache,' or 'I'm tired'—the medical practitioner may not proceed with the serology to screen for coeliac disease. Then, of course, there is the cost involved in the blood tests and biopsy, the long waiting times at public hospitals and the limited
number of gastroenterologists and especially paediatric gastroenterologists in private practice.

The diagnosis or detection rate in Australia must be increased because of long-term consequences of the disease, such as osteoporosis, poor nutrition—and in children this can manifest itself as lack of proper development such as short stature—and also an increased risk of certain types of cancer. As proper treatment with a correct gluten-free diet can prevent or reverse many of these illnesses, timely diagnosis is essential.

In Finland, coeliac disease has been recognised for some time as a chronic disease and considerable work has been done to increase the detection rate. This has been done by increased training of health personnel as well as increased screening for those known to be at risk of developing the disease. I believe that similar measures need to be instigated here in Australia.

I have recently spoken to the executive officer of Coeliac Queensland about the cost impact of coeliac disease and about our mutual concerns in this area. The executive officer, Cathy Di Bella, was certainly very forthcoming in her views in representing the members of the coeliac community.

To date there has not been a recognised study in Australia of the actual cost to society of coeliac disease. There was a four-year study of coeliac disease patients in Minnesota in the United States that recorded the direct medical costs associated with the disease and compared these with a control group that did not have coeliac disease. The study found that there were higher patient costs and higher total costs for those with coeliac disease compared to the control group. However, that study did not take into account lost productivity through days at work lost, higher food costs or long-term health costs. A proper study of the costs to society of coeliac disease needs to be undertaken, and I call on the government to commission such a study as a priority. I also call on the government to provide proper support for the early detection of coeliac disease and to actively support existing organisations such as Coeliac Queensland to raise awareness of this chronic disease in the community, particularly in rural areas. With early detection and strict adherence to a gluten-free diet the effects of the disease can be reduced and potentially reversed, and appropriate steps should be taken to raise awareness. *(Time expired)*

**Bowel Cancer**

**Ride for the Little Black Dress**

Dr LEIGH (Fraser) (21:45): Last Saturday, it was my pleasure to join a group of men who were riding for the Jodie Lee Foundation's 'Ride for the Little Black Dress' from Canberra to Melbourne. The ride set off from the forecourt of Parliament House and among the leaders were Nick Lee, the husband of the late Jodie Lee, who died two years ago; his friend Andrew Poole; cancer doctor David Rangiah and ACT Chief Minister Katy Gallagher. It was a sunny day but we were speaking about one of the darkest topics in Australia.

One of my favourite writers, Christopher Hitchens, died of cancer recently. Before he died he did a couple of extraordinary interviews with *Lateline*'s Tony Jones, and in one of them he described his cancer. He said: Well, obviously it can't have emotions and as far as we know it can't see. It is a being. The thing is, it can't have a life of its own, but it is an alien and it is - it is alive as long as I am. Its only purpose is to kill me. It's a self-destructive alien.

He went on to say:

… having something living inside you that is entirely malevolent and that wishes for your - doesn't wish for, but is purposed to encompass your death. And keeping company with this is a
great preoccupation. Once you think about it like that, it's hard to un-think it.

Christopher Hitchens's experiences are, sadly, so common for Australians across the country. Bowel cancer claims 5,000 victims a year—one every two hours. Each of them is someone's loved person—a wife, a mother, a friend, in the case of Jodi Lee.

For many of us, I think, the natural inclination would be to retreat into our own inner sadness. But there is something wonderful about a group of blokes who, when faced with the scourge and the death toll of bowel cancer, decide that the best thing they could do would be to put on little black tutus and ride from Canberra to Melbourne. There is something funny about it, and there is something that fits the country which downed weapons on a Christmas Day in World War I to play a game of soccer with the other side.

The Ride for the Little Black Dress by all accounts is going well. I confess to this House that my participation was limited to two laps of the parliament. I am sure that Parliamentary Secretary Dreyfus, who is at the table, would have gone a little further. But I, unlike him, am not such a cyclist. They have, however, now ticked off day 4, according to their Twitter feed: 145 kilometres finished in 29-degree temperature. They are tired boys. But they are tackling Mount Buller tomorrow, because they have decided that, if you are going to ride from Canberra to Melbourne, you should not take the Hume Highway; you should go over the mountains.

This is an extraordinary bunch of blokes. There are 21 of them making their second ride. The first ride attracted 14 men last year. They are riding to raise money to fight bowel cancer but also to raise awareness. We know that early detection does save lives and that, if diagnosed, early bowel cancer is 90 per cent curable. We know that testing is important. The government currently funds the National Bowel Cancer Screening Program to check on people aged 50, 55 and 65. Individuals who want to do a test, can obtain one from a community pharmacy for around $37, and that includes the cost of treatment. It is also important for those considering getting tested to know—and there is no other way of putting this—that getting tested for bowel cancer does not involve having anything put up your bottom. And this is important if we are to raise screening rates for bowel cancer.

I commend the Ride for the Little Black Dress, the enthusiasm and energy that those who have organised it have put into the activity, and their commitment to making sure that research and early detection of bowel cancer are priorities and that we as Australians do everything we can do to reduce the impact of bowel cancer on our community.

Democracy

Mr TONY SMITH (Casey) (21:50): On the wall of my office here I have a map, as many members would have, that has been published by the NGO Freedom House. This map of freedom shows what a precious commodity democracy really is. It is often said that freedom is not free and, as we look overseas, we see people without liberty, putting life and limb at risk to try and win it. And we always need to remind ourselves of the precious commodity that democracy really is.

Here at home it can be easy to take those freedoms for granted, and that is why we must always work to ensure our democracy is always the best it can be. Thomas Jefferson put it well when he wrote that eternal vigilance is the price of liberty. The threat to freedom does not always come from obvious conflicts. Democracy can also be
undermined very slowly, in a different way, by internal trends that are incremental and in fact even unconscious—for instance, the glacial creep of the nanny state that eats away at liberties bit by bit, rule by rule, statute by statute. One of the worrisome manifestations of this creep has appeared of late in the form of soft censorship, from our local councils to the federal government. In my own region the Yarra Ranges Shire Council, a good council, recently published a set of draft regulations that would, I hate to say, be ludicrous if they were not so serious. If enacted they would prohibit the distribution of handbills or electoral material, other than on polling days, without a council permit. They would outlaw the delivery of a public address without prior permission through a permit. The implications of these proposals of course are truly Orwellian. In effect the council would be licensing political expression. Anyone wishing to exercise their right of free speech would require a permit and over time the temptation for future councils to deny political oxygen to their critics would create a clear and present danger of abuse. These regulations would also mean that anyone wanting to express public disapproval of someone like me would need a permit. You might expect me to say, 'Good on them!' for that proposal, but I say, 'Bad.' I regard this as patronising, condescending rubbish. (Time expired)

South Australia: Public Holidays

Mr CHAMPION (Wakefield) (21:55): I rise tonight to talk a bit about the economic pressure that is on families and communities, in particular the sort of pressure that is being placed on the community of South Australia. This pressure is caused by people needing to have dual incomes to pay mortgages and having to work long and antisocial hours. People do it grudgingly, but it takes a big toll on marriages, on the rearing of children and on community life. We often hear politicians talking about this. It is what is called the 'barbecue stopper'—work-life-family balance. But often politicians do not act nearly as often as they talk. I have noticed that some political parties have even included 'family' in their names. It is part of a political movement, I suppose, to
encapsulate these anxieties that people have about modern life in the political discourse.

The Weatherill Labor government in South Australia is acting to give families extra time around particularly important and special occasions in the community's life, Christmas Eve and New Year's Eve. The proposal is to make a part-day public holiday that would start after 5 pm, which is both affordable and practical for the community. We all know that after 5 pm on Christmas Eve and New Year's Eve is family time and community time. It is time for friends and family and if you are working you miss out on that time. This unique proposal has the support of unions, of small family businesses, of Business SA, of city trading groups and of the Adelaide City Council and it is opposed by the Liberal Party and their paymasters, the pokie barons. These pokie barons are extracting enormous profits from the community generally, and we know that they extract enormous profits on New Year's Eve and Christmas Eve. We know that they make a king's ransom on those nights; they make very large profits. They are refusing to share those profits with their workforce.

The South Australian Legislative Council has the balance of power on this question, as they do on most other questions. We wait to see whether Family First members Dennis Hood and Robert Brokenshire and Independents John Darley and Ann Bressington will decide to side with the working families of this country and with the Labor Party and the Labor Party's proposals in South Australia for part-day public holidays or whether they will side with the Liberal Party and the pokie barons. We need to know whether they are on the side of ambulance officers and coppers and shop assistants and aged care workers and nurses and bar staff, the people who work to help us have a happy and safe New Year's Eve, or whether they are on the side of a very small part of the business community which is a very profitable part of the business community. We need to know whether or not they are on the side of families.

This agreement has broad public support and, let me tell you, Mr Speaker, we are not alone in acting. In 2007 the ACT government proclaimed Family and Community Day, a new public holiday just for families and communities, which will be celebrated on 8 October 2012. So we are not alone amongst state governments in enacting new public holidays. These are special occasions. I defy anybody in this House to say that Christmas Eve and New Year's Eve are not special times of the year which people would prefer to spend with their families and friends, and they are notably antisocial times to work. We know that people would prefer not to volunteer to work at those times, yet they do so to make sure that we have a happy and safe time. This agreement will come to the South Australian parliament shortly. Those Independents, and Family First, have to decide whose side they are on—whether they are on the side of working families or on the side of the big end of town, whether they are on the Liberal Party's side or on the pokie barons' side. I can promise them that if this issue is not resolved in workers' favour and in the favour of the 80 per cent of South Australians who want these public holidays, then it will become an election issue. It will be pursued as an election issue, and it will give everybody every reason to vote Labor in South Australia—not just in the lower house but in the upper house as well. I commend this to the public.

Macquarie Electorate: Flood Mitigation

Mrs MARKUS (Macquarie) (22:00): I rise tonight to congratulate the hardworking service organisations in New South Wales
during the recent floods and to draw focus to the issue of flood mitigation, particularly in the Hawkesbury region, which affects the people of Macquarie. Many communities in the Hawkesbury were affected by the severe weather that much of New South Wales recently experienced. People residing in the Hawkesbury are fortunate to live close to the Hawkesbury River, which plays an important role in our region's natural environment and economy, providing much in the way of recreation, agriculture, sport and tourism for our residents and visitors. However, living close to the river presents a challenge when flooding occurs.

The Hawkesbury runs through a natural flood plain. Many families who are new to the area would not recall the last major floods, 20 years ago. However, this gap in knowledge was filled by the hardworking, dedicated volunteers of the SES, the Rural Fire Service and many others who were on the ground early preparing residents for the full likelihood of a flood in the area. Foresight combined with experience meant that not a single resident missed out on a warning when the weather turned sour. The SES doorknocked hundreds of homes, and I was fortunate and honoured to join with them in being able to spread the message of what to do in the event that floods hit. This reduced the number of rescues the SES had to perform in our region, and every one of the rescues that were performed had a positive outcome.

I would like to take this opportunity to formally thank and congratulate all SES and RFS members, who were on the ground doorknocking and preparing our community for the event of a flood emergency. Their dedication and their actions played a vital role in our community's being prepared and staying safe when the waters rose on the first weekend of March. I would particularly like to mention and thank Kevin Jones, the local controller of the Hawkesbury SES, and his team for their constant communication with me, other local members of parliament, volunteers, our local police force, media outlets and our community.

In light of these statements, turning to the issue of flood mitigation in the Hawkesbury region would be prudent. The Hawkesbury-Nepean catchment covers about 22,500 square kilometres and is one of the largest of all coastal river systems in New South Wales. Since 1799 there have been over 120 major floods on the Hawkesbury-Nepean flood plain, with the highest ever flood level recorded at 19.7 metres—some 63 feet—in 1867, completely devastating districts from Penrith to Wisemans Ferry. There are now over two million people residing in the Greater Western Sydney region. While only a certain number of these residents are living on the flood plain, the numbers have increased, with many facing the threat of major flooding similar to what we are seeing further west in our regional centres. This poses a serious threat not only to residents but also to business, property and infrastructure downstream of Warragamba Dam.

In July 1995 Sydney Water commissioned a report by Australian Water Technologies and ERM Mitchell McCotter entitled Proposed Warragamba Dam flood mitigation dam EIS. The report made a number of recommendations. While the options mentioned would not eliminate flooding, they could reduce the size and impact of a flood by up to 4.5 metres.

Greater Western Sydney continues to expand in population, both residentially and in terms of business. To ensure that our region's future is sustainable, now is the time to implement and plan a flood mitigation strategy, extending beyond an evacuation strategy. The coalition is already taking
proactive steps through the establishment of a coalition dams task force. The task force has visited the region and is working with our New South Wales state government colleagues to create a flood mitigation strategy that will work hydrologically, environmentally and economically. The next logical step would be to conduct a feasibility study on the possible options for flood mitigation in the region that is up to date with today's employment figures, population figures and the economic figures of Western Sydney.

The coalition's dams task force, chaired by Andrew Robb, is acutely aware of the need to develop a sustainable and effective flood mitigation strategy in the Hawkesbury, and I look forward to the release of the joint state government-task force report for the nation in the coming weeks. The coalition and the New South Wales government are committed to ensuring communities most at risk of flooding have strategies in place to safeguard against major disaster and devastation. (Time expired)

**Bass Electorate: Bell Bay Precinct**

**Mr LYONS (Bass) (22:05):** I rise tonight to speak on some issues currently facing my electorate of Bass, a number of which are interlinked. As some would know, BHP Billiton recently announced the temporary closure of the Temco manganese smelter at Bell Bay in Bass. Other recent reports indicate that Rio Tinto's Bell Bay smelter is also facing uncertainty. This is due to a range of factors, largely the high Australian dollar, low aluminium prices and increased costs of production.

It is a difficult time for aluminium smelting right around the globe, not just at Bell Bay. Although these comments create a level of uncertainty in the region, it is important to note that both businesses have confirmed that these uncertainties are not linked to the Labor government's price on carbon—unlike the scaremongering we hear from those opposite. These decisions are due to the factors that I have just outlined—the high Australian dollar, low aluminium prices and increased costs of production. While we would like the Australian dollar to be 78c to assist manufacturing, it is encouraging to hear recent reports from Rio Tinto indicating that they do not have any current plans to cut jobs or production at the Bell Bay smelter.

This business must be maintained. It employs 8,000 direct and indirect jobs in Tasmania and is a vital part of the state's economy. There are, however, negotiations underway between Rio Tinto and the Tasmanian state government regarding electricity prices. I have written to the Tasmanian government urging them in the strongest terms to facilitate a satisfactory outcome regarding these vital negotiations as a matter of priority. A positive outcome to these negotiations is essential in ensuring the long-term viability of this company, aluminium production in the state and the Tasmanian economy. This will require political will as the electricity provider will not necessarily consider employment, GDP or the maintenance of lifestyle.

There are challenges, especially in the manufacturing industry, but this does not warrant those opposite talking down the economy. The constant negativity and pictures of doom and gloom from those on the other side must stop, such as that from the member for Indi, who recently painted a very grim picture of the electorate of Bass in a speech that she delivered in this place. Perhaps the member for Indi could be more constructive in her ill-informed comments rather than just flying into Bass, sipping on a coffee in a local coffee shop and leaving again. This is typical of those on the other side of this House with their constant
negativity, no, no, no and their total lack of any constructive policy announcements.

Those opposite are a policy vacuum with no ideas on how to address the challenges that our economy is facing with the ever increasing international pressures. There is no clearer example of this than their opposition to the government’s handling of the economy during the global financial crisis, where the Australian Labor government kept the country out of recession, supported jobs and supported working families with our initiatives. However, as I have said in this place before, whenever there was an opening, whether it was a BER or another major infrastructure initiative, who was there? The state Liberals or the federal Liberal candidates, even though their federal counterparts voted against the jobs these projects created.

Last week, I welcomed into my electorate the Minister for Sustainability, Environment, Water, Population and Communities, the Hon. Tony Burke, and we toured the site of the proposed Gunns pulp mill. We were both impressed with the preliminary site work that has been carried out by Gunns and I would like to urge those on the other side to drop their negative attitudes and the no, no, no, and join us in publicly supporting the pulp mill proposal to enable positive signals to be sent out to the investors with whom Gunns are negotiating to secure the necessary funding to move this development to construction.

The electorate of Bass, and Tasmania as a whole, does have a bright future, but that will only be achieved through the hard work and commitment of us all, rather than people flying in from interstate, sipping a latte and spitting and hissing negativity and scaremongering. My electorate expects far more than this. People from both sides of this House must act in a professional and diligent way to address the challenges of regional Australia and that is what I am committed to doing in representing my constituents in the great electorate of Bass.

**Internet Content**

**National Day of Action against Bullying and Violence**

Mr HAWKE (Mitchell) (22:10): I rise today to acknowledge that Friday is the National Day of Action against Bullying and Violence. As the Deputy Chair of the Joint Select Committee on Cyber-Safety, I also want to note a disturbing development today in the world map of freedom, which the member for Casey was referring to before. Today, unfortunately, Australia has been listed as a potential enemy of the internet by Reporters without Borders. They have listed us with countries such as South Korea, Russia, Sri Lanka and Egypt as nations that they consider to be a threat to democracy and freedom of information online.

As an advocate of digital liberty, I am rising tonight to express my concern about Communications Minister Stephen Conroy’s ongoing attempts to apparently consciously tell factual inaccuracies about the status of Labor’s controversial mandatory internet-filtering project. In a press conference last week, the minister, with Prime Minister Gillard, was asked whether he was still philosophically committed to the internet-filtering project and whether it will be implemented during the current term of this government or the next. Minister Conroy answered:

Well, two companies, in fact three companies have already introduced it. It may come as a great surprise to you that the internet hasn’t slowed down or collapsed. Telstra and Optus and a small—apologies to the third company—have introduced the filter.

This is evidence, of course, of Senator Conroy’s ongoing lack of transparency in
relation to the government's plans on mandatory internet filtering. What has happened is that a voluntary filter has been implemented by Telstra and Optus of the Interpol list of criminal sites and material that is found to be offensive or not suitable for consumption, not the government's plans for a mandatory internet filter. Senator Conroy has been all over the shop in relation to this policy over many years now, and this led to a spate of articles with a series of inaccuracies about what the government is doing and what the government is contending about an internet filter, further undermining a transparent approach to the governance and regulation of the internet. It has been a major failing of this government.

Indeed, any attempt to impose a mandatory filter upon the internet would require a large volume of legislation. That has been pointed out by all sectors, whether it be telecommunications companies, internet service providers, industry, school groups, parent groups or academics. In all of our trips around this country listening to people, the cybersafety committee have heard that filtering does not work. Mandatory filtering would not be a solution to the problems of the dangers on the internet and would be a very expensive way to legislate in this country.

What kind of thing should the government be considering in relation to Friday and the National Day of Action against Bullying and Violence? I think there is much more to be gained in encouraging corporations—in particular, social networking and social media at the cutting edge for children in Australia today—to consider voluntary regulation of their sector. It is apparent that all of the major user sites for social networking, including Facebook, Myspace and Bebo, have an age restriction of 13 as their stated voluntary policy for use of their site. It is of course a well-known fact that there are tens of thousands of children all across this country and around the world today using those social-networking sites.

This goes to the question: what is a corporation's social responsibility in relation to children using their site in violation of their stated policies that a user must be 13 or older to access their site? I raised this issue at a public hearing last year with a representative of Facebook, Mr Mozelle Thompson, who responded to questioning about why he did not acknowledge that there were children under the age of 13 using the Facebook site. He said:

I accept that there are people who lie, and sometimes those are younger people who maybe do not belong on the site. Facebook has mechanisms to try to detect them, but it is not perfect.

In response to further questioning, Mr Thompson went on to deny that there were any children under the age of 13 using the Facebook site, in blatant contradiction of the experience of, I think, every member, senator and parent in Australia today.

Instead of considering what in my view is unwieldy legislation or unworkable technological solutions like a mandatory internet filter, the government ought to be pursuing corporate social responsibility in the internet sector in relation to social networking to ensure that our children are protected and that greater responsibility is taken by these companies for ensuring that children under the age of 13 are not on their sites.

**Live Animal Exports**

Mr GEORGANAS (Hindmarsh) (22:15): On behalf of many constituents in my electorate I rise to convey to the House their overwhelming desire for an immediate end to live animal exports. Many constituents have contacted me in the last few weeks since the dreadful scenes we saw on the
ABC. I have received hundreds of emails from people across my electorate who are angry and upset at seeing more footage emerge of animal cruelty overseas. They have written to me to express their frustration at seeing cattle in abattoirs overseas not only failing to be stunned but actually being cut up while still alive. This was horrendous vision for any Australian viewing it. It was terrible to watch and we can only imagine the pain and suffering those animals endured.

Whilst we have not yet confirmed the origin of those animals, the message was clear—you just cannot guarantee Australian welfare standards in a country that is not Australia. I think anyone who saw the footage would be horrified. There is absolutely no excuse for that kind of cruelty. I am glad that the Minister for Agriculture, Fisheries and Forestry reacted swiftly by launching an investigation. We spoke with the minister's office, who confirmed that they had launched an investigation. The frustrating thing is that, if we did not have live exports, there would be no need for such an investigation.

Last year when the issue first arose I was one of the first to call for a ban, as was the member for Wills, who is here in the chamber. We did succeed in having a temporary ban imposed, but of course live exports soon resumed despite a lot of lobbying from me, the member for Wills and many other members of the Labor caucus. We now find ourselves in a distressing groundhog day situation. There have been some improvements, and I am pleased that there have been and I am glad the minister has put them in place. Before, we did not have a way of tracking where cattle had come from and now, with new supply chain standards, we do. But this is no excuse for the way animals are being treated, based on the footage we saw on the ABC a couple of weeks ago.

There have been improvements in aspects of the animals’ welfare, but the fact remains that the only way to guarantee the welfare of Australian animals is to keep them in Australia. It is time to bring our meat processing fully onshore. Let us turn a bad thing into a good thing. Let us stop exporting cattle and start processing them here in Australia and value adding. Let us turn a basic product into a premium, value added one. Let us do that not only because it makes absolute economic sense but because it is the right thing to do. I do not agree with those assessments that say a ban on live exports will put cattle producers out of business. I do not believe that for one moment. Just think about the opportunities that fully onshore meat processing presents for jobs—it means more jobs in regional communities and regional areas. It will mean more money staying in the local economy rather than going offshore. New Zealand has been able to do this. There will be a big expansion in our chilled and frozen meat exports, which could open up new markets overseas. It will mean that Australians can be satisfied that our animals are treated humanely when they are slaughtered here in Australia.

Just last weekend Minister Emerson—we saw reports of this in the Australian newspaper—was talking about the fantastic opportunities we have as a nation to become the world's food bowl, particularly in terms of the demand for meat. He spoke about the increasing demand for beef and lamb in China and other countries where the middle class is rapidly expanding and the appetite for animal protein also continues to increase rapidly. The time is right to make this transition—it is up to us to seize the opportunity with both hands. The message from my electorate and the wider community
is crystal clear: end live exports now. *(Time expired)*

The SPEAKER: Following a note that he sent me, I now give the call to the honourable member for Moncrieff, one of our more senior members both in chronological terms and in years of experience.

**Solar Energy**

Mr CIOBO (Moncrieff) (22:20): Thank you for that introduction, Mr Speaker. I am very pleased to have the chance to raise a matter of great importance on behalf of one of my constituents. It is a matter of great importance because it deals directly with the Gillard Labor government's continuing incompetence when it comes to the management of government programs. I am speaking in particular of this government's decision to axe the solar hot water rebate without announcement, without warning and without natural justice, as far as I am concerned, for those involved in the industry or for those customers who were in the process of purchasing from the industry.

As a result of Labor's snap decision to stop the solar hot water rebate, I received a call from a constituent. Consistent with standing orders, I will not name the constituent. But I will say that this person has a factory in Ashmore in my electorate, employs around 50 staff and had 90 orders on his books for solar hot water systems. Following the Labor Party's announcement axing the scheme without warning, this business owner—a small business man—is now faced with a situation where he potentially has to lay off up to 40 of his 50 staff and where those 90 customers are left without any access to the rebate in order to install their solar hot water system. Of the 90 customers who had placed orders, only about seven had put deposits down. That may seem unusual in some parts of Australia, but to place an order without putting a deposit down is not actually unusual business practice on the Gold Coast. Times have been very tough of late and many customers make the decision to place orders without putting a deposit down—on the basis that they can only hope that the small business they are dealing with will still be in business in a week's time or in a month's time. That is why it has become fairly common practice for orders to be placed without a deposit.

When I rang this constituent, he outlined to me the consequence of Labor's approach to axing the solar hot water rebate without giving any advance warning or notice. He had placed orders for around $300,000 worth of equipment to meet the demand for the 90 or so orders which had been placed with his company. The mortgage on his home, which underscored and provided the surety needed for that order of $300,000 as well as the continued operation of his business, was what he used as equity. Following Labor's snap decision to wake up one day and have the minister announce the axing of the solar hot water rebate, this man now faces the very real risk of losing his home as a consequence of his business possibly going under. How many times do Australians need to be faced with this government making decisions like this, decisions which wreak havoc in their lives?

This is a factual account. After speaking on the day prior, the Thursday, to the man concerned—this man who has a small business, who employs around 50 staff and who has a mortgage on his home to run his business—I rang him again on Friday of last week. His general manager answered the phone. I asked, 'Can I speak to my constituent?' She said, 'You can't; he has been raced to hospital with chest pains.' I felt, right then and there, the profound personal consequences of the stroke of a pen by a government minister.
This is not confined to the solar hot water scheme. The problem is that the government have form. They played with people's lives on live exports when they announced the sudden closure of the live export trade. They played with people's lives on pink batts when they announced the sudden stoppage of that program. How many people must suffer because of the government's incompetence when it comes to running government programs?

The coalition is putting forward a better plan. The shadow minister for the environment is going to move a private member's motion that will ask the Labor Party to commit to the funding that it allocated for the solar hot water program. That funding should be followed through on. Those orders should be honoured. The people who work in this industry, such as the man who is looking at laying off 40 or so staff from his business, deserve to have advanced notice about the end of a program rather than simply have the rug pulled out from underneath them. It is the very least that any decent government should do, and it should undo its mistakes by supporting our private member's motion. (Time expired)

Victoria: Grand Prix

Mr KELVIN THOMSON (Wills) (22:25): I wonder how many Australians and, in particular, how many Victorians saw last week's TV documentary about the life of Tamara Ecclestone, the daughter of Formula 1 boss Bernie Ecclestone. When the Grand Prix first came to Melbourne, the reported cost was $1.5 million. By 2011 it had skyrocketed to $50 million. Bernie Ecclestone is very adept at securing taxpayer money, not just in Victoria but around the world. The British government built a new dual carriageway to his racetrack at Silverstone and demanded Formula 1 be exempted from the EU's ban on tobacco sponsorship. Russia recently agreed to build a circuit for Mr Ecclestone and then charged itself $280 million for the privilege of letting him use it.

The writer George Monbiot says that, in 2004, the consultancy firm McKinsey insisted that the desperately poor Indian state of Andra Pradesh, where millions die of preventable diseases, cough up £50 million to £70 million a year to support Formula 1. The state's chief minister had lobbied the Prime Minister of India to exempt Ecclestone's business from the national ban on tobacco advertising.

The Ecclestone family's offshore trust, Bambino Holdings, saves Mr Ecclestone, by his own account, in excess of £2 billion in tax. As George Monbiot accurately puts it: this is socialism for the rich; capitalism for the poor. Those at the bottom, like quite a few of my constituents, are subject to the rigours of the free market. Those at the top are pampered and protected, which brings me back to the documentary about Bernie's daughter Tamara. In it she sets out to prove that she is not a 'pointless, quite spoilt, really stupid, vacuous, empty human being'. As George Monbiot says, her attempt is not entirely successful. She is shown supervising the refurbishment of her £45 million home in London, which includes commissioning a £1 million bathtub carved from Mexican crystal, an elevator for her Ferrari, her own nightclub, a bowling alley with crystal studded balls, an underground swimming pool complex and a spa and massage parlour for her five dogs. Of course she has her own daily massage, and her busy day includes taking the dogs to Harrods to have their hair sprayed and their nails painted. The day is not complete without a private plane to fly her across the Channel to an exclusive party in Europe, but she cracks it when her stockbroker boyfriend meets a group which includes a former girlfriend, and she leaves...
the party in a huff. If you have not seen the documentary I cannot recommend it too highly.

I want to suggest to my fellow Victorians in general and to the Victorian government in particular that there are better ways of spending $50 million. For example, for the last two years, northern Victoria has been hit by serious floods, with extensive damage to tourism businesses in places like Echuca, Kerang, Rochester and the like. It would be a boost for flood-affected northern Victoria to put money into tourism projects along the Murray River or into building new schools. My electorate has been screaming for a high school for Coburg for years. It is not good enough that it still has not happened. The Grand Prix money could build and run this high school and others desperately needed as a result of Melbourne's rapid population growth.

Or it could go to towards undergrounding powerlines in bushfire prone areas. The Victorian government said it would implement all of the recommendations of the Victorian Bushfires Royal Commission but now says it cannot afford to underground the powerlines even though the royal commission makes clear that it is risky and crazy to have our electricity assets above ground on days of high bushfire risk. One thing I am absolutely sure of: there are better ways to spend $50 million, year in and year out, than bankrolling Bernie's billionaire bogan. I might add that in the past week a lot of Australians would have been pretty disgusted to learn that the reason Gina Rinehart—estimated personal wealth $17 billion—was out there in 2010 with the placards protesting against the mining tax was so that she could provide more of, in her own words, the life of privilege given to her outrageously spoilt children: private jets, endless overseas holidays, multimillion dollar homes with water views and so on. It is disgraceful that she should begrudge ordinary, hardworking Australians—and, seriously, when was the last time she picked up a shovel?—a share in the mineral resources which are owned by all Australians, a share which the Australian government seeks to provide through higher superannuation and retirement incomes, lower taxes on small business and important nation-building infrastructure projects.

The SPEAKER: Order! It being after 10.30 pm, the debate is interrupted.

House adjourned at 22:31

NOTICES

The following notices were given:

Ms Roxon to present a bill for an act to validate certain orders etc. under the Family Law Act 1975 and to amend that act, and for related purposes.

Ms Roxon to present a bill for an act to provide for parliamentary commissions to investigate allegations of judicial misbehaviour or incapacity, and for related purposes.

Ms Roxon to present a bill for an act to amend the law relating to complaints about judges and federal magistrates, and for other purposes.

Mr Albanese to move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Gippsland’s private Members’ business notice relating to the disallowance of the Environment Protection and Biodiversity Conservation Amendment Regulations 2011 (No. 1), as contained in the Select Legislative Instrument 2011 No. 191, and made under the Environment Protection and Biodiversity Conservation Act 1999, being called on immediately.

Mr Laurie Ferguson to move:

That this House:
CHAMBER

(1) records its abhorrence at the events of 16 to 18 March 1988 at Halabja, Kurdistan, involving the use of chemical weapons by the then Iraq regime of Saddam Hussein;

(2) notes:
   (a) the death of 5000 civilians and injury of 7000 people;
   (b) the use of a mixture of Sarin, VX and Tabin nerve gases in addition to mustard gas, leading to birth defects, miscarriages, infertility, paralysis, cancers and other illnesses;
   (c) that this massacre was only part of the broader 'Arfal' 1987 to 1988 assault on the Kurdish people aimed at ethnic cleansing; and
   (d) the execution of Ali Hassam Almajid on 25 January 2010, after being found guilty of ordering and organising this attack; and

(3) acknowledges:
   (a) resolutions in a similar vein carried by the United States Senate and House of Representatives, and in the Canadian, Iraqi and British parliaments; and
   (b) that in 2009 the Halabja genocide was commemorated for the first time by the United Nations.

Mr Fitzgibbon to move:
That this House acknowledges the importance of the Minerals Resource Rent Tax for the funding of important physical infrastructure in capacity constrained mining regions.

Mr Danby to move:
That this House:
(1) recognises that 24 March is World Tuberculosis Day, in observance of a preventable and treatable disease that still claims the lives of up to 1.5 million people every year, mostly in developing countries, and that:
   (a) overall, one third of the world's population is currently infected with the Tuberculosis bacillus;
   (b) the World Health Organization (WHO) estimates that the largest number of new Tuberculosis cases in 2008 occurred in the South-East Asia Region, which accounted for 35 per cent of incident cases globally; and
   (c) the number of new cases of Tuberculosis arising each year is still increasing in Africa, the Eastern Mediterranean and South-East Asia;
(2) acknowledges that Tuberculosis is responsible for one in four AIDS related deaths, making it the leading killer of people living with HIV and that:
   (a) less than seven per cent of people living with HIV are screened for Tuberculosis;
   (b) people living with both HIV and Tuberculosis infection are much more likely to develop Tuberculosis; and
   (c) the WHO estimates that by scaling up services and providing integrated HIV and Tuberculosis care, it is possible to save the lives of up to one million people living with HIV by 2015;
(3) notes that:
   (a) currently more than two thirds of international financing for Tuberculosis services is provided by the Global Fund to Fight AIDS, Tuberculosis and Malaria;
   (b) the Global Fund is a key international body which provides critical basic services to support many developing countries in the fight against Tuberculosis; and
   (c) Australia strongly supports the Global Fund; and
(4) encourages Australia to continue to work bilaterally and with other international donors to address Tuberculosis, including through the Global Fund.

Dr Stone to move:
That this House:
(1) notes that the Australian agricultural industry offers excellent career opportunities, including:
   (a) approximately 100,000 jobs in the agricultural sector;
   (b) 2.5 jobs for every agricultural graduate; and
   (c) a diverse range of careers requiring a wide range of skill levels;
(2) acknowledges that responding to the expanding global food task will require Australia to substantially upskill and increase the size of its agribusiness workforce;
(3) recognises that there are declining participation rates and graduates in the agriculture sector as tertiary agricultural science courses offerings decline, and secondary school students do not take up undergraduate courses; and

(4) calls on the Government to:

(a) resource the promotion of careers in agriculture through the primary and secondary school system;

(b) provide incentives for universities to offer agricultural science courses; and

(c) encourage industry in the development of agribusiness educational and training resource material.

Mr Dutton to present a bill for an act to provide for equity in relation to the provision of certain dental services, and for related purposes.

Mr Hayes to move:
That this House:
(1) notes that:
   (a) 16 March 1988 is the day that Saddam Hussein's forces attacked the Kurdish town of Halabja with chemical weapons;
   (b) more than 100,000 Kurdish people were killed and many were severely injured; and
   (c) this was the first time a country had used weapons of mass destruction against its own citizens; and

(2) on the twenty-fourth anniversary of the attempted genocide of the Kurdish people of Iraq, reaffirms its support for Iraq and specifically commends the dedication and commitment of the Kurdistan Regional Government to a safe, unified and harmonious Iraq.

Mr Hunt to present a bill for an act to provide for the expenditure of money appropriated for the Solar Hot Water Rebate scheme, and for related purposes.

Mr Frydenberg to move:
That this House rejects calls to reduce funding to non-government schools to 2003-04 levels that would put at risk the financial viability of many non-government schools and leave many students disadvantaged.
(b) that 2 April 2012 is World Autism Awareness Day and that the Coalition and Autism Victoria are working to ensure Parliament House will be lit up in blue to acknowledge World Autism Awareness Day.
Tuesday, 13 March 2012

The DEPUTY SPEAKER (Ms AE Burke) took the chair at 18:00.

CONSTITUENCY STATEMENTS

Swan Electorate: Small Business

Mr IRONS (Swan) (18:00): I rise this evening to speak about an issue that is very important to many people in my electorate of Swan and an issue that I have deep empathy for and an understanding of, and that is the increased regulatory burden on small business. I represent an electorate that is home to more than 20,000 businesses which form a key part of the Western Australian economy and provide employment opportunities to many of my constituents. Small business is an integral part of a thriving economy. The dedication of talented men and women risking everything they have to act on their ideas, labour to create a business, and then grow and expand that business is what has generated jobs and wealth for millions of Australians, including Western Australians, since our founding days.

Unfortunately for the thousands of small business owners in my electorate of Swan, this government just does not understand the value small business has to our economy. This government does not understand that you cannot have a strong and prosperous society without first having a successful economy to sustain it. This government has continued to introduce new taxes and regulations since taking office. Despite the government promising a tough one-in, one-out approach to regulation in 2007, a whopping 16,163 regulations have been passed whilst a mere 79 regulations have been repealed. The one-in, one-out policy Labor promised in opposition quickly has become a 204-in, one-out policy in government. The increased red tape is not only stifling business activity for many of these operators in my electorate; it hinders the entrepreneurship, innovation and sacrifice which create successful businesses.

Today we saw the government in question time trying to convince everyone they are a party that looks after small business. I can tell them that I have run a small business for nearly 30 years, and the one thing that all small businesses dread and fear is a Labor government. The government, as part of the mining tax, is increasing taxes for Australia's 400,000 small businesses by removing the entrepreneurs tax offset. The Gillard government is trying to sell the one per cent cut to the company tax rate as a broad cut to small business when in fact less than one-third are actually set up as companies. These same businesses who miss out on the tax cut will not be able to escape dangerous cost increases due to the carbon tax. A one per cent cut in company tax represents one cent in a dollar. The only companies who are going to achieve that benefit are companies that are actually making a profit. So for all the businesses in the current economy who are not making profits that one per cent means nothing to them at all. An early tax write-off of $6,500 does not help cash flow, because the companies still have to pay for the assets they have actually bought. So there is no benefit to cash flow, which is what the Labor government is trying to represent.

Reid Electorate: Vocational Education and Training

Mr MURPHY (Reid) (18:04): Last Friday I was delighted to speak at the Southern Cross Catholic Vocational College on behalf of the Minister for School Education, Early Childhood
and Youth, Peter Garrett, to celebrate the official opening of the new trade training centre at Burwood in my electorate of Reid. Visiting schools is always a highlight, especially as it allows me to meet with students, teachers and school communities and to see firsthand the exciting new opportunities that are available. Southern Cross Catholic Vocational College is the lead school in a cluster application submitted in round 1 of the Trade Training Centres in Schools Program and was awarded $11 million to provide this training facility. Other schools in this cluster to benefit from the training facility are Bethlehem College, De La Salle College, Marist College, Domremy College, Holy Cross College, Marist Sisters College, St Scholastica's College, St Patrick's College, Christian Brothers High School and Berne Education Centre.

The dual-strand curriculum will produce workforce-ready students who graduate with either a Certificate II or completion toward a Certificate III in their chosen field. Both certificates are the equivalent study requirements of a first year apprenticeship. The program is an important element of the Australian government’s education revolution and one of a number of initiatives designed to improve the quality of schooling and have a qualified, well-trained Australian workforce—a goal clearly shared by Southern Cross Catholic Vocational College and its partner schools. This program gives every Australian secondary school student access to industry-standard trades training facilities. The availability of facilities that provide pathways to trade careers is a vital element in keeping all students engaged and rewarded in their senior secondary schooling.

The overall program will provide $2.5 billion over 10 years to allow all secondary schools access to infrastructure funding to build new or enhance existing trade training facilities. To date the program has approved $1.2 billion to fund more than 370 projects benefiting over 1,060 schools around Australia. This trades training centre facility in Burwood will not only provide industry-relevant training that will engage students but also properly prepare them to be the highly skilled workforce of tomorrow. The establishment of this trades training centre is also an example of how cooperative partnerships coupled with long-term vision can help promote quality education, help address national skills shortages and enhance the productivity of our nation. Finally, I congratulate all of those involved in making this project a success and applaud the college’s commitment to improving the opportunities and training pathways for the students in this area.

Royal Australian Artillery

Mr VASTA (Bonner) (18:07): It is with pleasure that I rise tonight to acknowledge the bravery of the 102nd Field Battery, Royal Regiment of Australian Artillery for its collective gallantry and heroic actions that took place on the night of 12 to 13 May 1968 in South Vietnam during the Vietnam War. The 102nd's exemplary conduct on that evening against a numerically superior enemy has yet to be formally recognised by the Defence Honours and Awards Appeals Tribunal, and tonight I would like to formally raise this matter. I have been made aware that a submission for an award of a Unit Citation for Gallantry for the 102nd is currently before the tribunal. I would strongly encourage the tribunal to formally recognise the collective tenacity and bravery of the Australians who held their ground under intense enemy pressure on the first night of fierce fighting at Fire Support Base Coral in South Vietnam.
The members of the 102nd were under strength and unprepared for the fierce attack that evening and were faced with a 1,000-strong North Vietnamese Army unit who were fresh and well equipped and whose objective that night was to secure the six guns of the 102nd. The North Vietnamese Army succeeded in securing only one of the six Australian guns that evening due to the bold and heroic actions of the battery. The members of the battery were engaged in close hand-to-hand combat with the enemy whilst performing their main purpose, which was to provide support to the Australian infantry, all the while under sustained mass infantry attack. To summarise for you today, as many as 220 Australians would have been captured and lives subsequently lost; six Australian guns would have been lost, mortar and other vital equipment and supplies would have been lost, and the regiment headquarters would have been overrun—truly unthinkable outcomes. Without the 102nd's brave actions it really could have become a reality of the Vietnam War. The 102nd's courageous actions were brought to my attention by my Bonner constituent Mr Jurgen Harms of Wynnum, who served in the Vietnam War and was part of the 102nd FB. I thank him for his ongoing efforts in achieving appropriate recognition for this battle. In conclusion, I would like to formally place my full support behind the 102nd Field Battery, Royal Regiment of Australian Artillery in their submission to be awarded the Unit Citation for Gallantry.

Braddon Electorate: Burnie Waterfront

Mr SIDEBOTTOM (Braddon—Parliamentary Secretary for Agriculture, Fisheries and Forestry) (18:09): On 24 February, I joined with the Hon. Simon Crean, Minister for Regional Australia, Regional Development and Local Government, to finally open the last stage in what has been called the waterfront revitalisation project in Burnie. Burnie has reinvented itself from the 1990s, invested in itself and is now known as the place of makers. It has always had a history of manufacturing, particularly papermaking and it has revitalised itself. Through the Better Regions Program—a program totalling $176 million—the government have contributed to this revitalisation, particularly $3 million, which was used for two parts of the revitalisation process. One million dollars was spent on the Makers' Workshop, a fantastic, innovative building, which tells the story of Burnie, its surrounds and its makers' history. Two million dollars was spent to complete the physical revitalisation, the amenity-creating revitalisation, of the waterfront precinct, particularly that related to the surf life saving club and the facilities that go with it.

The revitalisation project has seen the redevelopment of the Burnie surf club, which I know, Mr Deputy Speaker Adams, you have visited on a number of occasions; the rejuvenation of North Terrace into a one-way street; the creation of a pedestrian-friendly precinct off North Terrace; the construction of a new tourism and visitors centre to amalgamate the Pioneer Village Museum, Creative Paper Tasmania and the existing visitor centre into an innovative attraction aimed at future tourism growth markets, particularly through the Makers' Workshop; the erection of a new seawall; the construction of decking, an events lawn, paved areas incorporating artworks, public barbecues, shelters and play equipment, which will expand the seawall area and connect the West Park precinct; and the connection of the waterfront and the West Park cultural precinct, with decking towards the Makers' Workshop from the waterfront precinct.

On top of the $3 million, we have also invested $4.6 million into the regional local council infrastructure project to bring together this revitalisation to support Burnie in its reinvestment
in itself, its amenities and most especially its people. I was very proud to join Simon Crean in these endeavours and to congratulate the Burnie City Council and the whole of that community in what is an exciting, innovative and fantastic project.

**Longman Electorate: Epilepsy Awareness**

**WYATT ROY** (Longman) (18:13): Last week I launched Epilepsy Awareness Month in the Moreton Bay region with the event Cupcakes in the Park. This was a fantastic community event that brought attention to the important issue of epilepsy awareness. It is a condition that has wide-reaching implications in my community and for people all around our nation. Epilepsy is the world's most common brain disorder and impacts around one in 50 Australians during their lifetime. For such a common disorder little is known about it. The frustration that sufferers of epilepsy face is that there is no single cause and there is no known cure. About 70 per cent of epilepsy sufferers are able to successfully control their seizures with medication. However, others are faced with the fear of not being able to control their seizures and not knowing when the next one will strike. Unfortunately, this can lead to physical, psychological and social issues, and has the potential to impact on the sufferer's access to education, employment and involvement in relationships.

I have personally seen the impact that this invasive condition can have on a person's life, having grown up with one of my best mates suffering from epilepsy. Not only are there many questions left to be answered about epilepsy by the medical world; epilepsy continues to be overwhelmingly misunderstood by the general population. It is for this reason that I decided to raise awareness and break down the stigmas surrounding epilepsy by hosting Cupcakes in the Park. I want to thank the many locals who came out in support of Cupcakes in the Park—locals who are keen to meet and support others in the community who have suffered at the effects of epilepsy, whether it was themselves, their friends, their family or their colleagues. As I have always found with my community, locals are keen to get behind those in need and offer their support. This event was no exception. Those that attended were keen to learn more about epilepsy. I would like to take this opportunity to thank Epilepsy Queensland for their assistance with this event and also for the good work they are doing in Queensland. The CEO of Epilepsy Queensland, Helen Whitehead, attended and shared her experience and vision for Epilepsy Queensland. I would also like to thank one of my staff members, Shannon Murray, who, as a sufferer of epilepsy, has opened my eyes to the challenges faced by sufferers across the country. Without her help, this local event would not have been possible. Thank you, Shannon.

Purple Day is on 26 March. It is the international day dedicated to increasing awareness of epilepsy. Cupcakes in the park was my community's Purple Day event. Purple Day was started in 2008 by Megan Cassidy, a nine-year-old Canadian girl who wanted sufferers of epilepsy to know that they did not have to face their condition alone. Getting to support one another is what Purple Day is all about. I was proud to hold this community event and I thank my community for their support.

**Forbes, Professor John, AM**

**Ms HALL** (Shortland—Government Whip) (18:16): I would like to acknowledge the fine achievements of Professor John Forbes AM who was recognised in the Australia Day awards this year. He is an outstanding Australian committed to finding the right treatments and a cure for breast cancer. He serves as Director of the Department of Surgical Oncology at the...
Calvary Mater Newcastle Hospital and the Professor of Surgical Oncology at the University of Newcastle. He is also the Director of Research of the Australian New Zealand Breast Cancer Trials Group and has been recognised for his service to medicine in the field of breast cancer research and in the development of improved clinical trials.

He has been a leader in breast cancer research not only in Australia but has also been a pioneer in breast cancer trials worldwide. He established the first national breast cancer trials along with his colleagues 30 years ago. Today 20 per cent of the breast cancer deaths that would have occurred 20 years ago are now avoided. It is a fine record in the area. It was my pleasure, along with the member for Hume and Professor Jim Denham and many of his colleagues in the medical and scientific community, to sponsor Professor Forbes for this award. It was long overdue. The difference he has made to so many women's lives is phenomenal.

Each year I hold a breast cancer morning tea in my electorate. Professor Forbes, somebody with such a distinguished background, somebody who has made such a significant contribution to research and to the treatment of breast cancer, puts aside a morning in his busy schedule to come along and talk to women in my community about breast cancer and to help us raise funds for breast cancer research. He is totally dedicated and committed to finding a cure for breast cancer through breast cancer research and by understanding how breast cancer mutates within a woman's body. He is a man who has made an enormous commitment to his community and it is only right that he be recognised in the way he was this year in the Australia Day honours. A big thank you to Professor John Forbes: you are a fantastic man who is truly committed to helping women.

Aged Care

Mr NEVILLE (Hinkler—The Nationals Deputy Whip) (18:19): I am calling on the government to urgently respond to the Productivity Commission's report *Caring for older Australians* so that this nation and its citizens can have some peace of mind when it comes to just how we are going to manage our ageing population and its aged care needs. We have already gone through 20-plus reviews and inquiries related to ageing and aged-care issues, including three by the Productivity Commission since 2007. It is now more than seven months since the commission released that last report. The Wide Bay area, which includes my seat of Hinkler, has the highest age profile in the nation, yet it is missing 429 aged-care beds and has Queensland's poorest ratio of beds to people over 70 years of age. Nationally, the bed ratio for the region is ranked the third worst.

According to information provided by the Department of Health and Ageing, the missing beds—beds allocated but not yet delivered by service providers in the region—comprise 234 high care and 195 low care. Their specific location is not freely available. With this in mind, can you guess just how many aged-care beds the region received in the last round of aged-care allocation, in which 180 funded beds were up for grabs? It was zero—not one. It is utterly incomprehensible to me how a region, and thus my electorate, would not receive a single aged-care bed in the last round. It is highly distressing to older residents and their families. So, in all, we are down 600 places in the last four years.

I have never been officially informed as to why no beds we allocated. Departmental officers say that there were no applications. Potential providers tell me that the capital cost of facilities and the government's per capita emoluments for clients make profitability uncertain.
But, whatever the reason, the government must urgently address the care needs of the ageing population. We simply cannot wait any longer. To wait another four years would be an outrage.

There needs to be a seismic shift in thinking when it comes to aged care in Australia. We need to change our whole mindset when it comes to funding and to the structured management of the aged-care system. Some have put it to me that we do not rely on profit based charity organisations to run defence and the health system and they ask why aged care should be any different. We value both our defence and our aged-care needs. We should not look to profit but should look to the care of Australians who have made a contribution over their lifetimes.

**Fraser, Mrs Helen Whitten, MBE**

Dr LEIGH (Fraser) (18:22): On 4 March 2012 Helen Whitten Fraser passed away, aged 91. Helen Fraser was the wife of the late Jim Fraser, after whom my seat is named. At the memorial service for Helen Fraser, her son, Andrew Fraser, said that hers was a life of 'strength, love and fun'. She met her husband-to-be on a tennis court when she was aged 16 and he 29. They did not get married for another 22 years. By that time, Jim Fraser was already the local member for the ACT. This was well before self-government, so he was the only political representative for the ACT and looked after more electors than anyone else in the parliament.

Andrew Fraser told us that when Helen married Jim she was 'on call and on show'. She attended events on her husband's behalf, regularly giving speeches at local fetes. She was the patron of many local clubs, including bowls, netball and football. It was not done for show. Over a decade after her husband's death, Helen still held some of those positions.

Andrew Fraser told the story of when his mother received her MBE for community service from then Governor-General Paul Hasluck. Because he was the patron of the Scouts and she the commissioner of the Girl Guides, he decided he would play a trick on her. He put out his left hand for the official handshake. Without missing a beat, Helen flicked her handbag across to her right hand and courteously shook Hasluck's hand to accept the MBE.

Jim Fraser's death was utterly unexpected. He passed away in 1970, while still in office. The electorate of Fraser, which I have the honour to represent, was formed in 1974. I am the fifth member for Fraser. At the memorial service, Meg Fraser read from the splendid Henry Scott Holland sermon *Death is nothing at all*. It is one of my favourite pieces for funeral services as it reminds us of the importance of continuing to remember and speak often about those who have passed. It reads in part:

> Call me by my old familiar name.
> Speak to me in the easy way
> which you always used.
> Put no difference into your tone.
> Wear no forced air of solemnity or sorrow.
> Laugh as we always laughed
> at the little jokes we enjoyed together.
> Play, smile, think of me. Pray for me.
Let my name be ever the household word
that it always was.

Helen Fraser outlived her husband by more than four decades, and Andrew Fraser spoke of how, in her final days, she would talk about looking forward to seeing Jim. In the words of one of Jim's caucus colleagues, Andrew said, Helen had decided, 'It's time.'

Liverpool: CCTV Cameras

Mr CRAIG KELLY (Hughes) (18:25): I would like to speak today in support of Liverpool police superintendent Ray King and his call for CCTV cameras to be installed throughout the Liverpool CBD. It is unfortunate, but today in the Liverpool CBD the many small businesses that are doing an outstanding job there are victims of shoplifting and vandalism and have to put up with drug-dealing on the streets. To have CCTV cameras in Liverpool was actually a commitment of the coalition at the last election. If the coalition had won government at the 2010 election, we would have those CCTV cameras in Liverpool today. I note that my call has been supported by my neighbouring MP, Mr Chris Hayes. I note that the Liverpool Leader has quoted Mr Hayes as saying that he had called on the then Minister for Home Affairs, Brendan O'Connor, to put Liverpool on the priority list for federal funding for CCTV cameras. It is very good to have that support, but unfortunately, when it comes to the funding, there has been a deafening silence. This government has had time to change the minister but has not had time to change the lives of people in Liverpool by taking this most basic step to ensure safety in the CBD.

But it is not only federal Labor that is failing the good city of Liverpool; on the Liverpool City Council, 4½ Labor councillors—

Mr Neumann: Four and a half?

Mr CRAIG KELLY: That is right, 4½—have actually voted against installing these CCTV cameras in the CBD, even though the council's budget has set aside more than half a million dollars for their installation. Could it perhaps be that they need this half a million dollars for something else? That is very close to the figure that they will need to pay the extra costs for their electricity as a result of the carbon tax.

Instead of spending this money on the CCTV cameras, the Labor-controlled Liverpool City Council has elected to install a series of parking meters in their CBD. The local councillors have been most eager to install these money-hungry parking meters. No hurdles were bypassed in their installation. One can only surmise that perhaps the Labor councillors are also looking at the extra revenue from these parking meters to fund the additional costs they will have to pay come 1 July, as soon as they are hit with the carbon tax.

Putting this aside for one moment, Mr Deputy Speaker, what do you think could have possibly happened to these newly installed parking meters without the cover of CCTV cameras? I have received reports that graffiti vandalism has already been covering these newly installed parking meters. Who could have seen that coming? We now find ourselves in the ironic position that Labor's parking meters are now actually costing the ratepayers of Liverpool money, before they have even been switched on.
Ms SAFFIN (Page) (18:28): I express my grave concern about the draft WA Mental Health Bill 2011, currently a matter of public discussion. Mental health is an issue of concern to us all. If this bill were to proceed in its current form, it would return us to treatment of people with mental ill health and mental illness that is draconian, a violation of liberties and a denial of dignity. Even a cursory read of the bill is rather frightening. A member of my family first alerted me to it, telling me it had gone viral on the web, with people expressing disbelief and outrage. I later received emails about it, and today I read in the Australian newspaper comments of concern by Professor McGorry and by Professor Jon Jureidini, from Flinders University, a child and adolescent mental health expert, who is quoted as describing the draft legislation as 'bizarre' and 'absurd'. The Mental Health Law Centre WA principal solicitor and general manager, Sandra Boulter, in their submission to the government consultation, nailed it, saying inter alia:

We are most concerned about many aspects of the Bill, which include:

- Addition of sterilisation as a treatment for mental illness (nowhere else in Australia)
- Certain persons, including 12yo girls and boys can consent to sterilisation, ECT, and psychosurgery without the consent/despite the refusal of the parent/guardian, without any requirement to go to a Tribunal or Court
- The Bill is silent about who will decide whether or not the child has the maturity to consent, and no doubt will be the treating psychiatrist, who has a clear conflict of interest, because he wants to give the treatment.
- Broadening of the criteria for involuntary detention
- Removal of the complaint jurisdiction from the Tribunal
- Removal of the inspection powers of the Official Visitors (shocking move)
- Removal of the right to second opinion for ECT, Sterilisation, Psychosurgery
- Reduction in the strength of the current Act's safeguards against errors made arising from cultural and linguistic diversity.

The Bill has removed the express provisions of the current Act that:

- Give a right to the consumer to call and give evidence, examine and cross examine witnesses and make submissions (current clause 2 of Schedule 2 of the Act)
- Give a right to representation (current clause 3 of Schedule 2 of the Act)
- Support funding for our service (Part 8 of the Act)

Furthermore, the Bill has new provisions that:

- Make it an offence for anyone, including the very unwell patient, to be in contempt of the Tribunal, with a fine available of up to $10,000 (clause 364).

I was shocked when I read it. I cannot believe that any jurisdiction—anybody—would even think to impose that on people with mental illness.
COMMITTEES
Social Policy and Legal Affairs Committee
Report

Debate resumed on the motion:
That the House take note of the report.

Mr NEUMANN (Blair) (18:31): I speak in relation to the Social Policy and Legal Affairs Committee report In the wake of disasters—Volume 1: the operation of the insurance industry during disaster events, which was presented in the federal parliament. My electorate of Blair had 1,500 homes in Ipswich and 473 businesses, many agribusinesses, affected by the January 2011 floods. In the Somerset region, which I have the honour also of representing in this parliament, 530 homes were flooded and 400 small businesses, many agribusinesses, were also flooded. So this is not just political; it is personal to me and it is personal to my local community. The insurance industry in this country is a very large sector of our community. It has assets of about $113.9 billion and had revenue in the 2011 year of $42.1 billion. The industry itself makes a profit of $5.6 billion per annum—at least. The major players are Suncorp, IAG, QBE Insurance Group and Allianz Australia. They are the main players in the industry.

The 2010-11 floods saw, really, a situation where there was flooding across the country—in WA, in rural Victoria. We saw cyclones up in North Queensland, with Cyclone Yasi in February 2011. We saw floods wreak havoc on Toowoomba first, the Lockyer Valley, the Brisbane Valley, Ipswich and then Brisbane. The effect on the lives of people is incalculable. The mental health and emotional impact almost exceeds the financial impact on people's lives.

There was a deluge in complaints about the insurance industry. Sadly, I have to say, it fell largely on deaf ears. People felt brutalised by the floods and national disasters, and then they felt brutalised by the claims process that they had to endure. There are 13 recommendations in this particular report, and I would urge the government to take seriously those recommendations, because if taken up they will make a significant difference. The consumer protection in relation to the insurance industry is particularly poor. The enforcement and sanction is weak. And the information to the consumer is simply not available readily. Consumers are unaware, mostly—in fact, many times, until they have consulted their own policies. There are changes that need to be made. One of the most egregious examples we discovered in our investigations was the voluntary code of practice. It is voluntary and not all insurance companies adhere to it or sign up to it. It is the General Insurance Code of Practice and it has a range of consumer protections and standards. But, as we found through the floods and the natural disasters, many of the time frames are honoured in the breach rather than the observance. In fact, in 4.3 of the General Insurance Code of Practice there is a get-out-of-gaol-free card for the insurance industry and they used this to a large extent on many occasions. When we asked questions about the code during the inquiry, most people said, 'What's that?' I have to admit that the insurance industry responded by saying that the General Insurance Code of Practice is now going to be complied with—and I welcome that—except in the most extraordinary circumstances. I do not think that is good enough and in our recommendations we do not think that is good enough. We have recommended that there be a

FEDERATION CHAMBER
standard definition of flood, that there be a standard cover, including flood cover and full replacement in the event of total loss.

We have recommended to the government that the Insurance Contracts Amendment Bill 2011 be enacted and we have recommended that there should be legislation to remove the exemption of general insurers from unfair contract term laws. The problem is that the insurance industry has a number of exemptions and the sanctions with respect to breaches and penalties for the breaches of the General Insurance Code of Practice are minimal. In fact, I was really struck by the evidence from Mr Price, an ombudsman with the Financial Ombudsman Service. The role of the Financial Ombudsman Service is to monitor and report a failure by an insurance company and to correct a breach of the code. There is a code compliance committee, which may dismiss the FOS findings or request FOS to reconsider further consultation with insurers. Mr Price’s evidence struck me when he noted that since 2004 sanctions have not been utilised—and those sanctions are minimal. The sanctions include a requirement that particular rectification steps have to be undertaken within a specified time, that a compliance audit be undertaken, that corrective advertising and some publication on the insurer’s noncompliance be undertaken. Since 2004, no sanctions have been utilised during Mr Price’s time with FOS.

In fact, when you look at the evidence that was given to the inquiry about the monitoring and the enforcement of the code in chapter 3, there are a plethora of examples of insurance companies breaching their own codes of practice. On many occasions, and the evidence is there to be seen by people who care to look at the report from page 26 onwards, we found that the insurance industry failed to comply with the claims handling processes that they are supposed to comply with under their own code of practice.

The amendments we recommend will not change the experiences of flood victims in Ipswich and the Somerset, but we can learn from those experiences to make sure that claims in the future will be protected. I cannot conceive a circumstance where an insurance company—and they are exempt from the duties of utmost good faith—should be allowed to go on. We have recommended that legislation be enacted to make a breach of the duty of utmost good faith a breach of the Insurance Contracts Act. I do not think they should be treated any differently from any other company or corporation. We have recommended there be a tough cop on the beat. We have recommended that the Australia Securities and Investments Commission regulate insurance claims handling. We think naming and shaming is what should happen if people breach, not this generalised approach that we have seen in the past. We want clear and comprehensive information provided to make sure that people understand the internal and external dispute resolution procedures that are there. We want to make sure that there is a consumer advisory position within the Financial Ombudsman Service as well. We want to make sure that legal aid services are adequately funded. One of the problems that came up was the need for 1300 calls. Many people had mobile phones in these circumstance but could not use them because they ran out of charge. That was the problem. The cost of using mobile phones during these flood disaster events was a problem. We have recommended that the government investigate ways to reduce the cost of 1300 calls from mobile phones during natural disasters.

We need to empower consumers. We need to put teeth in any legislation. We need to make sure that someone or some entity looks at this industry and makes sure this industry operates
fairly, equitably and openly. Transparency and accountability have not been the watchwords of the insurance industry in the context of natural disasters. I admit there are many cases where the insurance companies did the right thing—and we came across that. I can think of one meeting where we had about 20 people who lived in Fernvale and Lowood in my electorate. We asked people to put up their hands to indicate who had been paid out and who were happy with their insurance service. A number of people put up their hands, but many of their neighbours and friends did not know they were not covered. Sometimes you almost need a doctorate of law to understand that you are not covered for a flood. Many times people thought they had been covered but found they were not.

We are recommending many changes here. A key fact sheet is critical. We are going to make sure this is an ideal vehicle for explaining the standard cover and to communicate that and any derogation from the standard cover in respect of flood. We have recommended the expedition of the passage of the Insurance Contracts Amendment Bill.

There are many changes that need to be made. There are many lessons that need to be learnt. I read an editorial from the Queensland Times in the aftermath of the 1974 flood. In those days Ipswich had about 74,000 people. The flood then was higher but the impact was not as great because Ipswich now has between 175,000 and 180,000 people. I remember the 1974 flood well. My parents’ house was under eight foot of water. I remember it vividly. I remembered the editorial and I found it not long after the 2011 flood. The editorial in the Queensland Times was about learning the lessons from the aftermath of the flood. Tragically, shamefully and sadly, we did not learn the lessons and we let the insurance industry develop and operate with minimal regulation and minimal accountability. It has taken this event to flush out those lessons. It has taken this event to make sure that the lack of accountability and that unconscionable approach in the way things have operated are removed in the future.

We need to get rid of the confusion around the definition of flood. We need to make sure that people’s rights are enhanced and we need to address the failure and potential market failure of insurance premiums. There are many things that I think this government has done in this area in terms of the reviews that have been undertaken. I commend Minister Shorten, Minister for Employment and Workplace Relations, who has been a leading advocate in this area. He came to my electorate. We put on insurance forums and, sadly, only the CEO of the Insurance Council of Australia turned up, despite the fact that we urged all the CEOs of the insurance companies to come. I think it was a terrible mistake that they did not front up and deal with their customers and clients. That was in Ipswich and I did the same thing in Fernvale, where Senator Joseph Ludwig turned up. Again, no insurance company CEOs or representatives from the Insurance Council turned up.

The insurance industry need to know they are part of the community. They need to know they have a communitarian and social obligation. They cannot operate in a vacuum and they need to deal with their customers fairly and reasonably. Rural and regional people have been treated in a shabby way just as people who live on the Brisbane River in inner city Brisbane have been. The devastation that people suffer and the trauma and the loss that they endure must not be exacerbated in the future by what we saw during this inquiry.

This is an opportunity for the insurance industry. If the government takes the recommendations seriously and acts upon them and if the insurance companies do not get it right and act appropriately and in a communitarian way then the consequences for the
insurance industry will be enforceable instruments, greater regulation and punitive legislation. That is the only alternative. It is not just a matter of last chance here; it is a matter of them taking seriously their responsibility as good corporate citizens. I commend the committee. I thank the secretariat. I thank the chair, the member for Moreton; the deputy chair, the member for Pearce; and all those people present on the committee. I commend this report to all those who might be listening.

Debate adjourned.

STATEMENTS ON INDULGENCE

World War II

Mr HAASE (Durack) (18:45): I rise this evening to, firstly, endorse the remarks by the Prime Minister in relation to the 70th anniversary of the bombing of Broome and to add further comments of course as the member for Durack. Broome is one of the jewels in the Durack crown, so to speak. I wonder if any of us in this place have any sense of what it must have been like on that idyllic morning, a typical Broome morning, 3 March. You would think the world was a wonderful place. There was a little extra activity because of the comings and goings of dawn aircraft that were being refuelled on Roebuck Bay. Suddenly, out of the morning sky, came nine Mitsubishi Zero fighters. They proceeded to bomb 17 flying boats moored on Roebuck Bay and left a total path of destruction, killing an estimated 88 persons. Twenty minutes of that and then there was a silence of aircraft, a silence of gunfire and a silence of bombs, but there were screams for help from burning victims. A tide was running and it was almost impossible to carry out the rescues of those who had been injured and the victims of this attack.

I cannot imagine that we would have any sense of that. Immediately after the destruction had been inflicted upon those flying boats in Roebuck Bay, those nine fighter aircraft adjourned to the Broome airport where they took out numerous American and British aircraft. They left after, at most, an hour, leaving total destruction and about 88 people killed. Not one serviceable aircraft was left on the ground in Broome. The only Japanese fatality was a result of a Mr Gus Winckel, a crew member of one of the Dutch Dorniers, who was able to face an oncoming Zero with a machine gun from the hip and he took that aircraft down. Less than an hour and total havoc was wreaked on that idyllic spot, that jewel in the Durack crown, and the war had come to Western Australia. Nevertheless, as things unfolded, the Dutch supplied great asset to Australia by numerous merchant navy ships providing a lifeline to the Australia trade activities.

On 3 March this year, at the 70th anniversary of those events in Broome overlooking Roebuck Bay, we had present representatives from the United States embassy, the US Consul General Aleisha Woodward; Ambassador Willem Andreae, Kingdom of the Netherlands; Western Australian Premier Colin Barnett; Special Minister of State, the Hon. Gary Gray, representing the Prime Minister; and the much-loved local, Graeme Campbell, President of the Shire of Broome. What a different place Broome was on 3 March 2012 than on that dreadful day in 1942.

One of the sad things that I am very frustrated by in my research into those days is that, because of the turmoil of the time, there is a lack of detailed information. The best of research
through the Australian War Memorial reveals numerous entries but, might I say, conflicting entries. One is not able to determine absolutely the number of persons who lost their lives that day. No-one is able to determine whether or not any local Indigenous people lost their lives. Some 25 Dutch nationals whose bodies were able to be rescued were buried in Broome and later exhumed and transported to the war graves at Karrakatta, a suburb of Perth. Some 25 bodies were so exhumed and transported. But one cannot get an exact figure or the list of names of those who lost their lives that day.

Of heroic deeds there are numerous examples—local people who responded to cries for help and threw themselves into high-running tides and burning water, covered in burning diesel, to rescue women and children from those flying boats. Not well known is the fact that from early February to that point in early March there were something like 8,000 Dutch nationals transferred from Batavia through to Perth via Broome—Broome being an appropriate landing and refuelling spot in the northern portion of Western Australia. So Broome suddenly became a hubbub of activity. And of course in the latter stages of the war in 1942 many things unfolded. There was a migration south from Northern Australia, the Brisbane Line was created and MacArthur directed activities in Northern Australia, and there was the war in the Pacific et cetera.

More and more I find that this current generation is much concerned with those things that occurred during the Second World War. It is something of a phenomenon. Whether or not it is the passing of the veterans of those battles and of that era I cannot be sure. But it is certain that there is a renewed interest. This last 70th anniversary and the spectacle that was re-enacted overlooking Roebuck Bay on 3 March this year will, I believe, be an occasion that is rerun; the occasion will be used to pay our respects and recall that history. I note that more sage individuals than I have urged us today to reflect on the past in order to be better prepared and to cope with the future here in this wonderful land of ours.

So I have had great pleasure in rising this evening to remind the House of the 70th anniversary of the events that took place on that dreadful day, and in anticipating that in years to come that fateful 3 March 1942 will be commemorated on numerous occasions and so teach us of the horrors of the past and prepare us for the future—a future, we trust, that will not see warfare on these wonderful shores of the nation Australia.

Ms O’NEILL (Robertson) (18:54): I too rise to speak on the commemoration services that were held at Broome in honour of those lives lost 70 years ago last Saturday, 3 March. I certainly endorse the remarks the Prime Minister made in the House on the last day of the last sitting week—the final Thursday. I also acknowledge the words of the member for Durack, who was in attendance at Broome. I was fortunate to be there on that day as well.

We know about the war in the Pacific and we honour the memory of the great sacrifices that were made but, having spent so much of my life in classrooms with students, I think that we really never talk about the war of the north—the war of the north that happened in our country. This year, 70 years on, the significant commemorations that happened in Darwin are an indication perhaps of a coming of age when we can admit to the vulnerability of our northern borders and our historical understandings have reached a point where we can talk about the challenges that face us as a nation and the great vulnerability that we were exposed to at that time.
Last week, on Saturday 3 March 2012, all of those who were gathered in the central area of the town—and I think there would have been close to 2,000 people, which is not a small number for such a remote community as Broome—were treated to the most compelling and eloquent representation of the events of that day in 1942 by the students of St Mary's College. It was simply an outstanding re-creation of the shock and the incredible drama and sadness of that morning 70 years earlier. This event in 1942 occurred at 9.30 in the morning, on a day that we heard from locals was a very common sort of day for that time of year, early March. A gentle breeze was blowing, the water was sparkling and no doubt those people who arrived in Broome on 3 March in 1942 felt a sense of peace.

As the member for Durack has already indicated, the Dutch ambassador, Willem Andrea, was in attendance at the re-creation. I particularly want to pay tribute to the Dutch ambassador for the work the Dutch embassy engaged in. They prepared a very nice piece of history in this little booklet that is about the strafing of Broome. It tells some of the stories that I think have been lost and forgotten over the years and puts them together in this one place for people who want to read about the great heroism and the tragic losses of that war in the north.

The Netherlands Naval Air Service was responsible for shifting as many people as possible out of the Netherlands East Indies, now Indonesia—from Java to Broome and then through to Perth. Before the fall of Singapore, there were significant numbers of Dutch planes leaving the East Indies and heading through to Broome. In fact 57 planes were being processed through Broome a day—which is absolutely phenomenal when you look at the size of Roebuck Bay and the landing strip they had. In the 14 days before the Japanese occupation of Java 7,000 to 8,000 refugees went through Broome. This stopped on 27 February. There was a short break and then a window opened on 2 March for the evacuation of the last nine flying boats that the Netherlands Naval Air Service had. There were five Dorniers and four Catalinas. With that opportunity on 2 March they flew to Broome to refuel on their way to Perth. When they landed in Roebuck Bay they joined the United States Navy planes that had a load of wounded soldiers and were refuelling there on their way back home. They also joined some members of a Royal Air Force squadron. There are reports that on 2 March 1942 there was a Japanese reconnaissance mission to see what was going on in Broome. After they reported back, nine Zeros returned at 9.30 on that fateful morning of 3 March 1942. You can imagine, with so many people having moved to Broome away from Java, that all the accommodation on land was pretty full. These last nine flying boats in Roebuck Bay had many women and children seeking refuge on board. When the Japanese Zeros suddenly arrived, all hell broke loose, as they described it. The strafing began. There was nowhere to run. There was no way to get away from the sudden and unexpected attack. It was significantly women and children who were impacted in this terrible event.

The member for Durack mentioned one very brave member of the Dutch navy who was there at the time, Gus Winckel. I had the pleasure, over 20 years ago, of travelling around Australia with my husband—not as grey nomads; in fact we were quite dark haired at the time. We travelled around Australia in a mobile home—"Harvey the RV", we used to call it. We spent a beautiful Christmas in Broome. Little did we know, as we drove around, that Gus Winckel Drive, on the way to the airport, was named after a real hero on that day. He simply pulled a machine gun up to his hip and fired and hit one of the Zeros. Gus Winckel Drive is just an ordinary looking street as you drive out to the airstrip. You would not remark on it if
you did not know the story of Gus Winckel. His four sons were there to honour him on 3
March and to recall his great heroism and bravery on that day. One man with one machine
gun against nine Zeros was an incredible mismatch.

In closing, I would like to acknowledge all the work of the local community of Broome in
putting together such a fitting tribute to remember those lives lost on that day and the bravery
that people showed throughout the entire war in the Pacific, and particularly the war in our
own north. I would like to acknowledge the presence of the American Consul General,
Alesha Woodward, who gave a profound and moving speech about the loss of lives of men
who had been injured in the theatre of war and who were on their way home, flying out of the
peaceful haven that they thought Broome to be. They died that day and did not get home.

I would also like to acknowledge my colleague Gary Gray, the member for Brand, who
was with me and gave an eloquent speech acknowledging the sacrifices of the day. I was very
pleased to have his company on my journey to Broome. In honouring the people of Broome in
their determination to not forget, I would like to acknowledge the mayor, Graeme Campbell,
who is passionate in his leadership in that community. Obviously it is a community that really
has taken on the responsibility of honouring this day in Broome on a regular and consistent
basis. This 70th commemoration was particularly important. Eighty-eight people died on the
morning of 3 March 1942. Many more were injured, and innocence was lost on that day.
When we recall the sacrifice of those who fought for us, we finish by saying, 'We will
remember them.' I can absolutely say with confidence that, on 3 March this year, the people
of Broome very aptly and very fondly, with great respect, remembered all of those lives that
were lost.

Mr McCormack (Riverina) (19:04): In February 1942, Broome, Western Australia,
was used as the Australian end of an air shuttle service from Java. Hundreds of evacuees were
ferried to Broome in Dutch, American and Australian military and civil aircraft, including
flying boats of Qantas Empire Airways. By the end of that month the town was overflowing
with military personnel and refugees. Most of the people were there waiting for flights to
continue their journey elsewhere. During the final week of February 1942, it is estimated
more than 7,000 people passed through Broome and, on a single day, at least 57 aircraft
landed there. It was a tiny pearling port untouched and far removed from the devastation of
the Second World War, a transit stop on the escape route for refugees fleeing the Japanese
advance in the Netherlands East Indies.

Broome was a place of rest and revival before refugees and war victims could continue
their travels to safer places. However, on 3 March 1942 all that changed. Without warning,
Japanese fighter planes attacked the quiet coastal community. The invasion lasted no more
than 20 minutes, during which time 25 Allied aircraft were destroyed and as many as 100
people died. Another 30 crew and passengers, mostly military personnel, were lost when an
American Liberator bomber was shot down shortly after taking off. Many victims were Dutch
women and children, refugees and escapees who were packed into flying boats on the harbour
either waiting to be ferried ashore or waiting to depart for the southern states.

Young Pilot Officer Frank Russell described the scene as one of 'ghastly devastation'. He
said:
Our flying boats all over the place were sending up huge clouds of black smoke. Burning petrol in sinister patches floated all over the sea … All around us there fell a ceaseless stream of tracer bullets. Several of the Dutch Dorniers had been full of women and kids, waiting to take off to … safety.

It was safety and a new life to which these women and children were running, which they so desperately sought and which they craved, but unfortunately it was not to happen on that sad and unfortunate day. This unexpected attack, just short of two weeks after Darwin was bombed, robbed them of the new life, a new beginning. Due to the circumstances of many of those killed, precisely how many people died in the raid and who they were will never ever be known. Only 30 bodies were ever recovered from the water. The bodies of the Dutch victims, initially buried at Broome, were moved to the Perth War Cemetery at Karrakatta in 1950. Many were not identified and lie in unmarked graves. This anniversary is an important occasion. It is an important and sad occasion for Australia and elsewhere, and is one we should respect now and always remember. Lest we forget.

Ms O'DWYER (Higgins) (19:07): I also rise to commemorate the bombing of Broome during World War II. I know this motion is very dear to the member for Durack, Mr Barry Haase, as the member who represents this electorate. During the war, the men and women of Australia had comforted themselves with the fact that our geography as an island nation was one of the keys to our security. An attack on mainland Australia by foreign powers at this time was unthinkable. Yet all this changed on 19 February 1942 when 242 Japanese aircraft launched an attack on Darwin. I know my friend the member for Solomon, Natasha Griggs, has spoken before in this place about that bombing.

Darwin was a strategic and significant Allies base in efforts to combat Japanese aggression in Ambon, Timor and Java. With two airfields and a harbour, it was home to the Royal Australian Army, Air Force and Navy with five destroyers, an aircraft carrier and more than 25 aircraft. In this attack at least 292 people were killed and more than 300 people injured, although there is some dispute as to whether the numbers of dead and wounded are significantly higher than this. This was the start of more than 60 attacks on the north-west of Australia by the Japanese. Today we commemorate in particular the bombing of Broome, which was bombed four times between March 1942 and August 1943, first on 3 March 1942 and subsequently on 20 March 1942, 27 August 1942 and, finally, on 16 August 1943.

At the time it was bombed, Broome was being used to shelter Dutch civilians fleeing from Java as the Japanese descended from the north. The close proximity, active airport and sheltered harbour made it a logical choice for civilians and personnel and, at its peak, it played host to more than 7,000 or up to 8,000 such evacuees. As such, when the first bombing occurred on 3 March 1942, it posed a serious humanitarian as well as military predicament. Although Broome housed all of the infrastructure requirements essential to accept the humanitarian intake, it lacked the military requirements to defend itself sufficiently from attack. Because of this, it did not take much for the Japanese to inflict heavy casualties with an air assault of 12 aircraft. At the time, there were 16 US, Australian and Dutch flying boats stationed in Broome Harbour. Due to the composition of the harbour, only three of those could moor at any one time. The rest were forced to wait outside of the harbour. This does not mean, though, that we did not have any defence. One of the very celebrated stories of the bombing of Broome is of a Dutch pilot, Gus Winckel, who brought down a Japanese aircraft with a hand-held machine gun. Another aircraft was also dispatched; it ditched at sea off the coast of Rotty Island. During the attack, a number of Allied aircraft were destroyed, including
many passenger aircraft. It is estimated that approximately 70 people died in the bombing, including 32 on board the one US Liberator bomber as it attempted to take off and including many women and children.

One can only imagine the horrors that must have been witnessed on that day—fear and terror on an unimaginable scale. Following the attack, RAAF Pilot Officer Frank Russell, who had been on one of the flying boats during the raids, wrote of the attack:

...a scene of ghastly devastation. Our flying boats all over the place were sending up huge clouds of black smoke. Burning petrol in sinister patches floated all over the sea … All around us there fell a ceaseless stream of tracer bullets. Several of the Dutch Dorniers had been full of women and kids, waiting to take off to safety.

We can only hope and pray that these events are never replicated on our shores again. Of the remaining three attacks launched by the Japanese on Broome, only the second resulted in further casualties, with one person being killed. The rest of the attacks damaged infrastructure, such as the airfield.

Today we honour those who were tragically killed—men, women and children who were brutally taken as they went about their daily lives. We honour those defence personnel who sought to defend us against aggression, who gave their lives so that we may live in a free and democratic country. We honour those who saved lives on that day and who rebuilt the city in the days and weeks following. We also honour the fighting spirit that today still beats strongly in the Australian men and women who serve in our defence forces. We remember—lest we forget.

**BILLS**

**Indirect Tax Laws Amendment (Assessment) Bill 2012**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Mr TONY SMITH (Casey) (19:12): On behalf of the opposition, it is my pleasure to rise and speak on the Indirect Tax Laws Amendment (Assessment) Bill 2012, which was introduced into the House just a couple of weeks ago on Wednesday 29 February by the then Parliamentary Secretary to the Treasurer and now Assistant Treasurer, the member for Lindsay. I say at the outset that the coalition will be supporting this bill. This is a piece of legislation that updates and improves the substantive indirect tax legislation in a number of respects. As the then parliamentary secretary outlined in his second reading speech, this flows from a Board of Taxation review of the legal framework for the administration of the goods and services tax in particular. That review was announced in June 2008 and reported just over a year later. It made 46 recommendations aimed at changing aspects of the tax in a number of respects.

There are four schedules. The first aims to harmonise self-assessment regimes across the GST, the luxury car tax, the wine equalisation tax and fuel tax credits. In summary, it creates a self-assessment system based on that in place for income tax assessments. As we know, that has been outlined in some detail by the former parliamentary secretary and in the explanatory memorandum. I will not go through all the detail of it and detain the chamber on that issue tonight. Schedule 2 simply allows taxpayers on a GST or a fuel return to take into account
minor errors made in previous returns. Essentially, this places in legislation and codifies what is the common-sense and everyday practice of the commissioner, who has had power in this respect. It is a sensible reform. Schedule 3 codifies the current accepted practice that luxury car tax and wine equalisation tax are part of the net amount of GST under the Goods and Services Tax Act. Schedule 4, as is so often the case with bills similar to tax law amendment bills, makes a number of minor changes to the tax law and some corrections of anomalies and removal of redundant provisions.

This bill is part of the general evolution towards a self-assessment system and it makes common-sense changes. The coalition supports this bill. And can I say in conclusion that, as so often the case, I and the member for Blair have the happy duty of speaking on matters with which we agree. I notice that like an old television series he is here again, on a matter of technical tax administration. On behalf of the opposition, I commend to bill to the House.

Mr NEUMANN (Blair) (19:16): The member for Casey and I seem to be a double act. It is like Abbott and Costello, if I can use that appropriately—but I think that little reference is dear to his heart! As the member for Casey has outlined, the Indirect Tax Laws Amendment (Assessment) Bill 2012 is common-sense tax reform and I support the bill. There is no doubt about it, this government has a record of tax reform. The number of TLAB bills that we have had in the four years I have been in this place is extraordinary.

Since our 2008 budget was delivered by the Treasurer, the Hon. Wayne Swan, we have delivered three rounds of personal income tax cuts totalling $47 billion. We have seen our secure and sustainable pension reforms, and the Hon. Jenny Macklin, the Minister for Families, Community Services and Indigenous Affairs, played an important role in the historic rise in pensions. We saw in the 2010 budget what we called the Stronger, Fairer, Simpler package of reforms in relation to tax law reforms, particularly in non-renewable resources and support for growth across the economy. In the last 12 months we have announced and delivered many of them. Further measures which had been identified by tax reviews have been included in the budget, including what we have seen as a necessary boost to workforce participation. We are taking a million people out of the tax system with our Clean Energy Future package. I think that is a particularly important reform, increasing the tax threshold from $6,000 to over $18,000.

This bill is in the same context and on the same pathway of reform measures that this government is undertaking. I have to say that on some of these reforms, particularly those I would call the more esoteric or obtuse, if not indeed boring, tax law reforms there is agreement by both sides of politics on common sense. Our indirect taxes, including the GST, will be self-assessed like income tax under this legislation, which aims to simplify the law. The member for Casey is right, there is some codification here and it gives a legislative basis in schedules 2 and 3. Also, in schedule 1 there is harmonisation of the income tax system of self-assessment.

Many people do not realise that we self-assess. In large part they think that a man or woman from the Australian Taxation Office comes down and does it. In fact, most people self-assess and most people get it right—they are actually quite honest about how they assess their own tax. There are 2.7 million small businesses in Australia and a population of just under 23 million, and self-assessment obviously works. I do not see people on the rampage, saying, 'Let's get rid of self-assessment.' So what we are seeing here is that the self-actuating
system for GST, luxury car tax, wine equalisation tax and fuel tax credits harmonises with our self-assessment of income tax. As the member for Casey correctly stated, it is recommended by the Board of Taxation Review, and that is the harmonisation specified in schedule 1. There has been a history of this and I think that this will improve the tax system as contemplated over a number of years. Going back decades, this type of thing was envisaged, so this is a particularly important measure.

The second schedule is important as well because it is legislating the commission's power to make determinations, allowing a taxpayer to take into account his or her tax or a fuel tax return for the current year. In the past we saw them having to make amendments to correct errors in earlier years on a current return. So it really is a practical way. That is what has been happening in the past and this schedule is designed to make sure the commissioner has a legislative basis for allowing this to take place. It is not wrong that in fact people make errors in their previous returns or in their current returns, and so this is an important change to ease the simplicity and the regulative burden on people as well.

The third schedule changes the GST law to confirm that the luxury car tax and the wine equalisation tax are part of what is called the net amount, because in the past there was some uncertainty. The LCT and WET acts both provided that the amounts paid were added to or subtracted from the net amount. The definition does not specifically mention this in the current legislation, so there are some changes to be made there. It is a matter of legislative certainty.

These are important reforms. These things make a difference in the lives of businesspeople. Anyone who has been in business knows how important it is to ease the regulatory burden and make life simpler when they do their taxes. Anyone who runs a business—and I was running businesses for two decades before I was elected to this place—knows how important it is to get the tax law right. I know how much time I spent dealing with accountants and how important it is to make sure that the tax law is simpler, fairer and stronger for our whole economy and community. That is the how we pay our bills and provide the roads, schools and hospitals. That is how we make sure that we can take one million people out of the tax system. That is the way we can make sure we have a decent society that provides services to people. I commend the minister and congratulate him on becoming a minister. He is a good friend of mine and a former parliamentary secretary. We were elected at the same time and I think he is worthy of the honour. Well done.

The DEPUTY SPEAKER (Ms K Livermore): I call the Assistant Treasurer to sum up, and I add my congratulations on his new role.

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (19:23): Thank you very much, Madam Deputy Speaker. I take the opportunity to thank those members who have contributed to this debate: the member for Casey and the member for Blair. The member for Blair, of course, is one of the great contributors to these amendments to the tax law and a very avid contributor to matters relating to taxation.

The Indirect Tax Laws Amendment (Assessment) Bill 2012 establishes a system of self-assessment for the administration of the indirect tax laws as well as making other changes to the indirect tax laws. The amendments in this bill draw together a number of improvements to the tax laws that have been contemplated by governments for almost 20 years. These include furthering the tax laws improvement project of 1995 and introducing greater standardisation
across the administration regimes for different taxes through the adoption of the tax code conventions.

Schedule 1 will simplify the tax system by allowing taxpayers to self-assess their indirect tax liabilities and entitlements for the GST, luxury car tax, wine equalisation tax and fuel tax credits. It will implement recommendations arising from the Board of Taxation's 2008 review of the legal framework for the administration of the goods and services tax. The schedule harmonises the self-actuating system of GST, luxury car tax, wine equalisation tax and fuel tax credits with the self-assessment system of income tax by adopting well-established principals from the income tax self-assessment system where appropriate, with some modifications to allow for the special features of indirect taxes. The provisions use tax code conventions and are drafted generically so they can be applied across all taxes. Under the current self-actuating system, taxpayers are automatically liable for indirect tax liabilities or entitlements based on the liabilities and entitlements attributable to a tax period. Under the new assessment regime, taxpayers will only be liable to pay or be entitled to a refund of the amount stated in their assessment. Taxpayers can continue to report their indirect tax liabilities and entitlements in the same manner as they currently do. In most cases lodgement of a Business Activity Statement will trigger a self assessment. The commissioner will be taken to have made an assessment and the Business Activity Statement will be treated as a notice of assessment. Taxpayers who are required who are required to lodge a Business Activity Statement will continue to do so on the same due dates and will be required to pay their liabilities on the same day.

Consistent with the income tax assessment regime the commissioner may amend an assessment within a four-year period of review. Likewise taxpayers may apply for an amendment within that same four-year period. An assessment may only be amended outside the period of review in certain circumstance. An amendment in the period of review will give rise to a refreshed period of review of four years in relation to the particular that was amended.

To minimise the administrative and compliance costs for both taxpayers and the commissioner, some features of the existing regime have been preserved and where necessary existing administrative practices have been legislated. These changes to the administrative framework for indirect taxes will formalise the administration process for the indirect tax laws and help reduce the complexities associated with having different administrative regimes for indirect and income taxes. Greater standardisation between the administration regimes of the two taxes will result in lower compliance costs for taxpayers. It will also decrease the need for advisers and administrators to have specialist knowledge of the multiple tax administration provisions. The majority of the amendments in schedule commence on 1 July 2012. The amendments, which remove provisions no longer applicable following the introduction of the new assessment regime, commence on 1 January 2017.

Schedule 2 legislates the commissioner's power to make a determination to allow a taxpayer to take into account on his or her return for the current tax period minor errors made on certain returns for preceding tax periods. The amendments contained in this schedule ensure that the commissioner may, in a self-assessment system, continue to allow taxpayers to correct mistakes in a current tax period rather than needing to amend an earlier assessment.
Schedule 3 confirms that that luxury car tax and wine equalisation tax are part of the calculation of the net amount under the GST act. The luxury car tax and wine equalisation tax acts already provide that payments and refunds of amounts under these acts are to be added to or subtracted from the net amount calculated under the GST act. However these amounts are not specifically identified in the definition of net amount in the GST act. There will be no practical changes. Both taxpayers and the commissioner have treated these amounts as part of the net amount in accordance with the luxury car tax and wine equalisation tax acts.

Schedule 4 corrects technical or drafting defects, removes anomalies and addresses unintended outcomes to ensure that the taxation law operates as intended. This is part of the governments ongoing commitment to the care and maintenance of the tax system and I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor General recommending appropriation announced.

Ordered that this bill be reported to the House without amendment.

**Corporations Legislation Amendment (Audit Enhancement) Bill 2012**

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

**Mr TONY SMITH** (Casey) (19:29): I rise to speak on behalf of the shadow Treasurer and member for North Sydney on the Corporations Legislation Amendment (Audit Enhancement) Bill 2012. I will state at the outset that the coalition will be supporting this bill. The bill proposes changes to the law relating to the auditing industry. It proposes changes to the frequency with which auditors must be rotated, allowing for a two-year extension of an auditor's term, which currently sits at five years. Further, it introduces transparency reports for larger auditors, which will help prospective and existing clients to be more fully informed about the operations of their potential auditor. The bill also changes the responsibilities of the Financial Reporting Council to remove duplication between the operational roles of that council and of the Australian Securities and Investments Commission, in respect of the audit independence function. Following this change, audit independence powers will reside solely with ASIC under the existing powers. Finally, the bill gives ASIC the power to issue audit efficiency reports.

The bill is an incremental but nevertheless worthwhile improvement to the audit process. It has the widespread support of the audit industry. The legislation is the outcome of a Treasury review of the quality of audits in Australia. This was instigated following the global financial crisis in 2008. This review found that the legal framework was, overall, robust and stable and was in line with international best practice and no fundamental changes were required. This is a tick of approval for the former Howard government's major audit reforms, which were introduced through the Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Act some eight years ago, in 2004. The issues addressed in this bill are very much tweaking rather than wholesale, for those reasons.
With respect to each of the schedules, schedule 1 Part I deals with auditor rotation. It retains the existing mandatory five-year auditor rotation but allows for a two-year extension of the terms under certain conditions. The extension is only to be available when recommended by the company's audit committee where that committee is satisfied that an extension is consistent with maintaining the quality of the audit and there is no conflict of interest. The recommendation of the audit committee must be by formal resolution and in writing. There is no obligation on company directors to accept the audit committee recommendation to extend an auditor's term. The advantage of this measure is that it could be beneficial for a business to retain expertise about a client and the audit for a longer period of time. This would particularly be the case for a complex business where a significant amount of in-house knowledge is required to fully understand and monitor the business activities.

For the auditing firms, this measure will reduce the cost burden incurred in regularly rotating between clients. Of course there is a danger that allowing an audit firm to remain for longer with a client may jeopardise the separation of the interests between the client and the audit firm. On balance it is judged by the industry that the option of extending the time that an auditor remains with a client from five to a maximum of seven years will preserve the chief objective of the rotation rule, which is to maintain the independence of auditors and prevent them from being captured by clients.

Part II of schedule 1 deals with transparency reports. It will require audit firms to publish an annual report of their activities, if they provide services for 10 or more listed companies, listed registered schemes, authorised deposit-taking institutions and insurance companies. The objective is to improve the transparency of the audit activities of larger audit firms. Many firms are partnerships and so are not required to make public a range of information on their activities, as they are shielded by their business's structure. This new requirement will help prospective and existing clients to be more fully informed about the operations of the auditor. It will help identify potential conflicts of interest or any potential issues which may arise from one firm being dominant in one particular business sector. The actual disclosure requirements are not contained within the bill and will instead be dealt with by the way of regulation. The coalition trust that the final regulations will strike the appropriate balance between necessary disclosure and regulatory burden. A range of matters have been foreshadowed in the explanatory memorandum as being required in disclosure regulations. These include, firstly, the auditor's legal structure and ownership; secondly, information about any networks of firms to which the audit firm is linked; thirdly, information about the auditor's governance structure; fourthly, information about the internal quality control system of the auditor; and, fifthly, details of when the last reviews of the auditor took place. This measure will impact a relatively small number of larger auditors. Whilst this provision adds further cost to compliance for those affected auditors, it is not expected to be particularly onerous, as the required information should be readily accessible. While the coalition is philosophically opposed to more regulation for the sake of it, in this case the costs to auditors are expected to be low and to be warranted by the benefits to the industry and to clients.

Part 1 of schedule 2 deals with audit independence and makes changes to the powers of the Financial Reporting Council, as I outlined at the beginning. It removes the audit independence function from the FRC, and in its place the FRC gains a greater role in advising the minister and the professional accounting bodies in relation to audit practice.
policy advice and reports in relation to the quality of audits. As mentioned at the outset, this change will eliminate the current duplication that exists between the operational roles of the FRC and ASIC in respect of audit independence function. Following this change the audit independence powers will reside solely with ASIC under existing powers. This provision also broadens and more clearly identifies the FRC role in providing advice to the minister and accounting bodies. Removing overlaps and duplications in the functions of government bodies is of course always a good thing and viewed as a sensible step by the coalition.

Part 2 of schedule 2 deals with audit deficiency notifications. It expands ASIC’s powers to enforce the quality of audits by granting new powers to issue audit deficiency reports on specific auditors. These may be issued where specific failures are identified during an ASIC audit inspection. Currently those inspection reports are confidential, and ASIC reports on the aggregate of its inspections. The new power will not compel ASIC to publicly report deficiencies; it merely gives it the right to do so at its discretion. Where significant weakness is found in quality control or in the conduct of an audit which may be detrimental to the quality of the audit, ASIC may issue such a report after six months of the auditor being notified of the deficiency, but only if the auditor has not undertaken remedial action.

The coalition is always wary about expanding the powers of regulators unless it can be shown to be clearly in the public interest. In this case, ASIC is simply being given powers to make public the information it collects about the performance of particular auditors. It is in effect a power to name and shame. This provides a powerful incentive for an audit firm to fix any organisational problems within that prescribed time frame. The coalition supports this initiative.

Finally, under the current law, ASIC is prevented from directly communicating with an audited body or its audit committee in the exercise of its functions in relation to an audit. This means it cannot make the auditor body aware of any concerns it may have with the quality of the audit. The bill gives the power to ASIC to communicate directly with company directors, management or the audit committee if significant matters regarding the quality of the audit are identified during an audit inspection. The argument is that it is in the interests of an audited body to know if there are issues with the audit being conducted on its operations. Naturally, the coalition supports this change as well.

As I said at the outset in delivering this on behalf of the shadow Treasurer, the coalition is supportive of the bill. We are very happy to support well-reasoned legislation where consultation has been extensive and the industry is in agreement, and this is one rare occasion where that is the case. On behalf of the shadow Treasurer, I commend the bill to the House.

Mr PERRETT (Moreton) (19:41): I rise to speak in support of the Corporations Legislation Amendment (Audit Enhancement) Bill 2012. I thank the member for Casey for his contribution and I echo his comments in congratulating the member for Oxley, the Parliamentary Secretary to the Treasurer, for his elevation. It is well earned and well deserved.
and it is nice to know there is a safe pair of hands from next door to my electorate looking after some of the money. On a slightly different note, I received a text from my brother while I was sitting here. He has just taken my sister-in-law Katie to the hospital where I think they are about to produce a new Perrett. I wish them well in that endeavour. My brother Tim and my sister-in-law Katie are, I am sure, like everyone and would wish a new Perrett to come into the world.

I return to the Corporations Legislation Amendment (Audit Enhancement) Bill 2012. Australia’s financial markets have earned a reputation as fair and transparent over many years through the great efforts of Australian governments, both Labor and Liberal. These markets are supported by confident and informed investors and consumers. The Corporations Act 2001 sets out a regulatory framework to ensure that fairness and transparency are maintained in our financial markets. The Australian Securities and Investments Commission was set up under this act as a trusted independent regulator. Among its many activities, ASIC maintains a register of companies and a register of auditors and liquidators. Many advanced economies have a system in place that requires mandatory auditor rotation. Auditor rotation helps prevent a situation where an auditor becomes too familiar with the client and the independence of an audit therefore could, on some occasions, be questioned. Currently under the act a listed company must rotate auditors at least every five years. This ensures that auditors do not cosy up to companies by giving favourable audits in order to secure their business for years into the future.

In some circumstances, however, an auditor rotation can impact negatively on the quality of the audit. For example, an auditor may have developed specific knowledge and experience which, if removed from the auditing process, would reduce the quality of the audit. This bill before the chamber will enable directors of a listed company to apply to extend the rotation period by up to two years. The company will need to prove the extension is about maintaining the quality of the audit and that it does not give rise to any conflict of interest. Directors will also be required to disclose any extension of the auditor rotation period to ASIC. The auditor will also be required to agree to the extension. This amendment will therefore provide greater flexibility for listed companies with the auditor rotation requirements and will bring Australia into line with international best practice.

This bill also introduces other measures to improve the auditing process. For example, the bill requires audit firms to publish an annual transparency report. This will apply to those firms that audit at least 10 Australian entities, including listed companies, listed registered schemes, authorised deposit-taking institutions and insurance companies. Because of the structure of most auditing firms, which are normally set up as partnerships, it is difficult to access basic information, such as ownership, governance and business structure. This amendment will ensure clients or potential clients can obtain factual information about these auditing firms.

I understand that the EU and the US already require audit firms to publish regular transparency reports. Transparency reports will be required to be published online on the auditor's website within four months of the end of the year and a copy will be required to be lodged with ASIC. The specific information required in the report will be developed by regulation. However, it will include items like the firm's governance structure, internal quality-control systems, independence practices, fees and the entities that are audited.
Information may be omitted from the report if its disclosure is likely to cause unreasonable prejudice to the auditor.

This bill also amends the Australian Securities and Investments Commission Act 2001 to remove some duplication in the roles of ASIC and the Financial Reporting Council. The FRC will take on a role of providing the minister with strategic policy advice and reports in relation to the quality of audits conducted by Australian auditors. They advise on the systems and processes used by auditors to comply with their obligations. ASIC will exclusively take on the role of monitoring auditor independence requirements, removing the current duplication with the Financial Reporting Council. This bill will also give ASIC power to disclose an audit deficiency in relation to specified failures by an audit firm. This would be issued where ASIC believes it is a sign of flaw in the audit firm's quality-control system. Auditors will then have 21 days before the report is published to comment on the deficiency.

This is one of those occasions when government needs to apply the gentle stick of regulation. Removing the veil and shining a light on the practices of auditors will lead to a better, more independent audit system—something that, as I said from the outset, is crucial to a thriving and robust financial system. I commend the bill to the House.

Dr LEIGH (Fraser) (19:46): I rise to speak in support of the Corporations Legislation Amendment (Audit Enhancement) Bill 2012. As the previous speakers in this debate have noted, this bill aims to improve the quality of auditing in Australia's firms. The process of auditing is absolutely critical to the open, transparent system of corporate governance that we in Australia enjoy. The bill aims to strike a balance between ensuring that auditors understand the companies they are auditing—and certainly we all understand that companies have become steadily more complex over recent years, so understanding a company's accounts is a tougher job than it was in previous generations—and ensuring that they are not captured by the firm.

The bill will also introduce the requirement for audit firms to publish an annual transparency report if they conduct audits of 10 or more Australian entities over the following categories: listed companies, listed registered schemes, authorised deposit-taking institutions and insurance companies. That, again, follows common practice in the European Union and the United States. Each of these countries aims to strike that balance I spoke about—the balance between an auditor's depth and breadth of knowledge of a company's accounts and ensuring that they are not captured by the firm.

The bill also introduces the requirement for audit firms to publish an annual transparency report if they conduct audits of 10 or more Australian entities over the following categories: listed companies, listed registered schemes, authorised deposit-taking institutions and insurance companies. That, again, follows common practice in the European Union and the United States. This transparency report is important because audit firms tend to be structured as partnerships. That means there is less information publicly available about those audit firms than would be the case if, for example, audit firms were corporations. The regulations will provide details about the information that has to be provided in the transparency report. It
will have to be posted on the auditor's website within four months of the end of the year to which it relates, and a copy must be lodged with ASIC on or before the day it will be published. It is important in the context of considering these corporate governance reforms also to recognise other ways in which we improve the quality of corporate governance in Australia. It was my pleasure on 23 February to open the Australian Institute of Management's office in Childers Street in Civic in my electorate. That office is a first-rate facility for promoting high-quality management in the ACT with breakout rooms, a high-quality library and facilities for providing training to improve not only private sector but also public sector management in the ACT.

The Australian Institute of Management has also produced an important report recently, *Gender diversity in management*, which looks at another core corporate governance issue—that is, the share of women on boards. The report notes that if you look at the top 200 ASX boards, as at 31 January 2012 only 14 per cent of those board members are women. If you look at executive key management line roles, only four per cent are held by women. If you look at women in executive key management support roles, only 24 per cent are women. The report considers the question as to whether boardroom gender quotas would be appropriate—this was a proposal made by Elizabeth Broderick in 2009—and recognises there are other countries that have mandated corporate quotas: Norway, Spain, Iceland, France and the Netherlands. It also recognises the countries that are proposing them such as Belgium, Canada and Italy.

I would like to acknowledge much of the important work that has been done within my electorate on ensuring greater gender diversity on boards and in ensuring that women are represented in Australian business as they should be. I would like to pay particular tribute to Julie McKay of UN Women Australia, who spoke extremely articulately at a recent forum at the National Press Club about the importance of raising the share of women in key management roles. Julie spoke also about the fact that these quotas are often initially opposed but are often necessary to bring about cultural change. That cultural change is critical if we are to ensure that Australian companies are as representative as the communities they serve. We have organisations that are dedicated to serving women. The ACT Women's Legal Centre is one of those. These organisations have recognised that providing greater gender diversity is an important part of ensuring a stronger Australia.

Finally, I would like to go to the Corporations Legislation Amendment (Audit Enhancement) Bill, which amends the Australian Securities and Investments Commission Act. This removes the existing auditor independence function from the Financial Reporting Council and gives the FRC a role in providing the minister and the professional accounting bodies strategic policy advice and reports on the quality of audits conducted by Australian auditors. It gives ASIC the power to issue a public audit deficiency report in relation to an individual firm and allows it to communicate directly with an audited body on significant matters that are identified during the course of the exercise of ASIC's statutory functions in an audit.

I congratulate Mr Ripoll on his ascension to the role of Parliamentary Secretary to the Treasurer. I am sure that he will continue to work hard in this area. It is one that he understands perhaps better than anyone else in the parliament. He will work diligently on the
issue of gender representation on boards, an issue that is important to me and to many people in this place. I commend the bill to the House.

Mr RIPOLL (Oxley—Parliamentary Secretary to the Treasurer) (19:54): I want to thank all honourable members who took part in the debate on the Corporations Legislation Amendment (Audit Enhancement) Bill 2012 and say thank you very much to those who spoke for their kind remarks; they are much appreciated.

Australia's audit regulation framework is robust and it is stable. It plays a critical role in the functioning of our economy by producing effective audits that provide a necessary external check on the integrity of financial statements. It is necessary from time to time, however, to examine the framework and make adjustments that respond to the new challenges our economy faces. This bill makes a number of improvements to the audit regulation framework, to ensure that it is operating as best as it can. The bill provides flexibility for directors in the auditor rotation requirements. Auditor rotation is necessary to maintain audit independence but in some circumstances it can result in a loss of knowledge and expertise that is detrimental to the quality of the audit. The bill strikes a balance between these two factors by allowing directors to extend the five-year auditor rotation period by up to two years, if it is consistent with maintaining the quality of the audit and does not give rise to any conflicts of interest.

The bill also introduces a requirement for audit firms performing significant audits to publish an annual transparency report. Firms will be subject to this requirement if they conduct audits of ten or more Australian listed companies, listed registered schemes, authorised deposit taking institutions or insurance companies. The bill removes unnecessary duplication in the work of the financial reporting council, the FRC, and the Australian Securities and Investments Commission, ASIC, by removing the existing auditor independence function from the FRC and in its place giving the FRC a role of providing the minister and the professional accounting bodies strategic policy advice and reports in relation to the quality of the audits conducted by Australian auditors. The bill provides ASIC with the power to issue public audit deficiency reports on individual firms to increase the transparency and accountability of audit firms. Auditors will have the opportunity to remedy a failure and to provide comments on an audit deficiency report before the audit is published. Lastly, the bill allows ASIC to communicate directly with an audited body in relation to significant matters that it identifies during the course of the exercise of ASIC's statutory functions in relation to an audit.

In summary, this bill will make improvement to Australia's audit regulation framework to ensure that it continues to foster high-quality audits that strengthen market confidence and also to ensure that the framework remains in line with international best practice. I commend the bill to the House.

Question agreed to.

Bill read a second time

Ordered that this bill be reported to the House without amendment.
STATEMENTS ON INDULGENCE

Australian Floods

Mr McCormack (Riverina) (19:58): The situation with the floods in the Riverina has not yet been averted. There are still communities on very grave flood watch alert in the Riverina and the situation is quite critical in those areas downstream where sandbagging has been done and people have been evacuated and now they are just waiting, watching, hoping and praying. Elsewhere in the Riverina there is not one nook, not one cranny of the electorate which was not affected by the rains of the weekend before last. Rainfall which fell was anywhere from 250mm right up to a record 400mm which was dumped on Marrar and other parts of the Riverina. It had a very serious effect on all of the ephemeral streams, and certainly the Murrumbidgee River, from which the electorate takes its name.

There were places evacuated, including Hanwood, Gundagai, Lockhart, North Wagga, The Rock, Tumut, Uranquinty and Yoogali, just after that initial weekend downpour of rain. The Rock is not in my electorate, it is in Sussan Ley’s Farrer electorate, but it was very severely flood affected, as was the community of Lockhart in the Farrer electorate. Elsewhere we have had floods in Northern Victoria in Nathalia, and the situation has been quite critical. While we have had the very worst of weather we have also seen the very best in human nature and people have rallied together magnificently for the cause. I am going to single out the State Emergency Service’s regional controller James McTavish. James is a former army officer and he has had a lot of experience with flooding, certainly he was involved heavily in the relief efforts in the Queensland floods of 2010 and 2011, as well as the Moree floods of more recent times. He was a calm and reasoned person in a time of crisis. It was through his wonderful direction and coordination that we have avoided any serious injuries—any injuries whatsoever to speak of. Certainly, there were no fatalities. That is a tremendous thing, because I know in the 2010-11 Queensland floods we had a huge number of deaths, including many in the Grantham township. We averted that.

At 9:30 pm last Monday night, James McTavish made the call for the extraordinary move to evacuate the central business district and central Wagga Wagga area. It meant that 8,000 people needed to move homes in the middle of the night. He called on the efforts of the Army, the Air Force and the Navy. We are blessed to have those three services present in our city. They went to work doorknocking. The alert went out on telephones and word spread very quickly that central Wagga Wagga was being evacuated. It was an extraordinary move. It was a big call for the SES to make and certainly a big call for James McTavish to make, but he made the right call.

As events turned out, the flood did not go over the levee bank, which is structurally positioned to withstand a flood of 10.7 metres. The flood peaked at 10.6. We were 10 centimetres away from disaster. Wagga Wagga dodged a bullet. There were suspect areas of the levee bank, one where a wombat had dug a hole and one where another hole had appeared. The trucks went in and dumped a heap of dirt and there was much sandbagging and reinforcement of the levee bank in those areas. There were other patches where the levee bank, which was first constructed in 1962 and obviously upgraded since then, was at risk. We ended up being 10 centimetres from disaster. Had the water started to go over the top of the levee bank it would have taken probably only five minutes for the levee bank to give way. Pretty soon we would have had a 100-metre wide gaping hole with the muddy river water
swirling through in the middle of night, and had that call not been made it would have meant a huge loss of life.

There has been criticism of the SES and, unfortunately, of the decision to evacuate Wagga Wagga. But it was the right decision to make and anyone who wants to criticise should consider themselves very lucky that we have someone such as James McTavish in the position of SES controller. He made that brave call and it was the right decision.

The Premier of New South Wales, Mr Barry O'Farrell, visited on Tuesday. When he arrived in Wagga Wagga he had an aerial tour by helicopter. When he landed in the area near the local emergency control area, hundreds of people had swarmed in to start sandbagging. It was an amazing scene. I have never seen anything like it in all my life. There were children from as young as seven and eight, school girls, school boys, people right up to the age of 80, people who probably properly belonged in nursing homes were out there holding bags open whilst men and women, some of whom were pregnant, were busy shovelling sand. It was just like a scene out of a disaster movie.

But you see the best in people in the worst of times. Wagga Wagga people rallied magnificently to fill up sandbags faster than was possible, because we ran out of dirt. Pretty soon the sand was replaced by loam. Trucks then had to go onto farms elsewhere to find anything we could put into the sandbags to put in front of shops and businesses in the central business district and in front of homes in the area, which looked as though it was going to be inundated. We were very lucky in Wagga Wagga. Not so lucky were the people of Ungarie. When I went to West Wyalong on the Monday morning to do constituent interviews, Ungarie had been evacuated overnight. Ungarie is not a prosperous community and their homes received a huge amount of water from Humbug Creek. It is not the first time in recent years that Humbug Creek has overflowed, but the 300 residents of Ungarie had been evacuated and were being housed in the West Wyalong sports stadium. Despite the fact that some of these people who, as I say, are not the most prosperous of people, got out with only the shirts on their backs and despite the fact that kids had lost their toys, families had lost their precious belongings, had furniture destroyed and everything else that is associated with flood waters, these people had a marvellous resilience and a marvellous upbeat manner about them. I was just amazed, and also at the work of the Salvation Army, the Red Cross and St Vincent de Paul, who moved in very quickly and helped those people—found them clothes and bought them food. The West Wyalong community responded magnificently as did communities right throughout the Riverina.

The Premier arrived and offered any state assistance that he could muster for the people of Wagga Wagga, as well as Ungarie, obviously, and also Tumut and Gundagai, which had also been flood affected and where businesses and homes had been inundated. We do not get too many prime ministerial visits in Wagga Wagga—in fact, I could almost name them on one hand for the past 50 years—but the Prime Minister visited Wagga Wagga on Wednesday, and the community was very pleased that she made her presence felt. After the briefing from James McTavish and other SES people we went into the nearby emergency control centre, where the Prime Minister was greeted by a woman who, despite having her North Wagga home completely inundated, had manned the fort there at the emergency control centre. She told the Prime Minister just how important it was to be with her colleagues at this time of crisis; much more important than to try to get whatever she could out of her home. She said,
'Well, it is gone anyway so I might as well be here with my colleagues.' That sort of summed up the spirit of the Wagga Wagga people.

The Prime Minister had an aerial tour by helicopter to see for herself the damage caused. Then, while she stood on the Wiradjuri Bridge as the swirling muddy waters of the Murrumbidgee went underneath, she promised that she would do whatever she could from a government point of view to make sure that the people of the Riverina were not forgotten and, indeed, that the people of Farrer—as my colleague joins me here in the Federation Chamber—were not forgotten.

To that end I do hope that the argy-bargy that is currently, unfortunately, existing between state and federal governments is sorted. Try as I might to sort out emergency payments for people via Centrelink they have not been forthcoming. I am not putting the blame on any government in particular, but it is a situation that just needs to be sorted. It is a situation that the opposition leader called on to be sorted today. I am sure the Prime Minister knows full well the extent of the damage caused; she saw it for herself. She saw the heartache in people's eyes. I saw it in her own eyes and I believed her when she said that she would do whatever she could to help the people of the Riverina and elsewhere in this flood calamity. I just hope that this situation between the state and federal government is sorted in the next 24 hours so that those emergency cash payments to families and individuals can come through, because some people do not have a cent to their name at the moment.

Certainly, the people of Griffith had a situation which they have not faced before. The Mirrool Creek, which between the early 1980s and 2010 had not had a trickle of water in it at its source in the Temora district, all of a sudden became a 15-kilometre raging torrent—a lake moving steadily towards the Griffith area. Once it got into the irrigation channels and canals it created mayhem. Yenda had to be evacuated, it caused severe flooding around the Barellan area and the Griffith suburbs of Hanwood and Yoogali were not spared either.

There were a lot of concerns by people in Yenda that they were evacuated too soon. That has been a problem that has been acknowledged by authorities in the Murrumbidgee Irrigation Area. It is something that we will need to look at after all the waters subside and the clean up is done. Certainly a lot of people in Yenda were most annoyed that they had to leave their shops and their houses when the water was not really at its height and not really threatening, and then a period of dry time lasted for hours and hours. The area was cordoned off by police and local government officials and these people were not allowed to get into their homes, which caused some consternation which was expressed very passionately at regional community meetings held in Griffith. However, that said, there were no injuries or deaths in the Griffith area. It is better to be safe than sorry. The SES made the call they felt was right at the time. The important thing is that nobody was hurt in these dire flood events.

The Leader of the Opposition, Tony Abbott, visited Wagga Wagga yesterday and I was very pleased to have him there. He went to great pains to go there. In fact, I tried to talk Mr Abbott's office out of his coming to Wagga Wagga as I felt that people had been overwhelmed by the whole exercise. A lot of people were very fatigued. They had been out fighting the good fight against the floods. A lot of people had lost everything. Others had lost nothing but had the inconvenience and disruption of having their businesses affected and were making a lot of noise and fuss and bother about the fact that their lives had been disrupted. I tried to tell Mr Abbott's office that I thought it would perhaps be best to come at another time.
But he was insistent on coming and, as it turned out, I am glad he did. Rather than it being some sort of media stunt or circus with a flyover using valuable SES equipment, helicopters and resources and rather than getting into people's way Mr Abbott rolled up his sleeves and offered to help. After a briefing at the SES he and I went out and helped the people of North Wagga. We walked right around the suburb dropping in on people.

One of the people we met was an elderly fellow by the name of Allan Bell, who became quite emotional. Mr Abbott said, ‘Gidday, mate, can I give you a hand?’ Mr Bell appreciated it but then, upon the awful realisation that he had lost everything and also with Mr Abbott there and I suppose the glare of some of the national media who were there, he broke down and was quite emotional. And you can understand that. His feelings were reflected by people right throughout the city and throughout my electorate and also Sussan Ley's electorate of Farrer. We got in and lifted some things out and moved some fencing. We then went to the neighbour's place and pulled out carpets and got quite dirty. I know that the opposition leader is a driven man but he is also almost a machine in some ways. He got in and did a lot of heavy lifting and anybody who thought it was a media stunt I can guarantee you that my arms and legs are not feeling today as if it were a media stunt. We got in and helped and the locals appreciated it. They appreciated the fact that the Prime Minister came, they appreciated the fact that that Premier of New South Wales came, and they certainly appreciated the fact that the opposition leader got in and got dirty and helped out with a lot of the mop-up operations.

The clean-up operations are going to take many months. A lot needs to be done right throughout the Riverina. I was at great pains to point out in any media interviews I did—and I did them right around the countryside, and I will come back to the media in a minute—that this was not just a Wagga Wagga flood, even though by Wagga Wagga flood standards it was very high. It did not reach the record of 10.97 metres, in 1844, when there was hardly anybody in Wagga Wagga, and it certainly did not reach the four peaks of 1870 and earlier. Fortunately it did not reach the big peak on 30 August 1974, when the Murrumbidgee River topped at 10.74 metres. Many people still living in Wagga Wagga will recall that flood. The good folk at North Wagga remember that flood, because they too were inundated then.

But Wagga Wagga people are very resilient, as are Riverina people. They are very resilient and brave and they will bounce back from this. A lot of scorn was poured on the climate people who told us that the dams were never going to be full, the rivers were going to run dry and it would never rain again. There was a lot of comment about those sorts of things. People said, ‘Well, look at us now.’ It certainly is, as Dorothea Mackellar said, a land ‘of droughts and flooding rains’.

A fundraiser will be held in Wagga Wagga—but it will be a regional fundraiser, I am pleased to say—next month. Already many bands and musicians have promised their assistance. We are going to need a lot of government assistance as well as financial assistance from locals and corporate bodies to assist those people who have lost just about everything.

What needs to be done with the levee bank? It needs to be heightened and strengthened. We cannot afford to take the risk of having to evacuate the city again. We certainly cannot afford to take the risk of a bigger flood than 10.7 metres coming down and destroying our beautiful and magnificent city. We also need to examine the releases from Burrinjuck into an already flooded Murrumbidgee Valley. In 2010, the Burrinjuck was allowed to flow out. We need to look at the capacity levels of Burrinjuck and manage that dam better so that we are
not allowing huge releases into an already flooded system. As I say, we need to get cash payments to those who need them desperately, and we need to sort out that situation between the state and the federal government in the next 24 hours.

I spoke about the media. I have to say that the media responded magnificently, both the commercial media and certainly ABC Riverina, which is managed by Christopher Coleman. My two sons, Nicholas and Alexander, and I went in and helped evacuate the radio station at ABC Riverina. There was a headline for you: ‘Conservative politician helps rescue ABC’. Certainly they were appreciative of the fact that they were able to get up to higher ground—indeed, to one of the evacuation centres at Wagga Wagga High School—and continue operations from there. Chris and his team did a magnificent job to keep updating people, from Gundagai down to Carrathool and Darlington Point and all places in between, on when they might expect river peaks and what to do in that dreadful time.

The New South Wales Volunteer Rescue Association, an organisation which started in Wagga Wagga in 1950, when we had a particularly wet year with many, many floods, was magnificent, as was the Rural Fire Service, the police, the SES, the three branches of our Australian defence forces and all the local government bodies right throughout the Riverina. They were magnificent. Unfortunately, they spent a lot of time manning cordoned off areas and they copped a bit of abuse because of it, including of SES and VRA people. That was unfortunate. Sometimes patience gets tested in these times of crises. Some people copped a mouthful of abuse when perhaps a helping hand might have been better.

But we will learn from this flood. Next time around, we will be better prepared. Certainly, I cannot speak highly enough of those people who chipped in and helped. It was an unprecedented event. You do not get 400 millimetres falling on a weekend and not cop a flood of this magnitude, but we will come out the other side stronger for it. I just hope that, in the weeks and months ahead, people pull together as they have in the last week or so to help those who have lost everything to mop up and clean up. I thank the House.

Mr PERRETT (Moreton) (20:18): I would like to commend the member for Riverina on his contribution, which was obviously detailed. On behalf of this side of the chamber, and as a Queenslander—with the member for Chifley, being from New South Wales, having to leave the chamber—I particularly know what it is like to have been flooded. My home town of St George has suffered three significant floods in the last two years. In my electorate of Moreton 5,200 properties had water go over the floorboards. So I know how horrible it is. I know that the busy task of cleaning up has only just begun. It is easy for politicians to come out and see it at the start. I was lucky enough to go out to St George with the Prime Minister. I think it was the first time in 160 years that the Prime Minister had ever been there. Unfortunately she had to go back there almost a year later because of another flood. I know that it takes a long time to rebuild. I would give this word of advice to the member for Riverina, the member for Farrer and others: three months on from the disaster, the busyness of cleaning up and getting life back in order can often be the most dramatic time in a community, when people realise all of those photographs, all of those memories—all of those things that are so much a part of a person's life—have been washed away down the river. That can be a very dramatic and traumatic time for people, so I urge him to look out for those signs in his community. Once the community workers and the volunteers and the bands and the benefits have gone, that can
be a time when a federal member really has to walk around his or her community and offer their support.

Thankfully, there were no fatalities. I listened with interest to the member's comments about the levee. I know those opposite sometimes have a problem with the other sort of flood levy, but a levee with a double 'e' is something. When you see that 10 centimetres can make a world of difference to a community, it is certainly to be looked at as much as possible in terms of protecting a community. It is always great to see that community spirit come out when times are tough. It is the great Australian tradition—or maybe it is the great human condition—that we do step up when times are tough. And, as I said, people will have a watching brief in the three months ahead. The thoughts of this side of the chamber are with the people of New South Wales who have experienced those floods and I wish them well with their rebuilding efforts.

Ms LEY (Farrer) (20:21): I am pleased to join with my colleague the member for Riverina. A support the kind words of the member for Moreton and others in this place who represent communities affected by the flooding we have seen across New South Wales and Victoria in the last few weeks. Over half of the local government areas in Farrer have been declared natural disaster areas by the New South Wales government to date and I thank them for their speedy declarations. While these disaster declarations release some funds for the clean-up and the recovery ahead, many families and households need immediate financial assistance until they can get back on their feet. An Australian government disaster relief payment makes available through Centrelink an immediate emergency payment of $1,000 per adult and $400 per child.

I note the comments from the Prime Minister when she visited the electorate of Riverina last week and said that her government stands ready to do all it can to assist. Let me just underline that point again: 'My government stands ready to do all it can to assist.' While there is some precedent on this payment being reliant on an application from the relevant state government, this does not have to be the major determining factor. Indeed, the payment can be at the discretion of the Commonwealth Attorney-General in the event of a major disaster having a significant impact on individuals. I want to emphasise the term 'major disaster'. That is what occurred when flooding hit both Queensland and Victoria last year—both states received immediate offers from the then Attorney-General for a disaster payment from the Commonwealth.

So what does this government consider to be a major disaster? Well, I have a few examples. One property owner, Allan Carmichael, from Ivanhoe in the Central Darling Shire in the far west of New South Wales, received 21 inches of rain at his property Rosehill—that is, over a metre of rain—during the flooding event. A week and a half later he and his family are still living in a caravan. That is a caravan they drove to Mildura to buy for $30,000-odd. Prior to that they were sleeping in the back of their Prado in the shed. The insurance assessor is due there on Thursday—that is, if he can actually get there across the flooded dirt roads of the far west. And, as of tonight, the Central Darling Shire is yet to receive a disaster declaration. Mr Carmichael and his wife have no access to state assistance and no access to insurance. And because the federal government does not feel inclined yet, they have no access to an emergency grant from Centrelink.
The entire town of Urana was ordered to evacuate during the rain event and I visited there last Thursday. The mayor, Margaret Buntin, picked me up from the recreation ground, where I was lucky enough to land in a helicopter, and drove me around town. Carmen, who runs the pub, was standing in the doorway exhausted. When I said, 'What do you need?' she said, 'I just need the phones to work'—and we set that in train with Telstra. Then I visited Ralph at the IGA. He had the shop open, which was pretty incredible considering where the water had been. And John at the takeaway food cafe said the water had come right up to the floorboards. Everyone was open, everyone was functioning and everyone was just getting on with it. The amazing thing that touched the hearts of the people of Urana was that the Rural Fire Service and the SES had travelled up from the South Coast, from Bega, from Bungendore, from Batemans Bay and from Merimbula. From those parts of the state, they drove trucks which took a long time to get such a significant distance across all those mountains. They came to Urana to help with the clean-up. I thank all those people from so far away. While they were helping with the clean-up, they had in some cases eight inches of rain falling in their own communities, so you can imagine where their minds were.

I visited Lockhart where 60 homes were inundated and 12, or approximately half, of the businesses in the main street were flooded. Lockhart has a historical society that runs a museum. Those who have visited Lockhart know it is a town that treasures its very rich heritage, its past and its pioneers. I went into the historical society's museum. In anticipation of the flood, they had put a lot of things up above a certain level. But the flood this year in Lockhart was 10 inches higher than in the 2010 floods. No-one could possibly have expected it to be that savage so, of course, a lot of things got completely drenched including some amazing collections of birds eggs, some of them from the 1930s which were okay. I looked down the corridor of the museum and saw some volunteers, older ladies, with hairdryers drying the pages of Lockhart's heritage and history because of the importance of preserving it. That, I have to say, is an image that will stay with me for a long time.

I then went to The Rock where 40 homes were inundated—that is 25 per cent of the homes of the entire township of The Rock. Ten businesses were flooded and three homes were completely destroyed. I think every single home, and there might be some 120, had some damage done, if not to the house then to the yard. I visited a lady who in December last year just moved back into her home after recovering from the previous floods and had lost it all once more. The stoicism and resilience of people in this position was quite incredible. Her daughter and her son-in-law were helping with the clean-up and were in another part of the town. It was one of those things that happened and they were just getting on with it.

As I said, all these towns and local farms were also flooded in late 2010 and into early 2011. There were numerous other examples in Conargo, Morundah, Blighty. The town of Hay is bracing for flooding this weekend from the Murrumbidgee's downstream flows. There will be a community meeting tomorrow night to brief residents on the possible evacuation of their community. Boree Creek might ring a bell with some of my colleagues as the home town of the former member for Farrer, Tim Fischer. I want to mention Boree Creek particularly as an example of the emergency and, so far unreported, dangers so many communities faced the weekend before last. Soaked by 150 millimetres of rain in the lead-up, the same amount of rain again in one night—around six inches in the old mark—saw the entire town's residents evacuated at 5.30 in the morning. Over 80 per cent of the town went under and 21 out of 25
homes were inundated with up to a metre and a half of water. The SES was not involved here because their attention, understandably, was turned elsewhere. The Rural Fire Service captain and his deputy took charge that night as the normally serene creek broke its banks and flooded the town from the north. There was no official evacuation order or orderly exit here because there was no warning. It was just a couple of blokes who knew their community was in trouble and got them out of there before lives could be put at risk or lost. Do you know where they went in the early hours of the morning? The entire population of 75 residents in Boree Creek were systematically ferried up to the local Rural Fire Service captain Col Richens and his family's farmhouse four kilometres up the road on some higher land and that is where they stayed for the next 24 to 48 hours, the only safe haven available until it was clear to return and begin cleaning up the mess. Col has sent me the photographs and they are incredible.

Some people are now back home, some are staying with their neighbours and some people are paying for other forms of accommodation. Some have insurance, some do not. Some people will cope okay emotionally and financially and some people will not. I am going to Boree Creek at the end of this week for a local barbecue and fundraiser with the local Rural Fire Service and I am wondering what to tell them when they ask: what is the federal government actually doing to assist them after this major disaster?

I have been through all this before, in 2010. I have written letter after letter to the then Attorney-General, Robert McClelland, begging for assistance and making the point that just because you live in a really small town and you do not hit the national news and no-one has really ever heard of you, and just because no news crews and no TV cameras can get there, the things that happen to you are not any less important than the things that happen in major disaster zones. If we look at towns like Boree Creek, The Rock, Lockhart and Urana and Ivanhoe, in the far west—and Ivanhoe is just a tiny place on the rail line between Sydney and Broken Hill, not known, really, for anything very much; it is a beautiful part of my electorate and I love it, but I understand that no-one really has heard of it—it is so important that the scale of disaster is the scale that reflects the local community, its infrastructure, its people, its psyche, its heart and its soul. When you damage all of that to the extent that we have seen with these floodings, it does not matter if it was a cyclone in the north of Australia or a major event that covered hundreds of kilometres; it is still a disaster on an incredibly significant scale.

I know that at times like this everyone's heart is in the right place. I know that there is bipartisanship. I know that the Prime Minister, in visiting Wagga Wagga, cared very much about the things that she saw, in the same way that the Leader of the Opposition cared about the things that he saw, as we all would as members of this place. But we have to recognise that, where there is assistance that a government program can provide, we need to step in and, when it comes to the Attorney-General's declaration, we just need to sign the bit of paper, to make the declaration, to pick up the phone and talk to state colleagues and to just please, please, make it happen. I am going to spend a lot of the next few weeks—and I take the point from the member for Moreton and the member for Riverina about how when the excitement, if I can call it that, fades away there is just so much left to do. And that is when I will be there for the communities that I represent.

But I just want to be able to tell them that, yes, this small contribution from the federal government, a $1,000 Centrelink payment for each adult and $400 for a child, does not do
much—in the case of the Carmichaels in Ivanhoe, who bought a caravan from Mildura which cost them $30,000, it is hardly going to make a difference—but it is just going to make a small difference. And it is also going to tell them that somebody here in Canberra, in our wonderful bureaucracy and in our wonderful government, cares that they have been hurt so badly by this thing.

I just cannot imagine how it must feel to be flooded twice in less than two years. We know the mental effects that that has on people. I have talked to mostly women—because probably the men do not want to say too much—who say that now, when they go to bed and listen to the rain, they cannot sleep, and that they cannot imagine living in the same house that they have lived in all their lives, in the same community that their parents have always lived in, but they cannot sell the house. After all, if you have been flooded twice, who is going to buy your property? Your insurance company possibly will not insure you. What do you do? You just sort of operate in a horrible place in your mind where you cannot relax and you cannot feel a sense of security, which must be really horrible.

So, while there is such goodwill in the parliament, I repeat the calls that I have been making and I know my colleagues have been making to the government to please help, because we do need help. Thank you.

Federation Chamber adjourned at 20:34.
QUESTIONS IN WRITING

My School Website
(Question No. 406)

Mr Pyne asked the Minister for School Education, Early Childhood and Youth, in writing, on 31 May 2011:
To date, what is the total cost of the development and construction of the My School website, and what does it cost per month to operate.

Mr Garrett: The answer to the honourable member's question is as follows:
The total cost of the development and construction of version one of the My School website was approximately $2.1 million. That figure includes: website development and maintenance (approximately $1.45 million). It also includes the costs of geocoding school addresses into census collection districts; security testing of the website; legal services, in particular on privacy issues; focus groups; and staffing costs (approximately $0.65 million).
The cost per month to operate the My School website is currently approximately $52,000. That figure includes infrastructure and maintenance/development costs and reflects savings achieved through bringing website development and maintenance in-house. Details follow:

- main site hosting - $23,000 per month
- disaster recovery site hosting - $4,500 per month

Australian Learning and Teaching Council
(Question No. 481)

Mr Oakeshott asked the Minister representing the Minister for Tertiary Education, Skills, Science and Research, in writing, on 16 August 2011:
(1) For what reasons has the Government abolished the Australian Teaching and Learning Council (ALTC), despite restoring $50 million of the $88 million ALTC budget over four years expressly to maintain its grants and programs under the same terms of reference and conditions. (2) Has the Government made public its vision for how Australian teaching and learning innovation will be encouraged and recognised internationally; if so, what is it.

Mr Combet: The answer to the honourable member's question is as follows:
(1) The Australian Learning and Teaching Council (ALTC) was abolished as a budget savings measure to fund rebuilding after the floods. There are significant cost savings generated by continuing the work of the ALTC within DEEWR with staff costs less than half of what was incurred by the ALTC. These savings occur because DEEWR already has areas of support in place, such as IT and human resources, which do not need to be duplicated.
The ALTC was established in 2004, at a time when funding for university teaching was significantly lower than it is today. The Government is investing $35.7 billion over the next four years in teaching and learning in our universities to drive greater participation and improve access and equity. This will be supported by new regulatory and quality arrangements to be funded through the $1.1 billion Advancing Quality in Higher Education initiative announced in the last Budget. The suite of quality initiatives includes: the establishment of the Tertiary Education Quality and Standards Agency (TEQSA), which will carry out regulatory functions from January 2012; Reward Funding for achieving performance targets for participation of students from low socioeconomic backgrounds and other
underrepresented groups; the Structural Adjustment Fund to assist universities adjust to the new operational requirements of a demand driven funding system; and the My University website which will improve transparency and inform choice.

(2) Quality teaching and learning will continue to be a high priority for the Government as the sector moves towards a demand driven environment and student numbers expand. TEQSA's primary task will be to ensure that students receive a high quality education at any of Australia's higher education providers. It will register providers, accredit courses for those institutions without the authority to self-accredit, carry out evaluations of standards and performance, streamline current regulatory arrangements and protect and assure the quality of international education.

The Office for Learning and Teaching will promote and support excellence in learning and teaching in higher education institutions with funding of $50 million over four years for a Grants and Awards Program. The Office will be guided by a Strategic Advisory Committee to ensure the ongoing involvement of the higher education sector.

The Office's responsibilities include:
- providing grants to academics and professional staff to explore, develop and implement innovations in learning and teaching and to develop leadership capabilities
- commissioning work on issues of strategic significance to the higher education sector to inform policy development and practice in relation to learning and teaching
- managing a suite of awards to celebrate, recognise and value teaching excellence and programs that enhance student learning
- funding fellowships and secondments for leading educators to address significant national educational issues
- disseminating resources on innovations in learning and teaching
- supporting the development of effective mechanisms for the embedding of good practice in learning and teaching in Australian higher education
- encouraging collaboration and sharing of good practice for improved student learning outcomes
- facilitating networking and professional development opportunities for academics and professional staff.

**Australia Network**

*(Question No. 513)*

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011: Did he receive a brief from his department seeking approval of text contained in the request for tender for the Australia Network contract and/or associated documents before their release; if so, (a) on what date (i) was the brief received by his office, and (ii) did he sight the brief, and (b) can he indicate what type of ministerial action was requested by his department, and what resulting action he took.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.
Australia Network  
(Question No. 514)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:
Did he or any of his ministerial staff request changes to the text contained in the request for tender and/or associated documents for the Australia Network contract; if so, on what date, and can he indicate the nature of the requested changes.

Dr Emerson: The answer to the honourable member's question is as follows:
In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

Australia Network  
(Question No. 515)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:
Was the final version of the request for tender and associated documents for the Australia Network contract approved by Cabinet or him; if so, on what date.

Dr Emerson: The answer to the honourable member's question is as follows:
In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

Australia Network  
(Question No. 516)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:
Did he or any of his ministerial staff receive a briefing, written or verbal, from his department or a member of the tender panel regarding any of the information provided by tenderers in their tender submissions for the Australia Network contract; if so, on what date, and can he indicate the nature of the information provided.

Dr Emerson: The answer to the honourable member's question is as follows:
In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.
Australia Network
(Question No. 517)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:
On what date did the tender panel for the Australia Network contract finalise its report, and can he indicate whether the report recommended a preferred tenderer.

Dr Emerson: The answer to the honourable member's question is as follows:
In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

Australia Network
(Question No. 518)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:
Can he indicate whether the panel viewed both tenderers for the Australia Network contract as meeting the requirements of tender.

Dr Emerson: The answer to the honourable member's question is as follows:
In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

Australia Network
(Question No. 519)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:
Did he or any of his ministerial staff receive a briefing, written or verbal, from his department or a member of the tender panel for the Australia Network contract regarding the panel's progress.

Dr Emerson: The answer to the honourable member's question is as follows:
In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.
**Australia Network**

(Question No. 520)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

On what date was the report of the tender panel for the Australia Network contract first sighted by the Secretary of his department.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Australia Network**

(Question No. 521)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Did he or any of his ministerial staff receive a briefing, written or verbal, from his department regarding the report of the tender panel for the Australia Network contract, including any recommendation on a preferred tenderer; if so, (a) on what date was the brief (i) received by his office, and (ii) sighted by him, and (b) can he indicate what type of ministerial action was requested by his department, and what resulting action he took.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Australia Network**

(Question No. 522)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Did his department prepare a Cabinet submission detailing the report of the tender panel for the Australia Network contract, including any recommendation on a preferred tenderer; if so, (a) on what date, and (b) was input into the brief provided by other Governments; if so, which ones.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.
Australia Network  
(Question No. 523)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

On what date (a) was his department first notified of the Government's intention to extend the existing Australia Network contract, and (b) were tenderers for the Australia Network contract first notified of the Government's intention to extend the existing contract.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

Australia Network  
(Question No. 524)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Has he, any of his ministerial staff and/or his department received correspondence from, or had a discussion with, any of the interested parties involved in the tender process for the Australia Network contract since the Government's decision to seek further information; if so, (a) on what date, (b) which parties were involved, and (c) can he indicate the nature of the correspondence and/or discussion.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

Australia Network  
(Question No. 525)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Has he, any of his ministerial staff and/or his department received correspondence from, or had a discussion with, any of the interested parties involved in the tender process for the Australia Network contract about the impact of the Government's decision on the financial viability of their proposal; if so, (a) what parties were involved, and (b) can he indicate the nature of the correspondence and/or discussion.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.
Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Australia Network**  
*(Question No. 526)*

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Has he or any of his ministerial staff received a briefing, written or verbal, from his department and/or consultants expressing their concerns about the change to the request for tender for the Australia Network contract and/or association documentation; if so, (a) on what date, and (b) can he indicate the nature of their concerns.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Australia Network**  
*(Question No. 527)*

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Has he or any of his ministerial staff received a briefing, written or verbal, from his department and/or consultants regarding the additional costs associated with expanding the Australia Network's coverage into the Middle East and North Africa; if so, (a) on what date, (b) can he indicate the nature of this advice, and (c) what are the additional costs.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Australia Network**  
*(Question No. 528)*

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Has he or any of his ministerial staff received a briefing, written or verbal, from his department and/or consultants regarding the expansion of the Australia Network into the Middle East and North Africa and its impact on the Network's penetration rates in Asia and/or the Pacific; if so, (a) on what date, and (b) can he indicate the nature of this advice.

Dr Emerson: The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential
information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Australia Network**

(Question No. 529)

Ms Julie Bishop asked the Acting Minister for Foreign Affairs, in writing, on 18 August 2011:

Prior to Cabinet consideration of the tender for the Australia Network contract, (a) what position did the designated advisor on the tender process hold, (b) on what legal basis were they stripped of that role, (c) had they made a decision on who the successful tenderer would be, and (d) what position does the current advisor on the tender process hold.

**Dr Emerson:** The answer to the honourable member's question is as follows:

In the period since Ms Julie Bishop submitted Questions on Notice 513 to 529 on 18 August 2011, the Government terminated the Australia Network tender process due to significant leaks of confidential information to the media and referred the matter to the Australian Federal Police for investigation. The Auditor-General has also decided to conduct a performance audit of the administration of the Australia Network tender processes. As the Questions on Notice go to matters being considered by the Australian Federal Police and Australian National Audit Office, it would not be appropriate to comment.

**Superclinics**

(Question No. 602)

Dr Southcott asked the Minister for Health and Ageing, in writing, on 14 September 2011:

In respect of the 64 clinics under the GP Super Clinics Program, how many had or have a date of practical completion in their original funding agreement which fell or falls in (a) 2007-08, (b) 2008-09, (c) 2009-10, (d) 2010-11, (e) 2011-12, (f) 2012-13, (g) 2013-14, and (h) 2014-15.

Ms Plibersek: The answer to the honourable member's question asked of the former Minister for Health and Ageing is as follows:

Funding for the GP Super Clinics Program was first made available in the May 2008 Budget. Funding Agreements could not be entered into prior to this time.

The original Practical Completion dates in Funding Agreements are indicative only. It is recognised that these will vary over time as they are heavily dependent on external factors beyond the control of the funding recipient including the availability of land/suitable premises for the clinic, local council planning and approval processes, availability of construction workforce and materials, and weather conditions. The size and complexity of the construction project can also impact on the anticipated project timeframe.

The Department monitors the Funding Agreements for each GP Super Clinic and negotiates variations to milestone timeframes, if required, to reflect the impact of these external influences.

For the GP Super Clinic sites with executed Funding Agreements, as at 30 January 2012 Practical Completion achieved:

- Ballan (VIC);
- Bendigo (VIC);
- Berwick (VIC);
• Blue Mountains (NSW);
• Brisbane Southside – Annerley Hub and Logan Hub (Stage 1) (QLD);
• Bundaberg (QLD);
• Burnie (TAS);
• Clarence – Hobart Eastern Shores (TAS);
• Cobram (VIC);
• Devonport (TAS);
• Geelong (VIC);
• Grafton (NSW);
• Ipswich (Phase 1) (QLD);
• Modbury (SA);
• Palmerston (NT);
• Playford North (SA);
• Port Stephens (NSW);
• Queanbeyan (NSW);
• Riverina (NSW);
• Shellharbour (NSW);
• Southern Lake Macquarie (NSW); and
• Strathpine (QLD).

Anticipated Practical Completion dates:

<table>
<thead>
<tr>
<th>Site</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cairns (QLD)</td>
<td>Mid 2012</td>
</tr>
<tr>
<td>Gunnedah (NSW)</td>
<td>Early/Mid 2012</td>
</tr>
<tr>
<td>Midland (WA)</td>
<td>Early 2012</td>
</tr>
<tr>
<td>Noarlunga-Onkaparinga (stage 2) (SA)</td>
<td>Early/Mid 2012</td>
</tr>
<tr>
<td>North Central Coast (NSW)</td>
<td>Mid 2012</td>
</tr>
<tr>
<td>Portland (VIC)</td>
<td>Mid 2012</td>
</tr>
<tr>
<td>Redcliffe (QLD)</td>
<td>Mid 2012</td>
</tr>
<tr>
<td>Wodonga (VIC)</td>
<td>Late 2012</td>
</tr>
</tbody>
</table>

Practical Completion dates for the remaining sites are subject to execution of a Funding Agreement and/or local government approvals and commencement of works.

**Attorney-General's: Portfolio Entities**

*(Question Nos 806 and 812)*

**Mr Fletcher** asked the Attorney-General and the Minister for Emergency Management, in writing, on 7 February 2012:

How many departments, agencies, commissions, Government owned corporations or other such bodies have been created within the Minister’s portfolio since 24 November 2007 (excluding existing departments that have been re-named or merged into a larger entity), what is the name of each such entity, and how many full-time equivalent employees did each such entity have at the end of 2011.

**Ms Roxon:** The answer to the honourable member’s question is as follows:

The Office of the Australian Information Commissioner (OAIC) was created within the Prime Minister and Cabinet portfolio on 1 November 2010. The Administrative Arrangement Orders of 19 October
2011 transferred the OAIC to the Attorney-General’s portfolio. No other statutory body has been established in the Attorney-General's portfolio since 24 November 2007. The Office of the Privacy Commissioner (OPC) was integrated into the OAIC on 1 November 2010. As at 31 December 2011 the total full-time equivalent staff level was 79.05.

**Sustainability, Environment, Water, Population and Communities: Portfolio Entities**

(Question No. 809)

Mr Fletcher asked the Minister for Sustainability, Environment, Water, Population and Communities, in writing, on 7 February 2012:

How many departments, agencies, commissions, Government owned corporations or other such bodies have been created within the Minister's portfolio since 24 November 2007 (excluding existing departments that have been re-named or merged into a larger entity), what is the name of each such entity, and how many full-time equivalent employees did each such entity have at the end of 2011.

Mr Burke: The answer to the honourable member's question is as follows:

The Murray Darling Basin Authority was created in December 2008, assuming responsibility for all of the functions of the former Murray–Darling Basin Commission.

The Murray Darling Basin Authority had 298.96 full-time equivalent employees at the end of 2011.

The Commonwealth Environmental Water Office was created in December 2011.

The Commonwealth Environmental Water Office had 44.8 full-time equivalent employees at the end of 2011.

**Finance and Deregulation: Portfolio Entities**

(Question No. 810)

Mr Fletcher asked the Minister representing the Minister for Finance and Deregulation, in writing, on 7 February 2012:

How many departments, agencies, commissions, Government owned corporations or other such bodies have been created within the Minister's portfolio since 24 November 2007 (excluding existing departments that have been re-named or merged into a larger entity), what is the name of each such entity, and how many full-time equivalent employees did each such entity have at the end of 2011.

Mr Swan: The Minister for Finance and Deregulation has supplied the following answer to the honourable member's question:

No new Financial Management and Accountability Act 1997 bodies have been added to the Finance and Deregulation portfolio. One new Commonwealth Authority and Companies Act 1997 body, the Albury-Wodonga Development Corporation, became a Commonwealth authority through amendments made to the Act on 1 July 2009.

The Albury-Wodonga Development Corporation had six full-time equivalent employees at 31 December 2011.

The Future Fund Board of Guardians makes use of subsidiaries to facilitate its investment program in accordance with the Future Fund Act 2006 and the Investment Mandate Directions issued by the responsible Ministers. Details are provided in note 15 of the Consolidated Financial Statements in the Future Fund's 2010-11 Annual Report.

None of these subsidiaries employs staff.