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FORTY-THIRD PARLIAMENT
FIRST SESSION—EIGHT PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

House of Representatives Office holders
Speaker—Ms Anna Elizabeth Burke MP
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Steven Georganas MP
Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP, Mr Darren Cheeseman MP, 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,
Ms Maria Vamvakinou MP, Mr Anthony Harold Curties Windsor MP

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

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

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

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

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**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—C Mills
Parliamentary Budget Officer—P Bowen
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The SPEAKER (Ms Anna Burke) took the chair at 09:00, made an acknowledgement of country and read prayers.

BILLs

Financial Framework Legislation Amendment Bill (No. 2) 2013

Reference to Federation Chamber

Mr FITZGIBBON (Hunter—Chief Government Whip) (09:01): by leave—I move:

That the Financial Framework Legislation Amendment Bill (No. 2) 2013 be referred to the Federation Chamber for further consideration.

Question agreed to.

Australia Council Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Crean.

Bill read a first time.

Second Reading

Mr CREAN (Hotham—Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts) (09:02): I move:

That this bill be now read a second time.

When introducing the Australia Council Bill 1974 into parliament on 23 July 1974, then Prime Minister Gough Whitlam proclaimed that upon passage:

… the Australian people as a whole will have new and wider opportunities to participate in the arts and enjoy the emotional, spiritual and intellectual rewards which the arts alone can provide. 1

We can now reflect on that statement with the perspective that nearly 40 years on affords us and we see that day indeed was the 'historic development in the promotion of the arts in Australia' 2 as Gough Whitlam proclaimed it would be.

The Council had five years earlier been created as a division of the Department of the Prime Minister and Cabinet by the then Prime Minister John Gorton, but this legislation sought to establish the Council as a separate agency, operating at arm's length from government.

Since its inception the Council has supported Australian artists and organisations with two guiding principles—the pursuit of artistic excellence based on peer review and funding decisions made at arm's length from government.

The Council has been critical to the shaping of Australia's cultural identity for nearly four decades.

Artists including David Gulpilil, Les Murray, Peter Carey, Tracey Moffatt, Dan Sultan, Thea Astley, Ross Edwards, Don Banks, Peter Tyndall and Peter Sculthorpe are among the artists and cultural leaders that the Council has supported over the years. The two most recent examples of this support and their success are Gotye and Tim Munro, who together scooped the pool with five Grammies just a month ago.

Now, each year, the Council delivers more than 1,900 separate grants, enables the creation of over 7,500 new artistic works and provides direct funding to more than 900 artists and 1,000 organisations. The significance of the new funding to the Australia Council—announced by me last week with the release of Creative Australia, the cultural policy for the future in this country—is that that additional $75 million will expand this already significant reach.

However, during the consultation process around the development of that same policy—the national cultural policy—it became clear that it was time to re-examine also the role and structure of the Australia...
Council. We now work with a sector that is globally engaged and confidently asserts Australian identity and creativity.

Back in 1975, we were emerging from the years of the cultural cringe and there was much work needed to build artistic practice and organisations in an emerging cultural sector. It was only a little time after the controversy about Australia's purchase of Jackson Pollock's *Blue Poles*—for which my father, as Treasurer, signed the cheque. It was initially seen as a major risk, but it is now seen as a wise and confident statement that Australia was aiming at the highest possible levels of artistic achievement for its cultural sector.

In response to the issues raised in the consultations around the development of Creative Australia, I established a review of the Australia Council in late 2011. The purpose of the review was to ensure that funding opportunities offered by the Australia Council reflected the diversity, innovation and excellence of Australia's contemporary arts and cultural sector, and that the council was well placed to support the goals of Creative Australia. It should also continue to meet the needs of the arts community and the expectations of audiences.

The review co-chairs, Ms Gabrielle Trainor and Mr Angus James, provided the review findings in mid-2012. Their report, based on further detailed consultations, confirmed that there is need for significant reform of the Council and the way in which it provides funding to the sector, including:

- an updated purpose;
- the introduction of a skills based governing board;
- the reform of the Council's art form board structures to allow for greater funding flexibility; and
- an updated and strengthened peer assessment process.

In introducing the Australia Council Bill 2013, the Australian government is delivering on the key recommendations of the Review of the Australia Council and bringing about the first significant legislative reform of the Council in nearly 40 years. While some things will change and need to change, there are some things that will remain the same.

Upon the passage of the Australia Council Act 1975, the core principles of the Council were enshrined in legislation. Namely, the principles of the pursuit of excellence and funding decisions made at arm's length from government, based on peer assessed artistic merit and free from political interference. These principles have been the central tenet of the Council's investments since day one under Nugget Coombs' leadership and have enjoyed the support of successive governments ever since. They remain core principles today. They are not only retained by this bill, they are given further emphasis with the Council's ability to self-determine its approach to that concept of peer assessment.

This importance of arm's-length decision making is supported by a new, clear and updated purpose for the Council—that it 'support and promote vibrant and distinctively Australian creative arts practice that is recognised nationally and internationally as excellent in its field'.

This updated purpose has informed the drafting of the revised functions of the Council in this bill and sets the framework within which the Council will make funding decisions. The new functions enhance the Australia Council's capacity to collect and publish important data on the arts, the impact of its funding and the broader achievements of Australia's artists and arts organisations.
The proposed changes to the Council's governance arrangements will facilitate more flexible arrangements and encourage longer term strategic planning, while entrenching the principle of arm's-length decision making.

A key reform is the introduction of a skills based board. This reform will bring council into line with other modern statutory authorities. Importantly, the new board will have strong arts expertise and will allow the Council to respond strategically to changes in the arts sector.

The responsible minister will appoint the chair, and then make all appointments to the board in consultation with the chair.

The transitional bill which accompanies this main bill provides for the continuation of the existing appointments of the chair and deputy chair of the Council to be carried over to the new board. Ensuring the continuity of key governance roles during the organisation's transition to a new operating environment will be important in the context of the implementation of the broader reform agenda. Mr Rupert Myer AM and Ms Robyn Archer AO are the ideal stewards of reform for the Council at this critical time. I see in them the right mix of skills that I envisage for the new board of the Council; that critical mix of business acumen, and professional and practical experience, combined with a deep a passion for—and commitment to—the arts.

The legislated requirement that only the minister can create and dissolve boards of the Council has been removed. The bill replaces the existing art form board structure and gives the board power to appoint committees. The Council can create advisory committees that it determines are necessary to deliver effectively on its functions and accountability requirements. This reform will empower the Council to appoint a greater diversity of artists as peers to help support strategic planning and assessment processes.

Existing art form boards were established before community cultural development emerged as an artistic focus, before the government moved to establish continuing funding for performing arts organisations, and before digital media, let alone the new work coming out of the fusion and the crossover between art forms. Currently, every member of the art form boards is appointed by the responsible minister. This bill devolves that power and gives the Council new flexibility to engage the expert peers in response to the demands of the sector, including those new demands that I have just outlined.

As such, it will allow the Council to become increasingly responsive to the changing needs and demands of the arts sector, including supporting emerging areas of artistic practice.

This will support the Council to become a more nimble and agile organisation—while retaining and enhancing the experience and expertise that the Council has grown over many years. In this regard, the bill embeds in the Council the flexibility and responsiveness that the sector so clearly called for in the consultation process around the review.

In response to the proposed reforms, the Council is proposing an evolution of art form boards into artistic advisory committees with a more flexible, responsive and scalable assessment model.

All art forms will benefit from the Council having the power to engage peers to match the specific genres in which artists are working. The opportunity to have peer panels directly matched to specific artistic genres, with artist peers involved in the process, will maintain essential and
specialised peer assessment of grant applications.

I envisage that these reforms will support improved collaboration between established and emerging artists and arts organisations and better serve the demands of 21st century audiences. In short, the Council will be better placed to meet sector demands, to meet their needs, while firmly placing artists and support for existing—and emerging—arts practice at the centre of its activity.

Accountability standards will be strengthened through the introduction of corporate planning requirements. The Council will be required to identify strategic priorities and key performance indicators and submit these to the responsible minister for endorsement. This corporate plan, and any variation, does not take effect unless it has been endorsed by the minister. The reform of the Australia Council is a key pillar of Creative Australia: the National Cultural Policy.

Creative Australia makes the point that culture is not created by government but it is enabled by it. Its goals include support for excellence and the special role of artists and their creative collaborators as the source of original work and ideas, including the telling of Australian stories.

The modernised Australia Council will continue to play a critical role in the arts, so that it has an active role in the life of every Australian.

When I announced the national cultural policy on 13 March, I committed the Australian government to immediately implementing structural reforms to the Australia Council so that it is resourced, refocused and renewed.

This bill, and the new funding of $75.3 million over four years, delivers on this commitment. It heralds the most significant reform of the Council in nearly four decades and will bring the organisation into the 21st century.

I commend the bill to the House.

2 Ibid.

Debate adjourned.

Australia Council (Consequential and Transitional Provisions) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Crean.

Bill read a first time.

Second Reading

Mr CREAN (Hotham—Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts) (09:16): I move:

That this bill be now read a second time.

This is a companion bill to the Australia Council Bill 2013, which I have just introduced. The Australia Council (Consequential and Transitional Provisions) Bill 2013 contains consequential amendments and transitional arrangements related to the proposed reform of the Australia Council in line with the Australian Government response to the 2012 Review of the Australia Council.

The key elements of the bill provide for the continued operation of the Council during its transition to a new operating environment—as per its proposed new enabling legislation, the Australia Council Bill 2013. This is expected to take effect from 1 July 2013. Significantly, this bill provides for the repeal of the Australia Council Act 1975, an act which, upon
passage nearly 40 years ago, has only undergone minor amendment.

In the main, this bill provides for business continuity for the Council, including its staff. Accordingly, provisions are included which allow for the appointments of the current chair and deputy chair to be carried over into the new operating environment. As I highlighted when I introduced the main bill, ensuring the continuity of key governance roles during the organisation’s transition to a new operating environment will be important in the context of the implementation of the broader reform agenda.

For similar reasons, transitional provisions will also apply to the office of CEO. This will also allow time for the incoming board to be appointed and convened to consider and appoint a longer term CEO. As per the new enabling legislation, the longer term CEO will be appointed by the board after consultation with the responsible minister.

The bill also provides for continuity of the current employees of the Council on their existing employment terms and conditions.

Existing assets and liabilities will be assets and liabilities of the continued Council. To ensure the Council continues to remain accountable for its expenditure and its operations, this bill also spells out transitional reporting requirements.

As I mentioned when introducing the Australia Council Bill 2013, we are presented with a once-in-a-generation opportunity to reform the Australia Council. The reforms will revitalise the Council’s role in supporting Australian arts practice that is recognised nationally and internationally as excellent in its field.

Together with the Australia Council Bill 2013, this bill will bring the Australia Council in line with other modern statutory authorities and into the 21st century. It will ensure that the transition to its new operational arrangements is seamless.

I commend this bill to the House.

Debate adjourned.

Court Security Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Dreyfus.

Bill read a first time.

Second Reading

Mr DREYFUS (Isaacs—Attorney-General and Minister for Emergency Management) (09:20): I move:

That this bill be now read a second time.

Federal courts and tribunals, due to their very nature as forums to resolve disputes, bring together people who are in serious conflict. Proceedings are often emotionally charged and can involve actual or threatened violence.

It is essential that federal courts and tribunals are properly supported in their efforts to prevent, as far as possible, security incidents arising on their premises and to respond quickly and appropriately to control incidents when they do arise.

Court users, particularly those involved in cases in the family and federal magistrates courts, have the fundamental right to access facilities and have their cases heard without the threat of violence and intimidation.

Current court security arrangements

Security at most federal court and tribunal premises is provided by contracted security guards, and this has been the case for many years.

The current legislative framework for security at federal court and tribunal premises is part IIA of the Public Order (Protection of Persons and Property) Act 1971. However, this legislation is out of
date, in that it assumes the presence of police officers on court premises. It also does not contain an appropriate range of powers—and safeguards on the exercise of these powers—sufficient to meet the security needs of the modern court environment.

Security officers are uncertain of their powers to confiscate materials or temporarily detain violent people.

**Legislative framework established by this bill**

This bill contains a comprehensive framework to enable the federal courts and tribunals to manage the wide range of security issues they face in different locations across Australia.

It allows courts to appoint persons as security officers and authorised court officers and clearly sets out the powers that these officers are able to exercise.

The powers build on those currently contained in the public order act and those available to the courts under the common law as occupiers of premises.

The powers include screening and search powers, powers to give certain directions, and a limited range of powers supported by the use of necessary and reasonable force.

Only appropriately trained and licensed security officers will be able to use force in exercising powers under the bill, and these officers will only be able to use force in clearly defined circumstances.

Recognising that security officers may not be present at all court locations, in particular when the courts are in regional circuit locations, the bill allows authorised court officers to exercise a limited range of basic security powers.

The bill creates a number of offences relating to court security and provides for the administrative heads of the federal courts to seek protection orders on behalf of judicial officers and court staff or in the interests of court security.

The bill contains important safeguards around the exercise of powers. These safeguards include licensing and training requirements for appointed officers, identification requirements, complaints mechanisms, and oversight by the Commonwealth Ombudsman.

The measures under the bill balance a person's right to enter and remain upon court premises with the right of other court users, judicial officers, court staff and members of the public to a safe and secure court environment.

The bill has been developed in close consultation with the federal courts and tribunals. It responds to concerns raised by the heads of jurisdiction of the federal courts that the public order act does not meet the security needs of the modern court environment.

The bill is tailored to ensure that the courts can reduce, as far as possible, the risk of security incidents arising on their premises, and to appropriately respond to incidents that do arise.

**Police presence for court security**

It is expected that courts will continue to call for police assistance to deal with serious security incidents.

However, events at court premises can escalate with little warning. It is, therefore, vital that there is an effective legislative framework in place to ensure that courts are able to take preventative security measures such as screening, and, where a security incident has arisen, to enable the courts to continue to operate in a safe and secure manner before police arrive.

The bill has been carefully drafted so as to be flexible to a range of different guarding arrangements. This is appropriate given the
different security needs of different courts and tribunals.

**Conclusion**

Effective court security arrangements are a critical precondition for the effective administration of justice.

This bill will modernise the legal framework for federal court and tribunal security arrangements and thereby ensure that our courts and tribunals are safe and secure places for the public to have their disputes heard.

I commend the bill to the House.

Debate adjourned.

**Marriage Amendment (Celebrant Administration and Fees) Bill 2013**

First Reading

Bill and explanatory memorandum presented by Mr Dreyfus.

Bill read a first time.

Second Reading

Mr DREYFUS (Isaacs—Attorney-General and Minister for Emergency Management) (09:28): I move:

That this bill be now read a second time.

I am pleased to present the Court Security (Consequential Amendments) Bill 2013.

The Court Security Bill 2013 provides a new framework for court security arrangements for federal courts and tribunals. The new framework will meet the security needs of the modern court environment by providing a range of powers for security officers and limited powers for authorised court officers to ensure that court premises are safe and secure environments.

The Court Security Bill will replace the current security framework for federal courts and tribunals under the Public Order (Protection of Persons and Property) Act 1971, which no longer meets the security needs of the modern court environment.

This companion Court Security (Consequential Amendments) Bill allows proper implementation of the new framework.

This bill will achieve this by removing the existing provisions in the Public Order Act that would otherwise overlap with provisions in the Court Security Bill. I commend the bill to the House.

Debate adjourned.
Recent Australian Bureau of Statistics figures show that 71 per cent of marriages in 2011 were conducted by a civil celebrant.

The Commonwealth has constitutional responsibility for marriage matters, including the Marriage Celebrants Program. The program, established in 1973 under the Marriage Act 1961, seeks to provide marrying couples who do not want to have a religious ceremony with a meaningful alternative to a registry wedding.

The great majority of celebrants perform this role to a very high standard. However, the quality of services provided by celebrants does vary. Their important role carries significant legal responsibilities and the community is entitled to expect that Commonwealth registered marriage celebrants are suitably equipped to discharge their functions.

The implementation of cost recovery will enable the program to improve education and training services provided to Commonwealth registered marriage celebrants, while also effectively regulating and ensuring quality control for those celebrants. It will also provide the program with resources to better scrutinise aspiring celebrants prior to registration.

These measures will in turn ensure professional and legally correct services are delivered to marrying couples in Australia.

The administration of the program includes assessing and authorising new marriage celebrants for registration, reviewing celebrant performance, resolving complaints about celebrants, handling a large volume of inquiries from celebrants, producing information and guidance materials, managing ongoing professional development arrangements and engaging with celebrants and their peak group.

Many of these functions are carried out by the Registrar of Marriage Celebrants, a departmental officer with specific authority under the Marriage Act.

From 1 July 2013, Commonwealth registered marriage celebrants and celebrant applicants will meet cost recovery requirements.

Exemptions will be made available from the fee in certain circumstances, including for celebrants in remote areas to ensure continued access to celebrancy services for those communities.

During the extensive consultation process, celebrants have been advised of the structure and quantum of the fee. Subject to the passage of this, from 1 July 2013, there will be:

- a $600 registration application fee for prospective celebrants seeking registration;
- a $240 annual celebrant registration charge imposed on all Commonwealth registered celebrants; and
- a $30 application processing fee for seeking an exemption from the annual celebrant registration charge, the registration application fee or annual ongoing professional development obligations.

The Marriage Amendment (Celebrant Administration and Fees) Bill provides legislative authority for some of the cost recovery arrangements, as well as outlining the operation of the system.

This bill also makes some minor administrative amendments to enhance the operation of the program. This includes the introduction of an Australian passport as an additional identity document that a celebrant may use to establish a marrying party’s place and date of birth.

These amendments will allow the Attorney-General’s Department to provide a stronger regulatory and information service.
to existing and aspiring Commonwealth registered marriage celebrants.

This will in turn ensure that marrying couples are legally and validly married through a professional service, as they should rightfully expect on their wedding day.

Debate adjourned.

Marriage (Celebrant Registration Charge) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Dreyfus.

Bill read a first time.

Second Reading

Mr DREYFUS (Isaacs—Attorney-General and Minister for Emergency Management) (09:33): I move:

That this bill be now read a second time.

The Marriage (Celebrant Registration Charge) Bill 2013 specifically implements the 2011-12 budget decision to introduce cost recovery for Commonwealth registered marriage celebrants from 1 July 2013.

The celebrant registration charge will enable the Attorney-General's Department to administer the Marriage Celebrants Program and deliver important services to Commonwealth registered marriage celebrants.

Under the government's cost recovery guidelines, the celebrant registration charge is a cost recovery levy. It is therefore necessary to introduce this separate bill.

The bill allows the amount of the charge to be set by the minister by legislative instrument up to a statutory limit which is set at $600 in the year commencing 1 July 2013.

We have indicated that the amount to be set will be lower than $600 in the introductory year. This may be amended by the minister in future years, to reflect the costs of administering the program.

The bill allows for indexation for future financial years, capped to reflect consumer price index increases over time. This will reduce the need to amend the primary legislation in the future.

For people who become marriage celebrants later than 1 July in any financial year, a determination may provide that different amounts of the celebrant registration charge are payable in respect of that year.

This is to reflect the costs incurred by the program in administering newly appointed celebrants until the following 1 July. It also acknowledges that people registered close to 1 July in any given year are not disadvantaged by paying a full celebrant registration charge twice in a short period of time.

The Marriage (Celebrant Registration Charge) Bill will provide legislative authority to charge Commonwealth registered marriage celebrants an annual celebrant registration fee. I commend the bill to the House.

Debate adjourned.

Social Security Legislation Amendment (Disaster Recovery Allowance) Bill 2013

First Reading

Bill—by leave—and explanatory memorandum presented by Mr Dreyfus.

Bill read a first time.

Second Reading

Mr DREYFUS (Isaacs—Attorney-General and Minister for Emergency Management) (09:36): I move:

That this bill be now read a second time.
This bill introduces a new disaster recovery income support payment, the disaster recovery allowance.

In recent years we have seen a trend of increasingly severe floods, cyclones, bushfires and storms. The recent summer has been no exception. Clearly the time for questioning the veracity of climate change is over.

These disasters have taken a physical, emotional and financial toll on all Australians. Most tragically, lives have been lost. We know that disasters in Australia are irreversible. We know that disasters in Australia are getting more prevalent. We know that disasters in Australia cost lives and livelihoods and we need to be prepared for this.

Ensuring that individuals across Australia are supported in the aftermath of these disasters is critical to the recovery of communities. The Australian government stands ready to support disaster ravaged communities, providing the support they need to get back on their feet. The government already provides a range of assistance, both by working with the states through the Natural Disaster Relief and Recovery Arrangements, and directly with the Australian Government Disaster Recovery Payment and a number of ex gratia disaster payments.

The Australian Government Disaster Recovery Payment, or AGDRP, provides short term, one-off financial assistance to eligible Australians. It offers a helping hand and has assisted thousands of Australians in recent years. The AGDRP has a legislative basis in the Social Security Act 1991, which allows the government to activate the AGDRP in response to a major disaster occurring in or outside Australia.

This government is serious about supporting jobs following a disaster, about keeping people employed in the local area, protecting skilled labour and the longer term recovery of the community. Australian workers, businesses and farmers are resilient. But in times of great difficulty they may require that extra help to get them back on their feet and back to work.

The disaster recovery allowance will standardise the highly successful assistance that is currently being provided as the ex gratia Disaster Income Recovery Subsidy. The ex gratia subsidy provides fortnightly payments equivalent to the maximum rate of Newstart Allowance or Youth Allowance, depending on a person’s circumstances. The subsidy supports those who, through no fault of their own, temporarily lose income as a direct result of a disaster. While the ex gratia payment has worked well this past summer to meet this need, cementing the disaster recovery allowance in legislation will provide a permanent and administratively efficient method for providing this assistance to communities. We have seen the value of such a legislated disaster recovery payment with the AGDRP. The disaster recovery allowance will provide temporary income support for up to 13 weeks. The allowance will be paid at a rate equivalent to Newstart or youth allowance.

The government will have the option of making the disaster recovery allowance available for events of national significance where assistance in the form of income support is required. In making this decision we will consider the extent to which the nature or extent of the event is unusual, and the extent of disruption to the workforce.

This will fill a gap in the post-disaster assistance currently provided at both Commonwealth and state levels, which is mainly focused on relief and recovery and not income support.
This government recognises that each event is unique and the needs of each community will be different. That is why the disaster recovery allowance will focus on either the areas that are affected, or the industries that are affected, or both. This means that it can apply broadly across a region, or just to an affected industry, depending on the impact of the event.

To qualify for the disaster recovery allowance, a person will have to be able to demonstrate that, because of the disaster, they have lost income on which they were dependent.

In most cases this will be a straightforward self-declaration by a person, ensuring the disaster recovery allowance is administered quickly and effectively in the wake of a major disaster.

While we are committed to supporting disaster-affected workers getting back on their feet, we do not want to create a disincentive for people to go back to work. For this reason the disaster recovery allowance will be subject to reductions. This will ensure that recipients are encouraged to return to work when possible, restoring that normality to their lives.

The disaster recovery allowance will be payable for 13 weeks. For those who have not been able to find work at the end of this period, the Department of Human Services will help them transition to the Newstart or youth allowance and they will have access to all of the existing Commonwealth programs that help people get back to work.

We recognise that sometimes the full impact of a disaster is not felt straightaway, particularly economic impacts. For this reason, and to allow adequate time for applications, the claim period for the disaster recovery allowance will stay open for six months after the disaster.

The disaster recovery allowance will be taxed and subject to beneficiary tax offsets, consistent with other social security payments.

Introduction of the disaster recovery allowance reflects the Australian government’s commitment to supporting communities affected by disasters. The disaster recovery allowance is about more than individuals; it is about getting communities back on their feet. We are seeing again with the recent disasters in Queensland, New South Wales, Victoria and Tasmania that Australians want to help each other out after a disaster, and they want to lend a hand. The disaster recovery allowance makes sure that those people whose income has been hit by the disaster do not need to worry about getting food on the table, that they can focus on what Australians want to be doing in that situation, which is helping their friends, their neighbours, their community in getting back on their feet and putting their lives back together.

Disasters will happen in this country. With the changing climate, conditions will become more extreme and disasters will happen more frequently. With each year this is becoming clearer. It is a reality we cannot ignore and we must be as prepared as possible for future events. That is why this government is committed to improving the assistance we provide and the way in which it is delivered. With each year we, as a nation, and as a government, are getting better at preparing for, mitigating and responding to disasters. This bill is a further step in that process. It provides the Commonwealth with the ability to respond to disasters and to support the communities that are affected. These tools give us a greater sophistication in disaster recovery. They give us the certainty that the money is getting where it is needed.
I commend the bill to the House.
Debate adjourned.

**Statute Law Revision Bill 2013**

**First Reading**

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

**Second Reading**

Mr DREYFUS (Isaacs—Attorney-General and Minister for Emergency Management) (09:44): I move:
That this bill be now read a second time.

Statute Law Revision Bills have been used for the last 30 years to improve the quality of Commonwealth legislation.

The bills do not make substantive changes to law but still perform the important function of repairing minor errors in the Commonwealth statute books and improving the accuracy and useability of consolidated versions of Commonwealth acts.

This continual process of statutory review complements the government’s commitment to creating clearer Commonwealth laws.

There is no doubt that the review process undertaken in the preparation of this bill serves to ensure the statute book contains less clutter, in the form of out-dated cross-references, and by repealing obsolete acts.

Schedules 1, 2, 4 and 5 of the bill achieve three main ends:

1. correcting minor and technical errors in acts, such as grammatical errors and errors in numbering;
2. correcting amendments or amending acts which are erroneous, misdescribed or redundant; and
3. repealing obsolete amending provisions and acts.

By removing or amending out-dated or unclear legislative provisions this bill helps make the law clearer, more consistent and easier to access.

The bill also helps to facilitate the publication of consolidated versions of acts by the Attorney General’s Department and by private publishers of legislation.

Schedule 3 to the bill makes amendments relating to acts of general application, updating language in a range of legislation to more closely reflect terminology now used in the Acts Interpretation Act 1901 and the Legislative Instruments Act 2003.

The items in part 1 of schedule 3 to the bill repeal provisions relating to acting appointments that are redundant as they are now covered by section 33AB and 33A of the Acts Interpretation Act 1901.

These items also add notes referring to the general acting appointment rules in the Acts Interpretation Act 1901.

The items in part 2 of schedule 3 to the bill are about prescribing matters by reference to other instruments.

And the items in part 3 of schedule 3 amend various acts to update the text of acts that still refer to an instrument being a disallowable instrument.

I thank the Office of Parliamentary Counsel for the time and effort that went into preparing this bill.

I commend this bill to the House.
Debate adjourned.

**Water Efficiency Labelling and Standards (Registration Fees) Bill 2013**

**Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013**

Reference to Federation Chamber

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for
Climate Change and Energy Efficiency) (09:48): by leave—I move:
That the Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 and the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013 be referred to the Federation Chamber for further consideration.

Question agreed to.

**Indigenous Education (Targeted Assistance) Amendment Bill 2013**

**First Reading**

Bill and explanatory memorandum presented by Mr Garrett.

Bill read a first time.

**Second Reading**

Mr GARRETT (Kingsford Smith—Minister for School Education, Early Childhood and Youth) (09:48): I move:
That this bill be now read a second time.


The programs funded and delivered under the Indigenous Education (Targeted Assistance) Act 2000 are complementary to mainstream schooling.

This bill amends the Indigenous Education (Targeted Assistance) Act 2000 to increase the legislative appropriation for the period 1 January 2012 to 30 June 2014. The increased appropriations will enable the education components of the $583 million Stronger Futures in the Northern Territory national partnership, specifically the School Nutrition Program, which provides support for approximately 5,000 students in 67 targeted Northern Territory schools and the additional teachers initiatives, to be administered under IETA.

The bill will also amend the Indigenous Education (Targeted Assistance) Act 2000 to include administrative adjustments to program funding.

The increased appropriations will benefit the School Nutrition Program and the additional teachers initiative under the Stronger Futures in the Northern Territory national partnership and include new funding for the Achieving Results Through Indigenous Education (ARTIE) project, which will be administered through the Sporting Chance Program, which is funded under IETA.

These amendments will increase the appropriations to allow the $4.43 million Achieving Results Through Indigenous Education project to be administered through the Sporting Chance Program element of IETA. The ARTIE Academy's mission is to offer a service that allows Aboriginal and Torres Strait Islander students to achieve a level of academic success that not only ensures year 12 completion but provides an opportunity for desired career choices to be potentially achieved. Funding provided through IETA will allow for the implementation of the academy's tutoring program in three primary schools in South-East Queensland at Bundamba, Marsden and Morayfield, and for the expansion of the academy into two Townsville high schools at Kirwan and Pimlico.

The bill reaffirms the Australian government's commitment to improving educational outcomes for Aboriginal and Torres Strait Islander students, families and communities, including through funding targeted programs that focus on key drivers of educational achievement. I commend the bill to the House.

Debate adjourned.
Mr MARTIN FERGUSON (Batman—Minister for Resources and Energy and Minister for Tourism) (09:52): I move:

That this bill be now read a second time.

The tragic deaths of two employees following an incident on the Stena Clyde rig in Bass Strait last year, the uncontrolled release of hydrocarbons from the Montara Wellhead Platform off the northern coast of Western Australia in August 2009 and the explosion of the Deepwater Horizon in the Gulf of Mexico on 20 April 2010 all serve to represent unfortunate examples of the serious and inherent risks associated with the offshore petroleum industry.

Collectively these events demonstrate and emphasise the need for a strong, effective and properly resourced offshore petroleum regulatory regime to safeguard human health and safety and the Australian marine environment.

The amendments contained in this bill largely continue the Australian government's work of implementing its response to the report of the Montara Commission of Inquiry, building as they do, on the previous compliance themed legislative package I introduced in November 2012 and which completed its passage through the parliament last sitting fortnight.

This bill amends the Offshore Petroleum and Greenhouse Gas Storage Act 2006 to clarify and strengthen the compliance, monitoring, investigation and enforcement powers of the national offshore petroleum regulator.

As a result, there will be a range of graduated enforcement measures available to the regulator to appropriately and proportionately address different contraventions of the act.

Compliance measures contained in the amended bill will include:

- A range of alternative enforcement mechanisms, such as infringement notices, adverse publicity orders and continuing penalties;
- The agreed recommendations from the whole-of-government ‘polluter pays' report, including an express polluter pays obligation and an associated third party cost recovery mechanism;
- Clarifying insurance requirements to ensure that maintenance of sufficient financial assurance is compulsory without a direction being given, and to clarify the compliance role of the regulator;
- Enabling NOPSEMA inspectors to issue environmental prohibition and improvement notices to require petroleum titleholders to take action removing significant threats to the environment; and
- Requiring the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) to publish occupational health and safety and environment improvement notices and prohibition notices on its website.

The bill amends the act by introducing continuing penalties, infringement notices, adverse publicity orders and injunctions.

These tools will enable the regulator to select and apply an appropriate and proportionate regulatory response, depending upon the nature and relative seriousness of the breach that has occurred given the overall set of circumstances.
This range of graduated enforcement tools supplement, but do not replace, existing criminal penalties.

Provisions of the bill also strengthen and clarify the application of the 'polluter pays' principle in the act.

In the event there is an escape of petroleum as a result of operations within a title area, operators will be required to stop, contain, control and clean up the spill, as well as remediate the environment and carry out appropriate environmental monitoring.

In the event that the titleholder fails to comply with these requirements following a spill, the 'polluter pays' provisions will also enable the regulator (NOPSEMA or the Commonwealth minister) to recover from the titleholder the costs incurred by them carrying out remediation activities.

While recognising that titleholders are operating within the Commonwealth's exclusive jurisdiction, the Australian government recognises that, should an incident occur, there may be potentially serious environmental consequences in adjacent state and Northern Territory jurisdictions.

Acknowledging this risk, this bill also provides a statutory course of action for state and Northern Territory governments to recoup the costs. In doing so, the costs will be recouped, from the responsible titleholder, of cleaning up the escaped petroleum and remediating the damage to the environment.

The bill clarifies existing insurance provisions, ensuring that it is compulsory for a titleholder to maintain sufficient financial assurance to meet any expenses or liabilities arising in connection with work done under the title following an escape of petroleum and also with other extraordinary regulatory costs they might incur. Financial assurance is required to deal with extraordinary costs, expenses and liabilities that a titleholder might not have the capacity to meet. It is not expected to cover ordinary expenses of a titleholder in meeting ordinary operating costs, such as the costs of compliance with title conditions.

The polluter pays and financial assurance amendments collectively implement and address the matters raised in recommendations 95 and 96 of the report of the Montara Commission of Inquiry.

Finally, the bill implements a number of miscellaneous technical and minor policy measures, including:

- enabling the electronic service of documents under the act or legislative instruments to be provided for in regulations under the act;
- and enabling administrative arrangements for taking eligible voluntary actions, when there is more than one registered holder of a title, to be carried through into legislative instruments under the act.

This current set of amendments makes further strides towards addressing issues identified as arising from the Montara incident in August 2009 and underscores the government's commitment to the maintenance and continuing improvement of a strong, effective framework for the regulation of offshore petroleum activities in Australia.

I commend the bill to the House.

Debate adjourned.

Export Finance and Insurance Corporation Amendment (New Mandate and Other Measures) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr K. J. Thomson, for Dr Emerson.

Bill read a first time.
Second Reading

Mr KELVIN THOMSON (Wills—Parliamentary Secretary for Trade) (09:59):

I move:

That this bill be now read a second time.

The Export Finance and Insurance Corporation Amendment (New Mandate and Other Measures) Bill 2013 implements the government's response to the 2012 Productivity Commission report on Australia's export credit arrangements.

When the government announced its formal response to the Productivity Commission's report back in January it emphasised that small and medium-sized enterprises will be the big winners following these reforms.

This bill will deliver for Australian small and medium-sized enterprises.

The response announced a number of changes to the operations of the Export Finance and Insurance Corporation (EFIC) that will help it to play an even more valuable role in the provision of export finance.

This bill will ensure that more of EFIC's resources are devoted to Australian small and medium-sized enterprises that face genuine barriers to accessing finance.

Supporting our small and medium-sized enterprises looking to expand their activities overseas will help demonstrate to the private sector that it is commercially viable to fund these exporters.

EFIC will also be given a limited expansion of its guarantee powers so that it can better support Australian businesses integrate into global value chains, particularly in the Asian region.

Increasing participation in regional value chains will result in increased specialisation and productivity as Australian businesses focus more on high-value-added activities.

The white paper on *Australia in the Asian century* recommended that EFIC's mandate be revised to ensure more of its resources are devoted to addressing market failures that impede Australian companies, particularly in emerging and frontier markets.

This bill helps deliver on our white paper objectives.

While the Productivity Commission report found that market failures are most likely to affect small and medium-sized enterprises with limited export experience, EFIC's new mandate will not preclude it from supporting larger firms where they too face market failures, particularly when doing business in emerging and frontier markets.

To ensure that EFIC does not have a competitive advantage over other businesses in the private sector, the government also accepted the Productivity Commission's recommendation that EFIC should be subjected to the government's competitive neutrality principles.

Consistent with the recommendations of the Productivity Commission and the 2003 Uhrig review, the bill will also remove the requirement to have a government member on EFIC's board of directors, increasing the board's independence from government.

In conclusion, the amendments in this bill will provide EFIC with a new mandate that reflects the changing international trading environment and resulting challenges for Australian exporters.

It will benefit Australian small- and medium-sized businesses in particular, recognising their increasing importance and prevalence in global and regional value chains.

Importantly, the bill will help us take a further step in delivering on our Asian century white paper objectives, improving support to Australian businesses so that they
can take advantage of the changes and opportunities occurring in our region.

Debate adjourned.

**National Measurement Amendment Bill 2013**

**First Reading**

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

**Second Reading**

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (10:03): I move:

That this bill be now read a second time.

The National Measurement Amendment Bill 2013 is a bill to amend the National Measurement Act 1960. It introduces changes appropriate for the long-term operation of Australia's national trade measurement system, which has been in operation since July 2010.

In Australia, an estimated $400 billion worth of trade based on some kind of measurement takes place annually. Australia's trade measurement system provides the infrastructure needed to ensure that buyers and sellers both get a fair result. It provides assurance that the quantity of prepackaged goods is correct and that measuring instruments used for trade are sufficiently accurate.

Trade measurement, of course, is a part of everyday life. We are interacting with the trade measurement system whenever we buy products such as fuel or groceries on the basis of prices set in dollars per litre, or dollars per kilogram, or dollars per metre. These prices are set by the product's volume, weight, or length.

Trade measurement rules also govern prepackaged goods and are significant for the export of commodities, as well as measurements of gold, precious gems and the quality of agricultural products.

The National Measurement Institute (the NMI) is responsible for overseeing the operation of Australia's trade measurement system. As part of its 'trade measurement compliance inspection program', the NMI employs trade measurement inspectors who inspect businesses nationwide for compliance with the act. The proposals in the bill will facilitate their work and the ability of businesses to comply with the act and its regulations.

Key amendments proposed in this bill deal with situations where NMI inspectors find minor non-compliance issues concerning a measuring instrument used for trade or the sale of prepackaged goods. Currently inspectors are required to obliterate the instrument's verification mark and cause the trader to immediately cease using the instrument. Where the non-compliance applies to prepackaged goods, the items are immediately removed from sale.

These requirements can be unduly onerous to businesses and, in some situations, can disadvantage consumers. Forcing products off the shelves, or preventing the use of a measuring instrument, can be a disproportionate response to a minor breach. It can also cause unintended difficulties for consumers, especially in rural and remote areas where the community may rely on a single retail outlet.

The proposed amendment gives an inspector the discretion to issue a notice to a trader to remedy the non-compliance and allows a 28-day period during which they may continue using the instrument or retailing the goods which are subject to the minor non-compliance. This change will give traders reasonable time to remedy any...
minor breaches and will retain consumer access to goods.

The National Measurement Amendment Bill 2013 introduces a number of other minor amendments to the act. They include:

- Enabling trade measurement inspectors to stop vehicles and request that they be moved to a reasonable location to be inspected. This carries over powers previously available to inspectors under the former state and territory trade measurement systems.
- NMI inspectors who are undertaking a random inspection of a business will no longer be required to announce their presence to a trader. Random purchases are a useful tool in monitoring traders' compliance under the act and the amendment will support the purpose of detecting non-compliant behaviour.
- Clarifying the wording of the act to give greater certainty to customers about the measurement of an article. The amendment clarifies that a measurement must be made in front of the customer or, where this is not the case, the measurement information must be provided to the customer in writing.
- Making it an offence to adjust a measuring instrument used for trade in a manner that will affect its accuracy without obliterating the instrument's verification mark.
- Providing for National Trade Measurement Regulations to determine the extent to which the definition of 'use for trade' applies to the determination of fuel tax credits.
- Amending the definitions of utility meters to allow exempted meters to be verified by approved authorities. This is to facilitate the lifting of the exemption for particular sub-classes of meters in order to introduce trade measurement controls.
- Amending definitions of 'reference standard of measurement', 'Australian certified reference material' and 'certified measuring instrument' to bring them into alignment and to clarify the period for which these standards have effect.

This government is committed to maintaining a fair, effective and efficient national approach to trade measurement for business and consumers. The bill forms part of that commitment. I commend the bill to the House.

Debate adjourned.

Asbestos Safety and Eradication Agency Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Shorten.

Bill read a first time.

Second Reading

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (10:09): I move:

That this bill be now read a second time.

Ensuring the health and safety of our citizens is a fundamental role of government—and of this parliament.

But there is a clear and present danger today to workers, tradespeople and to our domestic and public safety. I speak of asbestos. Asbestos is the worst industrial menace and it will go on killing for decades.

Based on International Labour Organization figures, every five minutes someone around the world dies of an asbestos-related disease.

This bill marks an historic step in Australia becoming the first nation to progress towards the ultimate elimination of
asbestos-related diseases. Our aim needs to be to remove this menace once and for all, in tandem with local, state and territory governments, industry, unions and the community. We are working to rid the legacy of 50 years of asbestos use, a substance that was known even then to kill people; miners, workers, tradespeople, even householders.

We lead the world in mesothelioma rates. Today we have the chance to lead by action. The European Parliament has just this month resolved to eradicate asbestos by 2028, calling for the implementation of a coordinated strategy to remove all asbestos.

Australia was one of the highest per capita users of asbestos in the world until the mid-1980s. Approximately one in three of all homes in Australia built between 1945 and 1987 contain asbestos products. Materials containing asbestos were used in a wide range of manufacturing products.

It would surprise many people just how widely used asbestos has been.

There are literally acres and acres of asbestos around our nation, thousands of kilometres of asbestos cement pipes still delivering water, acres of Super Six corrugated roofs, whole factories riddled with asbestos, hospitals and hospital labs, hundreds of schools riddled with asbestos. Crushed masonry containing asbestos fibres is being reintroduced into the community as asbestos-containing product that has the potential to harm current and future generations.

Even though the mining and industrial use of asbestos has all been banned in Australia, asbestos still exists in our workplaces, public buildings and homes.

In 2010, 642 Australians died from mesothelioma. But for every death attributed to mesothelioma, it is estimated two more people will die from lung cancer caused by exposure to asbestos. Over the next 20 years, an estimated 30,000 to 40,000 Australians will be diagnosed with an asbestos-related disease.

Until the Gillard government established the Asbestos Management Review in 2010, there was no coordinated or consistent national approach to handling asbestos beyond our workplaces.

The review makes it clear that we must act quickly to prevent further Australians from being exposed to asbestos. We must diminish and prevent a third wave of asbestos deaths, particularly as a result of people exposed to asbestos in their homes.

To do so, the review recommended the development of a new national strategic plan for asbestos eradication, awareness and handling.

The review also recommended that a new asbestos agency be established to have responsibility for coordinating and implementing the national strategic plan.

Stopping exposure to asbestos is the responsibility of all levels of government. While some jurisdictions have taken steps to minimise exposure, this is the first time a national approach to asbestos removal, management and awareness is being pursued. A ‘business as usual’ approach, the shield of risk assessments and codes has not resulted in a decline in asbestos-related deaths. Whole forests of trees have contributed to documents intended to control asbestos, whilst materials containing asbestos in our workplaces, homes and public buildings are getting older and more fragile.

The establishment of a new agency is an essential part of the Labor government’s commitment to reduce exposure to asbestos.

It will pave the way for a national approach to asbestos eradication, awareness
and management in Australia, by taking responsibility for coordinating a national plan for action.

My department has already started working with all government counterparts and industry partners to develop the national strategic plan for asbestos awareness, management and eradication. This plan is due by 1 July 2013.

This input will be crucial to make sure the plan is practical and comprehensive in addressing:

- the identification of the presence asbestos containing materials (including in commercial and residential properties)
- asbestos removal, handling, storage and disposal
- asbestos awareness and education; and
- ways to achieve a coordinated approach across all levels of government.

In developing the plan, the recommendations and their implementation of the review will be considered.

Today, I introduce a bill which practically demonstrates and cements Labor's commitment to stop exposure to asbestos.

This bill establishes the Asbestos Safety and Eradication Agency as an independent body. It will be comprised of a Chief Executive Officer, supported by staff, who together will form a statutory agency. The body will be subject to Commonwealth governance regimes and will be a prescribed agency under the Financial Management and Accountability Act 1997.

The new agency will provide a focus on issues which go beyond workplace health and safety to encompass environmental and public health issues. It will ensure asbestos issues receive the attention and focus needed to drive change across all levels of government.

The functions of the new agency will include advocating, coordinating, monitoring and reporting on the implementation of the national strategic plan.

It will review and amend the national strategic plan as required by the plan or at the request of the minister.

And it will provide advice to the minister about asbestos safety.

The bill outlines the reporting arrangements for the new agency. It provides that the minister approve the new agency's annual operational plan to support the implementation of the national strategic plan.

Further, the minister will be required to table the agency's annual report in parliament.

To support efforts to improve asbestos health and safety and successful delivery of the national strategic plan, an Asbestos Safety and Eradication Council will be established.

The council will have the functions of providing advice to the agency's CEO, including through written guidelines, and providing advice to the minister.

The council will consist of a chair, one member representing the Commonwealth and two members representing state, territory and local governments.

There will be four other members appointed by the minister with knowledge or experience in asbestos safety, public health, financial management or, very importantly, the representation of people with asbestos-related diseases and their families.

The bill establishes the operational arrangements to support the agency as well as provisions relating to the nomination, appointment, and terms and conditions of council members, conflict of interest issues, and procedures relating to the conduct of meetings.
And this bill enables the CEO to constitute committees to draw upon a wide range of expertise and experience to assist the agency or the council in the performance of their respective functions.

With the passing of this bill, the House can help prevent exposure to asbestos, so that we can ultimately eliminate the tragedy of asbestos-related disease and death.

There are children not yet born who will die of asbestos-related diseases. We owe it to future generations to finally come to grips with the blight of asbestos in Australia.

As we debate this bill let me reinforce that it is an issue for all levels of government to tackle.

It is an issue that has been championed by unions, by individuals and families touched by asbestos-related diseases, by asbestos advocacy groups, by the lawyers representing the victims, by health and safety activists and specialists and by some crusading journalists and by many of my colleagues here in parliament. To them I say thank you.

Many lives are counting on us.

Debate adjourned.

Corporations Amendment (Simple Corporate Bonds and Other Measures) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Shorten.

Bill read a first time.

Second Reading

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (10:19): I move:

That this bill be now read a second time.

The establishment of a deep and liquid retail corporate bond market in Australia is a key priority for the Gillard Labor government. A well-performing and efficient retail corporate bond market will provide an alternative source of funding for Australian companies and increase competitive pressure on lending rates to businesses.

This bond market is a significant source of funds for many Australian financial and non-financial corporations. Correspondingly, this financing activity provides investment opportunities for Australians and non-residents.

The Johnson report, entitled *Australia as a financial centre: building on our strengths*, examined the lack of liquidity and diversity in Australia’s corporate bond market. It also discussed why this lack of liquidity was a significant weakness in the overall assessment of Australia’s financial system. At the retail level, it was considered that one action the government could take to overcome this weakness was to introduce regulatory changes that could assist with developing the market.

The bill that is before the House today seeks to reduce the regulatory burden on the issuers of corporate bonds, while at the same time ensuring that appropriate standards of consumer protection are maintained.

The introduction of schedule 1 of the bill follows the passage of the government’s legislation to facilitate retail trading in Commonwealth Securities (CGS) late last year. Having an active retail CGS is an important step in establishing a wider retail corporate bonds market by providing a visible pricing benchmark for retail investors in corporate bonds.

Schedule 1 to the bill delivers on the government’s commitment to reduce regulatory burdens and barriers for offers of corporate bonds to retail investors.

The measures in schedule 1 enable companies to offer simple corporate bonds
by releasing a shorter offer-specific prospectus as long as they have lodged a base prospectus with ASIC for the purpose of making an offer under the new two-part simple corporate bond prospectus regime.

Schedule 1 of the bill removes the civil liability that applies to directors and proposed directors for the offer of simple corporate bonds and provides clarification around the due diligence defence in respect to directors’ criminal liability in offering corporate bonds.

Schedule 1 to the bill also contains amendments to the Corporations Act to enable parallel trading of simple corporate bonds in the wholesale and retail markets.

The measures in schedule 1 are another major initiative that the Labor government has delivered on in its long-term commitment to encourage the development of a deep and liquid bond market in Australia. The measures provide companies with another source of fundraising and signal that it is their time to contribute to the development of Australia’s corporate bond market.

The other measures in the bill, contained in schedule 2, amend the Corporations Act 2001 to define in law the terms ‘financial planner’ and ‘financial adviser’. These amendments make it an offence for anyone to call themselves a financial planner or financial adviser, unless they are appropriately authorised under the Australian financial services licensing regime.

The amendments contained in schedule 2 follow the passage of the future of financial advice (FOFA) legislation last year. Key elements of the FOFA reforms include the imposition of a statutory best interest duty on financial advisers, two-yearly opt-in arrangements and annual fee disclosure statements, and a ban on the receipt of conflicted remuneration arrangements, including commissions.

The government is committed to increasing investor protection and improving consumer confidence in the financial advice industry. This will provide the financial advice industry with a strong foundation for growth, as well as empowering Australians to obtain good quality advice about managing their wealth. The government has delivered on its commitment through the FOFA reforms, and continues to deliver on its commitment with the bill before the House today.

On 22 March 2012, I announced to parliament that the government intended to introduce legislation enshrining the terms ‘financial adviser’ and ‘financial planner’ in law by 1 July 2013. These amendments deliver on my earlier promise. Schedule 2 to the bill will commence on 1 July 2013 (or after the Royal Assent, if that occurs later), concurrently with the FOFA reforms.

By legislatively defining the terms ‘financial planner’ and ‘financial adviser’, the amendments enable consumers to be able to easily identify genuine financial product advice providers. By preventing anyone who is not a qualified financial planner or financial adviser from telling consumers that they are, the amendments make it easier for consumers to know who to trust with their financial affairs. The measures contained in schedule 2 of the bill strengthen protections for consumers.

Importantly, the amendments will help protect consumers from unlicensed persons such as ‘property spruikers’ who hold themselves out to be genuine providers of financial advice when they are not.

The amendments will ensure that the regulation of financial advisers and planners is consistent with other professions such as
stockbrokers, where similar restrictions already exist.

Schedule 2 to the bill makes it an offence for a person to hold themselves out to be a financial planner or a financial adviser unless they are authorised to provide financial product advice under the Australian financial services licence (AFSL) regime. Schedule 2 also makes it an offence to use terms of similar importance, so that unlicensed persons will not be able to get around the legislation by using similar terms.

Schedule 2 also allows the government to make regulations prescribing other terms that a person must have an AFSL to use. This means that, if individuals or companies start using particular terms to mislead consumers, the government will be able to respond quickly by restricting the use of these terms.

People acting in breach of these requirements face penalties of up to 10 penalty units for individuals for every day the contravention occurs, and 50 penalty units per day for corporations.

I should note that the measures in schedule 2 have been developed in consultation with the financial services industry. Key industry bodies are supportive of the amendments. For example, the well-respected Financial Planning Association of Australia is of the view that the amendments 'will provide greater consumer certainty and protection and further enable the transition of financial planning into a universally respected profession'. The Association of Financial Advisers has said that they believe that this legislation 'is good for financial advisers and also for the consumers who rely on financial advice', because 'consumers deserve to have clarity with respect to who they are seeking advice from'.

I note that there are separate, though related, amendments that are being made to the Tax Agent Services Act 2009.

In summary, the amendments contained in schedule 2 will improve consumer trust and confidence in the financial advice industry. Australian consumers are entitled to be able to easily distinguish between the genuine, professional, authorised providers of financial product advice and unlicensed persons such as 'property spruikers' who do not have their clients' best interests at heart. The measures contained in schedule 2 of the bill empower consumers to make that distinction.

I commend the bill to the House.

Debate adjourned.

Veterans' Affairs Legislation Amendment (Military Compensation Review and Other Measures) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Snowdon.

Bill read a first time.

Second Reading

Mr Snowdon (Lingiari—Minister for Veterans' Affairs, Minister for Defence Science and Personnel, Minister for Indigenous Health and Minister Assisting the Prime Minister on the Centenary of ANZAC) (10:28): I move:

That this bill be now read a second time.

It gives me great pleasure to present legislation that will enhance Australia's repatriation system and provide improved access to compensation and health care for Australian Defence Force members and their families.

The Military Rehabilitation and Compensation Act 2004—the MRCA—was introduced on 1 July 2004 and provides rehabilitation and compensation coverage for injuries, diseases and deaths caused by all types of military service after that date.
In the lead-up to the 2007 election, we undertook to conduct a review of the MRCA. That review commenced in mid-2009, at which time the MRCA had been in operation for five years.

Extensive consultation with the defence and veteran community was undertaken throughout the review process.

The report concluded that the objectives of the MRCA are sound.

It also confirmed that the unique nature of military service justified rehabilitation and compensation arrangements specific to the needs of the military.

However, not unexpectedly given the relative complexity and period of operation of the MRCA, the review found opportunities for improvements.

The government announced its response to the review as part of the 2012 budget.

This bill will give effect to a number of initiatives that form part of the government response to the review of military compensation arrangements.

In total, the government will implement 96 of the 108 recommendations put forward by the review.

A number of review initiatives that do not require legislation have been implemented, or are being implemented, to assist our members, former members and their families.

Many of the measures in this bill will further enhance the benefits and services provided to the defence force community.

These amendments deliver on the government's commitment to continuing to improve and evolve our support for the veteran and defence communities, and their families, to better meet their needs.

Of significant benefit is the introduction of a repatriation health card—for specific conditions, known as a white card, to former members of the Australian Defence Force with conditions accepted under the Safety, Rehabilitation and Compensation Act, where they have a long-term treatment need.

The new streamlined arrangements will replace the existing treatment arrangements under the Safety, Rehabilitation and Compensation Act which requires SRCA members to claim reimbursement of treatment costs for their SRCA injury or ask their healthcare provider to invoice the Department of Veterans' Affairs.

This measure will provide a consistent method of access for all former members of the Australian Defence Force with long-term treatment needs.

The bill will provide greater flexibility for wholly dependent partners of deceased members under the Military Rehabilitation and Compensation Act.

From 1 July 2013, instead of a single choice between receiving ongoing compensation payments or a lump sum payment, wholly dependent partners will be able to choose to convert either 25 per cent, 50 per cent, 75 per cent or 100 per cent of the periodic compensation amount to an age based lump sum payment.

This increased flexibility will enable a wholly dependent partner to better meet their immediate and long-term financial priorities, and applies to future partners and to existing partners who have yet to make their choice as to how to receive their compensation.

The bill provides for an increase in the amount of compensation paid for financial advice for those persons who are required to make a choice under the Military Rehabilitation and Compensation Act about the nature of the benefits they receive. The maximum compensation available will increase from $1,592 to $2,400 and legal
advice related to that choice can also be covered within the new limit.

The bill will also provide a one-off increase to the rate of ongoing compensation for eligible young persons under the Military Rehabilitation and Compensation Act. Ongoing compensation is one component of a package of compensation for this group.

The rate will be increased to match the rate payable for a dependent child under the Safety, Rehabilitation and Compensation Act, or SRCA.

This will result in an expected increase of approximately 50 per cent on the current rate.

Rehabilitation and transition management services under the Military Rehabilitation and Compensation Act will be enhanced to improve consistency across the three branches of the Defence Force and increase flexibility in rehabilitation management.

Improved consistency will be achieved by giving the Chief of the Defence Force overarching responsibility for rehabilitation for serving members.

Transition management services will also be made available to part-time reservists.

The responsibility for rehabilitation for part-time reservists will transfer from the Department of Veterans' Affairs to the Chief of the Defence Force to give more visibility to Defence of the rehabilitation needs of this group.

There will also be greater flexibility in the transfer of rehabilitation responsibilities between the Chief of the Defence Force and the Military Rehabilitation and Compensation Commission.

The bill contains provisions which will allow earlier payment of compensation for permanent impairment for claimants with more than one accepted condition under the Military Rehabilitation and Compensation Act.

Additionally, DVA will make greater use of the payment of interim permanent impairment compensation and will be able to include a payment for an imputed lifestyle effect when determining the level of interim compensation payable, which will result in increased compensation payments.

From 1 July 2013 the eligibility criteria for special rate disability pension under the Military Rehabilitation and Compensation Act will be expanded to include certain persons who are not currently eligible because the person converted their incapacity compensation payments to a lump sum or because the incapacity payment is reduced to nil because it is fully offset by Commonwealth superannuation.

This measure will also result in the person being entitled to additional benefits that are associated with eligibility for special rate disability pension, including a gold card, education assistance for eligible young persons and a MRCA supplement.

The bill will make changes to the treatment of superannuation under the Military Rehabilitation and Compensation Act so that serving members and former members are treated equally.

Technical amendments will be made to the definition of 'Commonwealth superannuation scheme' under the Military Rehabilitation and Compensation Act to exclude contributions made by a licence corporation and to include Commonwealth contributions into a retirement savings account.

The powers of the Veterans' Review Board will be enhanced to provide a remittal power to allow certain matters to be referred to the Military Rehabilitation and Compensation Commission for further consideration and determination.
The membership of the Military Rehabilitation and Compensation Commission will be increased by an additional member, to be nominated by the Minister for Defence.

This will assist the commission in the management of the broad and complex occupational health, safety and compensation issues faced by the Defence Force.

The claims process for conditions accepted under the Veterans' Entitlements Act that are aggravated by service covered under the Military Rehabilitation and Compensation Act will be simplified.

Currently, a person must choose whether to claim the aggravation under either the Veterans' Entitlements Act or the Military Rehabilitation and Compensation Act.

The existing process is complex, resulting in confusion for clients, and is administratively resource intensive.

From 1 July 2013, a simplified arrangement will be introduced resulting in all such claims being determined under the Veterans' Entitlements Act.

The bill will expand the definition of ‘member’ in the Military Rehabilitation and Compensation Act to include persons holding an honorary rank, persons who are an accredited representative of a registered charity and former members undergoing career transition.

Other measures in the bill will create an entitlement to travel expenses under the Veterans' Entitlements Act for certain partners of eligible persons, and make technical amendments to Veterans' Affairs acts in relation to the appropriation of treatment costs for aged-care services and administrative arrangements for payments to bank accounts.

The measures in the bill clearly demonstrate the Australian government's support and high regard for our Defence Force members.

The government is committed to continuously improving and adapting to the needs of veterans, serving and former members and their families.

These proposed changes will result in a positive outcome for many in the Defence and veteran communities.

I commend the bill to the House.

Debate adjourned.

**Tax and Superannuation Laws Amendment (2013 Measures No. 2) Bill 2013**

First Reading

Bill and explanatory memorandum presented by Mr Bradbury.

Bill read a first time.

Second Reading

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (10:39): I move:

That this bill be now read a second time.

This bill amends various taxation and superannuation laws to implement a range of improvements to Australia’s tax and super laws.

Schedule 1 amends the film tax offset provisions of the income tax law by inserting a definition of ‘documentary’ that is consistent with the Australian Communications and Media Authority’s guidelines.

The producer offset applies to films that satisfy a number of criteria, including making a minimum level of qualifying Australian production expenditure. That level is lower for documentaries than it is for other films. The amendments ensure that this concession is appropriately targeted and that a consistent definition applies across all the film tax offsets.
The schedule also explicitly includes ‘game shows’ in the list of light entertainment programs that are ineligible for the film tax offsets. This clarifies the intended scope of the existing law.

Schedule 2 to this bill exempts from income tax the Disaster Income Recovery Subsidy and the ex-gratia payment equivalent to the Australian Government Disaster Recovery Payment paid to New Zealand non-protected special category visa holders.

The Queensland and New South Wales floods and the Tasmanian and Wambelong bushfires have had devastating consequences for affected communities.

The Australian government is giving employees, small business owners and farmers a helping hand with payments to both Australians and New Zealand special category visa holders. At this difficult time, it’s important that these payments are not subject to tax.

Exempting these payments from tax maximises the value of the payments for people affected by recent disasters. It also ensures that the payments are treated in the same way as previous disaster assistance payments, such as those made in the wake of cyclone Yasi in 2011.

Schedule 2 to this bill also exempts any future ex gratia Australian Government Disaster Recovery Payments that the government might make for natural disasters that occur up to 30 June 2013.

Schedule 3 to this bill amends the GST law to enable those small business taxpayers who are paying their GST by instalments and who subsequently move into a net refund position, to continue to use the GST instalments option if they choose to do so.

The amendments provide that taxpayers who move into a net refund position and who choose to continue to pay GST by instalments receive an instalment amount each quarter of zero. Taxpayers who are currently not using the instalment option and are already in a net refund position will remain ineligible to pay their GST by instalments while they remain in a net refund position.

The amendments will ensure that the compliance cost advantages of reporting annually can be retained for those taxpayers who use the instalment option and move into a net refund position.

Schedule 4 amends the list of deductible gift recipients identified by name in division 30 of the Income Tax Assessment Act 1997. Donations made to entities with DGR status are income tax deductible to the donor and therefore DGR status will assist the listed entities in attracting public financial support for their activities.

Six entities are proposed to be added to the act, namely, The Conversation Trust, National Congress of Australia’s First Peoples Limited, National Boer War Memorial Association Incorporated, the Anzac Centenary Public Fund, the Australian Peacekeeping Memorial Project Incorporated and Philanthropy Australia Incorporated.

Schedule 5 to this bill amends the Superannuation Industry (Supervision) Act 1993 to place a duty on trustees of particular superannuation funds to establish and implement procedures in relation to the consolidation of multiple member accounts within their fund on a periodic basis.

In determining whether to consolidate accounts, trustees must do so with regard to the member’s best interests.

At June 2012 there were almost 32 million superannuation accounts in Australia—almost three accounts for every worker. This measure will facilitate a steady reduction in the number of unnecessary accounts in the
superannuation system. This will protect Australians’ retirement savings from being eroded by unnecessary fees and charges.

The measure commences on 1 July 2013, and trustees must undertake the first round of consolidations by 30 June 2014.

Schedule 6 will reduce the matching rate and maximum payment of the voluntary superannuation co-contribution from 1 July 2012, as the new low-income superannuation contribution (LISC) applies from the 2012-13 income year. These changes mean that for the co-contribution, the government will contribute 50c for every dollar of eligible personal contributions an individual makes up to a maximum of $500.

The low-income superannuation contribution will reach over an estimated five times as many low-income earners as the current co-contribution as a result of these changes and will better target tax concessions for low income individuals. Individuals are not required to make personal contributions to superannuation in order to receive the low-income superannuation contribution.

Schedule 6 will also extend the freeze on the indexation of the lower income threshold to the 2012-13 income year. This is the income threshold above which the maximum superannuation co-contribution begins to phase down to the 2012-13 income year so it remains at $31,920 in 2012-13. The income threshold above which no co-contribution is payable will be reduced to $15,000 above the lower income threshold, that is, $46,920 for the 2012-13 income year.

The changes to the co-contribution will generate cash savings of an estimated $987 million by the 2015-16 income year.

Schedule 7 consolidates eight separate tax offsets for dependants into one new tax offset from 1 July 2012. The eight tax offsets to be consolidated are the carer spouse, invalid spouse, invalid relative, parent/parent-in-law, child-housekeeper, child-housekeeper (with child), housekeeper and housekeeper (with child) tax offsets.

By consolidating these tax offsets we are removing outdated barriers to workforce participation and building on the government’s participation agenda. In addition, these changes will better target assistance to dependants who are genuinely unable to work.

The new tax offset will be called the dependant (invalid and carer) tax offset. It will be paid at the highest of the rates of the consolidated tax offsets. The offset will be limited to taxpayers who contribute to the maintenance of a dependant who is genuinely unable to work because of invalidity or carer obligations.

This reform is consistent with the Australian Future Tax System Review and builds on the government’s record of tax reform.

These new arrangements do not affect existing arrangements for taxpayers eligible for the zone tax offset, overseas forces tax offset, overseas civilian tax offset or the dependant spouse tax offset for spouses born before 1 July 1952.


The amendments refine and clarify the operation of the taxation of financial arrangements regime, lower compliance costs and provide additional certainty to affected taxpayers. This includes: clarifying the application of the accruals and realisation tax timing methods; expanding the application of the fair value tax timing method; ensuring that the tax hedging method and transitional balancing adjustment provisions operate as intended;
and lowering the compliance costs of making various elections for foreign banks with branches in Australia.

The proposed amendments are the outcome of ongoing monitoring of the implementation of the taxation of financial arrangements regime, and were announced following extensive consultation with the Australian Taxation Office and industry.

These changes will apply from the start of the TOFA stages 3 and 4 regime.

Full details of these measures are contained in the explanatory memorandum.

Debate adjourned.

PERSONAL EXPLANATIONS

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (10:49): by leave—Madam Deputy Speaker, I wish to make a personal explanation.

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

Mr ALBANESE: Yes.

The DEPUTY SPEAKER: Please proceed.

Mr ALBANESE: My attention has only today been drawn to an article in AAP on 16 March 2013, 'New South Wales coal train pollution not too bad: Albanese,' which was apparently also picked up in the Newcastle Herald. This refers to an issue regarding a contact by AAP seeking a comment from me in response to a statement by Senator Lee Rhiannon. I make it a policy not to respond to all of Lee Rhiannon's obsessive comments about me because I have a real job to do. With regard to this, I did not make a statement—any such statement. My spokesperson made no statement whatsoever to AAP.

AAP have reported a report that was forwarded to AAP from the ARTC, the Australian Rail Track Corporation, a particulate report, that they published last year—that is, ARTC, an independent corporate entity, separate from the government, a report separate from the government, no comments from me and no comments from my spokesperson. This is an error made by AAP and I correct the record. I made no such statement, nor did my spokesperson. The quotes that are attributed to me in the article are in fact from the ARTC report, not from me.

The DEPUTY SPEAKER: Thank you, Leader of the House. You have clarified the misrepresentation.

BILLS

Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Clare.

Bill read a first time.

Second Reading

Mr CLARE (Blaxland—Minister for Home Affairs, Minister for Justice and Cabinet Secretary) (10:52): I move:

That this bill be now read a second time.

In July 2010 the government established Task Force Polaris—a joint law enforcement taskforce targeting organised crime in the cargo system in Sydney.

It is made up of officers from the:

• Australian Federal Police;
• The Australian Crime Commission;
• Customs and Border Protection;
• The NSW Police; and
• The NSW Crime Commission.
It was set up by this government, funded by this government and it has been very successful.

To date, it has made 36 arrests, laid 171 charges and seized over 12 tonnes of illicit substances and precursor chemicals.

It has also provided me with advice on further action to strengthen security in the cargo system.

Based on this advice, last year I announced the work of Task Force Polaris would be expanded to Melbourne and Brisbane.

I also announced major reforms to make it harder for organised crime to infiltrate and exploit the cargo system.

This bill implements a number of these reforms.

**Expansion of Task Force Polaris**

Task Force Polaris shows how effective state and federal law enforcement agencies can be when they work together.

Given its success, and the threats it has identified, we are going to replicate this model right across the eastern seaboard.

In Melbourne it is called Task Force Trident. It has now been established and has around 30 members, including officers from:

- The Australian Federal Police
- Victoria Police
- Customs and Border Protection
- The Australian Crime Commission
- The Australian Taxation Office; and
- CrimTrac.

In Brisbane it will be called Task Force Jericho. Officers from the Australian Federal Police and Customs and Border Protection have begun setting it up and it will roll out in the middle of this year.

**Non-legislative reforms**

A number of non-legislative reforms have also been implemented to harden the cargo supply chain against infiltration by criminal groups.

This includes:

- Changes to the Integrated Cargo System to limit access to specific cargo information to those in the private sector who have a direct and legitimate interest in the movement and clearance of specific consignments.
- On-screen warnings for people who log into the Integrated Cargo System. People who use the Integrated Cargo System now need to agree that they will only use the system for legitimate purposes and will not provide information to unauthorised persons.

This is backed by the new offences in this bill which make it an offence to obtain and use restricted information, including information from the Integrated Cargo System and for unlawfully disclosing that restricted information.

Work is also underway to increase the real-time auditing capabilities of the Integrated Cargo System to detect anomalies and gather intelligence.

Customs and Border Protection has also increased the number of targeted patrols on the waterfront.

These patrols have increasingly been targeted using intelligence provided by both task force intelligence units and normal Customs and Border Protection intelligence areas. This intelligence has also been used to more effectively coordinate the use of overt uniformed presence and covert activities, such as CCTV monitoring, static surveillance posts and mobile surveillance teams.
Customs and Border Protection has also strengthened licence conditions on key participants in the trading system, specifically holders of Customs depot, warehouse and broker licences.

For example, from 1 July last year Customs and Border Protection has imposed the following conditions on all broker licences:

- licence holders must undergo additional integrity checks when asked;
- licence holders must advise Customs and Border Protection of any errors or omissions in information it supplies to the agency;
- licence holders must not allow Customs and Border Protection systems or information to be used for any unauthorised purpose or to assist, aid, facilitate or participate in any unlawful or illegal activity; and
- persons holding a licence must undertake continuing professional development.

Work is also underway to improve the security of, and access to, Container Examination Facilities.

Security clearance procedures and access have been tightened for external service providers assisting the Container Examination Facilities. Customs and Border Protection is also implementing a range of other measures, including enhancing CCTV coverage and security signage.

Work is also underway to implement a more stringent system of establishing applicant's identity in the Aviation Security Identification Card (ASIC) or a Maritime Security Identification Card (MSIC) schemes.

Memoranda of Understanding are also being developed between AusCheck and relevant agencies to formalise existing arrangements and to enable the more timely exchange of criminal record and other relevant information. AusCheck has signed an MOU with the Department of Infrastructure and Transport and work on MOUs with the AFP and Customs is well advanced.

**ASIC and MSIC Scheme discussion paper**

The government is also updating the list of offences that lead to the refusal or cancellation of an ASIC or MSIC.

The Department of Infrastructure and Transport released a discussion paper on this in December last year.

It proposes better and more consistent offence categories across the ASIC and MSIC lists. It also proposes including a number of offence categories that are not currently on either list, including organised crime, currency violations and harbouring of criminals, and a number that are not on the ASIC list, such as unlawful activity relating to firearms.

I understand that, following on from the discussion paper, the Department of Infrastructure and Transport is now preparing an options paper in consultation with other relevant departments. The options paper will provide a more detailed proposal for government and stakeholder comment.

**Legislative reforms**

This bill implements four further important reforms.

First, it places new obligations on cargo terminal operators and people who load and unload cargo, which are similar to those that the Customs Act imposes on holders of depot and warehouse licences.

These obligations include mandatory reporting of unlawful activity to ensure the physical security of relevant premises and cargo.
They also include fit and proper person checks at the request of Customs and Border Protection.

Noncompliance with these obligations will attract criminal or administrative sanctions.

Second, it creates new offences for obtaining and using restricted information, including information from the Integrated Cargo System, to commit an offence and for unlawfully disclosing that restricted information. The offences will be punishable by a maximum of two years’ imprisonment, a fine of up to 120 penalty units or both.

Third, it gives the Chief Executive Officer of Customs and Border Protection the power to impose new licence conditions at any time and makes it an offence to breach certain licence conditions. This brings the Customs broker licensing scheme into line with other Customs licensing schemes.

The bill also adjusts a range of other controls and sanctions in the Customs Act, including increasing penalties for certain strict liability offences and improving the utility of the infringement notice scheme.

Fourth, the bill amends the AusCheck Act 2007 to enable an ASIC or MSIC to be suspended if the cardholder has been charged with a serious offence.

The current ASIC and MSIC regimes provide for the cancellation of an ASIC or MSIC where the holder is convicted of, and sentenced to imprisonment for, an aviation or maritime security relevant offence.

The bill introduces the capacity for AusCheck to suspend a person's ASIC or MSIC, or the processing of an application for an ASIC or MSIC, if the person is charged with a serious offence.

The list of serious offences will be prescribed by regulation. The list of offences will be developed by the Minister for Home Affairs and the Minister for Minister for Infrastructure and Transport.

Law enforcement agencies would be able to notify AusCheck when they charge the holder of, or applicant for, an ASIC or MSIC with a serious offence.

Holders and applicants for ASICs and MSICs will also be required to self-report when they are charged with a serious offence. The regulations will make it an offence for a person to fail to self-report or to return a suspended card, punishable with a fine of up to 100 penalty units.

This measure has been developed instead of the proposed use of criminal threat assessments to refuse or revoke ASICs and MSICs.

This is based on advice from the Australian Federal Police that this is a better model.

The advice of the Australian Federal Police is that this measure will enhance the ability of task forces Polaris, Trident and Jericho to remove high risk individuals from sensitive aviation and maritime areas.

The Australian Federal Police have advised that they prefer this model to the use of criminal threat assessments because of uncertainty around the definition of what should constitute compelling criminal intelligence, what law enforcement should be required to disclose, and how the appeal process should work.

Amendment to the Law Enforcement Integrity Commission Act 2006

The bill also amends the Law Enforcement Integrity Commission Act 2006, which establishes the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity.

This bill repeals provisions which prevent the deputy presiding officers from being appointed to the committee.
This amendment will provide parliament with greater discretion when appointing members to this important committee.

It will also make membership eligibility for the committee consistent with parliamentary committees with similar functions, including the Parliamentary Joint Committee on Law Enforcement and the Parliamentary Joint Committee on Intelligence and Security.

**Tackling organised crime**

This legislation is part of broader action we are taking to tackle organised crime.

Two weeks ago the Prime Minister and I announced the establishment of a National Anti-Gang Taskforce. This includes: a National Coordination Team and an Anti-Gang Intelligence Coordination Centre based in Canberra; strike teams in Sydney, Melbourne and Brisbane—made up of federal police, state police and Taxation Office investigators; and liaison officers in Perth, Adelaide and Darwin.

The task force will be made up of 70 members from the Australian Federal Police and state police forces and will also include officers from the Australian Crime Commission, Customs and Border Protection, the Department of Immigration and Citizenship, the Australian Taxation Office and Centrelink.

The National Anti-Gang Taskforce will: directly target, investigate and arrest gang members in Australia; provide state and federal law enforcement agencies with intelligence on gangs across Australia and overseas; provide state and territory police with better access to key federal agencies like the Australian Taxation Office, Centrelink and the Department of Immigration and Citizenship, to get the information they need to make arrests; investigate the activities of Australian based gangs overseas and the link to crime back in Australia; and work with international law enforcement agencies such as the Federal Bureau of Investigation, the United States Drug Enforcement Agency, the United States Bureau of Alcohol, Tobacco, Firearms and Explosives and Interpol to exchange intelligence and conduct joint operations.

This approach is based on the same model as Joint Task Force Polaris—the Commonwealth and states working together to tackle organised crime.

It is also based on the FBI's Violent Gang Taskforce—that has been very successful.

This is about state and federal law enforcement agencies working together.

State and federal politicians also have to work together to ensure our law enforcement agencies have the powers they need to tackle organised crime.

Criminals move from state to state. They have assets and associates in other states.

If you clamp down on organised crime in one state it tends to move to another. We have seen evidence of this.

That is why we need national anti-gang laws—so there is no place to hide and no safe havens.

We also need national unexplained wealth laws.

We all know the story of the person driving around in a flash car, who does not have a job, who does not pay income tax.

National unexplained wealth laws mean that if you cannot explain where the income comes from to buy the flash car and the big house those assets can be seized.

State and federal police have called for these powers.

Labor and Liberal politicians from the Parliamentary Joint Committee on Law Enforcement have also called for these powers.
They require the states to refer these powers to the Commonwealth.

I put this to state and territory attorneys-general last year—and they rejected it.

This is a mistake and I am prosecuting the case for these powers again.

The Prime Minister has put this on the agenda for the meeting of COAG in April, along with a proposal to give law enforcement additional powers to search people who are subject to a firearm prohibition order, as well as any vehicle or premises they are in, for the presence of a firearm without the need to demonstrate reasonable suspicion. South Australian law could be used to as a model.

I am also implementing a number of other reforms to harden the border.

Two weeks ago, the Prime Minister and I also announced the establishment of a $30 million National Border Targeting Centre to target high-risk international passengers and cargo.

The National Border Targeting Centre will use an intelligence led, risk based approach to target high-risk international passengers and cargo.

The advice of Australian law enforcement agencies is that intelligence and targeting is the key to seizing drugs and other contraband on the streets and at the border.

Eighty-five per cent of seizures at the border are the result of intelligence developed by Customs and Border Protection and other law enforcement agencies in Australia and overseas.

The more intelligence our law enforcement agencies collect, the more they can seize.

The National Border Targeting Centre is based on the model developed by the National Targeting Centre in the United States and the United Kingdom's National Border Targeting Centre.

It will provide the basis for collocating agencies like: Australian Customs and Border Protection Service; Australian Federal Police; Australian Security Intelligence Organisation; Australian Crime Commission; Department of Foreign Affairs' passport office; Department of Agriculture, Fisheries and Forestry; and Office of Transport Security.

The National Border Targeting Centre will also provide a basis for Customs and Border Protection to work more closely with the Department of Immigration and Citizenship.

The new centre will be able to work alongside targeting centres in the United States, Canada, the United Kingdom and New Zealand.

This legislation and the establishment of a National Border Targeting Centre are part of the major reforms that I am making to Customs and Border Protection.

I have made the point on a number of occasions that Customs and Border Protection requires major and comprehensive reform to improve its business systems, its law enforcement capability and its integrity culture.

To drive this reform I have established the Customs Reform Board, made up of three distinguished Australians with expertise in law enforcement, corruption resistance and best practice business systems.

The members of the board are:

- The Honourable James Wood AO QC, the former Royal Commissioner of the New South Wales Royal Commission into the New South Wales Police Service
- Mr Ken Moroney AO APM, the former Commissioner of the New South Wales Police Force
Mr David Mortimer AO, the former CEO of TNT, former Deputy Chairman of Ansett, and former Chairman of Australia Post and Leightons Holdings.

The board has already met a number of times, held a number of site inspections and received a number of briefings, and will provide me with its first report by the middle of the year.

Conclusion

I have made it clear that I am serious about making sure our law enforcement agencies have the powers and tools they need to target organised crime—at the border and on the street.

I am equally determined to weed out corruption and put in place the measures necessary to help ensure it does not grow back.

The vast majority of our law enforcement officers, public servants and private sector workers who work in the aviation and maritime industries and the cargo supply chain are good, honest, hardworking people.

However, organised criminals do try to target and infiltrate ports, airports and the cargo system.

When they penetrate the system they can cause enormous damage.

The purpose of this bill and the other measures that I have outlined are to give our law enforcement agencies the powers they have asked for and the powers they need to stop organised crime from penetrating the system.

This is a constant battle and more reform is required.

I hope that in the near future I will be able to bring forward legislation to create national anti-gang laws and national unexplained wealth laws to give our law enforcement agencies even more power to target organised crime.

In the meantime, these are important reforms. I commend them to the House.

Debate adjourned.

Customs Tariff Amendment (Incorporation of Proposals) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Clare.

Bill read a first time.

Second Reading

Mr CLARE (Blaxland—Minister for Home Affairs, Minister for Justice and Cabinet Secretary) (11:10): I move:

That this bill be now read a second time.

The Customs Tariff Amendment (Incorporation of Proposals) Bill 2013 contains several amendments to schedule 4 to the Customs Tariff Act 1995. Schedule 4 lists a range of goods and circumstances for which concessional rates of import duty are granted.

Following a review of the schedule by the Better Regulation Ministerial Partnership, the Customs Tariff Amendment (Schedule 4) Act 2012 was passed by the parliament in 2012. This act commenced on 1 March 2013.

This bill makes minor amendments to this act and were previously given effect through the tabling of Customs Tariff Proposal (No. 1) 2013 in the House of Representatives on 14 February 2013.

The items to be amended are items 20, 21, 27, 30 and 35 in the revised schedule 4.

The changes include:

1. Item 20. This item combines previous items 20A and 20B. New item 20 applies...
to goods exported for repair or renovation, subject to certain conditions. Old item 20B applied specifically to goods subject to a batch repair process.

However, the term 'batch repair' was not specifically mentioned in the new item 20, thus leading to confusion as to whether goods subject to a batch repair process have access to the concession or not. The bill will amend item 20 to specifically reference 'batch repair' in the item.

- Item 21. This item previously applied to goods imported for repair, alteration or industrial processing that are to be exported having undergone one or more of these processes.

Following consultation with the Department of Industry, Innovation, Science, Research and Tertiary Education, this bill will remove the term 'industrial processing' from item 21. This amendment will better reflect Australian government policy that encourages all goods imported for industrial processing and subsequent exportation to use the Tradex Goods Scheme under item 21A of schedule 4. Goods specified in a Tradex order under the Tradex Scheme Act 1999 can then be better recorded and monitored for industry assistance purposes.

- Item 27. New item 27 originally applied to 'Samples, as prescribed by by-law, whose value is less than the amount prescribed by by-law'.

The bill will give effect to an amendment that removes all references to 'value' and 'amount' from the item. This amendment will then allow the nature of representative sample goods that have access to this concession to be defined more clearly in the associated by-law(s).

- Item 30. The text of item 30 was amended in the revised schedule 4 to replace the reference to 'invalid carriages' with 'wheelchairs', excluding other forms of invalid carriages, such as mobility scooters.

The bill will give effect to the amendment of item 30 that replaces 'wheelchairs' with 'invalid carriages', thus returning the item to its intended scope and application.

- Item 35. This item applies to parts and materials for use in the construction, modification or repair of vessels exceeding 150 gross construction tons. The customs tariff calculates duty paid on vessels in accordance with the measurement 'gross construction tons'.

However, a typographical error was made in the drafting of item 35 which changed gross construction 'tons' to gross construction 'tonnes'. The bill will correct this.

I commend the bill to the House.

Debate adjourned.

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

First Reading

Bill and explanatory memorandum presented by Ms King.

Bill read a first time.

Second Reading

Ms KING (Ballarat—Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing) (11:15): I move:

That this bill be now read a second time.

I am pleased to introduce the Therapeutic Goods Amendment (2013 Measures No.1) Bill 2013, which amends the Therapeutic Goods Act 1989.

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

There are two new measures included in the bill and they are intended to reinforce the objects of the act concerning the quality, safety, efficacy and timely availability of goods intended to have a therapeutic use.

The first is to include a power for the Minister for Health to make a legislative instrument, the effect of which will be to exclude products from the definition of 'therapeutic goods' and thus remove them from regulation under the act. The definition of 'therapeutic goods' in the act is very broad and can capture products wherever claims are made suggesting that they can modify any physiological process in persons. Increasingly, health and wellbeing claims are being made in relation to products for which public health is not, or is not likely to be, an issue. Some recent examples of goods for which therapeutic use claims have been made include mattresses which contain bacteria spores designed to reduce the effects of dust mites and 'power band' bracelets, which were claimed would boost a wearer's balance, strength and flexibility. Consumer protection may in fact be a more appropriate regulatory focus for these products than the more prescriptive therapeutic goods framework contained in the act.

The kinds of matters that the minister would take into account when considering whether to exclude products from regulation under the act may include: whether the product is of a kind that has the potential to harm a person's health; whether the application of the regulatory requirements under the act that are designed to test the safety, quality, efficacy and performance of a product for it to be supplied in Australia would be appropriate to a product of that kind; and whether the kinds of risks to which the public might be exposed from the supply of the product—for instance, unsupported therapeutic claims—can be more effectively managed under other Commonwealth or state and territory laws. Determinations made will take into account all relevant factors for the product in question. Any instrument made by the minister to remove products from the operation of the act will be subject to parliamentary review through the disallowance process.

This new power will allow the minister to respond flexibly, on a case-by-case basis, to ensure that products that are not suitable for regulation under the act can readily be removed. The new power cannot be used to expand the range of goods coming within the definition of 'therapeutic goods'.

The second new measure is to provide specific power for the secretary of the department of health to remove goods that are not in fact 'therapeutic goods' from the Australian Register of Therapeutic Goods. Circumstances can arise where products are on the register although they were never—or were, but are no longer—therapeutic goods. This can come about, for instance, because sponsors of complementary medicines and low-risk medical devices can list their goods in the register without pre-screening or assessment by the TGA using an electronic listing facility by certifying as to a range of matters about the goods. As a consequence there can be instances where products are on the register that are actually foods or that otherwise do not come within the definition of 'therapeutic goods'. It is also possible that goods that were therapeutic goods when they were included in the register no longer come
within the definition when claims of therapeutic use are no longer made. Any decision by the secretary to remove goods from the register could only be made after the sponsor of the goods has been given the opportunity to make submissions. The decision will also be subject to both internal review and review by the Administrative Appeals Tribunal.

A new offence will be included for providing to the secretary false or misleading information in a material particular in connection with a request by the sponsor of therapeutic goods to vary its entry on the register. Such information can relate to whether the proposed variation will either have the effect of reducing the patient population for which the goods were originally approved—for instance, by removing an indication for a medicine—or to demonstrate that the proposed change will not result in any reduction in the quality, safety or efficacy of the goods for the purposes for which they are to be used. It is critical that when making a decision to approve such a request the secretary has available accurate information about the goods and the effect of the proposed variation. The proposed offence and alternative civil penalty provisions mirror the sanctions that are already in place in the act for providing false or misleading information in connection with an application for inclusion of therapeutic goods in the register.

A new ground for the secretary to suspend or cancel medicines from the register will be added to the act where its presentation no longer reaches an acceptable standard. It is currently a requirement under the act that the presentation of medicines—which includes the name, labelling, packaging of the goods and any advertising or other informational material associated with the goods—must be 'acceptable', in the case of registered medicines, or 'not unacceptable', in relation to listed medicines, for them to be included in the register. This ensures that those using the medicine are not misled about its use or characteristics and do not confuse it with other medicines.

The secretary will be able to suspend or cancel the goods from the register if the presentation of the goods ceases to meet this criterion but only after giving the sponsor the opportunity to make submissions. Such a decision will be subject to internal review and review by the Administrative Appeals Tribunal.

The amendments will also streamline some of the processes and regulatory requirements applying to the regulation of different categories of therapeutic goods.

For example, the secretary has under the act various information-gathering powers to ensure that information and data is available to support the making of regulatory decisions. For instance, the secretary can suspend or cancel low-risk therapeutic goods from the register, such as complementary medicines, if the secretary is of the view that certifications given by the sponsor at the time of the inclusion of the goods in the register were incorrect.

These lower-risk goods are included in the register if the sponsor certifies that their goods meet a number of specified requirements including, for example, that they conform to applicable standards, do not have an unacceptable presentation and comply with applicable advertising requirements.

Because these lower-risk products are included in the register and are therefore available for supply in Australia without pre-evaluation by the TGA, it is important that the secretary can be satisfied about the correctness or otherwise of these certifications. Amendments in the bill will ensure that the secretary can request
sponsors of all classes of lower-risk therapeutic goods—medicines, biologicals and medical devices—to provide information and documents relating to any of those certifications. It is a ground of suspension and cancellation of the product if the sponsor does not provide the material requested.

The bill also contains a number of other measures to standardise or clarify the operation of a number of regulatory requirements that support the objectives of the act of securing the safety, efficacy, quality and timely availability of therapeutic goods.

For example, it is a requirement for inclusion of therapeutic goods in the register, a matter in relation to which the secretary can seek information from a sponsor and a ground for suspension or cancellation of goods from the register, that the goods comply with relevant advertising requirements. The amendments will make it clear that these advertising requirements include not only relevant advertising provisions in the act itself but also those contained in the therapeutic goods advertising code, which is made by the minister under the act.

A new power will be provided for the secretary to cancel the registration or listing of therapeutic goods from the register where a sponsor does not respond within the required period to a request from the secretary to provide specified information or documents about those goods. Such a power is already available to the secretary in relation to biologicals and medical devices on the register and provides an important incentive where the secretary is seeking information from the sponsor when considering whether to suspend or cancel goods from the register because their quality, safety or presentation may be unacceptable.

The secretary will also have the power in certain circumstances—for instance, where therapeutic goods have been cancelled from the register or in relation to which the secretary has come to the view that its safety, quality, efficacy, performance or presentation is unacceptable—to require a sponsor or supplier of the goods to provide information about the goods to the public or a class of persons, such as healthcare professionals or patients. Sponsors will also be required to provide the secretary with information about persons to whom the goods have been supplied. This will assist in the timely dissemination of information relevant to the safety or continued use of the goods.

Currently the secretary is required to publish particulars about various regulatory decisions made under the act, including suspension and cancellation of goods from the register, in the Commonwealth Gazette. In order to ensure that this information is more readily accessible to the public, consumers, healthcare professionals, patients and industry, the amendments will give the secretary the option of publishing that information on the TGA’s website rather than in the Commonwealth Gazette.

In conclusion, the measures contained in this bill will increase the efficiency of the therapeutic goods regulatory scheme, and make more clear and transparent a number of regulatory processes and requirements applying to the regulation of all classes of therapeutic goods, which will benefit the public, industry and other stakeholders alike.

I commend the bill to the House.

Debate adjourned.
Corporations and Financial Sector
Legislation Amendment Bill 2013
First Reading
Bill and explanatory memorandum presented by Mr Ripoll.
Bill read a first time.

Second Reading
Mr RIPOLL (Oxley—Parliamentary Secretary to the Treasurer) (11:27): I move:
That this bill be now read a second time.

Today I am introducing a bill to amend a range of legislation, including the Corporations Act 2001, the Payment Systems and Netting Act 1998, the Mutual Assistance in Business Regulation Act 1992, the Australian Securities and Investments Commission Act 2001, the Reserve Bank Act 1959, the Clean Energy Regulator Act 2011 and the Carbon Credits (Carbon Farming Initiative) Act 2011.

This bill contains a range of important measures relating to the regulation of financial markets and products, which will complement the existing legislative framework to implement our core G20 commitments in relation to over-the-counter derivative reforms.

One key measure is intended to assist clearing facilities in managing defaults and insolvencies by their participants.

Clearing facilities are critical elements in the financial system, which manage the risks involved after two parties agree to a transaction—for example, on a financial market, such as the ASX, or, increasingly, for bilateral transactions for important products such as OTC derivatives.

The key risk addressed by clearing facilities is that one of the parties to the transaction subsequently defaults and fails to deliver on its obligations. Clearing facilities eliminate this risk and guarantee the performance of the underlying transaction by acting as a matching seller to the original buyer and a matching buyer to the original seller.

It is critical that clearing facilities have adequate means to manage the risk of a default by a party to one or more of the transactions they are clearing.

The effect of the bill in this area would be to facilitate, in the case of a default of one of the participants in the clearing facility, the transfer of the obligations of that participant with respect to outstanding transactions to another participant.

The transactions would then be completed as if no default had occurred.

The bill makes amendments to the Payment Systems and Netting Act to provide legal certainty that such transfers of outstanding obligations can occur. Legal certainty is a vital element in facilitating such transfers, because they will generally be required in crisis situations when rapid action is called for.

In particular, the bill provides special protections to such transfers if a clearing participant becomes insolvent and comes under the control of an external administrator. Without the amendments in the bill, insolvency law would allow an external administrator to intervene and stop or unwind such transfers.

These measures are necessary to guarantee the stability of the financial system by providing important protections to clearing facilities as one of the key elements in that system.

A second measure in the bill allows the Australian Securities and Investments Commission and the Reserve Bank to better manage their resources in assessing the compliance of market licensees and clearing and settlement licensees with their legal
obligations. They are currently required to conduct formal assessments of each licensee every year, which may not be a prudent use of scarce resources. For example, ASIC is currently obliged every year to formally assess well-run, specialised markets catering mainly to professional investors. The bill will provide discretion to ASIC and the RBA in determining the timing of these assessments, which will allow them to better use their resources by focusing, for example, on large markets serving retail investors.

While the government agrees that providing this relief to the regulators makes sense, we want to make sure that important markets used by large numbers of retail investors—for example, the Australian Stock Exchange and its clearing houses—continue to be subject to regular assessment.

ASIC has accordingly committed to continuing annual assessments of key retail-facing markets such as the ASX. In addition, the amendments include a power for the government to prescribe by regulation any markets and clearing facilities which are to be subject to continuing annual assessments. Treasury will as a next step examine options for using the regulation-making power to ensure that retail investors continue to be adequately protected.

Financial regulators such as ASIC, APRA and the Reserve Bank are under increasing obligation to share information with other regulators and official bodies in Australia or overseas and with private entities. This is mainly due to the increasing complexity and globalisation of our financial markets.

All the financial regulators therefore have provisions in their governing legislation allowing them to share protected information. These powers are subject to a range of safeguards, including that they can only be used for purposes related to their official duties or that they can only be exercised when properly authorised by designated officers.

The powers of the Reserve Bank in this area have for historical reasons been weaker than those given to ASIC and APRA. However, the bank's current powers are inadequate for its increasingly important role in promoting the stability of financial markets, including its role in regulating clearing facilities, and the cooperative international approach that this requires. The bill more closely aligns the bank's powers to share information with those of the other regulators.

ASIC is currently unable to exchange information with certain multijurisdictional regulators, such as the European Securities Markets Authority, due to the way in which the legislation is worded. The bill makes the changes necessary to allow this to happen. While this is a minor drafting change, it is important for our financial sector. For example, Australian managed investment schemes may face difficulties in marketing their products in Europe if it is not made.

ASIC is given considerable information-gathering powers in the legislation. While these powers are necessary for ASIC to do its job, it is appropriate that there should be some transparency with respect to ASIC's use of these powers. The bill therefore requires ASIC to report annually on its use of these powers and provides the minister with a power to specify by regulations the information required to be reported.

Finally, minor amendments are made in the bill to legislation which is the responsibility of the Minister for Climate Change and Energy Efficiency. The changes allow the Clean Energy Regulator to share certain protected information with trade repositories, which are a special type of facility that centralise information in relation to OTC derivatives trading.
The Ministerial Council for Corporations has been consulted on the amendments to the Corporations Act and has approved the changes to the ASIC Act contained in this bill.

**Summing up**

This bill delivers a number of important measures to improve the functioning of our financial system.

While many of the amendments in the bill may seem highly technical in nature, they have a very real impact on the work of our financial markets and our regulators. Passage of the bill will provide crucial protections to clearing facilities, which are critical parts of the financial system. ASIC and the RBA will be able to better focus their resources in supervising those licensed markets as well as clearing and settlement facilities which pose the highest risks to our system or to retail investors. The bill will provide appropriate powers to our regulators, allowing them to cooperate as required with other regulators and official bodies. This in turn will facilitate the business activities of our financial industry in overseas markets.

These important reforms are part of the Gillard government's broad agenda to promote Australia as a leading financial services hub and boost our reputation as one of the most attractive investment destinations in the world. I commend the bill to the House.

Debate adjourned.

**Student Identifiers Bill 2013**

**First Reading**

Bill and explanatory memorandum presented by Ms Bird.  
Bill read a first time.

**Second Reading**

Ms BIRD (Cunningham—Parliamentary Secretary for Higher Education and Skills) (11:31): I move:  
That this bill be now read a second time.

**Introduction**

The Australian government is committed to improving the transparency and responsiveness of the vocational education and training sector. More Australians than ever are entering training to expand their knowledge base, improve their skills or get a better job.

Australia's continued prosperity will depend in large part on the skills and knowledge of our people. The Australian economy relies on a strong, highly skilled workforce, and this government is committed to taking the steps required to ensure that all Australians have the skills we need to drive economic growth.

As bodies like the Organisation for Economic Cooperation and Development and the Australian Workforce and Productivity Agency have noted, the diversity and flexibility of training on offer is one of the strengths of Australia’s national training system, along with its capacity to satisfy many different needs at different points in people's lives.

As students complete different types of training throughout the course of their lives and their careers, it can be difficult to keep track of their training records. Gathering evidence of prior learning when entering a higher-level course later on, or bringing together a comprehensive record of their study undertaken over time, can be problematic. As the number of career changes during an individual's lifetime increases, this will be a growing problem.

In April 2012 the Council of Australian Governments agreed to the introduction of a
national scheme to enable students to track their VET achievements throughout their life using a student identifier in order to address this problem.

The student identifier scheme will seamlessly link the information about a student's VET achievements from January 2014, giving them better access to and more control over their educational information.

The scheme will make it easier for students to find and collate their VET achievements into a single nationally recognised authenticated transcript. This VET transcript can be provided to employers as proof of their qualifications when applying for a job or to a training provider when seeking recognition of study previously undertaken. Students will also be provided with the option of creating an extract of their authenticated VET transcript so that it can be tailored to be fit for purpose.

The student identifier scheme will provide better information about the pathways students take through the VET system, including the progress of disadvantaged students. The scheme will also provide a greater understanding of VET enrolment and achievement at a student record level. It will assist in developing evidence based programs that effectively target skills shortages and the skill needs of Australian industry, and it will better support the management of government funded subsidy programs.

**Specifics of the bill**

I would now like to turn to the specific aspects of the bill.

The Student Identifiers Bill 2013 provides for the introduction of the scheme for students undertaking nationally recognised training in the VET sector. It provides for the assignment of student identifiers and for their collection, use and disclosure.

While student identifiers will be mandatory for students undertaking VET courses once the scheme commences, there will be provision for the Commonwealth minister to make exemptions under the scheme by legislative instrument with the agreement of the Standing Council on Tertiary Education, Skills and Employment. These exemptions will only be granted in limited circumstances. To ensure that this legislation does not conflict with the laws governing national security operations, an exemption may need to be issued in relation to training with national security implications.

A key principle underpinning the scheme is that individuals will have control over their student identifier and can determine who can have access to their personal and educational records associated with it. The protection of an individual's student identifier—and the personal and educational data that it links to—is paramount, and the bill provides important safeguards to protect the privacy of individuals.

The privacy framework for the scheme is intended to complement and work in conjunction with existing Commonwealth, state and territory privacy provisions which will continue to operate in relation to personal information as they do now.

Additionally, the bill provides specifically for a confidentiality scheme in which a student identifier must not be collected, used or disclosed by any entity if they are not the individual, or if the collection, use and disclosure is not authorised in the bill or in regulations made under the bill. There is also a requirement that any entity that has a record of a student identifier is to protect that record from misuse or unauthorised access.

An individual's privacy is further protected by the bill requiring that any personal information collected solely for the
The purpose of applying for the student identifier is to be destroyed after the application is made.

The Australian Information Commissioner will be the key regulator of the privacy and confidentiality aspects of the bill outlined above and will have the capacity to conduct audits, undertake investigations and impose a range of sanctions.

The bill establishes a new Commonwealth statutory authority, the Student Identifiers Agency. It is envisaged that the agency will be established in July 2013 to enable the scheme to be operational by 1 January 2014. The bill provides for the Commonwealth minister, in consultation with the Standing Council, to appoint the agency’s CEO and give directions to the CEO in relation to the performance of their functions.

The CEO will be responsible for assigning student identifiers to individuals who apply for one and for providing authenticated VET transcripts upon request. The bill also requires the CEO to submit an annual report to the Commonwealth minister for presentation to the parliament and to provide a copy to the Standing Council.

The agency will be funded from an existing allocation to the National Training System Commonwealth Own Purpose Expenditure program, with the amount of the allocation to be agreed by the Standing Council in accordance with the National Agreement for Skills and Workforce Development between the Commonwealth, state and territories as is in force from time to time.

The introduction of the student identifier will be supported by the inclusion of additional requirements to the standards for RTOs under the National Vocational Education and Training Regulator Act 2011 and mirrored in the Australian Quality Training Framework.

The Australian government believes that the introduction of the student identifier will enhance the transparency and responsiveness of the VET sector. This scheme will strengthen the sector by providing a clearer picture of our skills base, confirming that future training can be targeted to meet the needs of industry and the economy. A strengthened VET sector will play a key role in our productivity growth in the years ahead.

I commend the bill to the House.

Debate adjourned.

COMMITTEES
Parliamentary Joint Committee on Human Rights

Report

Mr JENKINS (Scullin) (11:43): On behalf of the Parliamentary Joint Committee on Human Rights, I present the following reports:


And I wish Luch a happy birthday.

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

Mr JENKINS: by leave—The fourth report of 2013 of the Parliamentary Joint Committee on Human Rights sets out the committee’s consideration of 24 bills introduced during the last parliamentary week and four legislative instruments that the committee had previously deferred for further consideration.

The committee has identified 12 bills that do not appear to give rise to human rights
concerns. The committee will seek further information in relation to the remaining 12 bills and the four legislative instruments. This fourth report of 2013 includes the committee's examination of the six bills that make up a package of legislation on media reform. The committee noted that these bills are the subject of inquiry by three other parliamentary committees. The committee therefore decided to expedite publication of its comments on these bills to assist the work of those committees.

The committee has set out its expectation that the timetable for the consideration of legislation should allow sufficient time for the parliament to examine draft legislation in some detail. The committee has noted that a fundamental premise of the Human Rights (Parliamentary Scrutiny) Act 2011 is that the examination of draft legislation for human rights compatibility is an important component of Australia's Human Rights Framework and that the role of the committee is not a purely formal one and is not intended to provide after-the-event commentary on legislation.

The committee's fifth report of 2013 is its final report on the Social Security Legislation Amendment (Fair Incentives to Work) Act 2012. Since the committee's interim report on this legislation was tabled in September 2012, additional material has become available to the committee. This fifth report of 2013 takes account of that additional information, confirms the committee's interim views where relevant, and presents the committee's final views on this legislation. The completion of the examination of this legislation has been a long and formative journey for the committee. Members will appreciate that this matter came before the committee very early in its existence, before it had established work practices around the routine scrutiny of legislation.

I draw the attention of members to the analytical framework applied by the committee in its interpretation of the underlying human rights obligations and principles engaged by this legislation. The committee has taken the view that there is considerable overlap between limitations on rights and retrogressive measures, particularly where such measures interfere with an existing enjoyment of a right.

Throughout its consideration of the measures in this legislation, the committee has focused on three key questions: whether the measures are aimed at achieving a legitimate objective; whether there is a rational connection between the measures and that objective; and whether the measures are proportionate to that objective. The committee will continue to apply this approach consistently to its assessment of limitations of rights.

In closing, members will note that I avoid paraphrasing the committee's reports in my tabling statements, because it is not possible to do so and still capture the import of the committee's conclusions. Therefore, I encourage members to read the committee's comments on legislation in their entirety. To not do so diminishes the work of the committee.

I am not so naive as to not expect that there are some who will seek to cherry-pick the committee's comments on particular bills for political purposes. To act in such a manner detracts from the concerted efforts of members of this committee to set aside partisan positions when considering questions of human rights compatibility.

I would like to take this opportunity to thank my committee colleagues for their principled approach to the consideration of these complex and contentious issues. On behalf of the committee I again emphasise our gratitude to the committee's secretariat.
for their diligence and professionalism in carrying out their work, and their contribution to the collegiate actions of the committee. I commend the committee's fourth and fifth reports of 2013 to the House.

Mr TURNBULL (Wentworth) (11:50): by leave—I commend the member for Scullin, one of our greatest parliamentarians—indeed a hereditary parliamentarian of great distinction—on his remarks and on this report.

Mr Baldwin: He obviously never threw you out of the chamber!

Mr TURNBULL: No, he didn't throw me out! He was very discerning as to whom he threw out! I think he threw you out!

Mr Baldwin: Many times.

Mr TURNBULL: As the member for Scullin said in his remarks, this report deals with the media legislation that is currently before the parliament. This report offers very, very harsh criticisms, but measured and responsible criticisms. It makes the point that these laws are an affront to human rights, and it holds the government up for its reckless haste, its obscene haste, in bringing these laws in. The report notes that the new media laws would have the effect of licensing journalism in the sense that no journalist would have the benefit of the exemptions under the Privacy Act, without which they cannot do their work—that is common ground—unless they or their employer is a member of a press council type body that is in effect licensed by this new entity, the Public Interest Media Advocate, which has been the subject of so many discussions with the Independents overnight and this morning. The report says in paragraph 1.78:

The effect of the bills are, as a practical matter, to require a news media source to become a member of a self-regulation body whose constitution, powers and operations satisfy a number of criteria. The PIMA is the arbiter of whether the self-regulation organisation satisfies those standards … It then goes on to note in paragraph 1.80 that:

Removing the exemption of news media organisations from the Privacy Act 1988 appears to effectively limit the right to freedom of speech of the journalists who may no longer have the benefit of the exemption and limits the rights of readers and viewers to receive information unfettered by these confidentiality requirements. It adds that this:

… limit the rights of these organisations to freedom of speech, and the rights of people to receive information from such news organisations. In order to justify an important change of this sort, the Minister must be able to point to a legitimate objective for such regulation, show that the proposed scheme bears a rational connection to this objective, and demonstrate that it is a necessary and proportionate measure for achieving that objective.

Needless to say, the minister has not done that. The government has not done that. There is no regulatory impact statement. We have begged the Prime Minister to tell us what the problem is, what the issue is, what the mischiefs are that the legislation is designed to address, and she cannot or will not nominate them.

In paragraph 1.89 and 1.90, in the blackest of bold type that they could find in their collection of fonts, the committee concludes in this way:

The committee considers that the material presented to the Parliament in support of the bill does not provide sufficient information about supposed inadequacies or ineffectiveness of current systems for the regulation of media to allow an informed assessment of the need for, and proportionality of, the proposed scheme of regulation.

The committee intends to write to the Minister for Broadband, Communications and the Digital Economy—
that is Senator Conroy—

... to request further information as to why changes to the regulation of the news media is considered necessary and will ask whether other less intrusive alternatives to the proposed scheme were considered and, if so, why this scheme was chosen over any less intrusive measures.

This was not written by the Liberal Party. This was not written by the opposition or by me or by the member for Warringah, the Leader of the Opposition. This was written by a committee of this parliament in which the government has a majority, a committee chaired by the former Speaker, one of the most distinguished and revered parliamentarians in this building. And he is holding up this government—a government of his own party—to account for their reckless disregard of due process and of human rights. This is saying: 'Shame, Julia Gillard, shame, Stephen Conroy. You know what you're doing is wrong. These bills are wrong. You have to do better.' I commend this report and its conclusions to all honourable members.

Debate adjourned.

Health and Ageing Committee Report

Ms HALL (Shortland) (11:55): On behalf of the Standing Committee on Health and Ageing, I present the committee's report Diseases have no borders: inquiry into health issues across international borders, together with the minutes of the proceedings. The report is based on evidence received during a series of roundtable discussions held by the committee during 2012.

Ordered that the report be made a parliamentary paper.

Ms HALL: by leave—The number of people travelling to and from Australia each year is increasing rapidly. As international travel increases so too does the risk that infectious disease will be imported across borders. One thing is certain: infectious diseases do not respect international borders. What is less certain is whether Australia is equipped to respond to emerging infectious disease threats of national concern.

Infectious diseases take many forms and spread in many different ways. In a rapidly changing environment, it is difficult to predict when the next pandemic will occur, how severe it will be or how long it will last. Based on available evidence, countries around the world, including Australia, are preparing to respond to another influenza pandemic. Other emerging disease threats of national and international concern are slower to progress but are equally of concern to infectious disease experts. Such threats include the emergence of antimicrobial resistant diseases both in Australia and abroad, such as multi-drug resistant tuberculosis in Papua New Guinea. That is something that the committee was quite concerned about. There were a number of reports of issues in the Torres Strait, with PNG nationals travelling through the Torres Strait Islands, such as Sabai, which has implications for health in Australia.

In this inquiry, the committee considered how Australia responds to the challenges posed by emerging infectious disease threats. The committee reviewed health screening measures implemented at Australia's borders, Australia's ability to respond to a national or global health crisis and Australia's role in controlling the spread of infectious diseases within the Asia-Pacific region. The committee also considered how disease threats are managed within the porous border between the Torres Strait Islands and Papua New Guinea, as I have already mentioned.

The committee has made a number of recommendations to the Australian government as it prepares to face the ongoing challenges posed by infectious
disease threats. Among these, the committee has recommended that the government assess the case for a national centre for communicable disease control. Infectious disease experts suggested that such a centre would offer a more coordinated, efficient and sustainable approach to disease control than currently exists. This was a recommendation that the committee received on a number of occasions and one that I believe that all committee members strongly support. I might add that all committee members supported this report.

On behalf of the committee, I extend thanks to all of the round table participants. Their knowledge of and insights into emerging disease threats in Australia were invaluable in assisting the committee with its inquiry. I think it is fair to say that, while this was a series of round tables, in actual fact the depth of information that became available to the committee indicated to the members that the series of round tables could have been a full-blown inquiry. It took a significant amount of time as there were a number of issues that emerged during these round tables.

The committee also would like to thank the representatives of the Department of Immigration and Citizenship, the Christmas Island hospital and the International Health and Medical Services for providing the committee with a tour of the health facilities at the hospital and within the immigration detention centres on Christmas Island. A number of those people also participated in the round tables. I can say that the information that we received on Christmas Island was invaluable and really contributed significantly towards the report that is being tabled this morning.

The committee would also like to thank the administrator of the island, Mr Jon Stanhope, Councillor Kelvin Kok Bin Lee and other representatives of the Shire of Christmas Island for their assistance regarding the committee’s visit to the island. Councillor Lee also participated in the round tables.

Finally, I would like to thank my committee colleagues for their participation in and contribution to the inquiry. As always, I would like to give credit to the committee secretariat for the wonderful work that they do, for the support that they have provided all the members of the committee in this very, very important series of round tables that were conducted and for helping us draft the report. I commend this report to the House.

Mr IRONS (Swan) (12:02): by leave—This inquiry through the Standing Committee on Health and Ageing was maybe originally initiated by the level of fear within the community in regard to cross-border diseases, particularly related to asylum seekers. Obviously with that in mind the terms of reference took on board the fact that our location in the Pacific meant that we needed to look at all factors of cross-border diseases.

I would like to support the comments the chair has made and also make sure that we define what the actual terms of reference were, before the committee, before I go on to make further comment. Recognition of the need to protect Australia was the reason the committee inquired into and reported on:

… screening, surveillance and control practices for infectious diseases, with a particular focus on:

(a) screening, surveillance and control practices that are applied to:

(i) Australians travelling to and returning from overseas;

(ii) international visitors entering Australia, including asylum seekers;
(b) Australia's preparedness to respond to a national global health crisis involving the spread of infectious disease, including:

(i) how Australia's planning process compares with the World Health Organisation standards and recommendations;

(ii) how Australia plant and manages drug and vaccine stockpiles to respond epidemic or pandemic infectious disease outbreaks;

(iii) Australia's role and responsibility for coordinating with regional neighbours and other countries to prepare for and respond to the threat of epidemic or pandemic infectious disease outbreaks.

The inquiry was wide-ranging and we travelled to many parts of Australia. As we have heard, we visited Christmas Island. We saw that the Australian authorities are doing a good job on Christmas Island in regard to screening of asylum seekers. I think the area where we found we are probably lacking is that, once people are released into the community of Australia, the follow-up procedures are probably not as rigorous as what we or the community might expect.

There were 15 recommendations from the inquiry. I would just like to touch on a couple of those. Recommendation 3 was:

The Australian Department of Health and Ageing work with the states and territories to provide a uniform notifiable diseases list across Australia, with consistent reporting requirements across each state and territory and consistent public health information on infectious diseases disseminated to the public. This work should be a priority of Australian Health Ministers' Advisory Council (AHMAC).

The reason for that recommendation is that there is no national database system at the moment to enhance the collection of information and have that readily available to all relevant stakeholders and authorities across Australia. The committee saw that as a necessary recommendation. I would look forward to seeing that because I think it is a great idea that the committee has put forward.

Recommendation 4 is:

The Australian Government work with the state and territory governments to assess the viability of providing a centralised refugee and migrant health service in each state and territory, which would automatically refer people who move from immigration detention into the wider Australian community.

During the process of the inquiry, we saw that there was little interaction between the states and certain stakeholders. As we know, the health industry is siloed a lot and there is a lot of cross-referring information that is available but not currently used.

Recommendation 6 was:

The Australian Government, coordinated by the Department of Health and Ageing and in consultation with the wider Australian community, develop a national public awareness campaign to better inform and engage the travelling public about infectious disease issues.

During the hearing we held in Cairns reference was made to my state of WA having now taken on the title of having the most cases of dengue fever diagnosed in the whole of Australia. That was probably due more to the fact that many Western Australians travel to and from Bali and Indonesia, a place where many Western Australians contract dengue fever. Queenslanders at the inquiry were quietly pleased that they had lost the mantle of No. 1 state for dengue fever diagnosis as it had passed to Western Australia. The public awareness campaign that we recommend should:

… cover the risks associated with travelling overseas, preventative measures that can be undertaken to minimise these risks, and screening measures used at the border to prevent the importation of infectious disease.

Recommendation 7 included:
Having regard to the terms of the Torres Strait Treaty, the Department of Health and Ageing, Queensland Health, AusAID and the Papua New Guinea Government:

- establish a set of protocols and procedures for the identification and treatment of tuberculosis and other infectious diseases in Papua New Guinea and the Torres Strait Islands;

In an earlier inquiry held by the health and ageing committee, we visited Thursday Island and also Saibai Island. Since that time the clinic that was on Saibai Island has been closed down. During our discussions we felt that it was a necessary health-control centre for not only people travelling from PNG across to Saibai Island but also people who live on Saibai Island. The implementation of recommendation 7 is important because we recognise that there are so many stakeholders within that area and they all need to be involved in setting up a protocol process that will help protect Australia from cross-border diseases.

Recommendation 10 was:
The Australian Government, in consultation with consumers and other relevant federal, state and territory agencies, develop a national communication strategy for consumers to be used in the event of an infectious disease outbreak.

That recommendation was more based against a consumer awareness program and is one that, hopefully, the government of the day, once it has reviewed these recommendations, will take up.

The final recommendation I would like to talk about is recommendation 15, which I think both the chair and I thought was the highlight of the recommendations:

The Australian Government, in consultation with state and federal governments, commission an independent review to assess the case for establishing a national centre for communicable disease control in Australia.

The review should outline the role of a national centre and how it might be structured to build on and enhance existing systems. It should examine different models, considering a range of options for location, governance and staffing. The review should incorporate a cost-benefit analysis for each of the models presented. The outcomes of the review should be made publicly available.

During the hearings that we held, we heard evidence from one of the witness groups that the movie Contagion, which I am sure many members in this place have seen, is very close to what would actually happen in a communicable infectious disease outbreak or pandemic in Australia. The witnesses told us that the makers of that movie must have got information from the CDC in the US to get the reality of that movie correct. Australians who have watched that movie might think, 'That might not happen in Australia,' but the fact is that it could happen in Australia. A pandemic infectious disease within Australia would be an economic disaster for Australia as well as a health disaster for Australia. If this recommendation could be adopted by the government, it would go a long way towards the prevention of a pandemic within Australia.

Along with the chair, I recommend the report to the House. I thank our fellow committee members, who travelled with us to the various hearings around Australia, and also the secretariat, who received so many submissions and had plenty of work to put together this report. There are some vital recommendations in the report that we need to adopt to make sure that we keep Australia safe from pandemic and cross-border diseases. Along with the chair, I again recommend the report to the House.

The DEPUTY SPEAKER (Ms K Livermore): Does the member for Shortland wish to move a motion in connection with the report to enable it to be debated on a future occasion?
Ms HALL (Shortland) (12:12): I move:
That the House take note of the report.

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

Reference to Federation Chamber
Ms HALL (Shortland) (12:12): by leave—I move:
That the order of the day be referred to the Federation Chamber for debate.
Question agreed to.

BILLS

Tax and Superannuation Laws Amendment (2013 Measures No. 1) Bill 2013

Report from Committee
Ms O’NEILL (Robertson) (12:12): On behalf of the Parliamentary Joint Committee on Corporations and Financial Services I present the committee’s advisory report, incorporating a dissenting report, on the Tax and Superannuation Laws Amendment (2013 Measures No. 1) Bill 2013.

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

Ms O’NEILL: by leave—I am pleased to speak on the joint corporations and financial services committee’s March 2013 report on its inquiry into the Tax and Superannuation Laws Amendment (2013 Measures No. 1) Bill 2013. The bill amends various taxation and superannuation laws to implement a number of changes, which include:

- ensuring that income tax is generally not payable on the interest paid by the Commonwealth on unclaimed money from 1 July 2013;
- aligning the special rules for calculating airline transport fringe benefits with the general provisions dealing with in-house property fringe benefits and in-house residual fringe benefits;
- allowing participants in the Sustainable Rural Water Use and Infrastructure Program to choose to make payments they derive under the program free of income tax;
- prescribing requirements for acquisitions and disposals of certain assets between self-managed superannuation funds and related parties, to ensure that these transactions are conducted with transparency and are not used to circumvent the requirements of the superannuation law; and
- allowing corporate tax entities that have paid tax in the past, but are now in a tax loss position, to carry their loss back to those past years to obtain a refund of some of the tax they previously paid.

These are important changes which will improve the operation of the relevant acts. I would like to take this opportunity to highlight just a few of the amendments and their impact out in the general public.

Taxation of interest on unclaimed money

I am sure that many members of the general public will be very interested in this. Schedule 1 of the bill amends the income tax and superannuation law to ensure that income tax is generally not payable on the interest paid by the Commonwealth on unclaimed money from 1 July 2013.

As noted in the explanatory memorandum, the taxation of the interest that would be gathered would be inconsistent with the government’s objective of ensuring the real value of unclaimed money is preserved, as individuals would receive the real value reduced by the relevant tax on the amounts of interest. To achieve its objective, the government is legislating to ensure that interest paid by the Commonwealth on
unclaimed money is not subject to income tax. That means more money in the pockets of ordinary Australians who find themselves in this situation where they have unclaimed money.

I want to go to the information we received at our quarterly ASIC oversight hearing on Friday to indicate the incredible response of the public to the opportunity to seek unclaimed money through a more streamlined process that ASIC have overseen the development of in recent months.

Self-managed superannuation funds—acquisitions and disposals of certain assets between related parties

Schedule 4 of the bill amends the Superannuation Industry (Supervision) Act 1993 to prescribe requirements for acquisitions and disposals of certain assets between SMSFs and related parties in response to recommendations from the 2010 Super System Review.

That review expressed concerns that the off-market acquisition and disposal of assets between related parties and SMSFs, where the buyer and seller are effectively the same person, 'lacks transparency, is inherently risky and is open to greater abuse that non-related party transactions'.

In particular, the review suggested that current provisions regulating SMSF related party acquisitions are insufficient to mitigate the risk of transaction date and asset value manipulation to illegally benefit the SMSF or a related party. These changes are to make a more level playing field and to increase transparency in the transfer of assets involving SMSFs.

As such, the review recommended that acquisitions and disposals of assets between related parties and SMSFs should be conducted through an underlying market, or, where an underlying market does not exist, be supported by a valuation from a suitably qualified independent valuer.

These amendments enact those recommendations at nil financial impact.

The committee notes the views of submitters, particularly the Law Council, in relation to the amendments contained in schedule 4. However, the committee is persuaded by Treasury's responses to these concerns that the schedule is a proportionate response to the issues raised. The committee also notes the consultation undertaken by Treasury in drafting the legislation and remains convinced that the amendments will strengthen further supervision regime around Australia's superannuation industry.

Schedules 5 and 6: loss carry-back tax offset

This initiative is of great interest to companies in my local area and, I expect, around the entire nation. It is a wonderful incentive provided by this government. Schedules 5 and 6 formally introduce loss carry-back for companies into the income tax law.

The introduction of loss carry-back implements recommendation 31 of the 2010 Australia's Future Tax System Review, which stated that 'companies should be allowed to carry back a revenue loss to offset it against the prior year's taxable income, with the amount of any refund limited to the company's franking account balance'.

It is also in line with the recommendations of the Business Tax Working Group made in its final report on the tax treatment of losses, which found that loss carry-back would be a worthwhile reform in the near term. Here it is delivered.

The committee notes the views of Virgin Australia in relation to this amendment but remains satisfied that the quantitative cap on the losses that can be carried back is an
effective and appropriate means to target the measure at small and medium enterprises—which are so common right across this country; the biggest employer of local people in my area is the small and medium enterprise sector—and recognises that these businesses generally do not have the same access to losses as large companies and consolidated groups with diversified activities. This is a vote for small and medium enterprises to assist them with their rises and falls in profit over a number of years to make sure that they are sustainable and continue to create and grow their business and the jobs that go with them.

These amendments are the product of extensive and ongoing consultation between industry and government. For these reasons and for the improvements that they bring to our economy, the amendments should be passed.

**Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013**

Ms O'NEILL (Robertson) (12:20): On behalf of the Parliamentary Joint Committee on Corporations and Financial Services, I present the committee's advisory report, incorporating a dissenting report, on the Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013.

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

Ms O'NEILL: by leave—On behalf of the Parliamentary Joint Committee on Corporations and Financial Services, I present the committee's report on the Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013, together with the evidence received by the committee.

The number of self-managed superannuation funds, or SMSFs, has dramatically increased over the last decade. As at June 2012, there were over 478,000 self-managed super funds in Australia. They represent around 31 per cent of Australia's total superannuation savings. By this measure, they are the largest segment of the superannuation sector.

All superannuation funds, whether they are an SMSF or another type of fund, such as a retail or industry fund, are subject to some form of a supervisory levy. As the explanatory memorandum to this bill notes, this is intended 'to fund the regulatory costs of ensuring funds comply with the superannuation legislation'.

Provided that doing so is cost effective, efficient and consistent with other policy objectives, the supervisory costs incurred by regulatory agencies should be recovered from the entities that are actually regulated, rather than paid for out of general revenue. And this, thankfully, is now common practice.

This bill will make two changes to the current arrangements for the supervisory levy that applies to SMSFs.

First, payment of the SMSF supervisory levy will be brought forward so that it is levied and collected in the year of income that the supervision relates to. This is a logical change and it is consistent with the treatment of APRA regulated funds. So, in a way, this is simply bringing the SMSFs into line with the other funds.

During the committee's inquiry, stakeholders did express some uncertainty about whether the method for collecting the levy would be affected by the proposed change. Currently, the levy is collected
through the annual tax return, and stakeholders did question whether it was intended that this arrangement would be replaced with separate invoicing processes. However, the committee has obtained from the Australian Taxation Office a clarification that this will not be the case. This will ensure that there is no additional compliance burden for the SMSF associated change that this bill will institute.

The second measure in the bill is an increase in the cap that applies to the supervisory levy that the government can set. The bill will increase the cap from $200 to $300, although the government has indicated that the actual amount of the levy will be $259 from the 2013-14 income year.

Given that the supervisory levy is a cost recovery charge, it is appropriate that the levy is reviewed periodically and adjusted upwards when full cost recovery is not occurring. For the 2011-12 income year, the levy actually reached the current $200 cap.

Further, there is no sign that the sustained growth in the number of SMSFs is slowing—between June 2011 and June 2012, the number of SMSFs actually grew by eight per cent. This continued growth in the number of SMSFs of around 30,000 a year, coupled with reasonable increases in the ATO's costs, such as pay rises for staff, demonstrates that continuing with the current cap would simply not be practical.

The committee acknowledged that the ATO has recognised the need for it to become more efficient in its supervision of SMSFs, and the government calculation of the new levy of $259 actually assumes a slower rate of growth in the number of SMSFs than will likely be the case and this reflects an economy of scale in the ATO's supervision that should be reached and efficiencies that would follow.

The committee recommends that the House passes the bill. The committee does, however, encourage the ATO to release information on a regular and publicly accessible basis about the costs that it incurs as a result of its SMSF regulation functions. Doing so should help alleviate concern from the sector about increases in the levy and, indeed, will make the ATO more accountable to the sector.

On behalf of the committee, I would definitely like to thank the industry bodies for their ongoing participation in making their submissions as we inquire into these pieces of legislation, and I would also like to thank the officers of the ATO who have assisted the committee during this inquiry. Indeed, I would like to acknowledge the support and hard work of my fellow committee members—and I see the member for Bradfield poised to speak on this bill as well—and, indeed, acknowledge the great work of the secretariat, who have got through an awful lot of legislation that has been referred to us in the last several months.

I commend the report to the House.

Mr FLETCHER (Bradfield) (12:26): by leave—I am pleased to rise to speak in relation to the report by the Parliamentary Joint Committee on Corporations and Financial Services on the Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013. This bill, which the committee investigated in its inquiry, has the purpose of increasing the cap on the levy which can be charged each year to self managed super funds as part of the cost-recovery arrangements under which the Australian Taxation Office incurs costs in its function of supervising self managed super funds and then recovers those costs from the sector.
The evidence before the committee makes it hard to avoid the conclusion that the government's approach to this issue has been misleading and unnecessarily secretive. I want to focus particularly on the claim that the increase which is authorised by the legislation is an increase which is required so as to continue to achieve the objective of cost recovery. In other words, the argument which the government is putting is that this increase is required because the amount of money which today is collected in the levy on self-managed super funds is not sufficient to cover the costs which are incurred by the Australian Taxation Office in carrying out that function.

I want to quote from the explanatory memorandum which has been circulated by the government in relation to the bill which contains the following statement:

The current SMSF supervisory levy does not fully recover the ATO’s costs of regulating the sector. That is a straightforward factual claim, and I was interested to test this claim with the officers of the Australian Taxation Office who appeared before the committee. Those officers confirmed what the committee had been told by another witness, which was that, in a presentation to an industry forum, the ATO had, in recent months, disclosed that the cost incurred by the ATO in carrying out these supervisory functions is approximately $85 million per year.

The key point is that, if you calculate the amount of the levy that is presently collected, you get to a number which meets or exceeds $85 million per year. I wanted to test whether my understanding of that was correct, so I specifically asked the officer of the Australian Taxation Office who appeared before the committee. I said:

I would like to ask you about the statement you made before … that apart from the timing difference, broadly, for 2011-12 what will be collected under the levy will cover the costs.

Mr Peterson: Yes, we expect it to be in that order.

In other words, we have a policy measure to collect more money from the self-managed super fund sector which is justified as a cost-recovery measure and is justified on the basis that the existing arrangements do not cover the costs of the Australian Taxation Office in carrying out its supervisory function. In fact, the evidence which was provided to the committee by officers of the Australian Taxation Office is that the amount which is presently collected does cover the costs of the ATO's self-regulatory function.

On further analysis, it seems that there are two separate issues. The first issue is the timing issue. Officers of the tax office explained that, because of the way the levy is presently collected, there can be quite some period between the year in respect of which the expense is incurred and the time when the levy is collected, and that presents a timing problem. That may very well be so. I do not doubt the evidence which has been provided. But it raises the question as to why the increase in fees is required, as distinct from the separate measure, also introduced by this bill, which changes the timing arrangements.

Stakeholders in the industry, in the regulated sector, expressed their concern about the degree of transparency that was provided by the Australian Taxation Office, and I can understand why they expressed that concern. Again, I want to ask: why is there a statement in the explanatory memorandum that the current SMSF supervisory levy does not fully recover the ATO's costs of regulating the sector, and how is that consistent with the current revenue that is collected and the current costs of $85 million?
Dr LEIGH (Fraser) (12:32): On behalf of the Joint Standing Committee on the National Capital and External Territories, I present the committee's Report on the visit to Antarctica: 12-13 December 2012, together with the minutes of proceedings.

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

Dr LEIGH: by leave—On 12 and 13 December 2012, it was my pleasure to fulfil a lifelong dream and travel to Antarctica. With me as part of the Joint Standing Committee on the National Capital and External Territories were Senators Crossin, Humphries and Parry and the member for Maranoa. We were accompanied by the Senate Standing Committee on Environment and Communications and by the Minister for Sustainability, Environment, Water, Population and Communities, Tony Burke. We were also accompanied by a range of expert scientists from the Australian Antarctic Division including Tony Fleming, Nick Gales, Rob Wooding and Tas van Ommen.

The visit consisted of a kit-out and a tour of inspection and briefing at the AAD headquarters in Kingston in Tasmania on 12 December and a return flight to Wilkins on 13 December. During the briefing, we were shown the AAD's ice-coring equipment, through which, by digging a 400-metre ice core, they can observe 4,000 years of temperature data. Seeing such high-quality research being conducted and the hockey-stick graph shown in the AAD could leave no-one in any doubt that climate change is occurring, and rapidly.

The Australian Antarctic Division, established in 1948, has around 300 staff in Tasmania and between 70 and 200 staff in Antarctic stations. The four permanent stations are at Macquarie Island, Mawson, Davis and Casey. The air link is via the Wilkins runway, which became operational in January 2008, where an Airbus A319 can land. The pilots said on our return to Hobart, 'We know you had no choice in air travel, but thank you for flying with us all the same.'

The ice-coring science is just one part of the research being done in Antarctica. There is research on the development of contaminant metal removal systems, remediation of petroleum contaminants and on benchmarking ice-coring records against climate records so we can do a better job of understanding climate change.

One of the early explorers to Antarctica, Louis Bernacchi, said:

Life in the Antarctic is one of hardship, privation, monotony and isolation, but it has a subtle charm which is indefinable, and you look back with a vivid and lingering recollection to those days spent in geographical and scientific research near the South Pole.

The committee, on our visit, got firsthand experience of the sheer logistical effort required to do anything in Antarctica. Our report notes the importance of maintaining high-quality transport options. I am pleased to report to the House that, on 9 January, the environment minister announced that the government is taking initial steps to a new Antarctic icebreaker to replace Aurora Australis, which is an ageing vessel.

We are also concerned about Australia's need to maintain our Antarctic and Southern Ocean research effort. The report urges the government and the opposition to maintain funding in real terms, if not increase it. I was pleased, in this vein, to note the environment minister's announcement on 15 December of a new Antarctic ice core project, which
through our research in the Antarctic will help us understand more what is happening with dangerous climate change.

I commend the report to the House and in doing so acknowledge Thomas Baker, an intern in my office, for his assistance in preparing these remarks.

**BILLS**

**Native Title Amendment Bill 2012**

**Report from Committee**

Mr NEUMANN (Blair) (12:36): On behalf of the Standing Committee on Aboriginal and Torres Strait Islander Affairs, I present the committee's advisory report, incorporating a dissenting report, on the Native Title Amendment Bill 2012, together with the minutes of the proceedings and evidence received by the committee.

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

Mr NEUMANN: by leave—The Native Title Amendment Bill 2012 proposes reforms to allow parties to agree to set aside the historical extinguishment of native title in areas set aside for the preservation of the natural environment, such as parks and reserves; clarify the meaning of negotiating in good faith in future act negotiations, and makes associated amendments to the right to negotiate provisions; and broaden the scope of and streamline the processes for voluntary Indigenous land use agreements. The House of Representatives Selection Committee referred the bill to our committee on 29 November 2012 for inquiry and an advisory report.

The mandate of the House of Representatives ATSIA committee is to consider and provide an oversight function for the rights, protections, wellbeing and sustainable economic outcomes for Aboriginal and Torres Strait Islander peoples. With this in mind, the ATSIA committee has approached its inquiry into the specific changes to the native title system that are included in this important bill. The bill was also referred to the Senate Legal and Constitutional Affairs Committee; we understand that committee reported to the Senate on Monday.

In keeping with the mandate of that Senate committee, a more technical inquiry into the provisions of the bill was undertaken. The House of Representatives ATSIA committee received 27 submissions from a range of stakeholders: from mining companies and their representatives, lawyers who practiced in the field and Indigenous groups and their representatives. We held a very informative, interesting and productive roundtable hearing in Redfern on 8 February 2013. Native title lawyers and their representative bodies, mining and exploration interests, and other stakeholders were present at the roundtable. They were not afraid to air their views in relation to those issues. By conducting the hearing as a roundtable, the committee sought to initiate a dialogue about future reforms and to provide a cooperative forum to assess whether the balance of interests was being met by this amending legislation. The committee has used this roundtable format successfully in the term of this parliament during other inquiries.

The report concludes that by providing native title holders and governments with a mechanism to revive native title in parks and reserves traditional owners will be able to contribute to managing their country and heritage. The codification of good faith arrangements will create greater certainty that negotiating with integrity with native title parties is a fundamental part of doing business in Australia, and it should be treated as 'business as usual' by mining and exploration companies.
In relation to the issue of streamlining the processes for the making of Indigenous land use agreements, the report considers that these legislative changes are an important step forward for the alternative agreement-making process that complements native title determinations. On the basis of the evidence received by us, the important changes in these three elements in the bill will be made by this House and the Senate if passed. The report recommends that this bill be passed by this House. And that is our role: to report back in an advisory report.

The legislative reforms currently underway will improve the operation of native title in the short to medium term. However, there is a clear need for ongoing consultation, review and holistic reform of the native title system, and this came out loud and clear during our roundtable. The government needs to build on the productive dialogue, which we believe this committee has initiated, in order to develop a more robust and equitable native title system that delivers sustainable benefits to Indigenous communities and certainty to the mining sector. Accordingly, it is recommended that there be ongoing consultation on future reforms. The committee unanimously recommended that the Minister for Indigenous Affairs refer to this standing committee of the House of Representatives a comprehensive inquiry into the operation of native title at the commencement of the 44th Parliament.

I commend the report to the House.

Dr STONE (Murray) (12:42): by leave—
I wish to make comment on the Native Title Amendment Bill 2012 and, in particular, the House of Representatives coalition members' minority report on the bill. We could not support the recommendations of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs that this bill be passed. The bill proposes what would in effect be substantial changes to the Native Title Act 1993. But let me stress that the committee as a whole, including the coalition members, recognises the need for significant reform of our native title legislation. Indeed, the excellent roundtable discussion that we had in Sydney, which was ably chaired by our committee chairman, concluded that we do need significant comprehensive reform of the Native Title Act 1993.

Unfortunately, this bill does not give us more than an ad hoc reference to some of the issues in the Native Title Act 1993 that need to be addressed. Schedule 1 creates a new section 47C which would enable native title to be revived by agreement between the parties—namely, the native title party and the relevant government party. Such an agreement would set aside the historical extinguishment of native title in areas that had been set aside, or where an interest had been granted or vested, for the purpose of preserving the natural environment—for example, in national parks and reserves. Schedule 2 amendments propose changing and codifying the obligation to negotiate in good faith in relation to grants of mining interests and acquisitions of native title. Schedule 3 contains largely technical amendments, which we did not have a significant problem with, in relation to the Indigenous land use agreements.

The government of the day made it clear that the original Native Title Act 1993 was aiming to do justice to the Mabo decision in protecting native title—where it was found to exist—and to ensure sustainable and certain management. The act was expected to deliver justice and certainty for Indigenous Australians, industry and the whole community. The stated intention of the amendments in this bill is to improve agreement-making to encourage flexibility in
claim resolution and to promote sustainable outcomes.

It is the conclusion of the coalition members of the committee that, unfortunately, contrary to the stated intention of this bill, the bill's enactment would not lead to greater transparency or certainty, or to a reduction in any current asymmetry perceived in the power relations between the parties. Longer times would be required for resolution and there would be more litigation, without commensurate benefits for any party.

Sufficient time and resources were not made available for adequate consultation in relation to any changes to the original act. The changes brought forward were therefore disjointed and ad hoc. Other serious concerns about the current functioning of the Native Title Act raised in evidence to our committee and to the parallel Senate committee were not addressed—for example, the lack of guidance in identifying an appropriate level of compensation.

In relation to the revival of extinguished native title, proposed section 47C allows for native title to be revived over areas otherwise set aside or dedicated to the preservation of the environment. However, in these amendments third-party rights which can exist in these areas are largely ignored. There is no obligation on either the relevant government or the native title party to respond to or take into account any such interests. Nor is there any guidance about how to deal with competing traditional owner claims to be the only negotiating party. We can see this leading to more confusion, uncertainty, litigation and general distress.

In relation to negotiations in good faith—in section 31—in the 7,140 mining tenements and acquisitions notified since 1 January 2000, good faith has been challenged on only 31 occasions. Agreements are by far the most common means of resolving issues under the Native Title Act. The bill does not give any guidance as to the meaning of 'all reasonable efforts' in proposed section 31A(1). The reversal of the onus of proof in relation to good faith matters may in effect confer a veto on the native title party, and so, far from creating greater certainty, these amendments may make the provisions more likely to be litigated and more uncertain. The proposed amendments reflect the indicia found in the Fair Work Act, whereas the more useful and relevant would be the Njalal indicia, which have been utilised and developed over years of case law.

Passage of the Native Title Amendment Bill 2012 is not supported by the coalition membership of this committee. Contrary to the stated intention of the bill, if it is enacted there would be greater uncertainty and potentially more litigation, particularly in the context of the 'future act' regime, with few identifiable additional benefits for Indigenous Australians or the wider society.

However, let me stress: the coalition members were very much of the opinion that these are nationally significant issues. Genuine consultation in relation to identifying any current problems and real improvements to the current act must be carried out. These consultations must be adequately resourced; they should not simply rely on the usual well-funded advocates who can make a trip to Sydney or Canberra. We want to see ongoing consultation which will go right to the grassroots, to communities where these issues are very much alive.

Many parties concerned with the outcomes relating to native title often lack a true understanding of the intent of the legislation. Much evidence was heard of the disappointments endured as a result of
disparity between the expectations of claimant groups and the practical outcomes, both financial and territorial. We are very concerned that this act should continue to be a focus of this government and of the Attorney-General. We do not believe we should hold off continued consideration until the government of the 44th Parliament. We are concerned that this act become absolute best practice and deliver the best outcomes, as was the original intention following the Mabo decision. Unfortunately, this bill does not deliver a better outcome for Indigenous Australians or for the wider Australian society. I repeat: we have put in a minority report attached to the committee report, because we cannot support this bill.

**Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013**

**Report from Federation Chamber**

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

Ordered that this bill be considered immediately.

Bill agreed to.

**Third Reading**

Ms KING (Ballarat—Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing) (12:50): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.
Yesterday evening, before the House moved to the adjournment debate, I was making the point on the Broadcasting Legislation Amendment (News Media Diversity) Bill 2013 that in this island nation we already have media ownership that is regulated, to a degree, and that regulation is based on the rationale that argues, I think appropriately, that a diversity of media sources and media ownership provides the best possibility for us to hear a diversity of views and a range of perspectives on issues that may affect the nation. We want to be able to have a wide range of views to give us the broadest possible perspective. It enhances education and allows fuller participation of a representative sample of our community if we have news agencies, including television, print and radio, that allow the telling of multiple stories.

I was making the point in the comparison between Australia and overseas that two news companies in Australia that deliver their services online now assume an enormous 86 per cent share of the Australian newspaper market. That is two companies controlling 86 per cent of the sources of the news information that moves around our community. That is an alarming figure. In Canada, which is often considered a similar country—a Commonwealth nation, just as we are—the top two newspapers take up 54 per cent of the market. That is quite a difference. If we turn to America, the land that often proclaims it might have the freest speech in the world, certainly their newspaper market indicates that there are a range of voices, a range of owners, involved, because the two top newspaper companies in the US constitute only 14 per cent of the market. Let us compare: 86 per cent owned by two newspaper companies in Australia, 14 per cent in the US and 54 per cent in the Canadian market. By those numbers, anybody looking at the concentration of media ownership in this country would have to agree that something has got to give.

We do have to look at reform from an international perspective to get a bit of an insight into what we might attempt to achieve. We have seen what has been going on in England. We heard the most horrendous stories about a corrupt media that was driven by the pursuit of a dollar—media out to make money rather than media out to uphold the high standards of journalism. I know from my interactions with friends who became journalists, who chose that noble profession, members of the fourth estate who seek to have an independent and powerful voice to tell our stories, are increasingly speaking of being diverted from that noble option as a journalist, to being coerced, to being limited in the stories that they can tell, to finding editorial change to things that they write. They are certainly very unhappy about that.

The reform that we can look to around the world is in Ireland, not just because it has been St Patrick's Day recently or because of my own Irish heritage but because the reform that has been undertaken there recently is quite important for us to consider. Ireland is 15th on the Press Freedom Index, and in that position, a place based on freedom of the media, it is 11 places above Australia. If we were that far down on the rugby league table or the rugby table internationally, I am sure we would be clamouring for the opportunity to improve media diversity—because we do need to improve our game. In 2007 the Irish government passed legislation that set out the structure, coverage and operation of what
was to become the Irish Press Council. The media developed its own codes of practice. It developed a complaints handling process. These were approved by government and met the standard that was set in the legislation.

In Ireland—11 places above us on the Press Freedom Index—they went far, far further than what this legislation is proposing. I know from being in the House yesterday evening when the Manager of Opposition Business was speaking that there is an incredible amount of heat in the commentary from those opposite regarding this bill. The problem is that with the heat they have not put in the facts. This government will have no role in deciding whether or not the Australian Press Council meets the standards set in the legislation. We are proposing that that will be done by the Public Interest Media Advocate. We are separating it out from government.

Mr Hawke: How does that work?

Ms O’Neill: It works in a way that very much allows for the liberation of some freedom in the ownership. We need to allow for freedom of ownership in our current structure where we have that 86 per cent ownership by the Australian news market. It works by making sure that this debate about freedom becomes one about people’s interests in this country. (Time expired)

Dr Leigh (Fraser) (12:59): Great journalism really can change the world. Emile Zola’s ‘J’accuse’ letter did not just win Alfred Dreyfus his freedom; it helped to change the political character of modern France. When Woodward and Bernstein reported on Watergate, they brought down a president. In Australia, reporting by the Courier-Mail and Four Corners ended the Bjelke-Petersen government and led to the jailing of three ministers. In 2005, a newspaper article brought down New South Wales opposition leader John Brogden and probably changed the outcome of the 2007 New South Wales election.

Great reporting can shape the world for the better, but it is vital that that reporting keep pace with changes in technology, and there is possibly no industry changing more rapidly than that of the news media. We have seen a huge technological shift through not just cable and digital TV providing more channels—and, soon, digital radio having that effect for most radio listeners—but also the proliferation of new platforms, such as Facebook and Twitter, and other news sources. We are increasingly seeing newspapers change their format and their character.

These technological shifts, like standard technological shifts in other industries, have led to greater inequality in the news. If you are an engaged consumer, there has never been a better time to consume the news media. You can watch press conferences on Sky or ABC News 24. You can get transcripts straight off the internet. You can quickly get the opinions of thoughtful bloggers and sassy tweeters. But if you are less engaged then things tend to look a bit different. While the most engaged consumers have seen their news media become more abundant, more diverse in terms of outlets and more accessible, taken as a whole we have seen a rise in opinion and, I think, also a rise in nastiness and shallowness.

Those three shifts, which I talked about in a speech at the University of Canberra last year, have implications for media laws. The notion that the media laws should just stand still while the press goes through the largest shift in its history is, to me, a trifle strange. Certainly, if you were to look at the words of the member for Wentworth, you would get that sense—at least, if you looked at his words circa 2011. The member for
Wentworth gave what I thought was quite a thoughtful speech on 7 December 2011 to the Centre for Advanced Journalism, noting:
The consequence of this decline in journalism is that too many important matters of public interest are either not covered at all or covered superficially. At the local level, there is less attention paid to local councils and even state parliaments.
He went on to say:
Consider the shrinking Canberra Press Gallery—the vast bulk of its coverage of federal politics is now about personalities and the game of politics.
Readers seeking a better understanding of how the carbon tax or the mining tax, for example, will operate will often struggle to find much assistance in the output of the gallery—with some very honourable exceptions—compared to the millions of words written about Kevin Rudd vs Julia Gillard let alone Tony Abbott’s budgie smugglers.
The member for Wentworth also said:
The consequence of all of this has been that what we used to call the 24 hour news cycle has become instead an opinion cycle.
He continued:
Over the last few decades we have seen a proliferation of mediums through which news and information can be viewed. In my youth as a reporter we were limited to the newspapers (more then than now), a few television stations, a few more radio stations and a handful of magazines.
The member for Wentworth also quoted the late US senator Daniel Patrick Moynihan: 'Everyone is entitled to their own opinions, but they are not entitled to their own facts.'
He noted one of the changes that I think is of greatest concern to many of us:
... the whole edifice of our fifth estate, of our journalism, has been built on a foundation of newspaper journalism and ... that foundation is crumbling.
My largest concern about the changes in the news media is not about slant towards left or right. Media slant will come and go. When I studied media slant with Joshua Gans, looking at the Howard government period from 1996 to 2004, we found that most of the outlets adopted centrist positions. But I am concerned about the rise of opinion, the trend that Laura Tingle has described thus: 'Australia's politics and our public discourse have become noticeably angrier.' Annabel Crabb describes it as 'a hostile, scratchy feel to politics at the moment'. That rise of nastiness and the rise of shallowness with its emphasis on one-liners rather than thoughtful commentary are of concern. The increase in poll-driven journalism—focusing on the horse race rather than the issues of the day—is one to which the member for Wentworth referred in his 2011 speech.
You can get a sense of how unusual the current laws are by simply looking at the regulation of smh.com.au and ninemsn.com.au. They are two of Australia's most popular news websites, but content on the Sydney Morning Herald's website is created by a newspaper and so it operates under a voluntary code of conduct regulated by the Australian Press Council. The ninemsn website is created by a broadcaster and so its content must have complaints directed to the Australian Communications and Media Authority, a statutory authority, and ACMA can consider the suitability of a person who seeks to hold a broadcasting licence. I do not think anyone would argue that, were we starting from scratch today, we ought to regulate the SMH website and the ninemsn website in utterly different ways.
This regulation is outdated, and the member for Wentworth acknowledged in 2011 that that was a concern. Prominent journalists have themselves also acknowledged that changes in the shape of the media are a significant challenge for good public policy. George Megalogenis argues that the 1970s saw the media emerge as perhaps the only institution that played a
constructive role, but he argues that the media is today 'an intrinsic part of the problem'. They are George Megalogenis's words. These changes are happening rapidly. Ray Finkelstein's review—ably assisted by Matthew Ricketson at the University of Canberra and Rodney Tiffen, who was my original politics and media lecturer when I was a whippersnapper at the University of Sydney, Francesco Papandrea, Denis Muller, Kristen Walker, Christopher Young, Graeme Hill, Jack Bourke and Mansa Chintoh—recognised that it is important to look at how the industry has changed. It noted, for example, the significant change in the number of daily metropolitan newspapers in Australia. If we go back to Federation, Australia had 21 metropolitan or national daily newspapers belonging to 17 owners. The number of newspapers increased to 26 in 1923, but that number has since fallen. In 1985 there were 18 of these newspapers; now we are down to 11.

The Australian newspaper industry is shrinking not only in the number of newspapers but also in concentration. We have three major owners, and that makes our newspaper industry perhaps the most concentrated in the developed world. Other speakers in this debate have noted these facts. Our top newspaper group controls 58 per cent of circulation; our top two control 86 per cent of circulation; our top four control 99 per cent of circulation. All of those numbers exceed the other countries that are surveyed in the International Media Concentration Research Project: Switzerland, Israel, Ireland, Portugal, France, Turkey, South Africa, the United Kingdom, Taiwan, the Netherlands, Brazil, China, Sweden, Canada, Finland, Russia, Korea, Germany, India, Mexico, Japan, Spain, Italy, the United States and Poland all have less concentrated newspaper industries than Australia.

Ensuring that we have a healthy newspaper industry is absolutely fundamental. It is fundamental to our democracy and it is fundamental, frankly, to freedom of speech. It is within that framework that the government brings these laws before the House. These laws are nowhere near the extreme imposition that the member for Wentworth would now have you believe. Let us recall that, when the Leveson inquiry began, when allegations of phone hacking were first aired in 2011, there were those in Australia who argued that we should have a 'fit and proper person' test applied, that we should curtail foreign ownership of the press, that we should put in place strict licensing regimes. Instead, what the government has put in place are much more modest and careful reforms that indeed I suspect are entirely in keeping with what the member for Wentworth spoke about in 2011—this great challenge that faces our society in which it is important to ensure that we have a proliferation of thoughtful voices in the media.

It is because newspapers journalists are fundamental to the media that we need to make sure that we have diversity of voices within the newspaper market. And we need to recognise that newspapers are important not only for their readers, who are indeed a declining group in Australian society. The Finkelstein report noted, for example, that in 1977 there were 29 newspapers sold for every 100 Australians; now we are down to 10 newspapers sold for every 100 Australians. But, while newspaper circulation is falling, newspapers retain their influence through agenda setting, their impact on talkback radio and their impact on television. Newspapers have also had a disproportionate influence on breaking news stories and on bringing about in-depth analysis of issues. I am thinking of some of the thoughtful reporting carried out, for
example, by Neil Chenoweth of the Australian Financial Review. The degree of scrutiny that comes through high-quality press is enormously important to the strength of our democracy.

I rise to speak on these bills because of my passion for the journalism industry. I believe that we have great journalists in Australia at the moment and that it is important that that situation continue. It is important that the government and the opposition are held to account by the press and by a diversity of views. But we have to recognise in this debate that changes in technology bring with them inequality. It is a mistake to view changes in the media through the lens only of the most engaged news consumers. If you think about the current availability of news sources only from the perspective of being plugged in 24 hours a day, constantly updating yourself with tweets and reading the latest government reports, you have to realise that you are not a typical consumer. We have to recognise that the rise of opinion, of nastiness, of shallowness, does affect the way in which many Australians view the press. It has to be recognised that there are possibly more Australians interested in reading about Lara Bingle than reading Laura Tingle. But it is important that we have a set of news media laws that sustain great journalists like Ms Tingle. These extraordinary journalists will be supported and will continue to keep governments accountable under these laws. (Time expired)

Mr PERRETT (Moreton) (13:14): I commend the member for Fraser for his contribution. I particularly like the idea that there should be more Tingle and less Bingle. It is true that the number of devoted readers to considered journalism has declined over recent years. We work in a parliament that has seen that. We have lost—I was almost tempted to say 'good friends'—good journalists. They have departed the building too often over the last five years as newspaper readership has declined. It is a rapidly changing digital world, and this has had implications.

The Broadcasting Legislation Amendment (News Media Diversity) Bill is intended to protect the diversity of news in the media. As the member for Fraser states, we are one of the least diverse OECD nations in the world when it comes to news media. Basically, north of 80 per cent of the news is provided by two entities. If you take out the charter organisations—the ABC and the SBS, that have their own set of regulations, prescribed processes and complaints handling processes and the like—it is easy to put up an argument that the people of Australia are not being as well served as they could be, because there is not as much diversity as there should be in our news organisations.

I am going to read out a few newspaper headlines just to get the flavour of our newspapers: 'Kids make nutritious snacks,' 'Juvenile court to try shooting defendant,' 'Prostitutes appeal to pope,' 'Plane too close to ground, crash probe told,' 'Drunk gets nine months in violin case,' 'Something went wrong in jet crash, expert says,' 'Miners refuse to work after death,' and 'War dims hope for peace'. These are hopefully apocryphal but they give an idea about how we approach the media generally. Sometimes they do not get it right. I think some of those internet collections of newspaper headlines that people keep in their drawers are quite amusing. Perhaps the sub-editor who let them through had a strong sense of humour.

But the reality is that news entities have changed significantly since 1901 in terms of how they approach journalism and how they approach the product that they have to sell. The reality is that the declining sales of newspapers mean that the income streams
for many news organisations has collapsed. They used to receive income for the weekend career ad or the ad for the sale of a car or the like; now many people are selling those products on the internet.

Whilst news organisations have stepped into the internet—some more efficiently than others—the rule of thumb seems to be that for every dollar that they would have got for a newspaper ad they are now getting 10c for an internet ad—and some say it is even less than that. That is a collapse in income for these organisations which has meant a rationalisation of employees. There have been many dismissals, redundancies and shrinkage over the last five to 10 years.

There are now cities in the United States larger than Brisbane that do not have a print newspaper. That is the wave that is coming to Australia. That is why it is so much more crucial that we have as much diversity as possible—and that is what this legislation is about. There have been colossal changes to the public's freedom of information in this country.

The digital age is upon us, and it is obviously embraced by this government. We have invested in schools to make sure that kids have computers. We have invested in the national broadband network to make sure that electorates like Braddon have broadband rolled out and so that it goes all around Australia. We understand the digital age. There is no point trying to hold back this tide. In fact, it is a greater opportunity for this nation in terms of boosting productivity and engaging with our Asian region, where we have great opportunities to sell services, products, knowledge and the like. It will ensure that my great grandchildren have jobs in the future.

But the digital age does bring challenges. Freedom of speech is very important. We have heard a lot of chest-thumping about it over the last few days both from the owners of newspapers and from those who wish to cosy up to the owners of news organisations. Freedom of speech is predicated on a free society, and to limit it would contradict self-government and limit our rights. This is not what this legislation is about.

We understand that diversity is extremely valuable and is something that is worth protecting, because if too much information is concentrated into one hand there is the opportunity for exploitation and for people to misrepresent things—and that does happen.

We have not seen a reasoned debate about these light-touch changes. The member for Corio was on the doors the other day and, for the first time since I have known him, he was unable to answer a question when asked about Senator Conroy being on the front page of the *Daily Telegraph*. That shows that the news organisations pitched it wrongly; it was a complete over-reaction.

The reality is that Australia has seen a decline in the number of news organisations serving our capital cities, and that has not necessarily been in the best interests of the Australian public. I have previously said, at the ALP National Conference, in my role as an author and working in the publishing industry, that we need to have Australian voices; we do not need to sell just one product that is made somewhere in Los Angeles. That applies to Australian news stories as well. We need Australian stories told with Australian accents so that the people of Australia, who come from everywhere—apart from our Indigenous Australians—understand what makes Australia great. One of the main things is that we tell Australian stories—not one Australian story but a diverse range of views. The good thing about the digital age is that it brings those voices to the forefront. You do not need a major printing press now; you just
need the National Broadband Network, a good brain, a couple of computers and a few journalists and you can put an alternative voice out there. It is not just a case of whatever comes out of Rupert Murdoch's boardroom; now there are a range of views being put forward.

I particularly commend the work of the ABC and SBS. Quite a lot of journalists have been phoning me today. There must be something happening out there. I am not quite sure what they want to talk to me about, but I have said to every journalist that I am happy to talk about any government policy, especially regarding approaches to media regulation. There are different points of view. ABC journalists and SBS journalists have a charter. They have some strong guides as to what they can do and what their professional standards are, even regarding proper mentoring and proper treatment of people who provide information. I would suggest those standards are pretty dominant in Canberra, in the press gallery, but I am not sure that it is necessarily the case throughout Australia.

The Australian government must do the right thing by the nation through this legislation in promoting media diversity because things have changed so rapidly since the last time a government—I think it was the Howard government—made legislation regarding diversity. The digital age has created so many more voices. Consumers out there have choice—I do understand that—but it is quality choice and every consumer will still need a quality voice. They will still need a voice that can be trusted.

I certainly think that all 150 MPs in this House would have had their offices respond to emails with misinformation on a range of topics. It goes to show how quickly some information can fly around. The grapevine is so much faster than it used to be. Information can now be distributed through a variety of groups. When it comes from someone that you trust, you might like to trust the information that is in the email. I have seen it in my office time and time again: a half-truth or misinformation, or even a lie, is sent out around the email networks and we spend our time responding to it. That is why it is important that we have a strong news media; that it is why it is important that we have standards that make sure that facts are checked, information is verified and both sides of a story are given where appropriate, rather than having someone chase a rumour and report how someone responded to that half-truth.

There has been progression in Australia on how we approach the free expression of ideas. The fourth estate has always played a significant role. If we look at progression by the civil rights movement, the gay liberation movement and the women's movement we can see how those ideas are approached by the establishment, with the fourth estate being a representative of the establishment. It is interesting to see how they have treated the progression of ideas. I see it time and time again with an idea. That is what the Labor Party is: we are the progressive party; we tend to advocate for appropriate change. Sometimes it is difficult to pitch it exactly right, but you know that we do not rest on our laurels and do nothing. We are the party that tries to make sure that newspapers and journalists give the right analysis on a bit of information.

Editors have a tough job. I understand that. Adlai Stevenson famously said that an editor is one who separates the wheat from the chaff and prints the chaff. That is not necessarily an approach that I would agree with. I certainly try not to let my happiness connect to the front page of the Australian, even though I am a regular reader, or the
Courier Mail. If we danced to their shadows, who knows where we would end up.

I will finish with a quote from a famous author: Leo Tolstoy. He made a comment about journalism and newspapers. He said:

All newspaper and journalistic activity is an intellectual brothel from which there is no retreat.

In light of some of the reporting we have seen over the last few weeks, I will leave the last word to Mr Tolstoy. That is an appropriate comment on this piece of legislation.

Mr SIDEBOTTOM (Braddon—Parliamentary Secretary for Agriculture, Fisheries and Forestry) (13:29): I have been in and around this place for some 15 years, although not continuously, unfortunately. I have not come across more hysterical reporting of legislation before the House than I have with this Broadcasting Legislation Amendment (News Media Diversity) Bill 2013 and the other media reform bills which are intended to follow. I have found it quite extraordinary. It is the shrillness of the so-called debate, rather than the content and substance of it, which is concerning—if perhaps not surprising. That shrillness, unfortunately, is a little bit reflective of debate in this country, both within states and nationally. We rarely seem able to have a debate of any substance in which the proponents and those opposed can present their arguments in a substantive way and have those listened to and debated logically, rationally and carefully.

This is, after all, a political debating house, although I am not sure how much debate actually takes place in it. More takes place in our caucus rooms and in the parliamentary committees, but it rarely takes place in here. The shrillness of this debate, though, is unparalleled—at least in my experience from the last 15 years. That is of great national concern. You would swear, if you were purely guided by the shrillness of the debate and the narrow views of those providing those shrill arguments, that the intention of both the legislation before us and the further media reform legislation intended to follow is the complete destruction of democracy and the introduction of totalitarianism in this country. But I think—and I suspect I will be right in this—that, when people protest too much, the public become concerned.

What I thought I might do, both for those who read the debate and those who listen to it—although it is not being broadcast at the moment—is actually look at the legislation, at what it is intended to do and how it is meant to do it. I have heard everyone comment on freedom of speech, freedom of the press, journalism and its codes, and self-regulation. Amidst that discussion, I have heard people give examples of what the press freedom situation is like in various totalitarian countries. But I have not heard many people talk about the bills before us, so I thought I might do that for you.

Mr Hawke: There is no detail.

Mr SIDEBOTTOM: There is plenty of detail, friend, but you are typical—you would not be interested.

Mr Hawke interjecting—

Mr SIDEBOTTOM: Go and get your water and then keep going to get some lunch. Show some manners.

Ownership of Australia's most popular and influential media organisations—and this is a fact—is already highly concentrated. The Prime Minister made that clear in question time and other speakers in this debate have made it clear as well. Market trends, particularly the shift of revenues to online and mobile services, are putting significant pressures on the existing market structure. That is a fact. These trends are not cyclical and will drive significant changes,
with further concentration of ownership and a reduction in media diversity a real possibility. Hence we need to look at media diversity in this country and ensure that we have it. There is absolutely nothing illogical about that. It is a fact.

So what do we do about it? We introduce legislation to assure, to guarantee, that we have media diversity in this country. But, if you listen to the critics, we are out to destroy the media in this country. I will let those who hear the logic of this make up their own minds. The government's reforms will strengthen media diversity safeguards without inhibiting existing businesses from restructuring to adapt to the changing environment, which they have to do—we all recognise that.

Importantly, the reforms deal with national providers, such as national newspapers and subscription television, for the first time. They provide a mechanism which avoids a one-size-fits-all approach in a rapidly changing sector. The internet, as many have pointed out, has seen the emergence of a wide range of new formats for the delivery of news and opinion. Hooray! I hope we are always able to have access to that. However, and this is a fact, Australians still rely on the traditional authoritative sources for that news—television, radio and newspapers—and for the majority of their information on current events. This may change over time, not surprisingly.

The government's reforms update the existing control rules for the current and future environment and allow for inevitable changes in markets where a source of news may gain or indeed lose influence over time. The reforms arise out of the government's careful consideration of the findings of the Convergence Review and community feedback through that review's extensive public consultation process. Together, these emphasised the importance of media diversity to our democratic society and identified areas where reform is required.

How did the government react to this highly consultative process in an area of great interest to the Australian people? How did it seek to guard our media diversity—such as it is, not, at the moment? The government's proposals introduce a public interest test, against which changes in control of media will be assessed. Why not? Why would you not? It makes sense.

**Mr Hawke:** How does that work?

**Mr Sidebottom:** Sit down and just listen for once. I know you know everything about everything and in so doing you know nothing. The proposed public interest test will assess whether transactions involved in changes in control of significant news media voices will result in a substantial lessening of diversity—I think you will understand that bit.

The various numeric rules contained in the Broadcasting Services Act 1992 currently act as a quasi-public interest test by imposing constraints on mergers and acquisitions between different media groups. However, these are blunt regulatory instruments that do not effectively cover potential mergers between national media groups and do not provide flexibility for considering new voices that may come to prominence in a converged media environment. The public interest test will allow for a more cohesive, in-depth assessment of proposed changes to media ownership and control than current rules allow—there is a bit more in-depth information for you so that you can understand what we are trying to do—in the light of a highly concentrated view of the media and how it operates.

The government also considers that an effective public interest test over time can
result in a significant rationalising of the blunt numeric tests which form the basis of current legislation and regulation. Let's go into it in a little bit more depth, seeing as you asked for that. The government's proposed public interest test model will only apply to new media voices whose audience or subscriber number is above a threshold based on audience—you have that one, so write it down and keep yourself busy. It will also require news media voices that reach this threshold to be included on a register maintained by the Australian Communications and Media Authority and test whether or not 'a substantial lessening of diversity of control of news media voices' will take place under a proposed control change.

We are looking at some form of public interest media advocate. The public interest test will be applied by the advocate, operating at arm's length from government, to changes to ownership and control; require news media voices involved in a transaction that results in a control event to apply for prior approval for that transaction to proceed from the advocate; and empower the advocate to reject or approve subject to the enforceable undertakings, changes of ownership and control following assessment under the public interest test. There is a bit more detail for you. You wanted it, and you are getting it, so just be nice and listen to it. See if you can absorb some of this stuff. You will have your say, no doubt. The public interest test will also allow the advocate to take into account a range of issues and criteria directly relevant to diversity considerations in making its assessment and will allow the advocate to approve a substantial lessening of diversity of control of registered news media voices if satisfied that the transaction will result in a benefit to the public and that the benefit outweighs the detriment. So, what is the public interest test?

Mr Murphy interjecting—

Mr SIDEBOTTOM: No, no, you have provided the passion. Others on the other side want to provide the passion. I am just dealing with the facts and trying to put the legislation so that people who listen to this can actually understand what this is about instead of listening to the shrillness of those opposite and some of those in the media itself. So let us keep going, because we like to do this logically. We do not need the loudmouths of life getting all the attention.

What is the public interest test? We are going to test whether or not a substantial lessening of diversity of control of news media voices will take place under a proposed control change. However, the advocate can approve a transaction where satisfied that the benefit of the transaction would outweigh the detriment, which I mentioned earlier, to the public cause by any lessening of diversity of control.

The public interest test is not a fit-and-proper-person test; it is solely aimed at ensuring that Australians continue to have access to a diverse range of news and opinion as the media and communications landscape changes over time. That is reasonable, rational, responsible. However, if you listen to those on the other side, it is the death and destruction of democracy itself, and the media with it.

Let us have a look at aspects of the new test so that we can give you some more substance and some more detail, because that is what you wanted. A new test will enable the advocate to approve a transaction where the applicant satisfies the advocate that a relevant control event will not result in a substantial lessening of diversity of control. This aspect enables simple transactions that
do not affect diversity to be easily dealt with by the act.

Mr Hawke: Who is the advocate?

Mr SIDEBOTTOM: Of course, the advocate will be the advocate. Hang around and you will find out. You will have a vote, and we will give you all the detail you want. You might be able to apply, along with a few of your coppers.

Mr Murphy: Alexander Downer.

Mr SIDEBOTTOM: No thanks. In assessing whether a transaction is likely to result in a substantial lessening of diversity of voices, factors the advocate would likely consider include the extent of the applicant’s control or likely control over two or more news media voices as a result of the control event—that is, the breadth or concentration of that person’s control whether alone or in concert with others. Why would you not? We have enough concentration as it is. We all support more diversity, so why would you not support that? It defies logic. I do not understand the criticism. The advocate would also consider whether the control event materially changes the overall or relative diversity of controllers for the affected news media voices—again, logical, responsible—and, finally, a total level of diversity of controllers across all registered news media voices as a result of a control event or across the spectrum of news media voices. (Time expired)

The DEPUTY SPEAKER: Order! The debate is interrupted. In accordance with standing order 43 the debate may be resumed at a later hour.

STATEMENTS BY MEMBERS
Oaktree Foundation: Roadtrip to End Poverty

Mr FRYDENBERG (Kooyong) (13:44): Last week I met with a delegation of dynamic young men and women from my electorate who were visiting Canberra to promote the Oaktree Foundation's Roadtrip to End Poverty. The road trip is an important initiative. It brings together 1,000 people aged 16 to 26, from every Australian state and territory, to travel around the country holding local community events and to spread the message as to how and why we must end global poverty.

With more than one billion people still living below the poverty line, and infant and child mortality rates still at an unacceptable high, we in Australia have an obligation to help the world's poor. I am proud of Australia’s aid program, with our annual contribution now more than $5 billion, helping to save the lives of hundreds of thousands of people and educating many more. I acknowledge that there is also a bipartisan commitment to increase our aid levels from 0.35 per cent of GNI to 0.5 per cent of GNI.

I congratulate the Oaktree Foundation, Australia’s largest youth volunteer organisation, which has over 100,000 members and its head office in my electorate. I look forward to working with Oaktree and its many young leaders like Caitlin Murphy, who has done so much to motivate the team as we work together towards the Millennium Development Goals and ending global poverty.

Oaktree Foundation: Roadtrip to End Poverty

Mr MURPHY (Reid) (13:46): Last week I met with Claire Angel-Auld, a wonderful ambassador for the Oaktree Foundation Roadtrip to End Poverty, and a number of other wonderful ambassadors. This is their message to this House:

We are one thousand motivated Australians, who each have a story, and who are passionate about ending global poverty in our lifetime.
We are not lawyers, or corporate executives. We don't own mines or the media. We are school students, university students, workers, and social media users. But we have a voice. And we will use our voices to empower our global brothers and sisters who, of no fault of their own, are born in other nations, of extreme poverty.

Our arbitrary birth into a nation of wealth and resources means that our good fortune, future and chances are decided pre-emptively. We must use this fortune, and the knowledge of circumstance to spread our fair share.

We are global citizens, we are humanists, we are realists. Extreme poverty can and will be eradicated in the next 20 years under a 0.7% foreign aid contribution of our GNI. Seventy cents per one hundred dollars ends 99% of the 500,000 maternal deaths each year in developing countries. Seventy cents per one hundred dollars provides 137 million women with access to family planning. Seventy cents per one hundred dollars facilitates aid effective programs to save millions of lives from preventable diseases. Seventy cents per one hundred dollars sends millions of children to school instead of the fields.

0.7% brings 1.4 billion people out of extreme poverty.

Well, may the Oaktree Foundation, Claire Angel-Auld and— (Time expired)  

**Rare Voices Australia**

**Mrs GRIGGS (Solomon) (13:47):** I rise to acknowledge the outstanding work of Rare Voices Australia. Today I attended a function, with some other parliamentarians, organised by Rare Voices Australia. This is an organisation that provides support and advocacy services for Australians who suffer from rare diseases and for their families. I am actually a member of one of those families, because my nephew Joshua suffers from the rare Goldenhar syndrome. It means so much for my family, and those of others, that Rare Voices Australia is able to assist people like Joshua—because one in 12 Australians have a rare disease or disorder.

It is so important that we stand up and support those vulnerable members of our community. Professor Barney Glover, the Vice-Chancellor of the Northern Territory's Charles Darwin University, also attended the function and asked me to be an advocate for Rare Voices in the Northern Territory. Professor Glover is an avid advocate for those with rare diseases, because he was also personally touched. Sadly, he lost his grandson Tate to Alpers syndrome. I know he joins with me today as I call on the parliament to continue to support the extraordinary work of Rare Voices Australia and their advocacy for Australians suffering from rare diseases and disorders.

**Tweed Valley Relay for Life**

**Mrs ELLIOT (Richmond) (13:49):** I rise to talk about a fantastic event in my electorate this Saturday: the Tweed Valley Relay for Life. I know there are many other 'relays for life' that occur, but it will be a great event this Saturday. Of course, it raises vital funds for the Cancer Council. We are very proud in our area to have this event on this Saturday.

We now have 23 teams participating. I am really proud to be marching with the Labor team, to be part of this fantastic community event. Those 23 teams cover a whole range of different groups right throughout the community. We are there to raise funds for the Cancer Council and also raise awareness—and to acknowledge that so many people in our community have suffered from cancer. It is a good opportunity for us all to come together.

I would really like to thank all the sponsors of the Relay for Life and also our local media, who have really gotten behind this important event. I thank them for the great stories they have written about the many teams that are participating. It is being held at the Cudgen Leagues Club at
Kingscliff, and I would encourage locals to come along and either walk with some of the other teams or donate some money or buy some of the cakes that are being baked or to purchase some tickets in the raffles.

I thank everyone in the community who has come together for what is a very important issue, as we all look forward with hope to cures for the many cancers that have taken the lives of so many people in our families and in our communities. And I thank the management committee: you have done an outstanding job in organising the Tweed Valley Relay for Life this Saturday.

**Tuberous Sclerosis Complex**

Mr IRONS (Swan) (13:50): I rise to talk about a recent family conference for the Tuberous Sclerosis Society, which follows on the Rare Voices barbecue that the member for Solomon talked about. I actually represented the member for Hinkler at that particular forum, which was held at the Gateway Comfort Inn, which is run by his son. His grandchild also suffers from tuberous sclerosis.

For other members in this place: tuberous sclerosis is a group of two genetic disorders that affect the skin, the brain and nervous system, the kidneys and the heart and can cause tumours to grow. The diseases are named after a tuber or root-shaped growth in the brain. Tuberous sclerosis is inherited. Mutations in two genes, TSC1 and TSC2, are responsible for most cases of this condition. Only one parent needs to pass on the mutation for the child to get the disease; however, most cases are due to new mutations, so there is usually no family history of tuberous sclerosis.

The items on the federal agenda that will benefit families living with tuberous sclerosis are the National Disability Insurance Scheme, the listing of medicines on the Pharmaceutical Benefits Scheme, overall health funding and the future of rare diseases in health policy in Australia—which I am sure all members in this place will take on board, considering the barbecue today by Rare Voices Australia to raise awareness of rare diseases in the Australian community.

**Bosnian Sculpture**

Mr PERRETT (Moreton) (13:52): On Tuesday, 12 March, I joined together with the Minister for Foreign Affairs, the Hon. Bob Carr, fellow parliamentarians and friends from the Bosnian Community, including the Ambassador for Bosnia and Herzegovina, Damir Arnaut, for the unveiling of a new sculpture at Parliament House by local artist Adis Fejzic. With 7 January 2013 marking the 20th anniversary of the establishment of diplomatic relations with Australia, the Embassy of Bosnia and Herzegovina set out to commemorate this occasion in recognition of the strong ties between the two countries. Ambassador Arnaut embarked upon this initiative with a view that Australia's generosity to Bosnia and Herzegovina and its people, at a time when they most needed it, merited not only a celebration but a lasting memento. I was proud to stand among such outstanding people to unveil a sculpture that will be a truly historic symbol of the strong relations we have with Bosnia and Herzegovina.

The artist, Adis Fejzic, is a Bosnian-Australian artist from Queensland. During his studies at the well-respected School of Fine Art in Sarajevo he was first recognised by his teachers for his exceptional artistic talents. The sculpture, called Stecak, contains the opposites of visual and spiritual significance of the raw, rough stone with the elements that have been transformed by the human hand. It contains four different symbols. It is just outside the House of Reps doors, and it combines all the children of Abraham symbols: a Catholic symbol, a
Jewish symbol, and a symbol from the Muslim faith as well. It is a great piece of stonework to be commended. *(Time expired)*

**Aston Electorate: Knox Headspace**

*Mr TUDGE (Aston) (13:54):* I am proud to report to the House that the Knox headspace centre was officially opened this week. The opening of this centre has been the culmination of a two-year campaign which I have spearheaded, along with community members in my electorate. The National Youth Mental Health Foundation runs these headspace centres. They are terrific centres that cater for youth with depression and anxiety and other issues faced by 12- to 25-year-olds. These centres are so important because, unfortunately and sadly, youth depression and anxiety, and in some cases suicide, is so prevalent in our community and right across Australia. Indeed, it constitutes more than 50 per cent of the burden of disease for 12- to 24-year-olds. It is particularly high in my electorate—no-one understands why, but the stats speak for themselves.

The services that are going to be provided at the Knox headspace centre—which is located at Knox Ozone, right where the young people of my electorate tend to hang out—include general practitioners, counselling services, drug and alcohol rehab assistance, an eating disorder clinic and employment services. It has been a real community effort to get this centre up and running. I am very proud to have been associated with it and to spearhead it. I would particularly like to thank the chief petitioners, Pauline Renzow and Prerna Diksha, for their tireless effort. *(Time expired)*

**Media Reform**

*Mr STEPHEN JONES (Throsby) (13:55):* Over the past 48 hours this House has been joined in a fierce debate over proposals for media reform. The member for Wentworth has been strident in his attacks on these proposed reforms, and his defence of the principles of freedom of speech has been a spectacle to behold. I share his passion for a free, robust and independent media. I also understand the value of a right of reply. On 9 August 2006 the member used parliament to set the record straight on what he claimed to be a misrepresentation by the media. He said in this place:

I was misrepresented in a number of media outlets, including AAP, the Telegraph, the Australian and the Financial Review. It was attributed to me that I had said that petrol was not an issue in my electorate or that people were not complaining about petrol in my electorate.

He then used parliament to set the record straight.

As a parliamentarian, he is able to use the Australian parliament to respond to any allegation of misrepresentation by the media. This is a great privilege. Very few Australians enjoy the same privilege. That is why having an effective system for handling complaints of misrepresentation by the media, such as the Press Council and ACMA, is critical. All Australians have the right to have their complaint of misrepresentation dealt with in a fair and reasonable way, not just parliamentarians. We do not have this at present—hence the media reforms before the parliament.

**Brisbane Electorate: Caitlin Kirby**

*Ms GAMBARO (Brisbane) (13:57):* I rise to acknowledge a remarkable young constituent from my electorate, Caitlin Kirby. Caitlin suffers from Down syndrome. However, despite her disability, she is a very talented swimmer. Caitlin has been swimming for many years, beginning competitive swimming at the age of eight for the Wilston Crocodiles, where she still competes today. Caitlin also swims for her
school, Mount Alvernia College, as well as the secondary school championships, competing at a state level for the last seven years.

During the inaugural National Down Syndrome Swimming Championships at Noosa in September 2011, Caitlin won three events, establishing three Australian records, as well as winning a bronze medal. Caitlin was then selected in the Australian Down syndrome swimming team and competed in the 6th World Down Syndrome Swimming Championships at Loano, Italy, in November last year. She picked up four gold and three silver medals for her country.

Caitlin received a local sporting champion grant to assist her with this trip, and I was absolutely delighted to present the certificate to her at the Brisbane Inner North Sporting Community breakfast last Friday, where she showed off the swag of medals that she has won. Everybody in the room was absolutely impressed with her presentation. Everyone was impressed with her wonderful achievement representing her country. The Brisbane electorate is so very proud of you, Caitlin, and as a local member I would like to echo that. (Time expired)

**Bass Electorate: Hirst Holdings**

Mr LYONS (Bass) (13:58): I rise today to warmly congratulate Mark and Sarah Hirst from my electorate of Bass, who were last week announced as successful applicants in the federal government's Tourism Industry Regional Development Fund grants program. Hirst Holdings was offered $73,000 under the program for expansion of its bottle shop, kitchen and tasting area at the Lilydale Larder to better meet the high expectations of this growing interstate and international visitor market. This project fits alongside the couple's existing business, the Leaning Church Vineyard. The Lilydale Larder project will bring together some of Tasmania's best locally grown produce under one roof. Sarah and Mark have proven their capacity to deliver quality tourism attractions. This has been recognised by their recent accolade, winning the 2011 State Tourism Award for Wineries, Distilleries and Boutique Breweries, as well as the 2011 Launceston Chamber of Commerce Outstanding Visitor Experience award. Sarah was also a finalist in the 2012 Telstra Business Women Awards.

I again congratulate Mark and Sarah on this achievement and look forward to visiting the Lilydale Larder and the Leaning Church Vineyard in the near future to sample more of their terrific produce.

**STATEMENTS ON INDULGENCE**

Pope Francis

Ms GILLARD (Lalor—Prime Minister) (14:00): It is my pleasure to inform the House that this morning I received a message from Sir William Deane, who attended the installation mass of His Holiness Pope Francis in Rome last night, Australian time. I thought it was appropriate to report back to the House, given that we marked that Sir William Deane and his wife would be representing Australia at this event. Sir William informed me that Pope Francis received Sir William and his wife, Lady Deane. Sir William informed His Holiness that he had the warmest good wishes of the government and people of Australia. Sir William reminded His Holiness that three previous popes have visited Australia and he asked him if he would be the fourth pope to do so.

It is good to report that after this brief conversation Pope Francis said he does hope to visit Australia and he expressed his warmest wishes to Australia and to its people. This is an auspicious time for Australian Catholics, and I am delighted that Sir William and Lady Deane could attend
and extend the warmest regards of the Australian people.

Mr Abbott (Warringah—Leader of the Opposition) (14:01): I echo the words of the Prime Minister, and on behalf of the coalition I thank Sir William and Lady Deane for so well representing our country on this occasion.

**QUESTIONS WITHOUT NOTICE**

**Budget**

Mr Abbott (Warringah—Leader of the Opposition) (14:01): My question is to the Prime Minister. Given that the Labor Party last delivered a surplus in 1989, a full quarter of a century ago, in what year does the government expect to deliver its first budget surplus and start repaying $300 billion in debt?

Ms Gillard (Lalor—Prime Minister) (14:02): The Leader of the Opposition has asked this question in various forms across the course of the week and each and every time he does so he exposes his lack of competence in economics and the fact that the opposition wanders around pretending that the global financial crisis did not happen. I presume that if a journalist asked the Leader of the Opposition at a press conference if the global financial crisis happened, he would do what he normally does when confronted by hard questions, and that is, turn on his heel and end the press conference.

But, yes, the global financial crisis did happen. Yes, it did have implications for the Australian economy. And, yes, there are ongoing implications for government revenue, and our economy is being transformed by a high and sustained Australian dollar, sustained high at 50 per cent above recent levels—a 50 per cent appreciation in a very limited number of years. It has been sustained high despite a decline in our terms of trade and sustained high despite a reduction in interest rates.

With these factors working in the global economy and in our own economy, we are seeing implications for government revenue that have been made clear during the various budget updates, including the Mid-Year Economic and Fiscal Outlook.

In those circumstances you are presented with a very stark choice: you can either support growth and jobs or—which I assume is what the Leader of the Opposition is saying he would do if he were Prime Minister—cut and cut and cut. Let's be clear about the dimensions of the kind of cuts required. If that had been the approach taken during the depth of the global financial crisis, you would have needed to have done something as significant as ending all payments to aged pensioners.

The Speaker: The Prime Minister will return to the question before the chair.

Mr Pyne: I rise on a point of order. On over 300 occasions the Prime Minister nominated this year as the year that a surplus would be delivered, and all the Leader of the Opposition is asking for is the year—

The Speaker: That is not a point of order. The point of order was relevance. I had already drawn the Prime Minister's attention to returning to the question.

Ms Gillard: To the Leader of the Opposition: of course we will deliver the budget, and budget forecasts will be updated in the usual way. Our economic strategy will always be to support jobs and growth, and we will continue to take our current approach to prudent financial management. If the Leader of the Opposition ever wants to produce anything that looks like a suite of figures for the Australian people to analyse, it would be a very different outlook from that of the past. Not one policy has been properly costed or matched with credible savings
since the 2010 election; not one. And it is
time the Leader of the Opposition actually
tried to acquit that burden of leadership
rather than carping with these kinds of
questions.

Mr ABBOTT (Warringah—Leader of the
Opposition) (14:05): Speaker, I ask a
supplementary question. In what year will
Labor's run of deficits finally end, given that
the global financial crisis actually ended
almost four years ago?

Ms Plibersek interjecting—

The SPEAKER: Order! The Minister for
Health is denying the Prime Minister the
call. The Prime Minister has the call.

Ms GILLARD (Lalor—Prime Minister)
(14:06): Thank you very much. And
wouldn't that statement from the Leader of
the Opposition be news to the people of
Greece—that statement that the global
financial crisis is apparently yesterday's
news? Wouldn't it be news to the millions
and millions of people unemployed in
Europe? Wouldn't it be news to the people of
Italy as they struggle with political gridlock
and with continued economic dislocation?
Wouldn't it be news to the people of the
United States of America, who have not seen
growth rates return in a way that would
enable those Americans who lost their jobs
during the global financial crisis to find a
work opportunity?

If the Leader of the Opposition is truly
saying that the global financial crisis is over,
then what he is saying to the Australian
people is that he has no understanding of the
global economy or global economic events
whatsoever and that the big questions that
confront leaders when they meet at forums
like the G20 are questions beyond his
understanding. That is what he has said to
the Australian people today. We deal with
the circumstances of the real world,
including the circumstances in the Australian
economy. We will continue our strategy of
supporting jobs and growth and prudent
budget management.

Age Pension

Ms O'NEILL (Robertson) (14:08): My
question is to the Prime Minister. Will the
Prime Minister update the House on the
increases to the pension that take effect from
today? What will these mean for our senior
Australians?

Ms GILLARD (Lalor—Prime Minister)
(14:08): I thank the member for Robertson
for her question. Having visited with her in
her electorate, I know that her electorate is
home to many Australians who have retired.
No wonder they choose to retire there—it is
a beautiful part of the world. Consequently,
many people in her electorate and pensioners
around Australia—3.5 million pensioners—
will be interested to know that today they
will see an increase to their pensions. Single
pensioners at the maximum rate will get a
boost of $35.80 a fortnight and couples a
combined increase of $54 a fortnight.

As well as increasing the pension, we are
also increasing the deeming rate. What that
means is that more than 740,000 Australian
pensioners will benefit. This comes on top of
delivering the biggest increase to pensions in
more than a century. Since 2009, Labor has
delivered an increase of $207 a fortnight for
single pensioners and $236 for couples on
the maximum rate. Coupled with our new
indexation arrangements, this means that the
pension is keeping pace with the cost of
living in a better way.

We also want to make sure that there is
more assistance for pensioners to help them
make ends meet, so we have increased the
utility allowance to $400 a year. We are
providing an extra $350 a year for singles
and more than $530 for couples as part of the
household assistance package. Pensioners
received some of this through a lump sum last year. The rest will be paid through the Clean Energy Supplement, starting today. We are also delivering tax relief, with the new seniors and pensioners tax offset worth up to $2,230 a year for singles and $1,602 a year for each member of a couple.

We have made these decisions because we have set clear priorities for the $160 billion in savings that we have found across five years of budgeting. That is because we wanted to direct money to those who need that assistance the most, and that includes Australia’s pensioners—3.5 million of them—who will see an increase in the pension from today.

**Budget**

**Mr HOCKEY** (North Sydney) (14:10): My question is to the Treasurer. I remind the Treasurer of his commitment in the 2010 budget to pay off all net debt by 2018, his commitment in the following budget to pay off all net debt by 2019 and his commitment in last year’s budget to pay off all net debt by 2020. Treasurer, will you guarantee that you will in fact pay off the debt sometime in the next 100 years?

**Mr SWAN** (Lilley—Deputy Prime Minister and Treasurer) (14:11): I thank the shadow Treasurer for that question, because what it really demonstrates is his ignorance of fiscal policy and how it has operated in Australia over the last 21 years.

**Mr Dutton:** You are a poster boy in Cyprus.

**Mr SWAN:** They have just compared the Australian economy to that of Cyprus—that is how ignorant they are and those are the lengths they will go to to talk down our economy.

**Mr Tony Smith interjecting—**

**Mr Dutton interjecting—**

The **SPEAKER**: The member for Casey will leave the chamber under 94(a). The member for Dickson is warned.

The member for Casey then left the chamber.

**Mr SWAN:** Everybody on this side of the House is proud of the fact that in Australia we have had 21 consecutive calendar years of growth. What has that been based on? It has been based on good fiscal policy. It is based on the fiscal policy that we have put forward in the House and the fiscal policy that those opposite used to put forward in this House. We are committed to a medium-term fiscal policy that delivers surpluses on average over the economic cycle. That is something that those opposite are now rejecting.

The proposition that they are bringing into this parliament is that we should cut our budget for every dollar of revenue lost because of the global financial crisis. The proposition that they are now putting to this parliament, in complete repudiation of what the previous government was committed to, is that we should have cut $160 billion from expenditure in Australia in the face of those revenue write-downs. What that would have caused in Australia is a very substantial recession, very high unemployment and a lot of misery in the Australian community.

Because we on this side of the House had the courage of our convictions to respond to the events of the global financial crisis and the aftermath of that, we have incurred some debt—modest debt; one-tenth—

**Mr Pyne interjecting—**

**Mr SWAN:** He is now saying that we are going after people’s bank accounts. Is there no end to how desperate this mob can get when it comes to fiscal policy, no end to how irresponsible they can get in this House? They prove every day that they are incapable
of understanding or running a $1.5 trillion economy.

The fact is that I talked this morning to about 40 overseas investors. I spoke to them about the fundamentals of the Australian economy: solid growth, low inflation, lower interest rates and a strong investment pipeline. These fundamentals of the Australian economy are things that a finance minister anywhere else in the world would be proud to have and give their right arm to have. But what we must do is put in place responsible fiscal policy that supports jobs and growth. Because we had the guts to do that, there are 900,000 extra jobs in Australia and 900,000 families with security and the prospect of future careers. What they would have had under that mob is high unemployment, low growth and a very significant number of business closures. They are showing how reckless they are.

Mr Hockey: I am trying to be helpful to the Treasurer. I seek leave to table the page from the 2010-11 budget. I seek leave to table the 2011-12 budget page—

Mr Albanese: No. We have those.

Mr Hockey: and the 2012-13 budget page as well.

The SPEAKER: Is leave granted?

Mr Albanese: No. We have that too.

Mr Hockey: Well, read them!

The SPEAKER: The member for North Sydney is warned.

Age Pension

Ms LIVERMORE (Capricornia) (14:15): My question is to the Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform. How is the government building a stronger, fairer Australia for pensioners?

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (14:15): I thank the member for Capricornia very much for that question, because this government is all about making sure that after a lifetime of work we provide security and support to our older Australians, especially those on the age pension, as part of building a stronger and fairer Australia. That is why from today Australia's 3½ million pensioners will start to receive the latest increase to their pensions. If you are a single pensioner on the maximum rate, you will receive an extra $35.80 a fortnight. If you are a pensioner couple on the maximum rate, you will receive an extra $54 per fortnight. These increases also include Labor's clean energy supplement, which has been added to make sure that pensioners have extra help with their bills. That will add up to $13 a fortnight for singles and around $20 a fortnight for couples. All of this is about making sure that we give the extra support to pensioners that they need. The Prime Minister has already indicated that from today the government has also decided to lower the deeming rates. This will be particularly advantageous to those part-pensioners who are reliant on their investment.

It is the case, as the member for Capricornia knows, that millions of Australian pensioners are better off as a result of this Labor government. This government has made sure that since 2009 there have been improvements to the pension. In fact, if you look at the amounts, single pensioners on the maximum rate are now $207 a fortnight better off. Pensioner couples on the maximum rate are $236 a fortnight better off. They are better off because of this Labor government.

Pensioners know that under Labor their pension increases will be guaranteed. They also know that this Leader of the Opposition will reach into their pockets and take this
money straight out. He will claw back the money out of the pockets of pensioners. If you are a single pensioner, $350 a year will be taken out of your pocket by this Leader of the Opposition and $530 a year will be taken out of the pockets of pensioner couples. That is what this Leader of the Opposition would do to pensioners if he ever got the chance.

Ms LIVERMORE (Capricornia) (14:18): Speaker, I ask a supplementary question. The minister has talked about the increases in pensions for senior Australians; how will these benefit my local electorate?

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (14:18): I thank the member for Capricornia again for her question. I am sure, like me, she saw an article today in her Morning Bulletin from Rockhampton about two local pensioners—Jim and Marion Lawler—who are among the 20,000 pensioners in Capricornia who are better off as a result of this government’s improvements to the pension. In fact, I can inform the member for Capricornia that there are around 20,000 pensioners in Capricornia who will receive the new clean energy supplement from today. They will receive it as part of their pension every fortnight. For single pensioners in her electorate it is around $13 a fortnight and for pensioner couples like Jim and Marion it will be $20 a fortnight. That adds up to a lot in the area represented by the member for Capricornia—$6.3 million from the clean energy supplement alone.

What her electors need to know is that this Leader of the Opposition will take that $6.3 million out of the electorate of Capricornia. He will claw that money straight out of the pockets of pensioners like this family. Jim and Marion will lose $530 a year if this Leader of the Opposition gets— (Time expired)

Budget

Mr HOCKEY (North Sydney) (14:20): My question is to the Treasurer. I refer the Treasurer to his comment on radio’s 2UE on budget night in 2011 that Australia’s debt is ‘tiny, very tiny’ and to his economic note a month ago that stated Australia’s debt is ‘very low’. Given that Australia’s gross debt is now almost $300 billion, does the Treasurer stand by his previous statements that Australia’s debt is ‘very tiny’ and ‘very low’?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:21): Yes, I do stand by all of my previous comments. What we are seeing here are the tactics of the Tea Party transferred from the United States and now writ large in the Australian parliament. What we are seeing here are these economic Neanderthals saying that there is no level of debt that we should have to support our economy at a time of crisis. That is what they are saying.

We did go into debt to support our economy at the height of the global financial crisis and its aftermath. The consequence of that has been some of the best economic outcomes seen anywhere in the developed world. When there are 28 million unemployed around the world and unemployment in the United States is well over seven per cent and in the Eurozone it has hit 11.5 per cent, it is simply amazing to sit here in Australia and think that unemployment is 5.4 per cent, particularly after that bout of volatility that occurred in the latter part of last year where half of the advanced economies contracted in the December quarter. That has been the environment we are operating in, and what we have done is run a responsible fiscal policy, with a modest level of debt, to support jobs and growth.
We on this side of the House will never apologise to anyone for putting jobs and growth first for Australians. That is what we are doing: we are putting jobs and growth first in our fiscal framework, which is a commitment to surpluses on average over the economic cycle.

Those opposite like to believe there is not such a thing as an economic cycle, that nothing happens in the global economy, that there are not changes in our economy and that there are not challenges. They come in here with no appreciation of the fact that, in the last quarter of last year, there was a very substantial fall in the terms of trade and our dollar is still through the roof. They do not want to pay any attention to the fact that that has had a substantial impact on revenues over and above the $160 billion worth of revenues that we have lost during the global financial crisis. These economic Neanderthals just want to pretend that has never happened.

I tell you what: you cannot make responsible policy when you are operating like some Tea Party politician from the United States. This fear campaign that they are trying to import to Australia is nothing more and nothing less than economic Neanderthal behaviour—

Mr SWAN: and, if they get elected to government, they will do the same as Campbell Newman: they will get out there and slash and burn when it comes to the social safety net. They will take an axe to jobs. They will never, ever support Australian workers. They will take an axe to jobs and they will go back to Work Choices. There is a very clear choice here. (Time expired)

Mr Danby interjecting—

The SPEAKER: The Treasurer will return to the question.

Mr SWAN: not facing up to the realities and challenges of our modern economy. We on this side of the House will face up to those challenges. We will put in place responsible policies which support job creation and growth. Those opposite are going to follow the Campbell Newman approach. They will have a commission of audit—

The SPEAKER: The Treasurer will return to the question.

Mr SWAN: and, if they get elected to government, they will do the same as Campbell Newman: they will get out there and slash and burn when it comes to the social safety net. They will take an axe to jobs. They will never, ever support Australian workers. They will take an axe to jobs and they will go back to Work Choices. There is a very clear choice here. (Time expired)

Mr Danby interjecting—

The SPEAKER: The member for Melbourne Ports is warned!

DISTINGUISHED VISITORS

The SPEAKER (14:24): Before I call the member for Melbourne, I want to recognise in the gallery today that we have many students attending the National Schools Constitutional Convention. We welcome you to the House. We hope you are learning some valuable lessons from the experience.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Whaling

Mr BANDT (Melbourne) (14:24): My question is to the Attorney-General. Three ships of the anti-whaling fleet and Sea Shepherd docked in Melbourne this morning, but their captain, Paul Watson, has been unable to join them because of the possibility of his arrest. Has the government been asked by the Japanese government or anyone else to arrest the Sea Shepherd captain, Paul Watson, if he comes ashore in Australia? Has a warrant been issued for his arrest? Can the government give the Australian people an assurance that no action will be taken against Mr Watson if he comes ashore?

Mr DREYFUS (Isaacs—Attorney-General and Minister for Emergency Management) (14:25): I thank the member for Melbourne for his question. A person can only be arrested for extradition purposes if
Australia has received an extradition request and a valid Australian arrest warrant is in place. It is a longstanding Australian government policy, honoured by both sides of this House, not to disclose whether Australia has received an extradition request from another country.

I cannot comment on hypothetical cases, but I can tell the House that, in making decisions on extradition requests from other countries, the Australian government reaches its own conclusions on the appropriateness of granting those requests. In making these decisions, thorough consideration is given to our domestic and international legal obligations and all of the relevant circumstances of the case.

That said, I can confirm that Mr Watson is not subject to any arrest warrant under Australian government jurisdiction—and I would say this also: the position of our government on whaling is very clear. We have initiated proceedings against Japan in the International Court of Justice, seeking to bring to an end Japanese whaling in the Southern Ocean. I expect that case to come on for hearing later this year.

In relation to the other matters raised by the member for Melbourne, the Australian government does not provide assurances about whether a person will be subject to extradition proceedings either now or in the future. But, as I have made clear, a person cannot be extradited from Australia in the absence of an Australian warrant and the approval of the Australian government. In making decisions on requests for arrest warrants to be issued, the Australian government reaches its own conclusions about the appropriateness of granting such requests, and they are based on our legal obligations.

Pensions and Benefits

Mr SYMON (Deakin) (14:27): My question is to the Treasurer. How is the government delivering new support for senior Australians in an economically responsible way? How does this build on the government's record?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:27): I thank the member for Deakin for that question, because the government are very proud of the support that we are providing to senior Australians. We do understand the importance of cost-of-living pressures for many retirees and people living on the pension. We are also very proud to have delivered the largest increase in the age pension in over 100 years. We did that in an economically responsible way, but it was something that those opposite could not deliver over 12 years in office. We made room in our budget; we changed our priorities because senior Australians were our priority. Of course, we are now seeing increases to the maximum rate again of $35.80 a fortnight for single pensioners and $54 a fortnight for pensioner couples. Building on those big reforms of September 2009, the pension has increased by more than $200 a fortnight.

It is not just what we are doing with the pension; it is also what we have done with the tax-free threshold. This is of enormous benefit to many seniors and self-funded retirees—people on relatively low incomes. It delivers a huge benefit to part pensioners and also some self-funded retirees. It really ought to be remarked upon: this has been a fundamental reform not just in terms of workforce participation for many low-paid workers but for many low-paid retirees as well—a very significant benefit.

Of course, you do see a very stark contrast between what this side of the House has
done and what the other side of the House are about to do. They are about to get stuck into the pensioners yet again, because that is in the Liberal Party DNA. What they want to do is rip away $350 a year from single pensioners and $530 a year from pensioner couples. That is $1 billion a year from older Australians and it is deeply irresponsible, but that is the policy of those opposite. But you can only put in place these policies if you put in place a responsible economic policy. If you have got a medium-term fiscal strategy that you adhere to, if you put in place the very big reforms to ensure prosperity tomorrow, if you put in place the policies that deal with the ageing of the population, all these things are possible. But of course those opposite are following the Newman principle—they have got this commission of audit. That commission of audit is only about hiding the truth, not bringing out the truth, because the truth is that, given their $70 billion hole in their budget bottom line, it is going to be pensioners and many other people on low incomes and many workers who are going to lose their jobs if they are in office.

Minister for Broadband, Communications and the Digital Economy

Mr Turnbull (Wentworth) (14:30): My question is to the Prime Minister. I remind her that her Minister for Broadband, Communications and the Digital Economy has presided over a $4.7 billion broadband tender that collapsed, a National Broadband Network that promised to pass 1.3 million premises by 30 June this year and is unlikely to reach even 15 per cent of that number, a compulsory internet filter that was abandoned, an Australia Network tender that was sabotaged and now a media regulation proposal that has crippled the government. Does she still have confidence in the minister?

Ms Gillard (Lalor—Prime Minister) (14:30): The answer to the member's question is, yes, of course I do. And the answer to the member's question is, yes, it is only this side of politics that has a vision and a plan so that our nation has broadband around the country and we can seize the jobs of the future and the productivity benefits for the future and we can deliver services in new ways.

Let us not forget the performance of the opposition at the last election, when the Leader of the Opposition seemed to believe that the only reason people would ever want broadband is that they would want to download movies faster. That was the limit of his understanding about the world of new technology and the world in which we have to shape our nation's future.

What we understand on this side of the parliament and what the Minister for Broadband, Communications and the Digital Economy is in the lead of for this nation is ensuring that we have the infrastructure for this century that our nation needs. It is impossible to imagine us being a strong, productive economy in the future if other nations have the benefit of broadband and we do not—impossible. It is impossible to imagine us having those jobs and that prosperity.

It is also wrong to deny pensioners, to deny people in their homes, to deny students who want to learn, the benefits that come from the services that can be delivered across broadband. I want our children to get a world-leading education. That will be impossible if other children around the world have the benefit of learning through broadband and our children do not. I want our older Australians to have the benefit of the state-of-the-art technology that enables
them to stay in their homes longer, with their medical conditions and welfare appropriately monitored through the National Broadband Network. I want regional Australia to no longer feel the tyranny of distance but for businesses in country towns around our nation to be able to compete with businesses around the world in the same way in which they could if they were in Melbourne, Sydney or Brisbane's CBD.

This is the vision of broadband for the future. Because the opposition has had so many—the number is in the dozens—failed broadband policies, I can understand why the member for Wentworth comes into this place absolutely unable to argue the merits and so he intends instead to attack the person. On this side of politics, we will get on with the job of rolling out broadband, because I want our future to be one of strength and prosperity. Unfortunately, that vision is not shared by the opposition.

Mr TURNBULL (Wentworth) (14:33): Speaker, I ask a supplementary question. In the light of the Prime Minister's glowing endorsement, can she assure the House that she regards the minister as having, like all of her colleagues, including the member for Griffith, her very best interests at heart?

The SPEAKER: The question is out of order. I have a vague feeling that the member for Wentworth was expecting that.

QUESTIONS WITHOUT NOTICE

Mr CHIESEMAN (Corangamite) (14:34): My question is to the Minister for Immigration and Citizenship. Will the minister update the House about the government's efforts to ensure that 457 visas are not being used to undermine workers and to ensure that they are only being used for acute skill shortages?

Mr BRENDAN O'CONNOR (Gorton—Minister for Immigration and Citizenship) (14:35): I thank the member for Corangamite for his very important question and his ongoing support for workers in his region, the Geelong region. It is important that we get this right. It is important that we put in place protections for workers in all regions of this country. I note that in November last year the then Premier of Victoria, Ted Baillieu, wrote to my predecessor, Minister Bowen, seeking a change to the draft guidelines for regional migration agreements that would allow them to apply to both Bendigo and Geelong. Currently the guidelines outline that such an agreement ‘will facilitate labour flows to regional areas where there are acute skill shortages and, in particular, regions that are isolated from large populations and do not have local skills’. In those circumstances, under the draft guidelines, I could understand the proposition. But Geelong and Bendigo are not remote areas and nor do they have, in the broad sense, acute skill shortages. They still have the possibility to use the 457 visa legitimately with applications, but this approach would be very, very dangerous for the opportunities for workers and trainees and apprentices in these areas. Moreover, Geelong and Bendigo have an unemployment figure that is higher than the national employment average.

Honourable members: Hear, hear!
What the Victorian government is effectively saying by writing to the Commonwealth is, 'We want to make it easier to bring in hundreds, if not thousands, of overseas workers to take jobs in this region before we provide opportunities to those that live in that region.' The very same government, of course, announced cuts to training and TAFE places, so we have the situation where we have a Victorian Liberal government looking to cut spending in training in a region and at the same time requesting the federal government provide them with a new arrangement to open up the 457 scheme to apply in a way that does not operate in the conventional sense. That is a recipe for disaster. That is a lethal cocktail that will actually cause problems for workers who deserve the first opportunities in Geelong and, indeed, in Bendigo. It will indeed reduce the chances of young people getting training and therefore skills, because of the cuts, and deny them opportunities.

That is bad enough. But we have as well a federal opposition that has announced that they will remove the protections currently in place for the 457 scheme. They have also said that they want to restore access and bring it back to the way in which it was used under the Howard government. It will perfectly fine then.

That is not the case. If you remove those protections, if you allow Victorian Liberal state governments to continue to cut training places and TAFE budgets, you will see too many young people missing out and too many workers missing out on genuine opportunities to get a decent job.

**Independent Members of Parliament: Legal Fees**

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (14:38): My question is to the Prime Minister. Has the Prime Minister, or any member of her ministry or staff, held discussions during the past week with any of the Independent members of parliament regarding legal fees they are incurring in current court cases?

Ms GILLARD (Lalor—Prime Minister) (14:38): I can certainly say I personally have spoken to the Independents—a number of them—during the course of the week about a range of matters. I see them regularly. They raise electorate matters with me. For example, the member for New England raises electorate matters with me, and there have been some interesting events in his electorate overnight so I am sure they will come in for some discussion as well. I have not had anybody raise with me the topic the Deputy Leader of the Opposition refers to.

**Carbon Pricing**

Mr NEUMANN (Blair) (14:39): My question is to the Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency. Will the minister update the House on the Household Assistance Package for pensioners and working people in respect of the carbon price? How have these changes contained in the package to income tax and pensions been received by the community?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (14:39): I thank the member for Blair for his question, because the government, in implementing the carbon price, has done it in an economically responsible way, a way that is environmentally effective and that is socially fair. The Household Assistance Package that is funded from the carbon price features a number of elements, one of which is the Clean Energy Supplement that commences for pensioners today.

As we have heard from the Prime Minister and my colleague ministers in question time, the new Clean Energy Supplement, starting
today, paid alongside the age pension, is worth an extra $13.50 per fortnight for single pensioners and $20.40 a fortnight for couples combined. I want to stress to pensioners around the country that those extra payments are permanent and they will increase over time—entirely contrary to the position that was advocated by the Leader of the Opposition, repeatedly, in a deceitful way, to pensioners over many months. Those payments are permanent and will increase over time. And the only risk to that is the coalition, because the coalition is committed to taking those things off pensioners. Their position is to get rid of those payments.

The clean energy supplements that I refer to come on top of historic reforms to the pension that are classic Labor reforms to help people who need help the most in the community. All up, a single pensioner today is receiving $207 more per fortnight than they did in September 2009 when we made significant changes. This is a massive assistance to pensioners around the country trying to cope with the cost of living. It is a massive help to people.

As Westpac said last December, the carbon price, in fact, contrary to all the rubbish put about by the Leader of the Opposition, has had no lasting impact on the CPI, and a minimal impact compared to the introduction of the GST by the coalition. It is all in stark contrast to all of the ridiculous and ludicrous prophecies made by the coalition and its leader, the member for Warringah. When you look at the facts again, the CPI is at the bottom end of the RBA target range and stands at 2.2 per cent.

The opposition leader has done nothing but try to harvest votes by spreading fear amongst pensioners and other members of the community in a completely gutless performance—a totally disreputable performance. Their policy position, make no mistake, is to take this money off pensioners, just as it is to take money off seven million taxpayers by cutting the tax-free threshold.

**Asylum Seekers**

Mr MORRISON (Cook) (14:42): My question is to the Prime Minister. I refer to the fact that this week three boats carrying almost 200 people illegally arrived in the space of 24 hours, and that so far in 2013 illegal boat arrivals are running at 1,000 more than this time last year. Prime Minister, why is this government at war with itself rather than at war with the people smugglers, and why are you trying to protect your own job rather than protect our borders?

*Mr Perrett interjecting—*

The SPEAKER: The member for Moreton is warned.

Ms GILLARD (Lalor—Prime Minister) (14:43): To the member who asked the question: No. 1, he came into this parliament and voted for more boats; No. 2, this government will always take the steps necessary to protect our borders, and we do. We, in doing that, sought advice from three experts: the former chief of the Defence Force, who will know more about protecting the national security of this nation, more in his little finger, than the member who asked the question ever will across the whole of his working life; we received advice from the former chief of the Defence Force. We received advice from a refugee expert. We received advice from a highly respected foreign affairs professional, Michael L'Estrange. And we, on this side of the parliament, said, 'Let's enact that advice.'

The member who asked the question, along with his colleagues, voted to see more boats because they thought that was in their political interest. And, having voted to see more boats, they are now in this overwhelming chaos about what to do or say next. So we have the Leader of the
Opposition out there saying to the Australian people that if he is ever elected he will stop all of the boats in a number of months—he has given estimates of a number of months. Then the member who asked the question more wisely says, 'Well, you know, well, it might be, well, you know, sometime, sometime, sometime'. They are in chaos on that side of the parliament, because they know that, between the Leader of the Opposition and the shadow minister, they have no coherent policy on refugee and asylum seeker issues, and no coherent policy on protecting our borders.

Instead, what they do is go around using terminology designed to incite fear. Just like for carbon pricing, this is a disreputable tactic which reflects very badly on the Leader of the Opposition. And we know that the tactics of the shadow minister have been so nauseating that even his own backbenchers stood up and said that they cannot stand them.

Mr Morrison: What does your backbench think of you?

The SPEAKER: The member for Mayo was advised earlier. It wasn't him? My apologies. I will give him the benefit of the doubt but if whoever it was—

Mr Morrison: It was me. I'd like to know what her backbench thinks of her.

The SPEAKER: The member for Cook can now leave the chamber under standing order 94(a), instead. I will at least give him credit for owning up to it.

The member for Cook then left the chamber.

Charter of the Commonwealth

Mr HAYES (Fowler) (14:45): My question is to the Prime Minister. Will the Prime Minister update the House on the Charter of the Commonwealth.

Ms GILLARD (Lalor—Prime Minister) (14:46): I thank the member for Fowler for his question. He asked me to make some comments about the Commonwealth, and I have the Commonwealth charter to table today. Today's Commonwealth is diverse and it is multifaceted. It brings together two billion people living in 54 countries, spanning all continents and major religions. From its inception the Commonwealth has been underpinned and sustained by the aspirations of its people for democratic governance, tolerance of diversity and respect for human rights. Now, for the first time in its history, the Commonwealth has a document which reflects the Commonwealth spirit—a single statement signed by Her Majesty the Queen setting out Commonwealth core values.

This charter was a recommendation of the Eminent Persons Group, whose report was presented to Commonwealth heads of government in Perth in 2011. I would like to take this opportunity to thank Australia's representative on that Eminent Persons Group, Mr Michael Kirby, for his personal commitment to securing support for this charter. I would like to thank the foreign minister, Senator Carr, and the former foreign minister Kevin Rudd for their work in seeing the charter through to its drafting and adoption.

The challenge now for all Commonwealth members is to promote and uphold the values set out in this charter. The future strength and unity of the Commonwealth depends on this.

As I table this charter today we also pay tribute to the distinguished service of Queen Elizabeth as Head of the Commonwealth over these many decades. The institution of the Head of the Commonwealth, standing as it does above individual governments, has been an asset of the Commonwealth since its
foundation, and we need not be reticent about its future. For Australia's part, I am sure the Queen's successor as monarch will one day serve as Head of the Commonwealth with the same distinction as Her Majesty has done.

Speaker, today I present the Charter of the Commonwealth—an important achievement of Australia's term as Commonwealth chair in office—which has now been brought to fruition.

Asylum Seekers

Mr Pyne (Sturt—Manager of Opposition Business) (14:48): My question is to the Prime Minister. How many boats carrying unauthorised arrivals have arrived in the last week? Given that people smugglers are getting more done than this government, when will the Prime Minister stop counting votes and start stopping the boats?

Member for Bass interjecting—

The SPEAKER: The member for Bass will leave the chamber under standing order 94(a).

The member for Bass then left the chamber.

Ms GILLARD (Lalor—Prime Minister) (14:49): As the member who asked the question well knows, the government is implementing the recommendations of the Houston review, to deal with refugee and asylum seeker issues, as the opposition continues with its relentless negativity, opposing the recommendations of those very eminent Australians. And whenever they are asked how they will vote on these recommendations they effectively say that they will vote for more boats to come to our country. So if the member is genuinely concerned about asylum seeker boats then he could use his voice in this parliament—

Mr Pyne: Speaker, I rise on a point of order with respect to relevance. Rather than a filibuster, could the Prime Minister just tell us how many boats have arrived in the last week.

The SPEAKER: The Manager of Opposition Business will resume his seat. The Prime Minister has the call.

Ms GILLARD: As I was saying, the member who asked the question could use his voice and his vote in this parliament to send a clear signal to people smugglers. Instead, he has gone for the naked political advantage of wanting to see more boats.

Child Care

Ms SMYTH (La Trobe) (14:50): My question is to the Minister for Early Childhood and Child Care. Will the minister update the House on the government's childcare reforms. Minister, what benefits have they delivered for Australian families?

Ms KATE ELLIS (Adelaide—Minister for Employment Participation and Minister for Early Childhood and Childcare) (14:50): I thank the member for La Trobe for her question and also for her support and advocacy in this really important area. Like me, she knows that our government has worked hard to introduce real reforms, new programs and increased investment in the vital early childhood education and care sector. We know that this is providing real support for Australian families.

On affordability, for example, we are proud to be providing record levels of financial assistance for parents to assist them with the cost of their childcare fees. We increased the childcare rebate from 30 per cent to 50 per cent. We increased the cap on that rebate from $4,354, as it sat under those opposite, up to $7,500 per child per year. And we know that this is having a real impact.
We know that the percentage of disposable income that an average family on $75,000 was spending on their childcare fees a year has reduced from some 13 per cent of disposable income under those opposite to just eight per cent now. Of course, that does not mean it is always easy but it does mean that this government has delivered real results in lightening the load on Australian parents. We also know that if the childcare rebate had stayed at the rate that it was at under those opposite, these very same families would be $1,787 worse off each and every year.

Since our efforts to increase the affordability of care we have seen a massive 20 per cent increase in demand in the sector. We have also seen such growth that there are now over 1.3 million children in Australian early childhood education and care each and every year. It has been expanding at a rapid rate as a result of our affordability increases.

But, of course, we have taken action not just on affordability but also on accessibility. We have overseen a huge expansion in the number of services and the number of places. On flexibility, we have announced trials looking at new ways that we can match up care solutions with workplace practices. On quality, just yesterday we had the opportunity to announce a $300 million Early Years Quality Fund. All of this combines to ensure that we will be spending over $23 billion over the next four years, because we know how critical this is for modern families, unlike those opposite who were spending less than a third of that in their last four years of government.

What we are seeing here is real plans, costed policies and meaningful action from our government, which stands in stark contrast to the risk that Australian families would face if those opposite were ever elected. The opposition have announced that all of these programs, all of the assistance, all of the investment, would be up for review after the election. All of this is at risk of being taken away from Australian families that rely on this vital support.

**Carbon Pricing**

Mr TRUSS (Wide Bay—Leader of The Nationals) (14:53): My question is to the Treasurer. I remind the Treasurer that the average European carbon price forecast for 2016 is currently less than $10.50 a tonne. Given that the government is budgeting to raise $9.4 billion just from the sale of permits that year, based on a price of $29 a tonne, will the Treasury rule out increasing taxes on superannuation to make up the shortfall?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:54): I wonder where Richard Torbay has got to! I have been asked a question by the Leader of the National Party about carbon pricing, which I find slightly ironic given that those opposite do not believe in carbon pricing. They certainly do not believe in an international price for carbon. So let's just dispense with that hypocrisy. Those opposite are people who will sell this country right down the drain by taking carbon pricing out of our system, which is going to deliver to this country an economic prosperity for decades to come, because you cannot be a first-class, First World economy in the 21st century unless you are efficient in the way in which you use carbon and the way in which you price it. So we on this side of the House make absolutely no apology for putting in place this very, very important reform.

As the member knows, carbon prices depend on a range of factors, including global action and broader economic conditions, and of course there has been variance in the international price and the European price over time. International...
carbon prices in the four years to July 2011 traded at a range of $14 to $50. We will do what those opposite never do: we will update our budget in the normal way in May within the Charter of Budget Honesty. Those opposite have repudiated the Peter Costello Charter of Budget Honesty. They have not in five years presented one costed and funded policy before this parliament. However, after the last election they were found to have, after they ignored the Charter of Budget Honesty, an $11 billion hole in their budget bottom line, and they have got the hide to come in here and ask about fiscal responsibility and budgeting.

The fact is that those opposite have got at least a $70 billion hole in their budget bottom line and they have a plan to slash and burn when it comes to health and education, just like Campbell Newman did. And they want to use the same approach as the LNP in Queensland. They will have a commission of audit, they will hide the truth from the people, they will go to the election and, if they are elected, suddenly the commission of audit will appear, run by someone like Peter Costello, and the next thing you know is that billions and billions of dollars are cut from health and education, and jobs are down the drain.

**Pensions and Benefits**

Mr GEORGANAS (Hindmarsh—Second Deputy Speaker) (14:56): My question goes to the Minister for Mental Health and Ageing. Given the pension increase is happening today, can the minister outline what other support the government is providing to older Australians?

Mr BUTLER (Port Adelaide—Minister for Mental Health and Ageing, Minister for Housing and Homelessness, Minister for Social Inclusion and Minister Assisting the Prime Minister on Mental Health Reform) (14:57): I thank the member for Hindmarsh for his question. He represents one of the oldest and therefore one of the wisest electorates in this place. This is a great day for Australia's 3.5 million pensioners, including 330,000 pensioners in South Australia. About one in five South Australians today are receiving an increase: if they are a maximum-rate single pensioner it is an increase of about $35.80 per fortnight, or $54 for pensioner couples.

This government's pension reforms have made a very real difference to the financial circumstances of Australia's pensioners. The biggest ever increase in the pension was steered through by the Minister for Families and Communities in 2009—there were new indexation arrangements that reflect the real-life circumstances of Australia's pensioners—and the clean energy supplement was introduced and steered through by the minister for climate change. Because of these, the maximum-rate single pensioner is now $5,300 better off than they were only 3½ years ago—more than $100 per week. In South Australia, the 30,000 pensioners who live in public housing can also rest assured that they will be able to keep every single dollar of their clean energy supplement. To their shame, the governments of New South Wales, Queensland and Victoria have refused to give the same assurance to their public-housing-tenant pensioners. Instead, they will gouge 25 per cent of that clean energy supplement and plough it into their own Treasury coffers.

I am pleased to say that, in addition to keeping a close eye on cost-of-living pressures for older Australians, this government is acting to make sure that older Australians have as much choice and as much information about their age care and support options as is possible. Later today, or perhaps tomorrow, this House will debate five bills that incorporate the government's
substantial aged-care reform package, Living Longer Living Better—the most substantial reforms to our aged-care system in almost 30 years. I am pleased to say to the House that there is very strong support from the aged-care sector and from the broader community for those bills to pass the House this week in order to allow those bills to be considered in the other place, including by way of a Senate inquiry.

I thank the member for Hindmarsh for his ongoing advocacy and support of pension reform and of aged-care reform. I also thank other members across the chamber who have shown a deep interest, over the last couple of years, in building a better aged-care system for Australia's future.

**Carbon Pricing**

Mr HUNT (Flinders) (15:00): My question is to the Minister for Climate Change and Energy Efficiency. I refer the minister to his answer in question time yesterday regarding AJ Bush & Sons, in which he stated that the carbon price is: … cutting their electricity bill in half.

Will the minister confirm that the carbon tax actually increased the liability of AJ Bush & Sons by up to $1.4 million all up and that the government had to bail them out with a $6 million direct grant?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (15:01): I thank the shadow minister for his question. What a load of misrepresentative garbage, as usual, from the coalition! What absolute rubbish! The AJ Bush & Sons facility is a liable entity under the carbon price. Out of the carbon price revenue, the government established a number of programs, one of which is the Clean Technology Investment Program. There are particular funds for the food processing sector. What a difference it is making to facilities in the meat industry in particular! We have spent a lot of time discussing the meat processing sector with players in the industry, working with them on the issues. With the application of simple technologies, which I have outlined on a number of occasions in question time—including the covering of settlement ponds to capture methane gas and the installation of remote-site electricity generation capacity—they are not only able to reduce—

Mr Randall interjecting—

The SPEAKER: The member for Canning is warned.

Mr Hunt: Speaker, a point of order on relevance: the question was whether or not there was a $6 million grant.

The SPEAKER: The member for Flinders will resume his seat.

Mr COMBET: The grant of course has been publicly announced—quite some time ago, in fact. The shadow minister has really achieved something. He has found a press release which announces it. So I am not quite sure why he is asking.

We have worked with that industry and, by capturing their methane emissions and installing remote-site electricity generation capacity, they can reduce their emissions significantly. Some of the facilities eliminate their carbon price liability altogether, while others significantly reduce their carbon price liability. They can generate electricity, which they can then supply to their own facility. Some meat processing facilities not only supply all their own energy but sell some into the electricity grid and gain another source of revenue. Others are investing in different technologies and are finding, as the manager of the AJ Bush & Sons facility at Bromelton has found, that the carbon price is an important incentive which has a positive environmental outcome, a positive commercial outcome and makes them more
competitive. Businesses, with the assistance of government working with them through the Clean Technology Investment program, are achieving those important outcomes. Why on earth would you oppose that?

We have introduced a reform which is demonstrably economically responsible, environmentally effective and socially fair, yet all the other side of politics can do is deceive, misrepresent and run the most mendacious campaign we have ever seen. They are creating uncertainty for the business sector and uncertainty for investors in renewable energy. They are a complete farce on this issue.

Mr Hunt: I seek leave to table the minister's announcement of a $6 million grant to AJ Bush & Sons.

Mr Albanese: I think the minister's got it.

Leave not granted.

Mr Pyne: Speaker, a point of order: the minister is required to say either yes or no, not to make a comment, saying, 'I think the minister's got it'. He needs to come back to the dispatch box and—

The SPEAKER: The Manager of Opposition Business will resume his seat. When people take points of order, they are not meant to enter debate.

Pensions and Benefits

Ms SAFFIN (Page—Government Whip) (15:05): My question is to the Minister for Community Services, Minister for Indigenous Employment and Economic Development and Minister for the Status of Women. How will the government's pension increases, which are coming into effect today, help older Australian women?

Ms COLLINS (Franklin—Minister for Community Services, Minister for the Status of Women and Minister for Indigenous Employment and Economic Development) (15:05): I thank the member for Page for her important question. This government is delivering for Australian pensioners because we know pensioners have very little room to move in their budgets. Since September 2009, our pension reforms have delivered an annual increase of $5,380 for single pensioners on the maximum rate. This is important because women make up 55 per cent of the 2.3 million age pensioners and 70 per cent of all single age pensioners in Australia today are women.

Unfortunately, older women in Australia are, on the whole, more vulnerable, having had lower incomes over their working lives and therefore, in retirement, having lower superannuation and fewer assets than men. Our government's latest increases include the clean energy supplement, as we have heard today, and the six-monthly increase. Because of our reforms, pensions are now increased twice a year to keep pace with the cost of living.

Labor will always stand up for Australian pensioners and Labor will always stand up for Australian women. These pension reforms are in addition to other government reforms which are changing the lives of Australian women today, including our reforms to the Equal Opportunity for Women in the Workplace Act to remove barriers to women's workforce participation, to promote pay equity and to increase workplace flexibility; our introduction of Australia's first ever paid parental leave scheme; our reforms to make quality child care more affordable and accessible, which we have just heard more about; and our Fair Work Australia reforms, which led to the historic equal pay case. And then there are our changes to superannuation to boost the retirement savings of women. These include tax concessions to low-income workers with salaries up to $37,000. There are 3.6 million lower-income Australians, and a large
proportion of these, 2.1 million, are women. These pension reforms are the most significant reforms since Labor introduced the age pension more than 100 years ago.

This government has a plan for fairness for Australian women during their working lives and in their retirement. This is in stark contrast to the Liberals, who we have heard want to wreck the pension and make it harder for pensioners to meet their bills. They have said they will axe the government's household assistance package, clawing back more than $1 billion in extra support that Labor is delivering to pensioners. We know those opposite—

Mrs Bronwyn Bishop: Speaker, I rise on a point of order. The House of Representatives Practice makes it quite clear that to comment on opposition policies in that manner is out of order. She ought to be told to sit down or return to the subject of the question.

Ms COLLINS: They have said that they are going to undo our price on carbon and that includes all the tax concessions and tax cuts that have been delivered and the increases to pensions and family payments that have occurred. We know that those opposite would have every single pensioner in Australia—as I said, 70 per cent of single age pensioners are women—lose more than $350 a year. Every pensioner couple would lose $530 a year under those opposite. The Liberals have a plan of secret cuts to pensions and jobs—(Time expired)

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

The SPEAKER: Before everybody leaves, could we all wish Luch a happy birthday. Luch does us an amazing service and we do want to wish him well on this special day.

Honourable members: Hear, hear!

DOCUMENTS
Presentation

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:09):

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

That the House take note of the following documents:

Migration Act 1958—Section 486O—Assessment of detention arrangements—2012-2013 Personal identifiers 796/12, 799/12, 810/12, 816/12, 817/12, 828/12, 830-832/12, 838/12, 842/12, 843/12, 849/12, 859/12, 861/12, 867/12, 870/12, 875/12, 876/12, 947/12, 960/12, 968/12, 969/12, 973/12, 983/12, 1012/12, 1020/12, 1041/12, 1045/12, 1053/12, 1055/12, 1057-1059/12, 1062/12, 1064/12, 1073-1100/12, 1106/12, 1118/12, 1128/13, 1149/13—Commonwealth and Immigration Ombudsman’s reports.

Government response to Ombudsman’s reports.

Debate adjourned.

MATTERS OF PUBLIC IMPORTANCE
Gillard Government

The SPEAKER (15:09): I have received a letter from the honourable Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The urgent need for stable government focused on the needs of all Australians.

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

More than the number of members required by the standing orders having risen in their places—
Mr ABBOTT (Warringah—Leader of the Opposition) (15:10): Today in question time we saw the sad, shrill spectacle of a government at war with itself and the spectacle of a Prime Minister who has always been much more effective as an alternative opposition leader than she has been as a real Prime Minister of this country.

It does not have to be like this. Our country can be better because we can have a better and more competent government. As an example of the kinds of things that can happen, I want to point to something that happened in this very parliament building when both sides of politics came together to pay tribute to Andrew Forrest and Warren Mundine for their work in securing 60,000 guaranteed jobs for Indigenous Australians. I am pleased to have the opportunity to pay tribute to Andrew Forrest in this parliament because: hasn't he been defamed by ministers of the Crown in this place far too often? I am pleased to pay tribute in this place to Warren Mundine, a great Australian who has been backstabbed too often by members opposite despite the fact that he is a former National President of the Australian Labor Party.

What happened in the Mural Hall in this parliament was that members of this place came together to do some good in a way that would have made Australians proud—to improve the lives of some of the most disadvantaged people in Australia, ensuring that kids go to school and adults go to work. It might be too much to hope for Australians more regularly to feel more proud of their parliament because we are no respecters of authority in this country, but we can be more proud in the future than we are right now. It might be too much to hope for Australians to be inspired by politicians because we look to ourselves, we look to our communities, we look to our families for inspiration, not normally our members of parliament. But we should at least be able to look at the government of this country for competence and trustworthiness. The tragedy is that we have an incompetent and untrustworthy government in this place right now.

I want to share with the House a quote, which I think everyone will find constructive. The quote runs:
The last week has seen us, the men and women of the Labor Party, focussed inwards... At times it's been ugly. I understand that. But as a result, Australians have had a gut-full of seeing us focus on ourselves.

That is not a quote from me. That is not quote from the Deputy Leader of the Opposition or the Leader of the National Party. It is a quote from the Prime Minister, Julia Gillard, on 27 February last year. One year on, exactly the same thing is happening again. Here is another quote:
And the problem for the Prime Minister and this government is that it is ultimately not them who pay the price of this instability; it is Australian families. They cease to govern, they cease to deliver, they cease to develop plans for the future—and it is Australian working families who pay that price.

That was not me yesterday, not the Deputy Leader of the Opposition the day before but the current Prime Minister on 13 September 2007.

Well, haven't things changed for her?

Now we have this government in crisis, in chaos, absorbed with its own troubles, at war with itself. And while the government is focused on itself and its internal wars rather than a difficult budget at a difficult time, the people of Australia are suffering.

This is a bad government, a truly bad government. I used to think that it was the worst government since Whitlam, but that is very unfair to Gough Whitlam, who never sold his soul to the Greens and never lost his principles or his ideals. This is a government that has been monumentally incompetent. On
borders: remember the Prime Minister just a few years ago, when she was the shadow minister for immigration; she used to put out press releases—'Another boat. Another policy failure'. She did not put them out very often under the former government, but she would have had to have put out three in the last 24 hours under her own government.

Then of course there is the live-cattle fiasco, which put at risk our relationship with Indonesia—perhaps, in some respects, the most important relationship we have—because this was a government that panicked in the face of a television program. There is the National Broadband Network—way over budget, way behind schedule. Until recently, it had more paid staff than it had paying customers. Then of course there is the mining tax. What an extraordinary exercise in ineptitude: the first tax in the history of the Commonwealth that actually does not raise any money. It damages jobs and damages confidence without raising any money.

This is a government that is not just incompetent; it is addicted to waste. There were the school halls, at double the standard price; there were the set-top boxes, at triple the price Harvey Norman would have charged. And, of course, the one thing we will get out of the so-called media reforms this week is yet another new bureaucracy, one of dozens that this government has established. It is incompetent, it is wasteful, it is deceptive.

No Australian will ever forget that phrase that will haunt this government and this Prime Minister to its political grave: 'There will be no carbon tax under the government I lead'. But that is not the only phrase that will haunt this government. On some 160 separate occasions the Prime Minister said, 'No ifs, no buts: it will happen'—the celebrated surplus, the surplus of which the Treasurer said on some 350 separate occasions, 'It will come; come hell or high water—it will come.' Well, they are going through hell, we have had high water and we still do not have a surplus—and we never will under this government.

There is the lack of integrity. The member for Denison can testify to the lack of integrity of this government. The Prime Minister made promises to him; solemn promises in writing—it was almost a legal contract: abandoned, as soon as it suited the Prime Minister's political purposes. You know yourself, Speaker, of the squalid deals that have been done over the speakership—the betrayal of a very fine Speaker of this parliament, the member for Scullin, because it served the political interests of the Prime Minister to do a squalid deal with another member. There is the member for Dobell, for whom the Prime Minister ran a protection racket, day in, day out, week in, week out, month in, month out—until finally it served her political purposes to abandon him. Then of course there was perhaps the ultimate indication of the complete lack of integrity of this government and this Prime Minister: the Australia Day riot, orchestrated from inside her own office.

Then there is the failure of this government to uphold decent Labor values. And I speak as someone who respects the Labor Party as it has traditionally been—the Labor Party that honestly does try to do the right thing by the decent, honest workers of this country; the Labor Party that used to say, in Ben Chifley's resonant phrase, 'We are working towards a light on the hill, working for the betterment of mankind; not just here but wherever we can lend a helping hand.' How those days have gone.

We have had the attack on the former Prime Minister, the member for Griffith—the carpet bombing of the member for Griffith by ministers of the Crown in this
government, against the person who until recently had been their own leader. There was the attack on foreign workers, from a party that, at least in recent times, claimed to stand up for people coming to this country from the four corners of the earth and making a home here. Now we have a government that turns a blind eye to people coming to this country illegally by boat, and going on welfare, and for its own political purposes demonises people coming legally to this country and working and contributing from day one—fine potential Australians, demonised by this government.

Then of course we have another extraordinary phrase from the Prime Minister, uttered in this parliament this week: 'Let's hear no sanctimonious nonsense about free speech.' What an extraordinary thing to be said by a Prime Minister of this country.

There is a better way. There are specific plans to give this country a strong and prosperous economy for a safe and secure future. The coalition will abolish the carbon tax, because it is the quickest way to take the pressure off the forgotten families of Australia. We will abolish the mining tax, because it is the quickest way to restore confidence and the investment and jobs that come with confidence. We will fund a tax cut without a carbon tax through dispensing with unnecessary bureaucracies and programs that involve second-guessing other levels of government. We will cut red tape costs by at least $1 billion a year by setting targets for savings and holding public servants accountable for them. We will establish, finally, in an historic move, a fair dinkum paid parental leave scheme that gives the women of this country six months at their real wage to be with their children—that treats paid parental leave as a workplace entitlement, not just a welfare one.

We will stop the boats by restoring the policies that have been proven to work. We will make government more efficient and effective through a once-in-a-decade commission of audit. There will be a level playing field between big and small businesses through a root and branch review of competition policy. We will revitalise Work for the Dole, one of the signature policies of the Howard government. Within 12 months, work will have begun on Melbourne's East West Link and on Sydney's WestConnex. The Midland Highway upgrade and the Brisbane Gateway Motorway extension will be commenced, and before the end of this decade the Pacific Highway will finally be duplicated. It can happen with a good government, a government that is competent and trustworthy.

We will reduce emissions by planting more trees, delivering better soils and using smarter technology. Rather than a carbon tax that just sends jobs overseas, there will be a one-stop shop for environmental approvals. The Australian Building and Construction Commission will be fully restored to improve productivity by $5 billion every year in that troubled industry. There will be the same penalties for union officers and company officials who commit the same offence. There will be, through working with the states and territories, more community controlled public schools and public hospitals. There will be a two-way-street version of the Colombo Plan. Our best will go to Asia, as well as Asia's best coming to this country. There will be no unexpected adverse changes to people's superannuation. There will be no cuts to defence spending, which is now at the lowest level since 1938 as a percentage of GDP. And we will at least maintain spending on medical research.

The people of Australia need to be confident that there is a plan that will bring
about change for the better, a plan that will enable their lives to be safer and more secure than they are under the current government. It is a good plan that will be implemented by a good team. Sixteen members of the shadow cabinet were ministers in a good government which delivered two million more jobs, a 20 per cent boost in real pay and a doubling of the real net wealth of every Australian. Instead, what we now have is a divided and directionless Australian Labor Party waiting for the faceless men to make their move. Fifty years ago tomorrow this immortal photograph of Arthur Calwell and the faceless men was taken. They were gathering 50 years ago tomorrow. They were gathering three years ago on Kevin Rudd. They are about to get rid of the member for Griffith. They are about to get rid of the member for Lalor. Let's get rid of the faceless men and give Australia a good government and a prime minister chosen by the people. I seek leave to table this fabulous photograph. (Time expired)

Leaves not granted.

Mr CLARE (Blaxland—Minister for Home Affairs, Minister for Justice and Cabinet Secretary) (15:25): This is an MPI which is focused on two things. The first is stable government, and the second is the very important issue of focusing on the needs of all Australians. Let me dispense with the first issue of a stable government. The test of stability in this House is what happens on the floor of this chamber. Despite all the negativity which we saw repeated there again by the Leader of the Opposition, this parliament has passed 482 pieces of legislation through the 43rd parliament, and that includes 33 bills this year. So let us dispense with the issue of stability and focus on the important issue of the needs of all Australians, whether they are from Western Sydney or Western Australia or anywhere in between.

It is important that governments focus on the needs of all Australians, and that is what this government has done. More important than anything else is making sure that we build a strong economy and the jobs that come with a strong economy. On this point the facts speak for themselves. This is a government that has now created almost one million jobs. It is a government that has now been in office for a bit over five years, seeing low unemployment, low inflation and low interest rates. The cash rate is now three per cent and has not been lower in half a century. It was three per cent in 1961 and in April 2009. That makes a difference. It makes a difference in my electorate, and it makes a difference right across the country. It means that if somebody has a mortgage of $300,000 they are now paying $5,000 a year less in repayments than they were under the former government. That is what we have done.

Compare that with what is happening overseas: 8.4 million jobs have been lost in the United States, and Europe has reached the point where 23 million people are unemployed. And in Australia we have had a million jobs created. Since we came to government, the Japanese economy has shrunk by around 1½ per cent, the European economy has contracted by almost two per cent, the US economy has grown by just under 2½ per cent and the Australian economy has grown by 13 per cent. That is why, when the rest of the world is in turmoil, Australia has for the first time in our history a AAA credit rating from all three global ratings agencies. If the focus of this debate is on making sure that we govern for all Australians and making sure that we have the interests of all Australians at heart, then a strong economy with almost a million jobs created, in spite of everything else that is happening in the world, is evidence of this
government's focus and this government's commitment.

Off the back of those results you can do things for the people of Australia. A good example of that are the things that we have done to cut income tax. These are figures that are not well known but they are things that we have done and are worth repeating. Because of the changes we have made to the income tax system, someone earning $50,000 a year now pays 20 per cent less income tax than they did when we came to office. Someone who earns $35,000 a year—and there are a lot of those people in my electorate—now pays 40 per cent less income tax. Someone who earns $20,000 a year now pays no income tax at all. That is because of the changes this government has made. It means lower income tax and, because of the changes we have made, it also means higher superannuation for all Australian workers, but most particularly for young people in the workforce now. A 20-year-old person in the workforce today earning $50,000 a year will have an extra $200,000 when they retire, because of the changes we have made to superannuation, boosting superannuation from nine per cent of your income to 12 per cent. It makes a difference for all Australian workers. That is what we are doing in building a strong economy and creating Australian jobs.

We are also focused on making sure we have a better health system. This year we will spend more than $74 billion on health and ageing, compared with the former government's $48 billion. All up, we have delivered over $65 billion in new health spending since we were elected. A good example of what we are doing next is the dental reform package. From next year this will mean children will have access to government subsidised dental care just as they now have eligibility to funded visits from their GP. It means that in an electorate like mine, Blaxland, 30,000 kids and 16,000 families will get access to this for the first time. Right across Australia three million children will have access to subsidised dental care, just like they get access to Medicare now. These are the sorts of things we are doing as a government that will make a difference for the children of this country. We are also establishing the National Disability Insurance Scheme. In time, this will mean that all Australians can rest assured in the unlikely but terrible event that they find themselves facing the difficulties that come with a severe accident and a disability.

We are also focused on making sure that all Australians get access to a great education. This year we will invest more than $13 billion in our schools. The Howard government they spent $8 billion on education. That is why we built and upgraded school facilities right across the country. We built 3,000 libraries, while the former government built 3,000 flag poles. That is why we have delivered 967,000 computers, one for every student from years 9 to 12. The next stage of this is our response to the Gonski report, the most comprehensive report in almost 40 years into the way schools are funded. Gonski found that we need to spend more in our schools, particularly our public schools. In response to that the government will implement the National Plan for School Improvement, which will mean a new way of funding every school, extra specialist teachers in areas such as literacy and numeracy, extra help for schools to improve their results, greater support for students with higher needs, such as those with disabilities and students from low SES backgrounds, and higher standards and extra training for teachers.

If you want another example of this government's focus and commitment to all Australians, there is probably no better
example than the NBN. This means that all Australian homes, schools and businesses will get access to faster and more reliable broadband. It is something that should have been done a long time ago but was neglected under the former government. We are doing it because we are focused on the needs of all Australians.

We are building a stronger economy, creating more Australian jobs, building a stronger health system, building a better education system, and providing big infrastructure projects such as the NBN. That is the approach this government is taking.

Compare that with what the Liberal Party did when they were in government, where they did not govern for all Australians. There is no better example of that than in my neck of the woods in Western Sydney, and there is no better example than in my electorate of Blaxland. When the former government was elected, in 1996, when John Howard became Prime Minister, this is what happened in my electorate. First, they ripped 640 jobs out of the Australian Tax Office by closing down the tax office in Bankstown. Second, they shut the immigration office, which led to the loss of another 90 jobs. They then closed the Australian Hearing service. The neglect was so severe and so obvious that former Prime Minister John Howard did not even visit my electorate, Blaxland, for over 11 years. That shows you just how focused they were on Western Sydney. It is not as if this is an electorate that does not need help.

Under John Howard, my electorate was the mortgage stress capital of Australia. In 2007, after 10 interest rate rises in a row, one family was having their home repossessed every three days. One family was kicked out, locked out and had their keys taken from them every three days. On top of that, they had Work Choices rammed down their throat. And remember what the Prime Minister of the day was saying while all of this was happening: they had never been better off. Ten interest rate rises in a row, houses taken off people left, right and centre, Work Choices cutting incomes, but you have never been better off.

What does the current Leader of the Opposition think about this? What does he think about what was happening in my electorate back then? I remember the debates in this parliament when I was a backbencher, in 2008. We were talking about this. The Leader of the Opposition said that the Howard years were the golden age of compassion. If he thinks that is compassion you can just imagine what he has in store for us if he wins the next election.

This behaviour, what happened to my electorate under the Howard government, is not unusual. We are seeing the same thing happening now in the form of another Liberal government, the state Liberal government in New South Wales. This is what they are doing right now in my electorate and right across New South Wales. They are cutting the guts out of education in Western Sydney and elsewhere. They are cutting the guts out of health services. And just to show—as if it is needed—just how much they really care about Western Sydney, they are moving a toxic waste dump from Hunters Hill to Kemps Creek. That shows you what the Liberal Party is all about. Western Sydney is not their new heartland; it is their new dumping ground. This is where they want to put toxic waste.

If they really cared about Western Sydney the New South Wales Liberal government would not be cutting $1.7 billion out of education. Education is what changes lives, and it changes lives in a place like Western Sydney. It changed my life. I am the first person in my family to finish school and the first person in my family to go to university.
It was public education that gave me that opportunity. We should be investing more in education, not less. As Paul Keating said, education is the key to the kingdom. It matters everywhere. It matters more in a place like Western Sydney than almost anywhere else in the country. Most of the jobs that are going to be created in the next few decades are going to require people to finish school and go on and get TAFE and university qualifications, so we need to boost retention rates and encourage more students to go on to TAFE and to university. Where retention rates are low—like the are in Western Sydney—people are put at an instant disadvantage. This is a challenge in my electorate. It is one that we need to overcome; otherwise, we will just entrench disadvantage.

For years, schools in Western Sydney were underfunded and not properly resourced. This side of the parliament is determined to fix this. The other side of parliament says that the existing funding system is good enough. That of itself should be enough to tell you that the Leader of the Opposition is not focused on the needs of all Australians and does not get Western Sydney. We are hardworking people; we are self-made people. The education system has given us our chance in life. Anyone from Western Sydney understands how important it is to success, how underfunded it has been and how important it is to fix it. The fact that the Liberal Party, led by this Leader of the Opposition, does not understand this tells you everything that you need to know.

Western Sydney is also an expensive place to live. Housing costs are high; average incomes are low. That means that people struggle to make ends meet. It means that things like the Schoolkids Bonus, which means that a family with two kids over the lifetime of their children at school will get an extra $15,000, matter. That $15,000 matters. The opposition say that if they are elected at the next election they will take that $15,000 off Australian families. It means that the increases in the pension matter. It means that the increases in the family payments that we have made really matter.

It means that the changes that we have made to the tax-free threshold really matter. That has now been boosted to $18,000. It means that individuals earning up to $80,000 will see their taxes increase if the Liberal Party is elected, most by $300 a year. That is a lot of money. In total, almost half a million people in Western Sydney will be affected by this. Half a million people in Western Sydney will have their taxes increased, in most cases by up to $300, if the Liberal Party is elected. This tells you everything that you need to know.

The Liberal Party in government cuts jobs, cuts support for families, cuts education and cuts health. They are doing that in government in New South Wales now and promising to do it if they win the next election. That is very different to what this government is doing. We are keeping the economy strong, creating almost a million jobs, investing in health, investing in education, boosting the pension, establishing a National Disability Insurance Scheme, rolling out the NBN and increasing the superannuation of all Australians. That is more than stability; that is a proud record of achievement, a record achieved because of the work of this Prime Minister and this government—and all in spite of the relentless negativity of those opposite.

Mr TRUSS (Wide Bay—Leader of The Nationals) (15:40): 'Chaos' is the perfect word to describe the Gillard government and indeed the one before it. The dictionary describes 'chaos' as 'complete disorder and confusion'. But I think that it could be more simply redefined in just a single word:
'Labor'. This is a government in complete chaos and disorder. The Prime Minister is essentially being hired on an hour-to-hour basis while the sharks circle. The bodies of former leaders float around hoping that they will be resuscitated, and there is a whole line-up of new sharks who hope that they will be the next in line at the feeding trough. This behaviour—on again, off again leadership challenges and caucus meetings—is not the behaviour of a government in control that knows what it is doing. That is not the behaviour of a government with vision and direction; it is chaos, and chaos has been the symbol of this government.

Indeed, you do not have to ask us about the performance of the various leading players in this great leadership battle. You just have to ask those who are going to have a vote in the caucus room whenever it happens. The member for Corangamite said: 'Julia Gillard cannot take us to an election. She'll decimate the party if she does.' One of the alternative leadership candidates said, 'Julia has lost the trust of the Australian people.' That was said by the member for Griffith. One of the other leadership contenders, the minister for the arts, speaking about a fellow contender, Kevin Rudd, said, 'He can't be Prime Minister again, so the question for him is that he has to accept that.' The member for Bendigo tweeted, 'Only a psychopath with a giant ego would line up again after being comprehensively rejected by the overwhelming majority of his colleagues.'

Moving on to the minister for communications, a man who has presided over more chaos and mismanagement than most of his colleagues: his comment about the member for Griffith as a contender was, 'Kevin Rudd had contempt for the cabinet, contempt for the cabinet members, contempt for the caucus, contempt for the parliament.' What sort of leadership credentials does that man have? What about the minister for health, who had enough and decided that she would give it away altogether? She said: 'I think that we need to get out of this idea that Kevin is a messiah who will deliver an election back to us. That is just, I think, fanciful.'

This is the nature of the campaign. This is the attitude of the people who are supposed to be working together to deliver an agenda and a vision for the future for this country that brings prosperity. Australians expect their government to have a plan and to be capable of implementing that plan and ensuring that the plan serves the nation's interest. Is it any wonder that they look at Labor and this government and simply weep?

True to the drama of the self-inflicted chaos that we have come to expect, the Prime Minister has galvanised attention on this year's election some eight months out. And what has she delivered this year? Early in the year, she delivered her 'captain's pick', quashing the right of Labor's grassroots to vote for their own representative in the Northern Territory and parachuting in someone who was not even a member of the party and sacking a veteran of 15 years. Two senior cabinet ministers, both with experience as Attorney-General, pulled the plug. And the member for Fisher and the member for Dobell, upon whose tainted votes the Prime Minister depends, have got into deeper and murkier water. After all of this, when asked at a press conference if these events were a sign of a government in chaos, the Prime Minister herself asked, 'Why on earth would anyone say that?'

The member for Maribyrnong, another one of the contenders for the leadership at the present time, is the one who after being contradicted by the Prime Minister overseas on a policy matter told the media that he did
not actually know what the policy was but that he supported it. He had something further to say on 5 February. When commenting on the Prime Minister announcing the election date, he told Sky News, 'The only thing unusual about that is that she has levelled with the Australian people instead of playing political games.' That would be unusual, indeed—to have this Prime Minister levelling with the people and keeping her promise. Anyone who thinks that the date of 14 September is set in stone should think about the nature of the person who made this commitment.

What else has happened this year? We have had the confirmation that the mining supertax has been a complete flop, raising just $126 million of a promised $2 billion in revenue. But in true Labor tradition it is actually worse than that. If you deduct the administration costs and the company tax offsets, the mining tax actually raised about $40 million. This was the tax that was going to share the proceeds of the boom. The tax has actually made sure we have much less of a boom than we otherwise would have, but it is not collecting the money that Labor promised it would to help the poor and deliver a whole set of new projects. The NDIS and the dental scheme that the previous speaker just spoke about are supposed to be funded by the proceeds of this tax, but it has not got any money. So what is the future for those schemes? You do not have an NDIS unless you have the money to fund it. You do not have a dental scheme unless you have the money to fund it. And this government does not have that money because its mining tax has been such a failure. That even includes the projects that the minister is about to announce for regional development, which are supposed to be funded out of the proceeds of the tax. There is no money there. Anybody who gets an announcement from the minister about having a regional development project in their electorate needs to remember that there is no money there to fund it. This has been so typical of this government's performance.

Now we have their bid to muzzle frank and fearless media coverage. Minister Conroy seems to think that the media should simply act as a proxy for his agenda without any critical assessment. I know that Labor might be used to a pretty compliant media, but in reality the facts are that any attempt to meddle with free speech and freedom of expression will create problems worse than the disease they are trying to cure.

This is a government that is acting irrationally. It is a mess. It has been from the very beginning. The current Prime Minister promised to fix three major policy failures of the Rudd era when she knifed the former Prime Minister in 2010. Those three agenda items that she set for herself were to fix the mining tax, fix asylum seekers and fix climate change. All three are now bigger problems than when she started. We have a carbon tax even though she promised we would not have such a tax. It is hurting families and businesses every day, but it is doing nothing for the environment. We have the mining tax that discourages investment and jobs in Australia but raises no revenue. There are 34,000 more asylum seekers since Labor abandoned control of our borders and no end in sight to the human trafficking. In fact, we have had three boat arrivals in the last 24 hours, as we heard during question time today. As was said earlier in the day, it is high time that Labor stopped counting the votes and started stopping the boats. Only the coalition has a proven plan to stop the boats and scrap the carbon and mining taxes to restore confidence and deliver certainty, investment and jobs, especially in regional Australia.
The Prime Minister wanted to reconnect with the heartland, so she visited Western Sydney. That was her Burke and Wills experience. She headed out into the barren centre of our continent and went as far as Western Sydney! There is probably a dig tree out there somewhere or other with all the relics of the visit. The reality is that during her entire time as Prime Minister she has never chosen to spend a week in regional Australia. She has never bothered to visit provincial cities and regional communities. She went on a big excursion all the way to Western Sydney—and even that proved to be something of a dud.

The people deserve a stable and responsible government that puts the national interest first, that does not pursue backroom deals just so that the Prime Minister of the day can hang on to power. People want a government that will focus on the issues that affect their daily lives. Sometime soon, perhaps on 14 September, they will get the chance to deliver one.

Mr RIPOLL (Oxley—Parliamentary Secretary to the Treasurer) (15:50): There is a great story to be told here about our economy and about jobs because, since we were elected to government in 2007, there have been an additional 920,000 jobs created. That is good news. It is good news for every single one of those people who now have a job. That is the meal ticket. That is the ticket to being able to put your kids through school, buy a home and have a lifestyle. People talk about the cost of living. Yes, we acknowledge that. We have done a whole range of things to reduce the pressures of the costs of living. But the best way to reduce cost-of-living pressures is to have a job. That is one of the things that this government has been very much focused on.

We have maintained a strong economy in very difficult times, going through a global financial crisis that the world has not seen the like of for more than 75 years, even if you could compare it to that time. The depth of the crisis was such that the globe still suffers from the hangover of the GFC. You do not have to look too far. Just look across the water at what is happening to economies in Cyprus and Europe this week. Their unemployment rates are in the 20s, unlike in Australia, where they are in the five-per-cent area. Look at what is happening to their banks, with the collapse of their financial systems, where people dream not of having a mortgage but of the bank not taking their houses off them.

Those things did not happen to us in Australia and they are not going to happen to us in Australia, because it was this Labor government that took the very, very difficult decisions when the global financial crisis happened that we would not allow this to happen in Australia, we would bulletproof this economy and we would shoulder the difficult burden that a government should shoulder, rather than let individuals shoulder the pain that was foisted on the people of Greece, Portugal, Spain, Cyprus and Europe, whose governments did not take action. Those governments said it was just easier to let the people bear the burden. Not in Australia. In Australia, we decided we would take on that burden. We would shoulder the difficult times as a government representing the people of Australia in the national interest for this economy and this people. We made sure people would still have their houses and their jobs and that we would still have a dental scheme and a health system that works better than anywhere else in the world. A Pharmaceutical Benefits Scheme that is the envy of everywhere in the world—that is what this government took on.

When we talk about bulletproofing the economy, what does that mean? That means we bought a bulletproof jacket—and it cost
us a fair bit of money. Some say it is a little; some say it is a little more. But we paid for that bulletproof jacket so we would shoulder the burden rather than individuals shoulder it—ordinary people working to pay off their mortgages and send their kids to school. We thought it was better that we did it, and we do not regret that for a minute. I certainly do not, because I can hold my head up high. I can go out into my community and talk to all the people who did not lose their homes or see the end of their superannuation and retirement savings. Of course they copped a hit, but guess what? They are recovering and they are coming back. That is what governments do in difficult times. When the dip comes and the recessions come and people have to shoulder that burden, a government helps people and makes sure that the economy remains strong. That is exactly what we did.

Let me give you an example. In Japan, the economy shrank by 1½ per cent. That is an enormous number. That means people go without. That means they are seriously having problems in their economy and people will lose their jobs. In the euro economy zone, the economy shrank by two per cent, an even bigger number. The US economy grew by just above 2¼ per cent. And, even with 2¼ per cent growth, look at what has happened in the United States and what their economy looks like. Over there they have this little term: 'jingle mail'. In the US they have non-recourse mortgage loans, which means, if you cannot afford to pay your mortgage, you simply put your keys into an envelope, send them back to the bank and it is their problem—you walk away with no debt to be repaid. That is jingle mail. We do not do that in Australia. Here we actually pay our debts off, whether it is personal debt, government debt or any other debt, because we meet our responsibilities. That is what this government does and this economy does. But guess what has happened to Australia’s economy since we came to government and since the GFC? This economy grew by 13 per cent. Nine hundred and twenty thousand jobs have been created in this economy, we have had 13 per cent growth and interest rates have fallen from when John Howard left government, when they were 6.75 per cent, to just three per cent today. If you want to talk about cost-of-living pressures and what we are doing to reduce them, let me tell you what that represents for the average family and the average mortgage. If you have an average mortgage of $300,000, that means you are now paying $5,000 a year less. That is $5,000 a year that you can use to pay more off your house, put into savings, take a holiday, put the kids through school or do something extra with. Mortgage holders are $5,000 better off just from that alone.

What are the things that governments can do? We hear the rhetoric and garbage from the other side. That is their only course of action in their proven track record. And have a look at the states. Look at my state of Queensland and what an incoming Liberal government will do. It will slash and burn. What did the Howard government do when it first got elected? It ripped $1 billion straight out of health. Hundreds of millions of dollars was ripped out of education. Who pays the price? Not the government; the government says, 'Look at us; we've got spare money left over. We're sitting on pots of gold and cash.' But where did that cash come from? It came from our schools, our hospitals and our nurses who no longer have a job. That is exactly what they will foist back on this economy if they get re-elected to government.

When we got to government, we kept our commitment on tax cuts. The opposition talk about how they are going to pay for the NDIS and how they are going to pay for
dental schemes and investment in infrastructure. Let me tell you one of the things we did: we made an enormous commitment to everybody in this country through infrastructure spending. Ours was the highest-spending government on infrastructure that this country and this economy have ever seen. Spending was many times greater than the great Snowy Mountains scheme. They are the sorts of things that governments do because they create jobs. They create strength in an economy and resilience that, no matter what else happens in the world, we do not need an austerity package in Australia. We do not need to be doing the sorts of things they are doing in Europe, because we have maintained the economy and we have done—

Mr Dutton: Thanks to Peter Costello.

Mr RIPOLL: Now they want to take the credit. Now they are actually agreeing with me.

Mr Dutton: Thanks to Peter Costello.

Mr RIPOLL: I do not care who you thank for how good we are doing now, but, if you want to shoulder the responsibility and claim the good position we are in, stand up and have the guts to admit it and say, 'Yes, this is great.' That is not an invitation to interrupt me, if you want to be that rude.

Mr Dutton interjecting—

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

Mr Dutton: Mr Deputy Speaker—

Mr RIPOLL: I said it is not an invitation, because you have had more than your go. When you get to be in the position—hopefully never—where you will cut jobs and slash away government programs, one of the first places—

The DEPUTY SPEAKER: Order! The parliamentary secretary!
NDIS. We have put $1 billion on the table. You are going to cut $1 billion out. On superannuation—that great Australian story of super—the superannuation guarantee rate is moving from nine to 12 per cent. In the good years, when the coalition reckoned they had plenty of money and were sitting on cash, did they ever do it? No. So what is your excuse? Explain yourself to the Australian people. Why didn't you have the guts to do it when you were in government, when there were the rivers of gold flowing in and you had more cash than you knew what to do with? Why didn't you develop an NDIS then, or didn't you have any ideas? You had no ideas and no ability to actually do something for the Australian economy. You talk about all the things we have done. Let me tell you: I am pretty proud of what we have done for pensioners and ordinary working Australians, what we have done for people's mortgages, what we have done for employment, skills, training and education, and we will fight on our track record. (Time expired)

Mr MATHESON (Macarthur) (16:00): I rise to speak on this matter of public importance today because I believe the people of Macarthur are in urgent need of a stable government—a stable, competent and secure government that will restore confidence to families, pensioners, small business owners and manufacturers in my electorate and across this country; a stable government that they can be proud of, not one that they are embarrassed by; a stable government that will focus on sensible economic management, with a strong plan to pay back the debt and return to balanced budgets.

The people of Macarthur have had enough, and they have good reason to be disillusioned with this Labor government. Just look at the long list of incompetent policies that it has blundered in its short time in office. We have had the border protection fiasco. Last week alone, eight boats arrived, carrying 564 people, and there have been more than 2,000 illegal arrivals this year alone. And what about the East Timor processing centre or the Malaysian asylum seeker swap—five for one—which the High Court declared was illegal? There was the BER school halls debacle, the citizens' assembly, the cash-for-clunkers scheme and the carbon tax promise—that there would be no carbon tax under a government led by our Prime Minister.

The carbon tax has been met with great contempt by the people of my electorate. The increased costs for small businesses and the rise in electricity bills for local residents mean they are struggling to make ends meet. Last winter I shook the freezing cold hands of pensioners in their homes who were too scared to turn on their heaters in fear of their rising electricity bills. That is an absolute fact. One lady told me she has cut back to eating one meal a day because she is fearful of the rising costs of her electricity bills as a result of this tax. Fear, insecurity, instability—all caused by this reckless government. The carbon tax is just another example of an unstable government which relies so heavily on the Greens to hold on to government. What is even harder to swallow is that the people in my electorate are suffering under a scheme that does not even reduce emissions.

But it does not stop there. What about the government linking Australian carbon trading to Europe, just as the European scheme started to collapse, or the fact that we have a mining tax that raises no revenue? And what about the Prime Minister breaking her promise with Andrew Wilkie, the member for Denison, about pokie reform, or the ban on live cattle exports and the attacks on skilled migrant workers, resurrecting Pauline Hanson? But why stop there? We
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have seen the raids on inactive savings accounts and superannuation, and the digital set-top boxes sold at three times the price of Harvey Norman. The list goes on. What about Labor's solution to Europe's debt crisis? All they did was lecture Europe to take on more debt—great policy! And, for those of us keeping count, so far there have been over 500 promises to bring the budget to surplus come hell or high water.

We have seen this government demonise single mothers, and so many in my electorate are feeling the brunt of this failed policy. One of these single mums is Deanne Saros from Currans Hill. Poor Deanne—she lost $350 a fortnight after the government decided to stop her single-parent payments once her son turned eight. Ms Saros has a son with various health problems and must attend several medical appointments with him through the week—stopping her from taking on full-time work. She works part time to support her son and told the Camden Advertiser that she has to rely on her elderly parents to help pay the rent after the government cut her payments without warning last year. Sadly, this mum, like many others in my electorate, fell through the cracks of this policy because she is not unemployed but she does not have enough work to be able to support herself without the government payment. She is a single mum disadvantaged by a poor policy that the Labor government should revisit.

With so many bungled policies, it is no wonder the government is fed up with the Australian media trying to keep it honest. The government's attempt to rush its proposed media reforms through the parliament this week is outrageous and just shows the extent this government will go to protect itself. Labor's mad rush on media laws is no different from its mad rush on school halls and pink batts.

The Australian people are also fed up with this government's pro-union bias, which does nothing but undermine our economy. It is about time this government stopped acting in the interest of union bosses and started focusing on the national interest. The people of Macarthur lost all faith in this government a long time ago. I am sure my colleagues would have received the same feedback from locals in their electorates across the country. I have been out on the ground speaking to the people of Macarthur, and they have simply had enough. And can you blame them? Lies, rumours, backstabbing, poor policy, leadership speculation and the inability to manage the budget and keep this country out of billions of dollars of debt—no wonder the people of Australia are sick and tired of this government and the circus it has become.

On top of all these bad policies and failures, Labor continues to obsess about leadership, because the Prime Minister continues to show bad judgement. The people of Macarthur and the people of Australia want stability. They deserve better. They want to see good policy from their government and a strong economy. This comes from good governance. If this government were a local council, it would have been sacked by now and administrators appointed. The people of this country are not stupid. They know that this government's problem is not whether it is Julia Gillard or Kevin Rudd as Prime Minister; the problem is that we have a divided and dysfunctional government that will never change as long as we have both of them in this parliament.

The message I am hearing in Macarthur is very clear. Families and small businesses are desperate for a new government that they can have confidence in. Families are struggling with the rising cost of living, and businesses are shutting-up shop under the uncertainty of this Labor government. It is impossible to
expand your business when you are so unsure of what outlandish policies and red tape the government will rush through this parliament next. What is next for the people of Australia? The cost of living and the amount of debt this country is in have been two of the most frequent issues raised with me by the people of Macarthur.

Labor’s interest payments are now at almost $20 million a day. Imagine how many programs and policies could be supported across Australia with this money. I can name hundreds of community projects, organisations and charities in my electorate that would benefit from extra funding: Society 389, Lifeline, the Right Start Foundation, KU Starting Points—Macarthur, St Vincent de Paul, Macarthur Temporary Family Care, Northcott disability services, NOVA Employment, Macarthur Disability Services, Macarthur Diversity Services, Beautiful Minds, Cystic Fibrosis Macarthur, the Kids of Macarthur Health Foundation, or our local sports teams and schools. So many organisations in my electorate are desperate for funding to support those less fortunate, but so much has been wasted by this Labor-Greens government. This government’s waste and mismanagement has been a disgrace, and the people of Macarthur and the people of Australia deserve better.

What we have in this country is an urgent need for stable government, focused on the needs of all Australians. I stand here today as a proud member of the coalition, because I know that a stable and secure coalition government will help the people of Macarthur. The first thing we will do is get rid of the carbon tax. We will reduce regulation by a billion dollars, and cut back on government waste and mismanagement. We will introduce new economic policies that will ensure a stable and well-run economy.

A stable government would give businesses in Macarthur the certainty they need to prosper, and, after years of instability and uncertainty under this Labor government, they will finally have the confidence they need to grow and invest in my community. More than 70 per cent of the workers in my electorate commute out of Macarthur to work every day. I would love to see local businesses in my electorate grow so that they can employ more local people, so that the people of Macarthur can live and work closer to home and spend more time with their families.

The people of Australia want an election because they have had enough of the division, dysfunction and instability of this Labor government. It is time for a coalition government that offers the people of Macarthur and the people of Australia hope, stability and security. The people of this country deserve a government that they can be proud of—one that gives people a hand up instead of a handout, understands the importance of small business and wants to see it prosper, supports families and pensioners and will build a strong economy so that our children and their children will not be paying off this debt for many years to come. A coalition government will do that.

We have real solutions for all Australians. A coalition government will build a stronger, more productive and diverse economy with lower taxes. We will get the budget back under control, cut waste and start reducing debt. We will help families get ahead by freeing them from the burdens of the carbon tax. We will help small businesses grow and create more jobs. We will create stronger jobs growth by building a diverse, world-class, five-pillar economy. We will generate one million new jobs over the next five years. We will build more modern infrastructure to get things moving. We will deliver better services including health
services. We will deliver better education. We will take action to reduce carbon emissions inside Australia, not overseas. We will deliver stronger borders. We will deliver strong and stable government that restores accountability. This is the coalition's plan and we will stick to it.

Our plan has real solutions for all Australians, including the people of Macarthur. I hope that, for the sake of my children and future grandchildren, we will never see a government that is as incompetent and unstable as the one we have now. The people of Australia and the people of Macarthur simply cannot afford it, and they deserve better. Here it is, in my hand—our plan: real solutions for all Australians, with the directions, values and policy priorities of the next coalition government. This plan will bring to the people of Macarthur and the people of Australia hope, reward and opportunity for all.

Ms HALL (Shortland) (16:10): I found that quite an amusing contribution to the debate. As to the reference to the plan that was held up by the previous speaker, it is a pity there is no meat on it. It is just a collection of motherhood statements that tells us nothing about how they are going to be delivered. And there was nothing in that contribution that told us how the opposition plans to address its $70 billion black hole that already exists. I must say that I have never heard so much irrelevant, obscure information presented by any speaker in this parliament.

I also need to add that, under the Howard government, families and pensioners were so disadvantaged. That government never sought to be inclusive. It never sought to address the needs that families and pensioners had, unlike the government that we have here today. It is really pleasing to see that I have the Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform, Minister Macklin, here in the House, because she has been responsible for seeing massive increases to the amount of money pensioners receive.

Back in 2007 when Labor came to power, a pensioner couple were receiving $808.40. Today, 20 March 2013, they are receiving $1,218.80. This follows the massive increase that was delivered to pensioners back in 2009. Back in 2007 a single pensioner was receiving $537—$537 a fortnight to live on! Today, it is $898 per fortnight. This followed the massive increase in the pension back in 2007.

The opposition never had an appetite to deliver fairness to pensioners when they were sitting on the government benches. How can they possibly argue that they will deliver fairness if they ever manage to get control of the government benches? I just cannot see it.

I have looked and I have seen areas that they are considering cutting, slashing and burning, if they were ever to take government. They are talking about cancelling the first stage of the NDIS and abolishing the FaHCSIA division implementing the NDIS. That is criminal. When they were in power, they absolutely ignored the needs of people with disability. They paid no attention to the fact that we had a big section of our community that was missing out. They did not get the services, they did not get the respect and they did not get jobs that they should have been getting, and it has taken a Labor government to actually deliver to people with disabilities. And, once again, it is a pleasure to have the minister in the chamber, because she has overseen that delivery of the NDIS to people with disability in Australia.
I will look at what else they would do. They would abolish Fair Work Australia and Safe Work Australia. We all know that those on the other side of this chamber are the advocates of Work Choices. Work Choices is a system that would really disadvantage workers in Australia. It is a system that sought to marginalise workers. It would have worked to the detriment of workers’ families, including their children. So, I find it absolutely surprising that the Leader of the Opposition would have the hide to come into this chamber and move the MPI that he has moved today. Under the rule of the Howard government and under the stewardship of the Leader of the Opposition when he was minister for health, I can tell you that things were in a very, very sorry state.

Those opposite are talking about cutting the research budget by 40 per cent and cutting all Commonwealth housing programs. I come from an area where people are older and more disadvantaged so I find it an absolute disgrace that those opposite are prepared to totally ignore the needs of people who cannot find or cannot afford housing. Other cuts include cutting off foreign aid, excluding emergency aid; abolishing all agriculture, forestry and fisheries programs; and privatising the ABC. Well, I can tell you that the people that I represent in this House would not like to see that happen.

I think it is important to look at some of the differences between the two parties. Look at health and what has happened since Labor has been in power. We have seen $20 million put into public health, including extra services, 1,300 new sub-acute beds, 450 surgical beds and the new aged care reform package. The new aged care reform package will be delivered to the people that I represent in this parliament. What do the opposition plan to do? They plan to rip $1 billion from our hospitals, and that is the equivalent of 1,025 beds. That is not what the people that I represent want to see.

With respect to aged care, I talked about the $3.7 billion plan that has been introduced into the parliament. Those opposite had a history, when they were in government, of failing to deliver or to maintain the aged-care system. They let it be eroded. They allowed people that I represent to languish on waiting lists for beds in residential care. And the beds that they created in residential care were phantom beds; they only existed on paper. It is horrific to think of what would happen if the opposition ever managed to gain government.

We will have trained 5,500 new doctors by 2020, including doubling the number of GP training places to 1,200 a year by 2014. What did the opposition do? They capped GP training places so that an enormous shortage occurred. That is not good enough. I know that in the Shortland electorate, at the height of the Howard government, bulk billing rates were under 60 per cent. And now we have, nation wide, bulk billing rates in excess of 82 per cent. Whilst I am talking about the government’s plans for health, let me say that the government has delivered; the opposition plans to rip $1.2 billion out of primary care. That will mean fewer doctors, fewer health workers, fewer nurses, fewer physiotherapists, fewer psychologists and podiatrists and speech therapists. I cringe when I think about what an Abbott government would mean to health in Australia.

Coupled with the massive increases in jobs that have occurred under Labor and the investment in schools is the schoolkids bonus that has been so popular in my electorate. That is something that those on the other side of this House intend to get rid of. Tell me how the plans of those on the other side of this House are inclusive. Tell
me how that is a plan for all Australians. To me it is a plan for a very small group of people. It is a plan that is going to deliver to the people that those opposite feel are deserving of their assistance.

On this side of the House we deliver to businesses, to families and to pensioners, and we are committed, as always, to ensuring that every Australian gets the assistance from government and the kind of government that they deserve, not a government that is tinged with ideological bent, as an Abbott government would be.

Mrs Markus (Macquarie) (16:20): I rise today in this debate on this MPI, to ensure that the people of Macquarie have their voices heard. The Australian people and the people of Macquarie deserve a stable government—a government that will deliver and bring real solutions to the issues that everyday Australians grapple with on a daily basis.

Delivering real solutions is about providing hope. It is about instilling a sense of opportunity—a sense that it is worth while investing in their future. Delivering real solutions is about taking action. It is about not shying away from the tough decisions. This is what a coalition government can and will offer.

The Australian people have clearly lost faith in this government. At the heart of this growing discontent lies very deep and very real concern that this government is pursuing a course of extraordinary political and economic mismanagement that will burden our nation and people for decades and generations to come. The Prime Minister promised the Australian people that she would keep this country 'moving forward'. Instead, what we have witnessed is a chaotic, divided and dysfunctional government which has failed to provide a plan for this nation—a platform for families, individuals and businesses to build on. What we have witnessed is a failure to deliver what was promised—backflips on important decisions and policy on the run.

During the last week of parliament leading up to the budget and at a time of deep economic uncertainty, Labor is navel-gazing, focusing on itself. The people of Macquarie tell me where they think the government's focus ought to be. It ought to be on its people; it ought to be focused on the financial future, on the budget, on managing the economy and on helping Australians to get ahead. Labor is so distracted by division and dysfunction that it is failing to do its job: govern. Survival is its daily struggle. Whether we are talking about potential, current or past leaders of the current Labor government, they have all failed the Australian people. The Australian attitude of hope and optimism has been eroded by an unstable and reactive leader and her team.

In my electorate of Macquarie there is a clear loss of confidence in the economic future, the social future and the leadership of our nation. Every day that I am out in the electorate listening to small-business owners, families, pensioners or self-funded retirees, they talk about the impact that an unstable government and a mismanaged economy is having on them. I recently spoke to Sam, the owner of the IGA at South Windsor. Sam's gas and electricity bills have gone through the roof since the introduction of the carbon tax. Sam now pays $6,000 per month for electricity, up from $4,500 per month prior to the carbon tax, and he is not sure at this stage if he can sustain it. He has seen a drop in customers since October 2012—a setback he attributes to people paying more for their own bills and not having as much money to put aside for anything but the basics. This is an IGA store owner, where people buy their food, their groceries and their daily basic needs, and he says people have changed their
buying habits. Sam fears that in this economic climate things may worsen. He just does not know what will come next. Sam is after some restored confidence and assurance that small business will not be hit with another financial burden: more taxes.

I also met with another business owner, Sam Torcasio, co-owner of Blaxland Country Market. Mr Torcasio has also seen a recent downturn in the spending habits of people in the Blue Mountains. On top of this, his utility costs are increasing. These two factors make trading hard and contribute to an increasing fear—not just his fear but also that of his consumers—about the future of his business. Everywhere that I visit, there is a decline in the great Australian traditions of enterprise and innovation. Businesses are fearful of hiring and they decide not to expand or seek growth opportunities, fuelled by a real fear that it cannot be sustained. They are concerned that they will be hit with further taxes.

I have also recently been contacted by constituents in the electorate of Macquarie who are planning for retirement. The government's changes to superannuation legislation have them deeply concerned. They are hesitant to make plans in case the goalposts change once again. Australians who are trying to do the right thing by saving for retirement and investing for their future in order to be independent of government assistance are being punished by this government. There is simply no certainty for their future. There is the instability of the government—who is leading and who may be leading tomorrow. The infighting and leadership speculation further add to the deep sense of mistrust in the community.

After a lifetime of hard work, older Australians are entitled to a safe and secure retirement. This is what the coalition will give older Australians. We will ensure that no more negative, unexpected changes occur to the superannuation system, so that those planning for their retirements can face the future with a higher degree of predictability. This is just one more example of where we will restore confidence and give back hope and opportunity.

The government's responsibility is to provide the framework within which individuals, families, businesses and local communities can plan for their future with confidence. The local implications of the current government's fiscal incompetence and instability are having devastating impacts upon the futures and opportunities of our young people. The lack of employment opportunities in my electorate has arisen as an issue of real concern over the last few years. As resources are drained away from the region and businesses struggle, this has had a direct impact on the ability of young people to find jobs.

Many young people who find themselves unemployed do not claim any benefits and they do not appear in unemployment figures. Instead, they rely on the support provided by other sources of income in their households: their brothers, their sisters and their parents. I have been approached by so many parents of bright young people who cannot even get a job interview—young people who apply for 50 or even 100 jobs. Young people deserve opportunities. Young adults are our future and they deserve a chance to learn and grow, but these opportunities are diminished because of a lack of vision and action by the government.

The coalition and I believe in Australia and believe that all Australians deserve a brighter and more optimistic future. That is why we have a plan to build a stronger and more prosperous nation, so that all Australians can get ahead in the global economy and have a safe and secure retirement.
economy, live in a better country and flourish in their individual endeavours.

_Mrs MARKUS:_ I hear the members opposite. They are prepared to criticise. I wonder, from the way they are acting, if they think they are already in opposition.

Tony Abbott has said that there is no limit to what Australia can achieve. The coalition's plan is to create stronger jobs growth by building a diverse, world-class, five-pillar economy. We will help families get ahead by freeing them from the burdens of the carbon tax. We will help small businesses grow and create more jobs, deliver higher wages and better services for Australians. The coalition will deliver strong and stable government that restores accountability. We have a track record. We have done it before.

The greatest asset of any community organisation or nation is its people—people with aspirations, with plans, with hopes, with ideas, with dreams. Many are placing these ideas and dreams and aspirations on hold, storing them for another day, hoping to one day again have a leadership they can have confidence and trust in. The time has come for the instability to end and for a government to lead with a clear and strong vision to build this great nation. A coalition government can and will do this.

_Mr HAYES_ (Fowler) (16:30): I am very happy to join in the debate on the Leader of the Opposition's MPI. The wording took me a little by surprise. The urgent need for a stable government to focus on the needs of all Australians'—how big, how lofty is that? They do have a track record over there. I know they want to be small 'l' liberals when it suits them, but they do have a track record. This debate is an opportunity to review a little bit of their track record.

The former coalition administration under John Howard had 12 years. Go to any economist and they will tell you that, over that 12-year period, the coalition seriously underspent on infrastructure. Instead of laying down the infrastructure we so desperately need to increase our productivity, over that period of time they did not invest in road, they did not invest in rail and they certainly did not invest in high-speed technologies such as the internet or the NBN. All those things were just futuristic to them. They thought that, if they put a bit of money in the piggy bank, that would satisfy the economy. They did not invest in the productive mechanisms which are so necessary for this country.

You only have to look at some of the other things they did—how they set about to save money. One of the things they did was slash $1 billion out of health. That is a matter of record. When they come in here and lecture us on health reform, they should remember that they have a record. They took money out of the system, as they did with education.

Those people in the gallery, particularly those with kids, know that the two biggest things in public policy which affect them and their families are health and education. The last Howard government, over their 12 years in office, slashed both of those areas of public expenditure. They decided to take money out of those areas—that is how they set about ensuring there was a surplus. How artificial was that? You take away investment in the productive mechanisms of growth, such as infrastructure; you take money out of education, which is so vital for equipping young people with the tools they need for the modern world; and you attack health.

So they do come to this debate with a track record, and I am happy to engage with them about that. The thing everyone remembers about the Howard government is
something they did which they did not say anything about when they went to the 2004 election. Once they got in and had control of both houses of parliament, they brought in Work Choices. They decided they would take it out on working families. This was not the captains of industry they were impacting; this was people on award wages.

By introducing Work Choices after the election in 2004, they made it possible for the first time in this country's history for people to be paid less than award wages. In those days, I knew people who worked in small fabric shops and people who worked in foundries—people who were on award based wages. They were taking home less pay, getting less shift work—because that got cut as well—and their overtime was under threat. Those people were told that if they did not sign the contract they would not have a job. That is the opposition's track record. When they got challenged, these captains of industry who used these elements of Work Choices, their reasoning—and perhaps you should not blame them for it, although I do—was: 'Work Choices just made it legal, so we are acting legally. If we can pay people less, if it is legal to do that, we will.' They were very matter of fact about it. And they did pay people less. That is why people voted in droves against the last government. They saw what that government was doing to working Australians.

We have a $1.5 trillion economy. This economy is the envy of the modern world. Not only did we withstand the global financial crisis but we propelled ourselves through it. We have grown since then. Since the GFC, this economy has grown by 13 per cent. Compare that with the United States, which is still slowly coming out of recession; Japan, which has a 120 per cent sovereign debt ratio; or Europe, where the average rate of unemployment is in double digits and sovereign debt is in excess of 60 per cent. That is without even talking about Spain, Greece or Ireland, which are in severe recession, or Cyprus, which cannot afford to pay its debts. Those opposite should make those comparisons before they come in here and lecture us on the Australian economy.

Only recently we had representatives of the European parliament visit this place. It was interesting to hear what they had to say. They could not understand how we could be presiding over an economy which is the envy of the world—particularly the envy of Europe, including Britain—and be criticised for the running of it. One of the things they said to us was about what we have done with schools and investing in education. Not only did they note that we put money into building new classrooms and providing kids with the type of education they need to meet the challenges of the next century and beyond but they said, 'You kept people in employment but you are also going to get a productivity benefit as these kids grow and enter the workforce—having learned with the new, modern equipment, they will be more productive workers.' They thought that was a very innovative thing and one that should be emulated throughout European states. That is not bad. Bear in mind that those opposite—they are scurrying from the room—were at the same lunch being addressed by the same people and given the same talk, so this is something that is very bipartisan.

If you want to talk about where those opposite left this economy, interest rates were about 7½ per cent or something of that nature. Interest rates now, in terms of the cash rate, are down to three per cent. The average mortgage in my electorate is around $300,000. What this means for mums and dads in my electorate is a saving of over $100 a week. They have been about $5,000 a year better off since Labor came to power in 2007 because we have made sure that we put
less pressure on interest rates than what those opposite did. Not only did we come through the global financial crisis but we kept inflation in check. We kept that genie in the bottle and therefore we have been able to deliver significant savings to mums and dads out there who are paying mortgages. They are saving that $100 a week.

That is just me looking at my own electorate. If you look at rating agencies, the three rating agencies in this country have rated the Australian economy with a AAA status. It is a rhetorical question but I will ask it: does anyone realise when that last occurred? The answer is never. This is the first time ever that the three rating agencies have given a AAA status to the Australian economy. When they want to come in here and lecture us about running an economy, perhaps they should think about what they have done, their past and their track record. It does not make for pleasant reading.

They also come with this political pitch that despite going out there and raging against the carbon price they are going to maintain the compensations associated with it. Is that the tripling of the tax-free threshold up to $18,000? Is that the compensation that is going to the mums and dads out there with kids? Is that the tax cut for everyone under $80,000? Mr Abbott is saying they are going to maintain it. Mr Hockey, on the other hand, is a little more grim about these things. Maybe he has checked the books and said: 'No, we cannot do that. If there is no price on carbon then there is no reason for us to pay the compensation.'

Those opposite are trying to hoodwink the Australian public by coming along and, on one hand, telling us they are going to give us everything that we had and that they will not take anything off us but, on the other hand, saying that they are going to take away the carbon tax, they are going to take away the minerals resource rent tax and they are going to make sure that workers are looked after. What does that do for workers aspiring to 12 per cent superannuation to make sure they have some dignity in retirement?

I welcome the fact that this MPI was brought on. It does give us an opportunity not only to reflect on the virtues of the Australian economy but also to look at those who had charge of the Australian economy for 12 years. Look where they left it and look what we had to do to rebuild it.

The DEPUTY SPEAKER (Mr S Georganas): The discussion on the matter of public importance has concluded.

BILLS

Fair Work Amendment (Tackling Job Insecurity) Bill 2012

Second Reading

Mr BANDT (Melbourne) (16:40): I move:

That so much of the standing and sessional orders be suspended as would prevent the following occurring immediately:

(1) the Fair Work Amendment (Tackling Job Insecurity) Bill 2012, as listed on the Notice Paper for 18 March 2013 as private members’ business order of the day No. 2 before the Federation Chamber, being treated as having been presented to the House and read a first time;
(2) the bill being called on again;
(3) the Member for Melbourne moving the second reading of the bill without speaking to the motion;
(4) the Chair seeking a seconder for the motion for the second reading without the seconder speaking to the motion; and
(5) if the motion is moved and seconded, the resumption of debate on the second reading being set down on the Notice Paper as a private members’ business order of the day.

I thank the Leader of the House and the Manager of Opposition Business for their cooperation on this matter. On Monday in
the Federation Chamber there was some confusion about the process to deal with progressing a bill. The bill is properly moved and seconded and the effect of this motion is simply to put it back on to the Notice Paper for it to be dealt with in the ordinary way and no debate will occur.

The DEPUTY SPEAKER: Is the motion seconded?

Mr Katter: I second the motion.

Question agreed to.

Mr BANDT (Melbourne) (16:42): I move:

That this bill be now read a second time.

The DEPUTY SPEAKER: Is the motion seconded?

Mr Katter: I second the motion.

Debate adjourned.

Superannuation Legislation Amendment (Reform of Self Managed Superannuation Funds Supervisory Levy Arrangements) Bill 2013

Reference to Federation Chamber

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (16:43): By leave—I move:

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

Question agreed to.

BUSINESS Rearrangement

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (16:44): I move:

That business intervening before order of the day No.5, government business, be postponed until a later hour this day.

Question agreed to.

BILLS

Environment Protection and Biodiversity Conservation Amendment Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr HUNT (Flinders) (16:44): In addressing the Environment Protection and Biodiversity Conservation Amendment Bill 2013, let me begin with an acknowledgement of community concern. The coalition recognises community concerns regarding the impact of coal-seam gas and coalmining on water resources. We understand and believe that water is not just a precious resource; it is the indispensable resource, the lifeblood of Australian community, economic and social life. In fact, it was the coalition which introduced the National Water Reform packages in 2007, building on the work we had done over previous years—precisely because we recognise the fundamental role of water as a paramount national resource.

Against that background, as community concerns regarding coal-seam gas emerged—many of them untested, many of them unproven, but legitimate and requiring both acknowledgement and a legitimate approach to test and to find the facts—we supported the implementation of the expert scientific panel. That panel was intended to further research the impact of coal-seam gas development on water, precisely because there is a need to consider genuine community questions and concerns.

Against that background, we have been custodians of safe and sensible practice and management of water in rural Australia, recognising both the long-term needs of the environment but also the practical needs of irrigation communities—and we have stood
by those communities in the face of some hostile attacks from the government of the day. In many respects, they finally came to our balancing position on water through the last version of the Murray-Darling Basin Agreement.

Having said that, the step forward is that we support the expert scientific panel, we support the role of having a map of the potential impacts and an understanding of the potential impacts of coal-seam gas on water resources. We also support the fact that we need lower-emission energy sources, we need new sources of development and the gas developments in Queensland have provided a massive boost in terms of jobs, resources for families and the potential for income for the people of Australia, which can be distributed in terms of hospitals, schools, pharmaceutical benefits and the basic goods which are necessary to help those who are least well-off. So this issue is about balance and it is about common sense.

Against that background, only a few months ago we had many government ministers and others talk about the fact that they were against a water trigger for the federal environment act. We had the minister for the environment, when there were similar elements moved to a bill by Senator Heffernan in the Senate, opine that such actions, which were not identical but were comparable to this bill, could potentially have been unconstitutional. So they have ignored previous warnings from the coalition and are now taking steps in defiance of their own previous position.

What is proposed here is that the government is seeking to amend the Environment Protection and Biodiversity Conservation Act, or the EPBC, and to add a ninth matter of national environmental significance. Currently there are eight. The federal minister has responsibility in relation to assessments of national significance regarding World Heritage sites, National Heritage sites, wetlands of international importance—more widely known as Ramsar sites—nationally threatened species, migratory species, Commonwealth marine areas, the Great Barrier Reef Marine Park and nuclear actions. It is a list that has seen a growth in Commonwealth activity, and our general position has been absolutely clear—that we can maintain standards, we can protect the environment, but we must not engage in a situation where we are now running the clock for multiple years and preventing actions which would otherwise be desirable from occurring or occurring within a timely fashion.

That is why we have proposed a one-stop shop for common assessments through the Commonwealth and the states together. It is a process we think is important and significant. It is a step that has the potential to reduce bureaucracy but maintain standards. The one-stop shop is what we believe is the right way forward for protecting our environment—there are, of course, areas of reservation for the Commonwealth—but, most significantly, we can do things more simply, we can do things more expeditiously and we can do things in a way which arguably will produce a better environmental outcome. Against that background, this change is one to which the government seems to have come to overnight, in defiance of its previous position.

The facts of the bill are these: the amendments will create a new subdivision of the EPBC Act which, if they are passed, will ‘put in place environmental impact assessment processes for actions involving coal-seam gas or large coalmining developments that are likely to have a significant impact on water resources.’ So it is effectively creating a water trigger for the
federal act—and, where there is a failure to refer or to accept federal decisions, there are potentially $1 million-plus fines. So what we see here is a process which has a good intent but which, in many respects, is deeply duplicative of current state processes. In addition, the legislation adds a layer of bureaucratic tape. It increases approval times, and many have warned that it makes Australia a less desirable place in which to invest. So we have to respond to community concerns.

What I have said to the gas explorers and gas producers with whom I have met is that a significant degree of community concern would be addressed if there were a voluntary arrangement where the large companies said that they would not proceed onto individual land without consent and adopted a standard of voluntary consent. A significant degree of the issue, in my judgement, from talking with landholders and communities, is about the belief that they will lose control over their own land. That control over their own land is very important.

The extra element is about a genuine and legitimate concern to ensure that our water quality is maintained. Against that background, looking at this particular mechanism, I will make these points and, in particular, quote the concerns of many of the stakeholders. The energy industry has expressed deep concern that this process has now been politicised, and they have many great reservations. The Minerals Council of Australia said in its release that the legislation shows that the Federal Government is more focused on increasing the bureaucratic constraints on the coal sector rather than creating the right regulatory environment to expand the industry; creating more jobs and national income.

In particular, the Minerals Council warns—and I think that they have suffered enough through the carbon tax and the mining tax that they understand what this federal government can do in a damaging way:

The proposed changes will do nothing to enhance Australia’s reputation as an investment destination. Project approval times in Australia are already well in excess of the international average and the plan put forward today will simply add to those delays for no environmental gain.

The New South Wales Minerals Council has said the following:

It is extremely disappointing that in an election year the Federal Government and Tony Windsor are seeking to create the impression that the State based assessment process isn’t good enough. This is completely wrong. Water is already a fundamental aspect of the assessment process for mining projects in New South Wales.

The National Farmers’ Federation has said that it has deep concerns about the potential for this bill to be extended to agriculture in the future. In particular they say:

Water is a critical factor for our farmers, and our strong concern is that this bill could actually have perverse negative outcomes for our agricultural sector. What may, on first glance, look like a win for farmers in the short-term could actually have long-term unintended consequences for our current, and future, farmers.

The Business Council of Australia has warned that the legislation will duplicate state and territory processes whilst adding costs and increasing uncertainty in the sector. The BCA chief executive, Jennifer Westacott, has noted that:

It flies in the face of what makes sense for jobs and the economy, while offering no tangible benefit to the environment.

The Australian Industry Group, the Australian Petroleum Production and Exploration Association, the Clean Energy Council and the Energy Supply Association of Australia issued a joint statement which concludes that: non-evidence-based policy is which are restricting the development of new energy sources may have significant negative
consequences for the broader Australian community. It says:

Knee jerk policies continue to undermine the development of energy projects within this country. This comes at a real cost - and this cost is borne by the Australian community, in jobs, in economic growth and ultimately higher energy bills.

The Australian Coal Association has also said that the burden on Australian industry will be great. In particular, they refer to regressive policy-making and have said expressly:

At a time when we should be sharpening Australia’s competitive edge by improving the efficiency of our regulatory system, the Government has offered a knee-jerk reaction to campaigning by environment groups which adds another layer of green tape without delivering any environmental benefit.

Then, at the level of the states, we have seen very clear, express statements. The Queensland government has said categorically in relation to their own program:

The DNRM is fully committed to sustainable use of Queensland’s natural resources. The Queensland Government demands an already high level of compliance obligations which they always evaluate and improve upon. The Federal Labor Government through these missions is making it difficult for the Queensland Government to boost the state's economy and keep strong. The Federal Government are overriding the state's sovereign rights for their own political agenda.

Other states, such as Victoria and New South Wales, have been equally critical.

So, what we see is that, on one hand, the federal government has made noises about cutting green tape. In April 2012, Prime Minister Gillard said:

what we want to work towards here is a streamlined system, so that projects don’t go through two layers of assessment for no real gain. And so the classic examples that are brought by business is where people have gone through sequential assessments, so it’s double the time, things that have been required for the first assessment are required in a slightly modified form for the second assessment, so they don’t even get the benefits of just uplifting the work and re-presenting it, it’s got to be redone.

On 2 November 2012, the minister for the environment at federal level, Mr Burke, said:

This is about lifting the States up to the level of environmental protection provided by the Commonwealth, not letting Commonwealth standards drop. We can keep stringent environmental standards while simplifying an overly complex process - and we are.

But actually they are not simplifying the process. They have made it a more complex process. We supported the federal government and the states when an expert panel on coal-seam gas was introduced in 2012. We did this out of a legitimate concern for community voices and a deep and legitimate concern for protecting water resources and having adequate information. There are questions which have not been answered yet, and they need to be addressed. However, it is absolutely clear that we have seen many projects delayed by the way this government has dealt with assessments, for no good reason.

I want to give an additional example, which was provided to us on the record by BHP. BHP has made it absolutely clear that they express support for robust environmental regulations. They express support for the environment but they believe that we have to minimise the duplication, the cost and the complexity of regulation. In particular, in relation to the direct concern for current projects in place now, which will be subject to this act—projects that have already had approvals will be subject to these new changes for new gateways—BHP has said:
These will be subject to increased regulatory assessment additional to assessment activities already in place. This includes referral of all water related impacts of new projects to the independent expert scientific committee for advice. This duplicates existing state assessment processes and further complicates and extends the assessment of major projects.

So, one of Australia's greatest companies—arguably our greatest—has deep concerns about the impact of the amendments. We have seen the Minerals Council, the various states, the Australian Industry Group and the Clean Energy Council all express their concerns. Against that background we recognise the reality that this legislation will pass. The government has stitched up the numbers.

We also recognise that there are community concerns. The government will bring this legislation in. We will not stand in their way as they do that. But they will wear all of the consequences. Our approach in government is to offer a genuinely simpler way forward—a one-stop-shop approach so that water issues and other issues can be considered together in a single assessment process, to recognise that we can have not just the same standards but better standards if we have more rapid, simpler assessments, because at the moment a 12,000 page document is unlikely to be effectively read by anyone in government. A simpler approach allows a real way forward.

So where does this conclude? It concludes with the recognition that the government has defied what it said about water. The government has defied what it said about duplication. The government has built in an extra layer. They have guaranteed numbers and this bill will pass, so we will not stand in their way. Our approach will be a simpler one. Their approach is a more complex one. We need to recognise the concerns of the community, but this government has made it harder to ensure that safe projects proceed and it has made it harder for them to proceed in a way that allows work to be done, jobs to be created and advantages to be given to the broader community. In the end it is on the government's own head. They have made a rod for their back. There is nothing we can do to stop them, but they will bear the consequences of their actions.

Mr NEUMANN (Blair) (17:03): I speak in support of the Environment Protection and Biodiversity Conservation Amendment Bill 2013. My community in Ipswich was built on coalmining. There were dozens of coal mines in Ipswich, and in fact one of the most solemn occasions that I usually go to is the Box Flat commemorative service, which recognises the men who, sadly, died in that terrible accident in the early 1970s. Indeed, the crest of Ipswich contains the words 'Be confident when doing right', in Latin, and symbols of the coalmining industry can be found on the crest. Until recently, there were coalmines at Jeebropilly and New Oakleigh, at Rosewood, in the rural township of Ipswich. New Oakleigh recently closed but Jeebropilly still remains, run by New Hope.

The reality is that coalmines have been very important to the city of Ipswich. Thousands of men and women have worked in the industry. In fact, we have a heritage centre at Redbank Plains. I congratulate the CFMEU, Ian Wilson, and others on the work they have done have restored and remembered Ipswich's long coal mining history.

Back on 23 May 2012 I spoke in this place in relation to legislation dealing with the independent expert scientific committee. I made reference to a meeting I attended in Toogoolawah, in rural Somerset. It is a township with about 900 people on the electoral roll, and about 250 actually turned up on that bitterly cold evening. The meeting
was held to talk with a coalmining company about the prospect of coalmining taking place in the mid to upper part of the Somerset region, adjacent to but not too far from Wivenhoe Dam.

In my electorate we have Lockyer Creek, the Bremer River, the Brisbane River, Wivenhoe Dam and Somerset Dam. For South-East Queensland, these are important dams, rivers and creeks. In fact, in my electorate water is a blessing but a bane, with the floods impacting so adversely. In my electorate we know what has happened over the years. The years 1893 and 1974 were all about the floods, as were 2011 and 2013. Water is so critical for life. I often think that the wars that have happened for centuries or millennia in the Middle East are as much about water as they are about religion. Water is crucial. People have fought, bled and died over water.

There have been concerns in my electorate in relation to coalmining—coalmining around Ebenezer, Mt Mort, Mt Walker, rural Ipswich and Rosewood. There have been many protests in relation to these issues. In the speech I referred to in relation to the establishment of the independent expert scientific committee, I spoke about my concern regarding the impact of coalmining and coal-seam-gas mining on water resources in my electorate. I came out pretty strongly in the Somerset newspaper and in the Queensland Times opposed to the idea of coal mining in proximity to the major water resource for the Somerset, Ipswich and Brisbane regions of South-East Queensland, namely, Wivenhoe Dam.

It is very important that we get the best scientific evidence on coal-seam gas and large coalmine approvals that are likely to have impacts on our natural environment. We have worked with the states in relation to these types of issues, creating a new national partnership agreement.

I want to make it pretty plain that coal-seam gas and coalmining are under the jurisdiction of state and territory governments. That is from both an environmental approval perspective and a planning perspective. Our involvement at a federal government level arises where mining may impact on something that is protected under what is known as the EPBC Act—for example, if there was a lungfish or koala colony in the area or some wetlands that were of great national environmental significance.

Water resources—the water table, water aquifers, rivers, dams and creeks, which are crucial for towns and cities—have only been tangentially taken into consideration under the EPBC Act. The amendments before this place make sure that that will be front and centre. There is no direct protection for water resources under our national environmental law at the moment and there have been community concerns.

We heard the member for Flinders speaking on this and he reminded me of so many of the LNP candidates who I listened to before the state election in Queensland. They said one thing to the farmers, one thing to the miners and one thing to the environmentalists. The reality is that the coalition has had every position possible on this issue. It matters which room, which meeting and which town they are in. They will say one thing to one and a different thing to another. In fact, it is pretty hard to work out what the coalition position on this matter is. They say that they will not stand in the way of it, but also say that it could be
green tape. They say that they share the worries of the local community about the environment. But I wondered for a minute whether the shadow minister for the environment was looking for the member for Groom's job, the way that he was going on about the mining sector and giving bland platitudes about them having no environmental impact in terms of conservation. It really is quite extraordinary for someone to make silly statements like that in this place.

We are trying to make sure not only that community concerns are assuaged but that we have the best scientific evidence in relation to this issue. It is important to note that about 30 per cent of the gas supplied to the eastern states comes from coal-seam gas operations that have been approved by the New South Wales and Queensland governments. We think that this is an important industry. But we also want to make sure that the concerns of farmers and environmentalists are taken into consideration. That is why we need the best scientific evidence. We are going to make sure that the Commonwealth becomes involved when there is an impact on water resources. That is what this legislation is about: putting water resources front and centre.

Those people from farming communities around the country who might be listening should listen to the shadow minister and think about whether he is going to stand up for you if you have concerns about coal-seam gas in your rural community. It is pretty obvious that he will not. It is pretty obvious that if you have an interest in the environment that those opposite will not stand up for you.

In my community, we have had issues in relation to coalmining. I want to mention one thing in particular that is currently happening in the Ipswich area. It is to do with coalmining and a particular town. I note that the New Oakleigh mine has ceased operation. It has been in operation since the early 1900s in the Rosewood area. There will still about 30 workers working there until recently. I commend the ceasing of operations there. I believe, hope and expect that New Hope, which owns the mine, will in fact continue its remediation of the area for the people of Ipswich and the Rosewood region. The Oakleigh Colliery Company began back in 1948 when the Rule family acquired the mine. It was a pick and shovel operation at that stage. New Hope bought the mine back in 1999 from its then owners. The area needs revegetation. It has been mined out. The area needs a lot of work and I hope that they continue to do that work, which they have said that they will.

The closure of the New Oakleigh mine is important for rural Ipswich. We know that between 60 and 120 coal truck movements were going along John Street and other main roads in Rosewood each and every day. That will now cease, which is important. Jeebropilly still remains on foot. I hope that the best environmental practices will continue to operate through New Hope's work there.

The impact on the natural environment and water resourcing has been a big issue in my region—an issue of contention. It has been the subject of litigation as well, particularly in relation to what is known as ML4712 and MDL172. The former was to do with the Ebenezer coalmine and the latter was the Bremer View coal project. I note the community concern in relation to this. If arguments can be put on the environmental and water resourcing impacts of these kinds of projects in the future, I will be very interested to hear them. What we are doing here will go a long way to making sure that
people in my region who are concerned will be able to raise those concerns.

I note that back in January 2012 the Somerset Regional Council—and all of the Somerset region is in Blair—passed a moratorium on all exploration, mining and coal-seam gas activities in its council region. I note that the mayor, Graeme Lehmann, was very vocal about this, as were other councillors. This came about very much because of the concerns of the council and the people in the Somerset region about the proximity of potential coalmines to the Wivenhoe Dam.

I was quite astonished to see the Queensland Resources Council criticise the Somerset Regional Council's resolution and call it 'grandstanding'. The regional council is to be commended, I think, for the steps it has undertaken in very difficult circumstances with the flood taking place in 2011 causing $80 million of damage and the flood of 2013 causing $20 million of damage to parks, roads, bridges and causeways all across the Somerset region. The council there is very committed, in my observation, to rebuilding the Somerset region but in an environmentally-friendly way.

I, like a lot of members, have had people who have been active on the environment contact me. Indeed, I met recently with a number of Lock the Gate Alliance members, including Cassie McMahon. Cassie and I always enjoy good and interesting conversations. I talked with her about these types of issues when I last met with her just a few days after this issue was raised in the Queensland Times on 8 March 2013. Cassie and I have always enjoyed robust conversations in a friendly way. I am very committed to making sure I work with local environmental groups in my region to get the best environmental outcomes. But I do recognise the importance of the coal seam gas industry and coalmining not just historically in my region but to the people of Queensland.

I support the legislation that is before the House. It goes hand in glove with our former legislation that passed in getting the best scientific evidence. It puts our water resources front and centre in the approval of coal seam gas and large coalmining developments. For that, I commend the minister. I commend the legislation to the House.

Mr IAN MACFARLANE (Groom) (17:16): My, how Labor has changed. As I came into this chamber today, I could not believe that the first two government speakers on this bill were from the oldest coalmining areas of Australia. It is the industry that built their cities. So I will be interested to hear what the member for Newcastle has to say, having just had to sit through the member for Blair's contribution.

Let me tell you something that I know about life—that is, if you do not support those who support you then there will be nothing left. I know the Labor Party are in a terrible place at the moment. I know they have lost their way. I know they have no leadership. I know they have no ability to govern this country. But to walk away from the people who built the cities that these two people represent is beyond belief. Let us not try to complicate their defence by saying that this is about the environment. This is not about the environment. Let me assure you that I have stood at this box on a number of occasions—and been accused half-jokingly by those who sit behind me of working too closely with the government—to ensure that good environmental processes were put in place. The Minister for Resources and Energy and Minister for Tourism and I have worked together. The minister for the environment and I have worked together to
ensure that these industries—the coal industry and the coal seam industry—that are so important to our nation’s wealth, to the employment of this nation, to the fundamental standards of our economy and to our way of life and standard of living, that supply the energy that lights this building, do not damage the environment. I have worked together with them on that basis.

It might be news to the member for Blair that I spent a long, long time as a farmer. Longer than I have spent here and longer than he has spent here, I led the industry in Queensland and nationally. I shall not be lectured by him, to use the Prime Minister's words, about who is looking after the interests of farmers. He should read the press releases that have been put out on this legislation in the last week by farmers. He should talk to farmers, like I talk to farmers, and hear what they have to say about their concerns of the precedents in this legislation and what it may do to their livelihoods and the way they operate.

As I say, I have stood here and spoken in support of government legislation. I have worked with the minister for the environment to ensure that we have all the knowledge and all the systems that we can possibly put in place to make sure that the coal seam industry and the coal industry develop not only in coexistence with the rural communities in which they are situated but, probably more importantly in terms of long-term issues, in such a way that they do not damage the environment long term. There have been times when we have disagreed but, in the end, we stood on either side of this table and passed legislation that improved the science, covered the gaps, set up the expert panel, ensured that the states were cooperating and ensured the effectiveness of the EPBC Act—and we made sure that in doing that we did not cripple Australia's economy.

I did not come to this place to be negative but unfortunately on this occasion I cannot speak positively about what this government is doing. I cannot in any way suggest that there is any benefit whatsoever to the environment from this legislation. I cannot possibly say anything other than what I believe—and that is that this piece of legislation is totally, absolutely and completely political. It is a political fix. It exists because the member for New England went into the Prime Minister's office, stamped his foot and said, 'I want the Commonwealth to take over complete control of any project that may impact on water in Australia. If you do not give this to me, I am going to walk and I am not going to support your budget.'

This is not about good government. This is not about good legislation. This is not about good process. This is about the self-preservation of the leader who sits in that seat on the other side of the table during question time and is unable to give the Australian people any confidence in the way this government is operating, any confidence that she or her cabinet know what they are doing on a day-to-day basis or any confidence that the legislation she and her ministers bring to this place will make Australia a better country. This legislation, though, does far more damage than merely being a piece of legislation of a political nature.

Let me perhaps go back one step. We need to understand that, over this century, going back to when I was Minister for Industry, Tourism and Resources, we have worked hand in hand with the environment department and environmentalists and farmers to ensure that industry in Australia continues to develop. How lucky are we that we did that? How lucky are we that, when the Labor Party formed government, the Minister for Resources and Energy took up
that challenge and continued to work with the opposition, the farmers and the environmentalists to ensure that the resource industry developed? Where would we be now if we did not have a resource industry in Australia? I would hate to think. The financial incompetence of the government is breathtaking and the only thing that has saved them, in the last three years in particular, has been the resource industry in Australia.

I was just looking at some trade statistics. The top four Exporters are all resource industries, of which coal is first. Then there is education and I cannot recall the next one, but the one after that is LNG. Then there is wheat and then we go back to the resource industries. How lucky are we that we have had a government in the past, maybe even in the recent past, that understood how important it was to have a resource industry?

We fast-forward to today and here we are passing a piece of legislation that does nothing. It does not provide any extra science, because the minister for the environment and I set that up last year. We put in place an expert panel to cover the gaps in the science. There is a process already in place through the EPBC Act and the state environmental permitting which sees coal seam projects approved on the basis of 1,500 state conditions and 300 federal conditions, the majority of which revolve around water.

So don't anyone come into this place and lecture us and say, 'You're doing this without due care to the environment,' because I can tell you we are not. I can tell you that, in putting that legislation in place, I in particular had to convince people on my side and people I would call stakeholders, people in the resource industry, that this was good for the long term—because it is. When those 1,500 state conditions and 300 federal conditions were put in place, 8,000 regulations emanated from that. There was a submission for the application which literally stood this high—16½ thousand pages. So don't tell me we need more regulation, more red tape and more green tape because what we have is not working, because I will tell you it is. I have watched it happen. I have seen the money that companies spend in this area. I have seen the importance of these industries to this country. All we are seeing today is that 16½ thousand pages turned into 50,000 pages. All we are seeing today is those applications, which are already taking three to four years, turn into four- to six-year applications.

For those who sit over there and say, 'But we've got to do this or the member for New England will walk,' let me ask you this: what are you going to do when the lights go out? What are you going to do when New South Wales does not have enough gas to run its industries? What are you going to do when people who work in industries that rely on coal and gas, particularly gas, in the electorate of Newcastle lose their jobs? The view—yet to be totally confirmed, but let's watch this space in the next six months—is that this is going to happen in about 2016. But, instead of having a government who are responsible and want to work through and sort out the issues of coexistence in environment and water, we have a government who want to stop that industry dead. They can take the consequences of that. They will be responsible for what happens.

With a bit of luck and a bit of good judgment, there will be a change of government in Australia at the end of this year, and we will do everything we can then to make sure that there is a balance and that, when legislation is brought into this House, it is brought here for a purpose—because, as sure as hell, there is absolutely no purpose for this legislation other than to preserve the
existence of the Prime Minister and her tenuous grip on government, which relies heavily on Independents, who take their pound of flesh whenever their political whim calls on that to happen.

We now have a situation where the coal seam gas industry in Queensland will be delayed, and that will have a very real effect on future projects because investors are thoroughly sick and tired of coming to Australia—not to invest $1 million, $100 million or $1 billion; these are $50 billion projects—and having the rules changed by a government that has no interest in securing investment and jobs in the long term, only an interest in hanging on to government. That will be the effect on the projects in Queensland.

In New South Wales there have been some very, very difficult issues—I accept that. Again, I have worked with the minister opposite to try to get around a number of the issues and I have said to the industry, 'Stay out of the highly populated areas and sensitive areas until we can prove up the science. Go out into the areas where you can drill and be confident of the geology.' But we need to be drilling. We need to be producing gas in New South Wales because in 2015-16—and I say this with a slight smile on my face because, in the end, I am a Queenslander—the people in New South Wales are going to hear an enormous sucking noise. That will be the sound of the gas that has been coming down to them from Moomba, from the northern part of South Australia, for the last 20 or 30 years disappearing north into the gas trains to be turned into LNG because the decision to build those trains was made five years ago in the expectation that the coal seam industry in New South Wales would progress as it has.

We have seen 21,000 jobs, now 31,000 jobs, and $50 billion worth of investment in Queensland, but in New South Wales we have seen nothing. This legislation will finish that industry in New South Wales. It will put so much red tape, so many roadblocks, in front of that industry's further development that it will simply stop, unless those people who are more tenacious than most I have ever met proceed in the hope that by 2017-18 they will be able to start drilling again. Too late. By then those who can get gas will be paying high prices. Instead of paying $4, $7, $8 or $9, which will be the east coast market price, they could be paying prices as high as $12.

How many jobs are going to survive in Newcastle? How many industries in New South Wales are going to be left without energy because this government brings weekly into this place legislation that makes it harder for the resource industry? This legislation is a classic example of that. It does nothing. It does not serve any purpose. It does not add anything to that which is already there. It was introduced by the minister for the environment. All the science is able to be done; all the expert panel advice sought; all the permits issued. But, no, it is more important to hang on to power than it is to be a good government.

Ms GRIERSON (Newcastle) (17:31): I rise to speak in support of the Environment Protection and Biodiversity Conservation Amendment Bill 2013. I am rather pleased to hear the member for Groom say that his advice is to stay out of the built-up areas, go out into the countryside and drill for gas there. Through my speech I want to talk about a built-up area, the built-up area of Newcastle.

These amendments respond to concerns I and many others have raised about having the right environmental protections around the coal seam gas industry in particular. Prior to these amendments the balance was not
right, because the EPBC Act precluded the proper consideration of the impact on water of coal seam gas exploration and major coalmining operations. When you go through the act and go through the assessment forms, you will see there is no box you can tick for water. There are boxes for biodiversity, for species—you can tick a box for all sorts of things, but you cannot tick a box for water.

In this great brown land, water is the most precious of commodities. We cannot take chances. We cannot make on-balance decisions with our fingers crossed behind our backs. We have to get this right. Our communities have sent this message loud and clear. They believe that it is the responsibility of governments to act to protect and conserve our precious natural environments and our precious water. They are rightly worried.

The amendments within this bill will provide greater environmental protection for water resources that may be impacted by coal seam gas extraction and very large coalmining developments. They are necessary because there is no current protection for water resources at a national level, which links to some limitations in the Constitution: the federal government does not have the constitutional responsibility for water. Every environment has a water dimension, so not considering these together defies reality.

Water resources are a matter of national environmental significance, and with these changes coal seam gas and large coalmining developments will require federal assessment and approval if they are likely to have a significant impact on water resources.

Prior to these legislative changes, water has largely been a state based issue. With the introduction of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, which this bill amends, the federal government was given the authority to intervene only in instances where threatened species of animals and plants may be adversely impacted. The amendments before the House strengthen that act and grant the Commonwealth the authority to intervene when large-scale mining developments and coal seam gas projects may impact upon the long-term health and viability of Australia’s water resources. The amendments will also create a civil penalty and offence provisions for companies whose actions involving coal seam gas or large mining developments have a significant impact upon water resources without prior approval being granted.

These changes only apply to those projects that have not yet commenced environmental assessment and to those that are undergoing assessment but where advice from the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development has not yet been provided to the minister. It will not affect those projects with existing licence approval. What is does mean, however, is that should a current project operating under an exploration licence seek a full operation licence it must go through this new rigorous federal assessment process that has water as a central consideration. It also means that any project that is re-referred to the minister because of any breaches of conditions of approval will also be reconsidered under this amended legislation.

And that is very good news for my electorate. Newcastle is home to the Hunter Estuary Wetlands, an internationally recognised Ramsar wetland, which cover almost 3,000 hectares. There are 65 Ramsar sites in the country. This is a very precious and fragile ecosystem at the mouth of the Hunter River, first listed under the Ramsar Convention in 1984. Within this ecosystem are a range of fragile habitats, including
mangrove forests with grey mangrove, samphire saltmarsh, paper-bark and swamp she-oak forests, mudflats and sandy beaches. It is a site that supports a vast number of nationally and internationally listed threatened species, such as the green and golden bell frog, the Australasian bittern and the estuary stingray, as well as 112 species of waterbirds and 45 species of migratory birds, including the great egret and the white-breasted sea-eagle. The Hunter Estuary Wetlands also provides refuge during periods of drought for inland birds such as ducks and herons.

Beneath this site are the Tomago sand beds, an extensive underground water aquifer network which provides 20 per cent of the Lower Hunter’s drinking water supply. Hunter Water Corporation is currently able to access around 60,000 megalitres of water from our aquifer. This water resource plays a significant role for both ongoing and backup water supply for the region and it helped out the Central Coast when its water supply was down to 10 per cent. It has played a remarkable role in our water security and remains a vital water asset to my city and region.

Within this aquifer, and within 500 metres of the Ramsar wetland, two pilot exploration coal seam gas wells have been approved, and one of those has been drilled next to Fullerton Cove by Dart Energy. Whilst not utilising hydraulic fracturing processes, or fracking, this project has caused immense anguish within the Newcastle community. I am on the record as sharing the community’s concern. I have frequently met with and made representations to Minister Burke regarding the approval and monitoring of this project. I have informed him of the community’s distrust around coal seam gas, a distrust that comes from a lack of comprehensive scientific knowledge about CSG extraction and its environmental impact in Australia, as well as its genuine concern about the protection of our unique local environment. I have also met with the CEO of Dart Energy to inform him of those concerns and to discuss with him the rigour I would anticipate they would apply to their project. When we are dealing with a relatively new industry in Australia in such a pristine, fragile ecosystem as Fullerton Cove, we must ensure that the approval process is rigorous and that the conditions and environmental standards are set high.

In April 2012, a subsidiary of Dart Energy was reported to have breached its coal seam gas exploration licence conditions by not properly rehabilitating a drill site at Fullerton Cove. Another licence breach found that a lack of monitoring of surface water and groundwater had taken place. Because of incidents such as these, as well as those that have occurred in places around the world, the community is rightly concerned. Coal seam gas does have a role to play in our nation’s energy needs as we gradually shift our reliance on coal fired power to cleaner and renewable sources, but this can never be done at the expense of our natural environment. The community has called for the protection of water, and this government is acting on that concern.

In 2012 I conveyed to the Fullerton Cove residents that they had my full support in opposing the coal seam gas extraction under the conditions that applied then. I am of the view that the pilot program should not proceed to full operational stage and that any breach in the current approval conditions should be cause to re-refer the proposal for consideration as a controlled action under the EPBC Act, as amended by this legislation. I have also met with the assistant secretary of the Environment Assessment Branch regarding the pilot approval decision made by her under delegated authority. I thank her for that meeting. In that meeting I expressed
my opinion that if this project, located as it is in such a sensitive ecosystem—an international Ramsar wetland and an aquifer that is used by the people of Newcastle—gets through, then every project in Australia would get through. Not now, thank goodness, if this legislation is passed.

I also met with the audit and compliance section of the environment assessment branch about the assessment they would use of the hydrology monitoring that is to take place behind the preparation of the hydrology report by Dart Energy. I suppose my message to the department was, 'Get with the program. You cannot shelter in Canberra behind legislation and bureaucratic processes, and not be conscious of public demand for some satisfaction around this area. There has to be some trust and some credibility.' I think they have to show those concerns. Yes, they are public servants, but they serve the public as well. They have to know what the concerns affecting the portfolio are. They have a responsibility to be across all those issues in order to give their minister the best advice, advice based not just on legislation and reports prepared by others but also on actual observation and involvement.

At the time of the approval of the Fullerton Cove coal seam gas project I stated my view that the New South Wales government should commission an independent study into the cumulative effect and impacts of industry on Kooragang Island and adjacent areas. Such a study is vital to inform planning decisions and mining approvals that impact on the quality of life of the people of Newcastle and the natural environment of the lower Hunter. It is our community that lives every day with the impacts of the largest volume of coal on the planet moving through our valley and our city to our port. Currently there is over 120 million tonnes a year moving to the port. That is planned to increase to 200 million tonnes a year within the next 12 months to two years—it is staggering.

It is our city that has also lived too many days with ongoing chemical spills from the Orica ammonium nitrate plant—some as recent as last week. So when our city is also expected to live with coal seam gas exploration 500 metres from our wetlands, within our Tomago aquifer, one kilometre from the Pacific Ocean and five kilometres from Newcastle Harbour, we rightly say: 'Enough is enough.' It is about time the cumulative impact of this industrial activity is properly assessed by the state government. Certainly, each individual development might stack up alone, but let us deal properly with the cumulative impact of one project on top of another project on top of another, on top of the existing industry that we live with right in the heart of our city. I think the exploration is about 10 kilometres from my home; and, of course, there is a big population in Newcastle.

Last Saturday, 1,500 protesters gathered in Newcastle to voice their opposition to an expansion of coal-loading infrastructure in Newcastle. That is a fairly large protest by anyone's criteria. The people in Newcastle have stoically endured the negative repercussions of industry for many years for the common good: for the good of the city, the good of the state and the good of the nation. They have been leaders in industrial activity, they have supported industry and they have supported—through their unions and their workplaces—effective industry in our city. But now they are rightly sceptical of self-regulation. They are looking for greater assurance from governments that the balance will be right between the environment, the amenity of their life and, certainly, the economic needs of the region. Many in my city think we have reached a tipping point. I invite everyone to come and see the extent of
these resource based industries and heavy industries in Newcastle.

In Fullerton Cove there is concern about the danger posed by water extracted from the coal seams should it contaminate groundwater aquifers. Whilst local resources industries bring jobs and great benefits to our local economy, the Newcastle community has been let down too many times in the past by the impact of industry on health and the environment. That is why there is such credible and heartfelt opposition to and concern about coal seam gas extraction right in the city and demand for rigorous assessment of major mining projects. The reforms in these amendments have also been welcomed by other groups in my wider region, such as the Hunter Thoroughbred Breeders Association. There is a real issue in this country of competing land uses and how we prioritise different industry undertakings. Currently, no planning laws in this country reflect any considered strategy around this issue. What industries do we wish to sustain when all cannot coexist satisfactorily? How are we prioritising food security for the world? How are we responding to our capacity to underpin that global need for food, as one of the few nations in the world that produces more food than we actually need? How much value do we place on sustaining a wine industry—a historic industry that dates back to our earliest white settlement? How do we nurture the equine industry that now rivals the once extensive Irish equine industry? These are all in the Hunter Valley. Although these amendments do not take on these questions, the issues around competing interests will not go away. So, once more, I call on Barry O’Farrell, the Premier of New South Wales, and his hapless environment minister, Robyn Parker, to introduce environmental assessment and approval processes that take into account the cumulative impact of industrial developments on Newcastle and the Hunter Valley.

At the federal level, these amendments come after our federal Labor government established the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development in 2012 to provide scientific advice on impacts that may arise due to coal seam gas extraction and large coalmining developments. This went with our government’s $200 million commitment to relevant research and assessment work. There is no excuse for the scientists not to do a really thorough job and, under this new protection, I will certainly be looking for that. It is not good enough to say, as they did in the Fullerton Cove case, that they have insufficient data. So it will be interesting for them to develop some data.

I commend the bill to the House. I thank my local community for voicing their concerns regarding coal seam gas extraction. I also thank Minister Burke and his department for listening to my concerns and the concerns of his caucus colleagues and taking seriously the concerns and reservations of our communities. The more complete federal regulatory oversight demanded in these amendments is most welcome because our precious water resources deserve the highest standard of environmental protection. I commend the bill to the House.

Mr BALDWIN (Paterson) (17:46): I rise today to speak to the Environment Protection and Biodiversity Conservation Amendment Bill 2013. I am very, very concerned about this bill. I am concerned because in this parliament on 28 May last year I spoke to the need and supported the need to establish an expert scientific group to provide advice to the government. What we are seeing with the introduction of this amendment is a knee-
jerky political reaction to save the seats of a few.

This minister is reactionary and is being political. In fact, if he had understood what he was doing, he would have moved this as part of that amendment then rather than now, some 10 months on. I say this to the minister: why now? Now that you have actually approved all of the coal seam gas wells up through the Gloucester region, the people there have no recourse for their concerns about subcutaneous water. It will not save these people. I do note that in the speech by the minister he praised the member for Lyne, who happened to be in the chair at the time, for being a very, very strong advocate on this issue—obviously not a strong enough advocate, because the gas wells in his electorate were approved by this minister only months ago. If this minister had had a thought about making sure that water quality was one of the key tenements to approval, why did he rush in and approve those wells and not listen to the advice of the member for Lyne? Why didn't he hold it up until this legislation had been approved?

On 28 May, I raised my concerns. I talked about the establishment of the expert panel and my concerns about the water aquifers and the damage to downstream water. I pointed out at that time that I was very concerned because I, pretty much like every member in this parliament, am not a geologist or a hydrologist who truly understands the issue. In fact, so many throughout the community do not actually understand the issue of the subcutaneous water of this nation.

This would be a step in the right direction if it were not for the fact that it should be the state governments that are determining this as a response. It is the state governments that control the water in this nation. This provides another trigger with which the federal government can reject an application. If the advice was provided by the expert panel, which should be appointed by now given that the bill went through in May last year, to the minister rather than there being just a social pressure campaign based on emotion rather than fact, then it would be a good idea.

We remember well the amendments to the legislation in relation to the supertrawler. One of those amendments provided that the minister could shut down a fishery based on social concern. To make sure that we do not increase sovereign risk in this nation, things should be based on sound scientific principles and be developed and explored with experts in the field. I get the feeling from this government that it is more a matter of political reaction than sound actions based on science.

I am very concerned for all those people in my electorate, in the adjoining electorate of the member for Lyne and in the area that I represented up until the last parliament around Gloucester, because the number of gas wells approved by the previous state Labor government, in the dying months of that government, has left a terrible legacy upon the community. Not only are these wells going in close to towns, close to houses, but they have also now been signed off by this Labor government. If this Labor government had considered what it was doing back in May, it would have thought about making water part of the amendment then.

How many wells have been processed and approved by this Labor government under the EPBC Act in the intervening time? That is what concerns me. Do I support legislation that wants to further examine any potential damage to our aquifers and rivers? Of course I do. I said so in my speech of 28 May. I watched a lot of documentaries when
chemical fracking was the go, and I saw the damage that was doing to the dams and the subcutaneous waters travelling through our nation. It was absolutely terrible. As previous speakers have said, water is one of the most valuable assets we have in this nation. This is a dry nation, which we tend to farm as though it was a wet nation. Perhaps we need to adapt our farming practices and principles to better reflect the geography of this nation. There is not an endless supply of water; it is not a resource that will never run out. We need to manage it properly. I recognise the work my colleague the member for Wentworth did as the minister for the environment, with his drive and his concern about water issues particularly in the Murray-Darling Basin.

When the minister sums up, will he apologise to all those people in the Gloucester region who have suffered because of the stroke of his pen? Can those people in Gloucester, around Stratford, around Allworth, around Stroud, Limeburners Creek and Craven—the whole stretch—seek any recompense now? They felt their local member, the member for Lyne, was advocating in their interests. The minister, in his introduction for this bill, singled out the member for Lyne for his advocacy. I am afraid that advocacy has come too late, because the damage has been done.

Earlier this month—I do not have a date but I received an email on 7 March—a group called the Lock the Gate Alliance fronted up to my office with a petition. I was happy to receive the petition but they rocked up to the doorstep and demanded to see me—the only problem was, being a local member with a rather large electorate and without any forewarning, I was in Forster, over 100 kilometres away, working with my constituents there. I understand their concern. I understand the need for action. I know that they represented a coalition of local groups—the Fullerton Cove Residents Action Group, the Fullerton Cove and Medowie coal seam gas free communities, and EcoNetwork Port Stephens. Like many Australians, they have concerns—they have concerns because the previous state Labor government in New South Wales rushed through applications and approvals for mining leases.

So where do we go from here? I would hate to see this minister make decisions purely on political emotion. All decisions should be made on the basis of sound science. After all, it is this government that has continually pushed the line that climate change is based on sound science, that there is no reason to doubt it or question it, and that everyone who does not believe in climate change and the expert panel of scientists is wrong. Well, that is another debate. But in this case if the minister is not going to rely solely on expert advice, sound science, he is going to apply pure emotion for political purposes. There are a number of members on his side who have kicked up a stink, somewhat belatedly. We are five years into this Labor government. Why was this not done if it was a concern in your electorates five years ago? All of a sudden, with an election approaching, we are seeing this call to arms, this rapid action. This is not a new issue. It is an issue that has been revolving around in our community many times over. But, under the threat of political disposal through lack of action, this has been a call to arms.

I am severely disappointed that this measure was not put into place in May last year when the debate on coal seam gas came to this House and there were measures put in place to make sure that the federal government was well informed and well armed with expert advice. As I say, I feel sorry for and pity those in the Gloucester region who, through the lacklustre efforts of
their local member, the member for Lyne, and the belated actions of this minister, will now suffer the consequences of a government who are reactionary rather than proactive in their measures.

Mrs ELLIOT (Richmond) (17:57): I am very pleased to rise today to speak on the Environment Protection and Biodiversity Conservation Amendment Bill. This is a very important bill for the country and, indeed, for my area on the North Coast because for the first time it will allow the federal government to apply the provisions of the Environment Protection and Biodiversity Conservation Act to yet-to-be-approved coal seam gas and large coalmine developments that have the potential to impact on our nation’s very precious water resources. The activation of the new Matter of Environmental Significance as part of the EPBC Act will enable the federal government to assess developments, to approve or disapprove as the case may be, or to acquire additional information or compliance with additional requirements before approval can be granted. So this really is a major step forward when it comes to environment protection. Indeed, the government has ensured these new requirements are economically responsible, with the addition of appropriate transitional arrangements as well, which is important. It is believed the new arrangements will provide an additional level of protection to local water resources through a very meticulous evaluation process. It is important to remember that currently there are no specific protections for water resources under our national environmental law. With this bill we will be changing that, and it is very important that we are doing that. I would certainly like to commend the minister for this action and for listening to the concerns that many people have raised right across the country in relation to this.

Let us be clear about what the government’s amendments to the EPBC Act will do. The amendments apply to coal seam gas and large coal mining developments where an impact on water resources is likely, and will allow the federal government to assess those projects which could potentially affect our water resources. It will also create punitive measures for those companies that may seek to avoid their environmental responsibilities under the act. It is important to note that it does not affect those projects that already have Commonwealth approval and it does not affect those projects that already have state approval, provided that Commonwealth approval is not pending.

The legislation is important as it addresses so many concerns that so many people have raised, particularly in my electorate of Richmond and the North Coast. A lot of these concerns relate to the extraction of coal seam gas, the processes involved in the extraction of that gas, and the potential effects upon our lands and, in particular, water resources and the ongoing effects it can have on the land.

The process of hydraulic fracturing, or fracking, commonly used in the CSG industry is what is behind many of these concerns. The practice of pumping water under pressure and the assortment of chemicals used for the purpose of fracturing the rock layers to allow the CSG to flow come with so many problems. People have raised concerns about the impacts of the extraction process, including the contamination of water from the various chemicals used. The excessive deposits of salt as a by-product are another concern. Those concerns are very widespread. The impact on agricultural land is another major issue that has been brought up. I have certainly heard the concerns, particularly of New South Wales farmers, in relation to the potential impacts of coal seam gas mining. It
is very important that we continue to take on board the concerns that communities raise.

There is no doubt that in my area on the North Coast people have been very vocal. I would like to commend the member for Page, who has raised these concerns on many levels. We continue to work together, as our community is very outspoken about this. Community groups of various backgrounds have voiced their concerns and worries about the impact of coal seam gas mining. The campaign we have on the North Coast is a grassroots, community led campaign which involves diverse sections of our community. The credit for this lies with those many local groups whose tireless campaigns of endless protests, marches and forums and indeed the chaining of many picket lines really have to be commended. I would like to list some of those groups here today because it is important that they are recognised for the incredible work they have done.

There are groups like the North Coast Environment Council, which is the peak body for organisations across the North Coast; CSG Free Northern Rivers; the Tweed Lock the Gate Alliance; the Nimbin Environment Centre; the Caldera Environment Centre; Transition Byron Shire; in particular, the Knitting Nannas Against Gas; and the North Coast peak council for local councils, NOROC, which has also given money for research into the effects of CSG on the environment. They have all expressed concern that our water security could be jeopardised if we leave the CSG industry uncontrolled.

Similarly, a vast number of local communities have declared themselves CSG free: Uki, Burringbar, Crabbies Creek, Mooball, Tyalgum, Crystal Creek, Doon Doon, Mount Burrell, Kunghur, Chillingham, Tintenbar, Main Arm, The Channon, Nashua, Teven, Knockrow and Dunoon. That is just to name a few who have declared themselves CSG free. This is in addition to local councils in my electorate, including Tweed Shire Council, Byron Shire Council and Lismore City Council, all declaring themselves as concerned about the potential impact of CSG and expressing their rejection of CSG mining in their local government authorities.

Indeed the strength of concern regarding CSG on the North Coast is really clearly demonstrated by a referendum that was held in Lismore, with 88 per cent of the 15,000 voters saying no to the question, ‘Do you support coal seam gas exploration and production in the Lismore City Council area?’ It is a massive result. There are also many people who have been very important in putting forward the arguments against coal seam gas mining, individuals including Michael McNamara, Boudicca Cerese, Ian Gaillard and Annie Kia of the Local Lock the Gate Northern Rivers Alliance; Tom Driftwood of the 100% Renewable Campaign; and Sam Dawson of the Caldera Environment Centre. I would like to mention some of our local mayors: Tweed mayor Barry Longland, Lismore mayor Jenny Dowell and Byron mayor Simon Richardson. All have made very important contributions and I thank each and every one of them.

The concerns for these groups and communities are very real on the North Coast. There are currently licences permitting CSG mining activity right across this area. Indeed, in my electorate of Richmond we refer to PEL445, which permits coal seam gas mining activity in an area that extends from Lennox Head in the south to Tyalgum in the north, from Byron Bay in the east to Nimbin in the west. It is a huge area. There is an application for a further licence being considered by the New South Wales state government which would
cover Tweed Heads, Murwillumbah and the Tweed coast, which would mean they would also be subject to a licence to permit coal seam gas mining activity. Those areas cover a massive area of my electorate.

It is these real concerns for the protection of our environment, particularly our water resources, which have seen all this action, with around 7,000 people participating in a march against CSG in Lismore. Additionally we had a further 4,000 people march against CSG in Murwillumbah and a day of action against the whole CSG mining industry expansion, called 'Rock the Gate', in October 2012. Many people have continued to protest in many other ways. I recently visited some of those protestors at the Doubtful Creek site, where there was an exploration underway. They were there for many days, making sure their voices were heard. It was great to catch up with them and quite inspirational to hear the extent some people went to to ensure it was kept on the front foot in making the media aware of their concerns. These issues are very real and they are very justified.

One thing I want to be really clear about with CSG is that it is regulated and licensed by the New South Wales state government. So, whilst in this instance the federal government have done what we can, I always want to continue to keep spotlight on the state government. It is important to acknowledge what we have done, particularly through establishing the $150 million commitment to the independent expert scientific committee, which demonstrated our understanding of the concerns people had. Through COAG, the new national partnership involves taking into account the committee's assessments when granting approvals. It was important that we took that action. Of course, it falls within the great Labor tradition of protecting the environment and our long-term commitments to that. We are very proud of what we have done in the past, as well as this latest action in amending the EPBC Act.

It is unfortunate that many people in our area, particularly in the National Party, do not have that commitment. In our area they are committed to the growing expansion of the CSG industry. In fact, the National Party has a five-point plan to roll out coal seam gas mining into local communities. In my area, I see the National Party continuing to be the voice and doing the bidding of the CSG mining industry, much to the disillusion of locals, who are very disheartened by state National Party members who continue to support the industry vigorously—despite those many individuals and community groups who oppose it stridently.

It is really time for the National Party to stop this pro-CSG agenda and to stop CSG mining on the North Coast. That is why the member for Page and I have a petition which calls on the state government to make the following state seats CSG-free: Tweed, Byron, Ballina and Clarence. We have had that petition running for only a short while and have already received hundreds and hundreds of signatures. Many people are out walking the streets with copies of it because they feel so strongly about it. The member for Page and I are committed to ensuring that we keep it at the forefront. The reality is that those state National Party members could go and see Premier Barry O'Farrell today and tell him: 'This is what we want. We want the CSG-free area on the North Coast.' But they will not do that because they are unwilling or unable to take that action. They are not listening to their constituents. We constantly see how committed they are to CSG mining.

Saturday's edition of the Tweed Daily News carried the headline, 'MP backs government CSG stance'. It reported that
Tweed MP, Geoff Provest, 'makes no apology about the government's coal seam gas stance'. Mr Provest said that the New South Wales government had world's best practice in the industry.

Mr Coulton interjecting—

Mrs ELLIOT: I note some comments from across the chamber in relation to some of the information pages I have put out—

Mr McCormack: Information pages! Information pages!

The DEPUTY SPEAKER (Ms Rishworth): Member for Riverina, please stop interjecting.

Mrs ELLIOT: which really does highlight the fact that the National Party does in fact support the CSG industry. We see that all the time. I make no apologies to anyone at all that I will at every chance highlight the fact that the National Party will continue to do the bidding—and they are doing it now—

of CSG companies.

Mr McCormack: Who's paying for it? Taxpayers are paying for it.

The DEPUTY SPEAKER: I am going to ask the member for Riverina to cease interjecting.

Mrs ELLIOT: It is the National Party that is stopping this happening. As I say, they could do it tomorrow; they could walk in and see Premier Barry O'Farrell and they could make sure that that happens. We will keep raising that at every opportunity that we have.

Whilst I say it is the state that regulates and licenses it, we are very proud, from a federal Labor government level, about what we have done. We have listened to the community and taken action. We have worked very closely to make sure that happens. This new legislation really is an important step. It effectively means that, for an area like the North Coast, coal seam gas mining could potentially be stopped if it is determined to be a risk to our very important water resources. It does allow, for the first time, for the federal government to apply the provisions of the Environment Protection and Biodiversity Act to water. It really is a major step forward and it is one that people within the community have called upon for a long period of time. We are very pleased to be at this stage, where we can say we have heard the concerns and we have acted.

There were other concerns that many individuals and groups had. One of them is about future proofing into the coming years in terms of what action can be taken. If only we could future proof that the Liberals and Nationals would not get in and tear this up, that would be a good thing. It is our concern that they will do that, that they will change it if this does go through; it will be interesting to see what happens. If we could future proof the Liberal and National parties' environmental vandalism, that would be a great step forward. It certainly is a concern to people in our region when we look at the extent they will go to in terms of our precious environment.

Mr Turnbull interjecting—

Mrs ELLIOT: We see it every day with the actions of the National Party in our area, and we know they are environmental vandals. We look across the board. It is not just when it comes to CSG; we see it in so many other areas in how they are acting in terms of their councils.

Mr Turnbull: Bring back the administrator of Tweed Shire, I say!

Mrs ELLIOT: I hear the member for Wentworth referring to Tweed Shire Council. Indeed, the New South Wales state government's actions in calling in their local environmental plans and not letting them properly assess their environmental areas are another concern and another issue where we
see the New South Wales Nationals' environmental vandalism. It goes on and on. I do not think there is enough time for us to highlight the extent of it at state level. We see the concerns that they have and we have right across the board.

What is really important with this legislation is that currently there is no direct protection for water resources under our national environmental law, but with this legislation we are going to change that, because we have listened, we understand and we certainly get those concerns that many people have had. We understand how important our water systems are and how they have to be protected.

In closing, I would like to commend this bill to the House and particularly acknowledge the environment minister for the wonderful work that he has done in relation to this and in listening to so many members of this chamber and so many people right across the community that have continued to raise this. It has been the federal Labor government listening to those communities, and it has been the federal Labor government that has acted and continues to listen to this. That is across the board when it comes to protecting our environment, and we have taken action on so many levels when it comes to protecting our natural resources and putting a price on carbon—a remarkable achievement that only this federal Labor government has achieved.

Mr McCormack interjecting—

Mrs ELLIOT: We still hear, despite these protests from the National Party here defending their CSG mates again—

Mr McCormack interjecting—

Mrs ELLIOT: I am very proud to be standing up for the concerns of North Coast residents.
driving this. As she scurries from the chamber, she might like to explain this advertisement from the Byron Shire Echo, issue 27.39, on 12 March 2013: 'Authorised by J Elliot, Tweed Heads'. So I ask: was this paid for by entitlements? Was this paid for by the Australian taxpayers? In it she said:

Nationals Candidate supports harmful Coal Seam Gas Mining … Matthew Fraser just doesn't get it … We can't risk Matthew Fraser and his Pro-CSG fracking, drilling and blasting agenda.

This was paid for by the Australian taxpayers. The member for Richmond is not responding to community action; she is driving it. The reason she is driving this is so that the people of Richmond are not talking about the national economy, about BER or about pink batts in roofs: 'So let's distract them. Let the member for Richmond and the member for Page get together, and we'll have a distraction. We'll scare the pants off the people of the North Coast and tell them that these evil gas companies are coming to get them.' This is a scandal. We are supposed to be in this place representing, supporting, encouraging and helping our constituents so that they can get through these issues. We are not put here to scare the living daylights out of them and create an issue so we can be perceived to solve it.

I might just make one observation. One thing you can say about the Minister for Sustainability, Environment, Water, Population and Communities—and it was the same when he was Minister for Agriculture, Fisheries and Forestry—is that, when he introduces a bill, mostly he sits at the table and watches the debate. That is one thing I give him great credit for. Where is he today? Is he a tad embarrassed about the scant nature of this legislation?

I am not pro coal seam gas and I am not opposed to it. I support the people of New South Wales, the people of my electorate, being protected. We saw that in a bipartisan way with the environment minister's proposal for an independent scientific committee to look at large-scale mining and coal seam gas projects and look at the issues. I agreed with that. We need to make sure that we get the science right. But this bill does not change anything. Did the member for Richmond explain how this bill is going to protect the people of the North Coast? Did the member for Richmond explain to the people of the North Coast how it is going to help with their access issues and compensation issues? No, she did not. She made a blatantly political speech.

I am on the record about my support for farmers and my support for the environment. I have said time and time again that the farmers in my electorate will be feeding the world in 1,000 or 2,000 years time. They farm soil as fertile as that around the Nile and the Ganges, and they have the methods, the technology and the skills to maintain and improve that soil. We do not want to introduce an industry that is going to destroy that. But we have an issue with coal seam gas and coalmining versus farming. It is an issue that is going to take a great amount of responsible action to deal with.

The Nationals have a position on this. We believe that our water is sacrosanct. We believe that water is the lifeblood of Australia. We believe we need to get the science right. But, unfortunately, the member for Richmond has belled the cat on this, as I suspect the member for Page is about to. The member for New England is involved in this as well. The fact that the NFF, who support farmers at a peak level, have come out and said that this bill is not adequate and does not really change anything is a clear indication of what we are seeing here. The scientific committee already has the ability to look at this. I am not saying that this bill is necessarily going to harm our farmers or people on the coast. It is just not going to
help them. It is interesting that this taxpayer-
paid advertisement in the Byron Shire Echo
is going into an area where there is no CSG
industry at this moment. This is an appalling
situation.

In the Parkes electorate, we have large
areas under exploration licence. It is a
concern for the farmers that live in those
areas. But I say to those farmers: putting
your hands over your ears and shouting at
whoever comes nearby and sending emails
personally insulting your local member over
this will not solve the issue. This is one that
needs engagement. If you do not engage with
this issue and glean the facts, you will end up
with an industry in your neighbourhood over
which you have had no say. We need to get
this right.

In my electorate, I have some of the best
grain-growing areas anywhere in the world.
The idea that there would be a grid pattern of
coal seam gas wells all across this cultivation
land—which is farmed by satellite control; it
is precision agriculture, where the best of
science is used—is abhorrent to me. I would
fight to my last breath to protect the
productivity of this land. But not all land in
my electorate is of this nature, and not all
farmers in my electorate are strongly
opposed. They are prepared to look at this.

I do not just come to this place making
political points on this. I have spent quite
some time studying this industry. I went to
Queensland. I went to the seat of my
colleague the member for Maranoa. I went to
Roma, and I saw where the industry is
working side by side with farmers, without
conflict, where there was benefit not only to
the farmers involved but also to the
communities. The wealth in Western
Queensland, in towns that were dying 10
years ago, is good to see.

I also went to the Darling Downs, the
Cecil Plains and Dalby, and I saw areas there
that were under licence where it would be an
absolute crime to develop anything but
agriculture, an area where the aquifers and
the coal seams were close together. But in
places like the Pilliga forest and areas around
Narrabri there are 700 or 800 metres of
impervious rock between the water aquifer
that sustains those areas and the aquifer with
coal seam gas in it. To not look at that and to
not look at the possibilities of exploiting that
resource while protecting the farmland
would be, I believe, a nonsense.

The farmers in my electorate rely on
having a clean, healthy environment. They
also rely on energy. They rely on energy for
irrigation. They rely on energy for running
tractors. They rely on energy to produce
nitrogenous fertiliser and farm chemicals.
Farming is the industry that is most subject
to the cost of energy.

The week before last, the Lock the Gate
Alliance and local farmers sticky-taped a list
of eight demands to my office window. They
picked a time when they knew I was not
going to be there. The fact that people had to
stand outside my office I found an insult—
no-one stands outside my office; no-one gets
refused an invitation to come in and talk
about whatever issue they want. But they
chose to pick a time when I was not there
and sticky-tape these eight demands to my
window. Some of them I could agree with,
but some of them were straight out of the
Greens’ playbook. The headline was fair
enough: ‘Mining companies should pay their
fair share of tax’. But when you go into the
Lock the Gate Alliance website, you find
that that means the diesel fuel rebate needs to
be removed. That is what they want.

The diesel fuel rebate is worth a lot to the
mining industry. But I can tell you what:
potentially, and percentage-wise, it is worth
a lot more to the farmers. As to those people
who are supporting the Lock the Gate
Alliance, are they telling their neighbours that they are campaigning to do away with the diesel fuel rebate? One of their demands is that we build no more large-scale ports—are they saying that to the farmers who are looking for diversity in their grain market by getting a second grain terminal in Newcastle? Do they realise that one of the demands of the Lock the Gate Alliance is that there be no more ports? No more government funding to go into railway lines—that is another demand. That is going to be nice, as we try to make sure that we are going to build the railway line from Melbourne to Brisbane to give access to our farmers to greater markets and to ports?

A warning to the people who are driving this issue: this is a serious issue. This needs engagement. We do not need window-dressing. We do not need to be saying, like the member for New England says: 'At least I'm doing something.' 'At least I'm doing something'—that is the defence of the fool who is pouring petrol on a fire. We need to make sure that we get the science right. We need to make sure that we protect our agricultural land. We need to make sure that if this industry is going to develop it does so in a sustainable, sensible fashion. And we need to do it in a common-sense way. We do not need to see stunts like we saw from the member for Richmond where you scare the pants off the people you are supposed to be representing, create an issue, talk to the environment minister, get him to put up a mickey mouse piece of legislation that does not really change anything, and then say, 'Guess what: I fixed your problem.' This does not fix the problem.

To the people of the North Coast: you still have problems with access that you need to deal with and compensation that you need to deal with. This does not do any of that. I give credit to my state colleagues. It has been a very, very difficult issue—a difficult issue that had been left to them by the state government who handed out these things willy-nilly for backhanded payments to corrupt upper house MPs across the state, and now my colleagues in New South Wales are trying to sort this out, and I give them great credit for that. I tell you: in this place we take it seriously. (Time expired)

Ms SAffIN (Page—Government Whip) (18:26): I rise to speak in strong support of the Environment Protection and Biodiversity Conservation Amendment Bill 2013. It is a bill that is needed to give protection to our water resources. I live in an area—though my seat is called Page—called the Northern Rivers, a part of the North Coast, and that speaks volumes. That is what we are trying to protect. There is prime agricultural land. That is what we are trying to protect. And this bill gives scope to actually do that.

There is all sorts of mining, but we are talking about coal seam gas mining. That is the province of the state, because onshore petroleum resources, constitutionally, reside with the states. There are some environmental powers that we have federally, and it has been a conversation that I and the member for Richmond, and the member for New England, I know, and other members in this place such as the member for Lyne have been having with the minister for the environment for quite some time, to look at ways in which we could add that protection that was not happening through the state based regulatory regime.

One of the things I would like to say in addressing some of the issues that the honourable member for Parkes raised, about the state based scheme, the federal scheme and all that, is: coal seam gas in New South Wales almost snuck up on us. We had a company, Metgasco, come to my area some time ago, and we all thought: 'Great—we are going to have natural gas.' People associate
that with cleanness, and they thought, 'This is good. This is a good thing in our community,' where they were going to be, in the Richmond Valley. I said, 'That's great. This will work.'

Then, when we discovered, after some time, that it was not natural gas, and we started to ask questions about it—'Okay, so you're going to do coal seam gas mining; what is that? What impact will that have?'—and we were not getting answers, locals started to get worried. So did local farmers. Some farmers have said yes, but you have very few rights, under the way the state based scheme works, to say no. But some of the farmers did say yes, and now some of them are worried because they are looking at some of the science that is in on coal seam gas mining and unconventional gas mining.

I first became alert to it when I read the National Water Commission's position statement on coal seam gas mining, which they put out in 2010. It was updated in 2012, when they said that basically what they said in 2010 stands. They articulated 11 principles that should be followed—adhered to—if this coal seam gas mining is going ahead. Not that they said it, but from what I read you would not do it. If you were applying the precautionary principle—which we should to our water and to prime agricultural land—you would not do it.

I then read the CSIRO publication on water, and it addressed different sectors and areas right across Australia. There is a section in there—to memory it is chapter 10—that deals with coal seam gas mining and large coal mining. Again, it states quite clearly that they do not know some of the impacts on water and the aquifers, and that there are other issues. So why would we do it if there are groups like those saying that?

Now I will move to the next part of the story. A lot of locals in my area were starting to get worried. The worry came from farmers, because it was farming land and farms that the coal seam gas companies wanted to go onto. The farmers came to see me and started talking about it. And there were local environmentalists and other locals who were worried about it.

Most of the people in local government in my area have come out saying that they do not want coal seam gas mining. And that is unusual. At the time, I had meetings with locals and I said, 'This has the potential to be the rare earth.' In Lismore, many years ago they wanted to set up a rare-earth plant, and thousands of people took to the street in Lismore and marched against it. There were thousands of local people who said, 'No.' Back in 2010-11 I saw that coal seam gas had the potential to be a 'rare-earth' issue.

I met with the gas companies—I met with them here—and talked with them. You have heard a lot about social licence. That is something I spoke about to the gas companies. I said, 'You have to earn that. Yes, you might have a legal licence to explore. Then if you want to go into production you go through another process to get your approvals to do the exploitation and production. But you also have to live in a community, be in a community and be welcome in that community.' It is clear in my community that those companies are just not welcome. It has been a very fraught issue for a lot of people. All sorts of people have been involved.

The honourable member for Parkes was talking about farmers and saying that they would be the ones who would feed the world. From the evidence—the science and the literature—that I have looked at to date I think that farmers will not be able to. If coal seam gas mining goes ahead on their land they will not be feeding anyone; they will
not even be feeding their families, let alone feeding the world. That is just nonsense.

The honourable member for Parkes also talked about the National Farmers' Federation. In essence, he was saying that they were against the bill. I have their media releases; everybody here would have them. Their media release of 12 March said:

While we certainly agree with the intent of the bill—

That is hardly speaking against it—

which is to see greater scrutiny and scientific rigour around coal seam gas and mining developments where they may impact on our water resources, we have significant concerns about the potential for this bill to be extended to agriculture in the future …

The minister said at the time that it was bizarre, and I said, 'That's a bit out there.' I must admit I attributed the quote to Duncan Fraser when I was speaking on the Country Hour. It was actually Jock Laurie, so I will correct that here, on the record, but it was in the NFF statement. In their statement the NFF go on to say a lot about water. They have been consistent in that.

I have here the NSW Farmers media statement of 12 March on the bill we are debating now. The statement says:

Fiona Simson, President NSW Farmers, said: "We have consistently stated strong regulatory frameworks are required to place sensible limits on mining and coal seam gas activities."

"Farmers right across New South Wales have been calling on the NSW Government to deliver a more rigorous assessment process for mining and coal seam gas proposals.

"It is not surprising the federal environment minister has seen a need to step in ...

And the media release goes on. That media release was from NSW Farmers. They are embracing the action that had to happen. So it was good to have both positions put there.

I would like to say a few other things about what has happened at state level. I have said in media interviews on the radio— I have been saying it since 2010; I have been talking about coal seam gas since then and working with my colleague the honourable member for Richmond on this—that it was as if we were caught unawares. We have state based regulatory systems that are predicated around large open-cut or underground mining. And we do not have those systems modernised for mines in our backyards. I call it 'mining in your backyard'. Who wants mining in their backyard? I do not want mining in my backyard. People in my area do not want mining in their backyards. I make no apology about that.

I got asked on Country Hour: 'Is this a NIMBY?' and 'Why are you doing this?' I said, 'I'm representing my local people, who are really worried about this.' Also, I do not want sinkholes in my back yard, due to the effects we have seen of some mining. But my primary concern was always water, given everything I had read about water.

Another issue that has been raised in our area is property values. Real estate agents have told me, right across the Northern Rivers, that when people find out that coal seam gas mining licences have been issued in particular areas, they do not want to know about property there. They go away. It is certainly one of those issues that scares people.

I want to turn to a couple of other issues. I did note comments by the Woodside CEO in the Sydney Morning Herald on 4 March. The CEO, Peter Coleman, was asked a question in response to something that the previous CEO, Don Voelte, had told a business forum. He told a business forum that he wanted his six-year tenure to be remembered for his decision to stay out of CSG. He said:
Come back and check four or five years from now—I think one of the greatest things I will have achieved is not taking my company into coalbed methane.

Asked about the comment, Mr Coleman said: Don showed wonderful insight.

The article goes on. That is clearly one big company that everybody knows and which has stayed out of that area.

We have another issue and it is to do with health. People are concerned about the impacts on their health. But I come back to water. One of the things that worries people is that a huge amount of water is extracted in the process. If you read the extra work that the National Water Commission did beyond their position statement on CSG, it is well documented. It is a large amount of water. Our systems will not be able to cope with it. That is the way I am reading the science so far.

We have the Environment Protection and Biodiversity Conservation Act 1999 and we now have the independent expert scientific committee, which we all agree is a good thing. It would have been great if that had been set up in 1999 when the act came into being. We would have had a lot of baseline studies done that we do not have now. All of this activity is taking place, but we do not have the baseline studies. That is what we are trying to get to. This amendment will give at least some additional protection around our water.

It is a huge debate. It is a debate that we need to have about a modern regulatory framework, particularly at state and territory level and where the federal government is involved around resources. Anyway, we are having the debate incrementally and we are trying to step in where the state has not been able to give that protection.

Another issue that comes up is the impact this will have on gas prices. If you do the research and read up, you will know that gas prices have risen in recent times. In Western Australia, they have gone from $2.50 to approximately $8 per gigajoule, and that is in just a short time. We expect that in eastern Australia it is now rising. One of the things people say is that it is because we are going to stop coal seam gas mining, but the steep rise has very little to do with the increased cost of production or trying to stop coal seam gas mining. It is a consequence of the burgeoning LNG export industry. There are many documents on this. It is to do with the on-selling of the gas for export. A lot of it will be sold and it goes up in price. That is reflected back to us domestically and we end up with a higher price. Even if you read the Prime Minister's manufacturing task force report of the non-government members, you will see it in there.

A whole lot of issues have been raised about this. Issues have been raised with me by people in my community. I say that this is a really good amendment to provide some protection to our water resources. Like a lot of these issues, the work in progress will continue. I commend the minister for the work that he has done on this and for listening to us—listening to my community and listening to the community of the member for Richmond—and making sure that we have this additional layer of protection around our water resources. I commend the bill to the House.

Mr BRUCE SCOTT (Maranoa—Deputy Speaker) (18:41): I rise to speak on the Environment Protection and Biodiversity Conservation Amendment Bill 2013 tonight with a very direct interest and to be the voice of my electorate on this issue. The resource formations in my constituency are the Surat Basin, the Galilee Basin and the Lake Eyre Basin, which has not been referred to tonight. It is often overlooked but is one of the very early formations where gas and oil
were extracted, which has benefited much of Australia's energy and resource needs. There is the Moonie oil field as well. In your constituency, Madam Deputy Speaker Livermore, there is the Bowen Basin, one of the largest coal reserves and formations in Australia. All of those fields create enormous wealth, as you and I well know, as well as jobs for families and businesses associated with the communities where the extractions take place.

The electorates of Maranoa, Flynn, Capricornia and Dawson in Queensland are four electorates that in my lifetime have seen unprecedented growth with the development of the coal seam methane gas industry and the natural gas industry. I might add that my hometown of Roma is where the very first oil was discovered in Australia. So we have a long history and understanding of resources under the ground in the various formations, where they have been trapped for millions and millions of years.

I support regulation. I was a voice of concern in the early development of coal seam methane gas extraction and treatment, particularly regarding water. I worked with the previous Labor government, for heaven's sake, to improve the legislation. There were great concerns. One of the problems with coal seam methane gas was that some of those who were proving up tenements—we called them cowboys—were really only proving up tenements to on-sell to a larger company. The regulations in the early days were deficient, very deficient. But, progressively, under the former Labor government of Peter Beattie and then of Anna Bligh and now under the Liberal National Party government of Campbell Newman, we have locked in these strict regulations. This is, after all, the constitutional responsibility of state governments. But we have locked in these strict guidelines, guidelines which impose severe penalties for noncompliance on these companies.

I know we have to get it right and I am on the record as a voice of protest on this—but not a voice of opposition. Part of the regulations we put in place allowed for no-go zones—areas where the coal-seam gas industry just cannot go. These included prime agricultural land and some areas where there are key aquifers—the Condamine alluvium in particular. These sorts of areas are very problematic and there are still concerns. We do not know what the impact would be on that Condamine alluvium aquifer across parts of the Darling Downs if the industry were allowed into that area.

I can assure you that I do not need anyone in this place to lecture me about the importance of water. I grew up in western Queensland and the water we received on the property where we lived and grew up was delivered to the overhead tank of the house by a windmill. If the wind blew, you got water off the house. So you really respected the value of water. If there was no wind, there was no water in the tank. There were many days when you all shared the same bathwater—and then the bathwater would go out onto the lawn. So I have enormous respect for the value of water, unlike so many of our urban counterparts who have grown up in an era in which water comes out of a tap.

I also have enormous respect for the water in our underground aquifers and the different formations that exist there. In my own constituency, we have the Springbok sandstone formations, the Mooga sands, the Gubberamunda sands, the Hutton sands, the Precipice sands—these are all formations going down to 4,000 and 5,000 feet below the surface. They all date back to before the Jurassic Period—they are hundreds of
millions of years old. They are all separated by various formations of hard rock—some in a coal seam, others with sandstone. But all of them are important. My own home's water supply comes from the Gubberamunda sands—beautiful water. The water of many towns in western Queensland comes from these various aquifers down as deep as 4,000 and 5,000 feet below the surface.

The Great Artesian Basin, which so many people talk so loosely about, is not some great basin of water. It is not one basin. There are aquifers separated by formations of sandstone and the water is of varying quality. The deepest aquifer is the Precipice sandstone formation in my electorate. Its great relief valve is out in the Dalhousie Springs in South Australia. Water has been extracted from it for more than 100 years, much of it out of free-flowing bores across far western New South Wales and into western Queensland. Thankfully we now have a program—and I would like to think we could accelerate that program—to cap the remainder of those free-flowing bores. That is a great conservation measure which shows that we understand the importance of the water—that we cannot just continue to waste water and let it run down as it has for more than 100 years in many parts of western Queensland and western New South Wales. At the time it was of course the cheapest way of providing water for livestock over hundreds and hundreds of kilometres.

The coal-seam methane gas industry in my constituency has been operating for more than 15 years. It did not just turn up last year; it has been operating for 15 years. It now provides 90 per cent of the domestic gas used in Queensland. Some 15 per cent of Queensland's power is now generated from coal-seam gas, and I know that there are three or four more projects for combined cycle generators in the works. These generators will all be using coal-seam gas. They are intended to replace coal fired power stations which would otherwise have been built. They will increase the capacity for power generation in Queensland to be driven by gas from coal-seam gas extraction.

Let us go to the next step of this coal-seam gas industry. Something like 30,000 jobs right now in Queensland depend on four major projects aiming to export LNG from Gladstone, noting that some of the gas extracted will be going into domestic gas supplies—some for heating and cooking and the rest for power generation. The value of those projects is $77 billion. They are probably one-third constructed right now. These projects do not yet have approvals for the full number of wells they will need—bores to provide the gas they need for their LNG projects. They will need further approvals. Some of them are being processed now. This bill will hold that up. These four major projects represent jobs for 30,000 people—nearly all Australians. If these projects are held up because they cannot access sufficient licence agreements to drill the bores they need to feed the gas pipeline being put through to Gladstone to produce LNG, it may mean that these projects do not meet the very critical time line imposed by the forward contracts they have signed to deliver LNG into Japan, Korea, Taiwan and the Asian markets. This is critical. But what we have got with this government is another layer of red tape.

Many of these workers in the 30,000 jobs across my constituency, across Flynn into Capricornia and as far north as into Dawson, live in our coastal areas and in our cities. They have families. They have a stake in this industry because their livelihoods are dependent on these projects continuing to be rolled out and not held up because of more red tape that is going to be imposed on them by this federal government. I have family that are involved in this. I have family that
decided they are not prepared to coexist with the coal-seam methane gas wells that would have been on their property. They would have been very near one of the major hubs—that is, where the gas is collected and then pumped through to Gladstone. But they were able to negotiate with the gas company and they have moved to another property. I know for many it has been difficult, but they have a very satisfactory outcome. Their personal and financial arrangements are their business, but I know from my own observation that they have a larger property. They are happy. It was a very big decision for them but they have been able to relocate within the Roma district and were able to negotiate a successful compensation package to move from the land that they had purchased when they first got married and built a new house. They had ties to the land. It was part of their life. They developed it and showed what they had achieved with their own hard work and their own initiative. They have exited that farm and moved elsewhere to a bigger farm. I am quite certain it is not in a coal-seam methane gas area where in the future there could be a tenement granted. So I have personal contacts with people who have had coexistence issues and water issues that people are concerned about.

One of the regulations we put in place with the former Labor government, which was pushed by the LNP when they were in opposition, was to make sure that the water that was extracted as part of the process was made use of. Additional water that would otherwise have been coming out of the overland flows from the Condamine River is providing for the growth of the town of Chinchilla. They are also selling water allocations to farmers, to melon producers. Chinchilla is the melon capital of Australia, as we all know—we should know. I am sure the minister at the table is well aware now. They are getting greater security for water entitlements because the companies must make good with the water that is being extracted as part of the gas extraction process.

Madam Deputy Speaker Livermore, I know you are in the chair and you cannot interject from there but I am sure you are witness to the huge development and the wealth that comes out of the coal industry. I have a number of coalmines in the Surat Basin around Wandoan down through to the Darling Downs that are just sitting there waiting for the Xstrata project to proceed. This Xstrata project would mean there would be a new rail line from Wandoan to Gladstone. I hear today that Xstrata are putting that project on hold. I can only suggest it is because of this legislation. There is too much uncertainty. The other coalmines that would have been developed for export of that coal are going to sit there in limbo because of this legislation.

In conclusion, I was a voice of protest but not a voice of opposition. I realise the benefit of the resource sector, the jobs it has created and the job potential for young people to have a future in western Queensland. I also note that this is just putting—(Time expired)

Debate adjourned.

BUSINESS

Rearrangement

Mr CLARE (Blaxland—Minister for Home Affairs, Minister for Justice and Cabinet Secretary) (18:57):

I move:

That the business intervening before order of the day No.15, government business, be postponed until a later hour this day.

Question agreed to.
BILLS
Royal Commissions Amendment Bill 2013

Consideration of Senate Message
Bill returned from the Senate with amendments.
Ordered that the amendments be considered immediately.
(1) Schedule 1, page 3 (before line 3), before item 1 (before the heading relating to the Royal Commissions Act 1902), insert:

Freedom of Information Act 1982
1A After subsection 7(2D)
Insert:
(2E) A Minister and an agency are exempt from the operation of this Act in relation to the following documents:
(a) a document that has originated with, or has been received from, the Child Sexual Abuse Royal Commission (within the meaning of Part 4 of the Royal Commissions Act 1902) and:
(i) that contains information obtained at a private session (within the meaning of that Part); or
(ii) that relates to a private session and identifies a natural person who appeared at a private session;
(b) a document that contains a summary of, or an extract or information from, a private session.
(2) Schedule 1, item 30, page 7 (after line 24), after the heading to Part 4, insert:

Division 1—Definitions
(3) Schedule 1, item 30, page 8 (after line 3), after section 6OA, insert:

Division 2—Private sessions
(4) Schedule 1, item 30, page 8 (line 15), omit "section 6OD", substitute "Division 3".
(5) Schedule 1, item 30, page 9 (line 27) to page 10 (line 23), section 6OD to be opposed.
(6) Schedule 1, item 30, page 11 (after line 10), at the end of Part 4, add:

Division 3—Privacy of private sessions
6OG Privacy of private sessions
A private session must be held in private, and only persons who are authorised by a member of the Child Sexual Abuse Royal Commission holding the private session may be present during the private session.

6OH Offence for unauthorised use or disclosure of information given at a private session
A person commits an offence if:
(a) the person obtains information:
(i) at a private session; or
(ii) that was given at a private session; and
(b) the person makes a record of, uses or discloses the information; and
(c) none of the following applies:
(i) the record, use or disclosure is for the purposes of performing functions or duties or exercising powers in relation to the Child Sexual Abuse Royal Commission;
(ii) the person is authorised to make the record of, or use, disclose or publish, the information in accordance with section 6OJ (inclusion of information in reports and recommendations), 6P (Commission may communicate information) or 9 (custody and use of records of Commission);
(iii) the person gave the information at the private session;
(iv) the person makes the record of, uses or discloses the information with the consent of the person who gave the information at the private session.
Penalty: 20 penalty units or imprisonment for 12 months or both.

Note: For a defence to this offence, see section 6OK.

6OJ Inclusion of information in reports and recommendations
Information that relates to a natural person that has been obtained at a private session may be included in a report or recommendation of the Child Sexual Abuse Royal Commission only if:
(a) the information is also given as evidence to the Commission or under a summons, requirement or notice under section 2; or
(b) the information is de-identified.

6OK Defence for disclosure to person who provided the information

Section 6OH does not apply to a disclosure of information to the person who gave the information at a private session.

Note: A defendant bears an evidential burden in relation to the matter in this section (see subsection 13.3(3) of the Criminal Code).

6OL No other exceptions under other laws

(1) A provision of a law of the Commonwealth, a State or a Territory has no effect to the extent that it would otherwise require or authorise a person to make a record of, use or disclose information obtained at a private session if the record, use or disclosure:
   (a) would contravene a provision of this Division; or
   (b) would not be permitted by a provision of this Division.

(2) Subsection (1) has effect whether the provision concerned is made before or after the commencement of this section.

6OM Relationship with the Archives Act 1983

(1) For the purposes of the Archives Act 1983, a record:
   (a) that contains information obtained at a private session; or
   (b) that relates to a private session and identifies a natural person who appeared at a private session;
   is in the open access period on and after 1 January in the year that is 99 years after the calendar year that the record came into existence.

(2) To avoid doubt, subsection (1) applies in relation to a record even if the record came into existence after the private session.

(3) Subsection 3(7) and section 56 of the Archives Act 1983 do not apply to a record referred to in subsection (1).

(7) Schedule 1, page 11 (after line 14), after item 31, insert:

31A After subsection 6P(2B)

Insert:

(2C) A person who obtains information, evidence, a document or a thing in accordance with this section may (subject to sections 6DD and 6OE) make a record of, use or disclose the information, evidence, document or thing for the purposes of performing his or her functions or exercising his or her powers.

Mr CLARE (Blaxland—Minister for Home Affairs, Minister for Justice and Cabinet Secretary) (18:57): I move:

That the amendments be agreed to.

The proposed government amendments to the Royal Commissions Amendment Bill are designed to strengthen the confidentiality of information received at a private session. The bill includes measures that will serve to protect the privacy of persons giving information at a private session. The royal commission was consulted in the preparation of the bill. Since the bill was introduced the government has continued to work with the commission and the commission has formed the view that further assurances should be given to protect the confidentiality of private sessions.

There are three main amendments to strengthen confidentiality in the bill. The offence in the bill for unauthorised use or disclosure of information obtained at a private session is extended to override legal demands to access the information such as through a subpoena. Secondly, an amendment is proposed to the Freedom of Information Act to exclude a right of access to documents containing personal session information. Thirdly, an amendment is proposed so that records containing information obtained at a private session would come into the open access period under the Archives Act 99 years after the year the record came into existence.
The other amendments are consequential to or related to these three amendments. These amendments have been passed now by the Senate, and I commend them to the House.

Question agreed to.

ADJOURNMENT

The DEPUTY SPEAKER (Hon. BC Scott) (18:59): It being approximately 7 pm I propose the question:

That the House do now adjourn.

National Broadband Network

Mr FLETCHER (Bradfield) (18:59): The latest figures on the NBN rollout confirm that it continues to be a disaster. The National Broadband Network was announced by broadband minister Conroy and then Prime Minister Rudd on 7 April 2009. In December 2010 NBN Co. released its first corporate plan, which promised that the company would pass 1.269 million homes with the fibre network by 30 June 2013. By 30 June 2012, the company had passed fewer than 40,000 homes with the fibre network, and the target in the plan was looking very shaky.

In August 2012 NBN Co. decided it was time to change the goalposts. It released a new corporate plan, promising that by 30 June 2013 it would pass 341,000 premises with the fibre network—that is about one-quarter of the original target. By 30 June 2012, the company had passed fewer than 40,000 homes with the fibre network, and the target in the plan was looking very shaky.

If we decode the statements by an NBN Co. spokesperson which were quoted in the industry newsletter Communications Day on Monday of this week, it seems the explanation is that the 72,400 reported by NBN Co. as at 31 December 2012 included lots passed in greenfields estates where a home had not yet been built, whereas the number now known to be the position as at 12 March, namely 70,783, does not include such lots in greenfields premises. If that is the explanation, it would appear to be the modern equivalent of the fake villages built to Empress Catherine II of Tsarist Russia as she toured her territories. The modern equivalent would appear to be by including in 'premises passed' building lots where there are no homes in existence. If we look just at the brownfields rollout, NBN Co. reported 46,100 premises passed by fibre as at 31 December 2012. The DeVoteD numbers showed 47,511 some 10 weeks later—so they have added around 140 premises per week. This would mean that, to reach the brownfields target of 286,000 in the remaining 16 weeks, NBN Co. would need to add almost 15,000 premises per week.

The facts are clear: NBN Co. has hopelessly missed all of its rollout targets to date and it is going to hopelessly miss its June 2013 rollout target. This is a company
which is comprehensively failing to do what it is charged to do, even though by 30 June 2012 it had received over $2.8 billion in taxpayers’ money and is scheduled to receive a further $20 billion over the four years beginning in 2012-13. If this were a private sector organisation the CEO, Mike Quigley, would have been fired some time ago. If the Rudd-Gillard government is serious about the NBN rollout, it must take action to dismiss Mr Quigley and put in a chief executive with experience and capacity in large-scale rollouts. The numbers are stark, the performance is dismal—action must be taken if this government is to retain any credibility at all when it comes to the broadband rollout.

QBE Insurance

Ms OWENS (Parramatta) (19:04): I have recently learned that QBE is cutting 700 jobs in Australia and offshoring those jobs to Manila. The functions to be transferred to the Philippines include workers compensation claims, motor vehicle claims and reinsurance administration. A large number of these roles are carried out in my electorate of Parramatta. Already, 73 claims roles in the Parramatta offices were declared redundant at the beginning of March. That is 73 Parramatta families without their breadwinner and 73 Australian workers whose hard work gets rewarded with the sack as QBE chases short-term profits. These are good jobs, highly skilled jobs, unexpectedly lost. I say ‘unexpectedly’ because, in spite of rumours of cuts for quite some time and despite the requirement in the enterprise agreement that QBE advise the Finance Sector Union of proposed job cuts, QBE has kept their plans a secret.

Many of the jobs that have been offshored to the Philippines are jobs that most of us would think of as state government jobs. QBE provides workers compensation services for the New South Wales government. They are not low-skill jobs; they are high-skill jobs that require training—and, I might add, an understanding of the Australian workplace and culture. In fact, 46 of the jobs that will be offshored are about assessing workers compensation claims: a worker is injured in Granville; the claim will be processed in Manila. The O'Farrell government has questions to answer about this one. These are jobs undertaken for the New South Wales government, for people within Australia, and they should be performed by Australians right here. I call on the O'Farrell government to intervene to protect these important jobs and protect the quality of service within our workers compensation system, a system on which Australians rely on what can be the worst days of their lives: the day they are injured at work.

I have spoken many times in my electorate about the potential for our financial services sector in our growing region. We stand at a point in history with the rapid emergence of our region as a global economic force. The increasing availability of high-speed broadband, both in Australia and through the region, makes us closer than ever before. Australians have the professional skills, the language skills and the cultural understanding that are key to our business relationships with our Asian neighbours. Vodafone is bringing 750 offshored jobs in call centres back to Australia, in a 'virtual call centre', thanks to the development of the NBN and their desire to differentiate their level of service to Australian customers. We see 1,000 doctors and nurses working from their homes around the country for the Medibank after-hours line.

High-speed broadband changes things. It makes things possible, and it makes it
possible for us as a nation to expand our range of services in neighbouring countries. Australia can and should be one of the great financial service centres of the world. Australia can become a great exporter of services to the world, and I want to see workers in Parramatta enjoying the benefits of those jobs. But opportunity is a double-edged sword. Over the next few years we will either grasp the opportunities with both hands and grow into new markets, or we will take the lazy option and grow corporate profits simply by cutting wages, in this case by transferring jobs to a low-wage economy.

It is hard to see the QBE decision as anything other than the low road, protecting profit at the expense of a very loyal workforce, taking the easy option and, in doing so, missing out on the extraordinary potential that is our region, bolstering profits in Australia by withdrawing support for Australian workers and offshoring what is essentially a government service. It is just plain wrong, and I urge QBE to reconsider. I urge the O'Farrell government to see its responsibility to the Australians who will lose their jobs delivering the services for an Australian state government to fellow Australians.

**Gillard Government**

Mr TONY SMITH (Casey) (19:08): It has been said that adversity does not build a person's character but instead reveals it. The same holds true for political parties and the governments that they form. Today we observe a government beset by self-inflicted wounds and self-induced fiascos. It is a government whose wake is littered with the rotting debris of its political blunders and policy bungles. It is a government whose track record of ineptitude and decrepitude just rolls on and on and on. As this government has stumbled and bumbled its way ever deeper into trouble, the true character of the contemporary Labor Party has emerged into sight, and it does not make a pretty picture. As the pressure has mounted, this Labor government has reverted to the ideological default settings of old.

I have always been critical of the failures and misplaced priorities of the Hawke and Keating governments. But I have also always given credit where credit is due. I have always acknowledged the positive measures taken by Bob Hawke and Paul Keating, with coalition support, to unshackle and modernise the Australian economy. The Howard-Costello government carried forward that cause with policies that rewarded enterprise, initiative and hard work.

But the Labor Party we face today is a different breed of animal—an older model, an atavistic party that has regressed not just one generation but two or perhaps even three. In its desperate scramble for self-preservation, this Labor government has resurrected a mouldy, obsolescent set of political principles that hail from the last century, if not earlier. When the going gets tough, this government gets going by playing the class warfare card with a vengeance. It deliberately stokes the fires of sectional resentment, both within this parliament and without. Again and again it has demonised the people who have built businesses that employ hundreds of thousands of Australians. This anti-modern Australian Labor Party utterly fails to comprehend those eternal truths expressed around four decades ago by Ronald Reagan that you cannot strengthen the weak by weakening the strong, you cannot help the wage-earner by pulling down the wage payer, you cannot help the poor by destroying the rich.

Yet the old, ugly politics of division and diversion are not solely limited to the
rhetoric of this government. The instinct to wage class conflict is evident in its policies as well. By word and by action, this government sends a message that is as clear as crystal. It is a message that says: 'Don't bother to take personal responsibility. Don't dare to show initiative. Don't aspire to get ahead, because you'll be slapped with a penalty rather than reap a reward.' Why take out private health insurance, when the government deliberately forces up premiums time after time after time? Why save for your own retirement, when the government whacks you with new taxes on superannuation after pledging it never would? Why take the plunge to build a small business, when this government will strangle you at every turn with onerous and unnecessary regulation?

The small business proprietors who form the backbone of the Australian economy do the hard yards and the long hours. As they work to build their own futures, they are working to build Australia as well. Those many thousands of separate success stories combine into a synergy that enriches the entire nation. They create a cycle of opportunity that flows from the individual though to the community. Their achievement is our achievement.

I remember a time when there was a leader of the federal Labor Party caucus named Mark Latham. He hailed the 'ladder of opportunity'. Well, that was then. Now we have a Labor government that has gnawed away at the ladder—a government that wants you to climb only so far before you find missing rungs and you end up grasping at thin air. Yet there is method to this government's madness. In its heart of hearts, this Labor Party seeks to foster dependence on government for its own crass reasons. In its heart of hearts it believes that the more reliant people are on the state, the more likely they will be to vote for a party of big government. But these are the failed social democratic policies of a failed social democratic government—policies that, if they prevail, will inexorably lead to the expiration of aspiration in Australia.

Later this year the Australian people will face a choice—a choice between the expiration of aspiration or a rebirth of Australia's entrepreneurial— *(Time expired)*

**Sea Level Rise Guidelines**

Mr MURPHY (Reid) (19:13): Nowhere are the harmful consequences of the denial of global warming by the Liberal and National parties more apparent than in the new sea level rise guidelines promulgated by the New South Wales coalition government. Local councils in affected areas have condemned what has been termed an 'ad hoc policy' that will lead to the desperate but futile construction of walls of sandbags. The people of my electorate of Reid, who live close to sea level, will be unimpressed by this proposal, which leaves property owners to their own devices. Yet, as far as I am aware, the federal opposition has no concerns. I have no doubt, considering the well-known disdain of the Leader of the Opposition for the findings of scientists, that the destructive policies of the present New South Wales government would be reflected in an even more extreme form by an Abbott government.

Justifying the overturning of the rational managed retreat policy of the previous state Labor government, the Liberal New South Wales Special Minister of State, Chris Hartcher, claimed that the rate of sea level rise predicted by the UN Intergovernmental Panel on Climate Change contained too much uncertainty for the government to give general advice to local governments. Just as the senate in North Carolina showed its contempt for the findings of scientists when it tried to enact a law that would have
prohibited their state agencies from taking measures to respond to the warnings of an exponential increase in sea levels, so the New South Wales government has invited international ridicule with its own idiotic policies, informed by the same climate change deniers that infest the ranks of the federal opposition.

That the New South Wales Special Minister of State claims his government cannot make specific warnings because the IPCC estimates of sea level rise are issued within a range presently centred on 90 centimetres by 2100 simply shows that he has no comprehension of the manner in which such estimates are normally reported. What the New South Wales minister fails to understand is that measurements or predictions, be they sea level rise, increasing global temperatures or diminishing rainfall, are normally reported as a mean value bracketed by a range of greater and lesser values, usually stated as standard deviations from the mean. Put simply, the standard deviation of a series of measurements gives the spread in values from the mean or average, and statistics give us a reliable means of determining the chance that measurements will fall within that spread. So, when we see a report that states that estimates of sea-level rise are within one standard deviation, we can say that there is a 68 per cent chance that the seas will actually rise by one standard deviation and a 95 per cent chance that the seas will rise by two standard deviations.

According to the CSIRO, the projected sea level increase from the global mean along the New South Wales coast will be 150 millimetres by 2030, with a standard deviation of about 50 millimetres. This means that there is approximately a two-thirds chance that sea levels will increase by between 100 and 200 millimetres by that time. How many punters would be willing to bet their house if they had a two-thirds chance of losing everything?

If opposition members here do not like these predictions they can, as in New South Wales, simply ignore or deny them, but, since the measured rise in sea levels is actually tracking at the upper extreme of the predictions, we can say that, even if the rate of increase is linear, then the expected increase in sea levels will be 400 millimetres by 2100, or, if the increase is exponential, which seems a better fit for the measurements, then the increase will be as much as 1.2 metres. It is clear that the interests of people who own property exposed to the risk of rising sea levels are being ignored by the deniers, who control the policy development of the Liberal-National coalition.

**Tuberculosis**

Ms GAMBARO (Brisbane) (19:18): Sunday, 24 March, is World TB Day. I place my great support on the record for this day of recognition. I also want to place on the record the name of a great champion in this place on the scourge of TB, and that is the member for Leichhardt. Recently I was informed of a very sad event. I want to join with the member for Leichhardt in expressing my condolences to the family of Catherina Abraham, the 20-year-old girl from Daru Island who recently passed away from extensively drug-resistant TB.

TB is not a distant problem for Australia. It is our responsibility and it is in our interest to increase our efforts against TB globally. More than half of the world’s TB cases occur in the Asia-Pacific region and in countries right here on our doorstep, like Papua New Guinea. On World TB Day 2013, it is important to recognise that the WHO 2012 Global TB Report recognised that there were 1.2 million cases of TB in the Asia-Pacific region in 2011, and 202,800 people died
from the disease. Regrettably, right here at home, Indigenous Australians are eight times more likely to contract TB. Our region deserves and needs an urgent and consistent response over the long term.

The WHO 2012 Global Tuberculosis Report also details 8.7 million new cases of TB, with 13 per cent representing co-infections with HIV, and 1.4 million deaths from tuberculosis in 2011, including 64,000 deaths among children. Most alarming though is the increasing levels of multi-drug-resistant tuberculosis, MDR-TB, and extensively drug-resistant tuberculosis, EDR-TB. While TB rates are falling globally, rates of MDR-TB are on the rise, with approximately 33,000 cases of MDR-TB in the Asia-Pacific region in 2011, according to the WHO 2012 report.

This is not the time for Australia to be pulling back on our efforts to tackle TB. There must be a scale up in the disease response to avoid an increase in drug resistance. The Global Fund's fight against AIDS, TB and malaria provides 80 per cent of external funding for TB. The Global Fund is critical to the long term funding of TB programs. Therefore it is of great concern that the government recently cut its current contribution to the fund by $11 million, from $70 million to $59 million. Now is not the time for the government to be cutting even more funding from our foreign aid budget to pay for its multi-billion-dollar border security failures.

There will be more needless deaths like that of Catherina Abraham's if we do not maintain our commitment to the Global Fund that is leading the fight. One death from TB in our region or here at home is one death too many. In the 21st century we should be aiming for zero TB deaths throughout the world and throughout the Asia-Pacific. I hope that this year we do not see any more funding hijacked by this incompetent government and cut from Australia's foreign aid budget. This World TB Day, we should reflect on the need to show our commitment to properly funding the Global Fund in this fight to ensure that TB becomes a disease consigned to history.

Holt Electorate: Baron Casey Art Gallery

Mr Byrne (Holt) (19:23): I rise tonight to raise an issue that relates to social infrastructure in the outer suburbs, and in particular social infrastructure for those living in my electorate of Holt. In recent years, there has been a significant focus on rural and regional development, with particular attention being paid to sporting centres. However, the needs and interests of our local community and indeed many communities are diverse. We need to provide them with the necessary infrastructure to satisfy these needs—for example, an art gallery for people living in the City of Casey and in my electorate of Holt. Art galleries lie at the heart of many great cities around the world. Recently, the United Artists of Casey put forward a proposal to create an art gallery for the local community and to create an icon, a gallery that will stand equal to any gallery in Australia and in the world. This is a vision that is worthy of attention and worthy of consideration.

The United Artists of Casey headed by convenor Calvin Bell, who lives in Narre Warren South, have developed a vision to create a Baron Casey art gallery and arts precinct in the City of Casey, which happens to be named after the former Governor-General of Australia and resident of Berwick, Sir Richard Gavin Gardiner Casey, otherwise known as Baron Casey. The vision by this artist collective is to create a world class art gallery and arts precinct that will cater for the creative needs of Casey's
multicultural community and cater for a wide diversity of artistic expression now and into the next century. The Baron Casey Art Gallery and Arts Precinct would comprise an art gallery; a grand exhibition centre; a dedicated smaller artists gallery; a series of various sized artists workshops, meeting and demonstration rooms; a featured cafe and sculpture garden; and a destination iconic top class restaurant.

There is a strong need for an established arts centre. For example, this year in Casey there will be four major art exhibitions: the Edrington Grand Art Exhibition, the Berwick Art Society's Artfest, the Casey Rotary Club show and the Grand Art Show run by the South Eastern Arts Festival. However, currently there is no suitable exhibition venue in the local area and so organisers have to compromise by seeking venues in local schools, at TAFEs such as the Chisholm TAFE or at the Berwick showgrounds hall.

The City of Casey and our federal government have worked hard over recent years to build new sporting facilities—it is a rapidly growing outer suburban growth belt—and other infrastructure priorities, including the Casey Regional Athletics Centre at Casey Fields in my electorate of Holt. However, I believe that there is a clearly identified need to provide community infrastructure to support the arts. There is a need to construct an art gallery to service the nearly 260,000 people currently living in the City of Casey. A case in point: the 2013 Casey Citizen of the Year, Anne Atkin, who has created an art therapy group in Berwick called Painting with Parkinson's, has to run her upcoming event A Walk through Our Art Exhibition in Moorabbin, which is a long way away from Casey, because there is no art gallery in the City of Casey.

The City of Casey is filled with many creative artists, including Anne Atkin, Sam Michelle, Janet Matthews, Tracey Lockley, Ern Trembath, Do Noble, Nora Howard, Glenn Hoyle and Sarah Ferrante, who was the winner of best painting award and the perpetual trophy at the Great Art Show during the South Eastern Arts Festival in 2012 and winner of the best heritage painting award in the federal government's Your Community Heritage Program and the National Trust Award by the South Eastern Festival at the Edrington Grand Art Exhibition this year. Despite the City of Casey being filled with world class artists, it is still the case that these visual artists do not have facilities in the local community like a centre with artist workshops, an artist gallery and a grand exhibition centre.

Art galleries and art museums put places on the map. MONA, the Museum of Old and New Art, in Hobart, has had a profound impact on the Tasmanian economy and has led to Hobart being shortlisted by Lonely Planet as one of the top 10 cities to visit in 2013. Also a Deloitte Access Economics Report of 2010-11 stated that the Art Gallery of South Australia pumps $3 into the local economy for every $1 provided by the state government. We have the National Gallery of Victoria in Melbourne, the Bendigo Regional Art Gallery in Bendigo and the Tarra Warra Gallery in Healesville. It is time for a gallery of similar significance to be put in the outer suburbs, such as those in my electorate of Holt. I service a growing, diverse and multicultural community. I am going to lend my support to this project and do what I can to see it succeed.

Centrelink

Mr RANDALL (Canning) (19:28): I rise to bring to the attention of the House an issue with Centrelink affecting two of my constituents, Mr Don and Mrs Valerie...
McClements. Mrs McClements took out a lifetime income stream before 2004 when a complying income stream was allowed to be 100 per cent exempt from the Centrelink assets test. She has been able to claim the age pension for a number of years as a result. Since that time, changes have been made to social security regulation that means that such income streams are no longer exempt. But those who, like my constituents, took them out before the rules were changed have been allowed to retain their exemption with conditions.

One of the conditions is that the assets backing the income stream satisfy a 'high probability test' as certified by an actuary. Essentially, the actuary must be confident that the assets have a high probability of meeting all future income stream payments. If this test is not satisfied, Centrelink requires the commuted value of a lifetime income stream to be rolled over into a new complying annuity or into an alternative market linked product known as a term allocated pension within 13 weeks. If such action is not taken, the income stream loses its assets-test-exempt status from the time it was first taken out. This includes the many years that an age pension has been claimed with the mutual belief that the recipient satisfies the assets test. Quite simply, someone in this situation could become retrospectively ineligible for a pension, creating a debt with Centrelink for payments they have received but are not entitled to. Centrelink will then generally seek to reclaim up to five years of past pension payments.

My constituent Mrs McClements learned late last year that her income stream did not meet the high probability requirements. A complex assessment officer from Centrelink wrote to the McClements very soon after receiving the actuary's report to advise that they would have to commute the income stream within 13 weeks of their providing the report to Centrelink on 21 December 2012. The deadline was set for 27 February 2013. When the McClements approached their financial planner about rolling over their funds, they learned that many of the assets backing this pension were still frozen or had restrictions placed on their redemption after losses and instability during the global financial crisis. Though they explored a number of options, it became clear that they would not be able to meet the requirements of commuting the income stream within 13 weeks as a result of the issues with these frozen assets. Wealthcorp financial planners advised that they would likely be able to make the required transfer in around six months from the date the report was provided but certainly not within three.

The McClements contacted Centrelink to discuss their options but there did not appear to be anything their representatives could suggest as an alternative course of action. They requested but were not granted an extension of the grace period and were merely reminded of their obligation to complete the rollover within 13 weeks. As well as providing a letter from their financial planner, the McClements also telephoned Centrelink on a number of occasions in the hopes of getting advice on what they could do to avoid losing this assets-test exemption but found it hard to get in touch with anyone in a position to help, with calls often going unreturned.

Unsure what they could do, Mr and Mrs McClements came to me about a week before this deadline on 18 February. I then contacted Centrelink and the matter was referred to a complex-assessment officer but, despite following up on this matter with one of their offices in my electorate, I am yet to receive any kind of response. I understand that this is an unusual and perhaps complicated case, but more than a month has
passed without any response from Centrelink to my inquiries beyond an acknowledgement of receiving my correspondence. Centrelink have also consistently failed to respond to valid queries from my constituents about how to proceed and about what debt might be raised against them. Mrs McClements received a letter from Centrelink when the 27 February deadline passed and she had not provided any proof of commuting the income stream. She was told she would be advised of the amount she would be expected to pay back but has not heard any further, despite a number of weeks passing.

I am left to conclude that this matter has been put into the too-hard basket and that Mr and Mrs McClements might be expected to pay a very high price for a situation possibly not accounted for within social security legislation. I will continue to work to resolve this issue for my constituents, who have done all they can to comply with the relevant regulations and are struggling against these unfortunate circumstances. I intend to refer this contribution of mine in this parliament to Kathryn Campbell at the Department of Human Services so that the plight of Mr and Mrs McClements can be addressed at the very highest level of Centrelink.

Education

Mr OAKESHOTT (Lyne) (19:33): I rise tonight to talk about the importance of equity in education based on reports in today's paper that a guarantee has been given to the Independent Schools Council of Australia that 'overfunded' independent schools will continue to receive current levels of funding with indexation to ensure they are not disadvantaged under a new education funding model. That is all fine, but I have raised the question—and I have raised this now both in writing and verbally with the Prime Minister—of how to make sure, as we at are the eleventh hour of negotiations on a critically important education funding package, that the principle of equity is maintained.

That principle of equity is at the heart of the failure of the last funding model. Inequity has developed in education funding models across all sectors, but more concerning is an inequity in education outcomes. The difference between metropolitan and non-metropolitan outcomes, higher income and low-income student outcomes, and non-Aboriginal and Aboriginal outcomes are all at about 30 per cent. That is an inequity that is facilitated by an inequitable funding model. This principle of equity that is at the heart of the Gonski recommendations cannot be traded out in these final stages of negotiations with the states or with the various sectors, whether they are Catholic, independent or public. Anything that is agreed with a particular state or territory or with a particular sector needs to be agreed within the principle of equity.

If reports are accurate, I welcome the guarantees that have been given to the Independent Schools Council of Australia that any of the so-called overfunding will continue to be received at current levels with indexation to ensure those schools are not disadvantaged under a new education funding model. Under the proposed model, the majority of these independent schools now it seems will receive increases in overall funding, which is good. Importantly, there is also a guarantee to the Independent Schools Council that no independent school will receive less government funding under the proposed model than they would have received if the current socioeconomic status funding model was continued beyond 2013. I welcome that as well. But the assurance that is now sought is that the funding certainty provided for independent schools through maintaining their current level of indexation
is not exclusive to them and applies to all schools—Catholic, public and independent—to make sure that they are considered to be operating above the Gonski school resource standard. This would ensure that schools in the public sector, for example, which are already at or above the SES funding level would notionally attract that same level of indexation as per the independent school sector. The assurance is also sought that, in negotiations with the states and territories over the implementation of the new funding model, the Commonwealth will insist that the states and territories at the very least maintain their funding efforts at the same level of indexation as a condition of agreement.

This might sound like fairly dry language to some, but it is at the heart of the negotiation, at the heart of the Gonski recommendations and at the heart of the point of the exercise: to move from an inequitable funding model to one that finally delivers equity in funding. The implications of that move are significant across all school sectors. It is a rare moment when government, with one funding agreement, can make a huge difference in the national interest and to the education outcomes for students across the board.

**Tuberculosis**

Mr ENTSCH (Leichhardt—Chief Opposition Whip) (19:38): I rise tonight to acknowledge World Tuberculosis Day, this Sunday, 24 March. It is with great sadness that I highlight the case of Catherina Abraham, a 20-year-old girl from Daru Island who last year made a desperate journey to Australia to seek treatment for this killer disease. She had originally gone to Saibai clinic and was turned away. She went back to Daru and eventually made her way to Cairns. Catherina caught extensively drug-resistant tuberculosis from her best friend, who died. She made the decision to travel to Port Moresby and then to Cairns and presented herself at Cairns Base Hospital last May. It was thought that she could spend two years in isolation, but on 7 March she died. What a waste of a life—and, unfortunately, it was totally preventable.

If, as AusAID and the Australian government keep saying, the situation in Daru is getting much better, why would Catherina, a very sick young girl, travel to Port Moresby and then to Cairns, going straight past the Daru hospital, to live in isolation for two years when she knew she could get better treatment at the hospital on her home island of Daru? It just does not add up.

Right now, the Chair of the Treaty Village Association, Mr Kebi Salee, is in hospital along with his wife, gravely ill with multi-drug-resistant tuberculosis. The other day I asked the acting chair, Mr Anton Narua, how Mr Salee was travelling and he said to me that he did not know because he was frightened to visit the hospital in case he ended up with this disease.

Meanwhile, a meeting was held between officials from AusAID, the Department of Health and Ageing, Queensland Health, the Western Province health office and others on Daru last month. But, unfortunately, none of the elected leaders from the Treaty Village Association were invited to attend or to contribute. When I spoke to Anton Narua, the acting chair, about this later on, the language that he used was far too blunt to repeat in this place, but I can assure you he was not at all impressed. Unfortunately, this is the treatment that these people have been getting now for a long time. Respiratory specialist Dr Steve Vincent, in a *Courier Mail* article of 15 March, said that Catherina's death:
... is not unexpected given the fallout of this killer, incurable disease ... Despite all the first-world medical treatment, it shows how difficult it is to control ... doctors may soon face the ethical dilemma where it might be 'more humane not to treat them and let them die'.

A sobering fact is that the foreign aid spent by the Australian government on United Nations agencies has trebled over the last five years from $97 million in 2006-07 to $296.3 million in 2010-11. At the same time, AusAID is currently investigating 178 active allegations of fraud within the program. In PNG, which is the largest recipient of Australian aid money, the administration of funding must be either grossly incompetent or blatantly corrupt.

To address this health crisis in the Western Province and to stop people like Catherina from coming to Australian hospitals, we do not really need any additional money. This was made quite clear in a private member's motion which was passed on the voices on 14 February. The government had ample opportunity to vote against the motion or to speak against components of it, but they chose not to. We now ask some very serious questions, such as: when is the government going to reopen the Saibai and Boigu clinics in the Torres Strait to act as support bases to assist those people in the Western Province? Will there be a review of AusAID's South Fly District TB management program? When will that take place? When is the government going to start talking to the South Fly leaders with regard to this issue?

I have written to both the Minister for Foreign Affairs and the Minister for Health and Ageing to seek some answers. Unfortunately, I have been told that, even though it was passed in this place, the motion is non-binding. What is the point of going through all this work and raising the hopes of so many desperate people if the government can turn around and say, 'It really doesn't matter; we're not bound to do anything anyway'? I am certainly determined that this motion will form the basis of our policy on this side of the parliament on tuberculosis and the serious threat that we are faced with in the Torres Strait Protected Zone. We will certainly be taking this policy to the election on 14 September.

Parliamentary Delegation to the Republic of Serbia

Mr HAYES (Fowler) (19:43): Earlier this year, together with the member for Hindmarsh, the member for Cowan and Senator Helen Kroger, I was part of an Australian delegation visiting the Republic of Serbia. This delegation was at the invitation by the Speaker of the Serbian parliament, Mr Nebojsa Stefanovic, and was organised directly between the Serbian embassy here in Canberra and the Parliament of the Republic of Serbia.

The purpose of the visit was to further the political, economic and cultural understanding between Australia and the Republic of Serbia. Australia recently awarded Serbia with preferential trade status under the Australian Customs Tariff Act and much has been achieved in the area of police cooperation on fighting transnational and organised crime. In fact, the Australian Federal Police and the Serbian national police signed a memorandum of understanding related to international money laundering and transnational crime only last year.

Our visit to Serbia included a number of meetings where we discussed these developments and plans for future cooperation. One of the most interesting and most significant meetings we had was with the Speaker of the National Assembly of the Republic of Serbia, Mr Stefanovic. The discussion was focused on the practices and
procedures in the everyday workings of both parliaments. We discussed efforts to ensure higher transparency in parliamentary operations. We canvassed in detail the operation of our parliamentary committee system as well as the possibility of a program enabling the exchange of staff between the two parliaments in order to promote better procedural understanding.

The Serbian parliament recently created an Australian parliamentary friendship group, chaired by Ms Bojana Krkic. During the visit, we had the opportunity to meet with the friendship group members and establish a direct dialogue, which we intend to continue. Our meeting with the foreign affairs committee gave us an insight into the current state of Serbia's efforts to enter the European Union as well as the Kosovo issue. Serbia gained official candidate status for the European Union in March 2012, and this remains a priority for the country. We were also given a very detailed brief on the progress of discussions in the Belgrade-Pristina dialogue.

The meeting with the representatives of the Serbia Investment and Export Promotion Agency was one of the most productive in terms of exploring further economic opportunities between our two nations. The group presented information regarding Serbia's links to Russia, Ukraine, the CEFTA and other markets which are governed by free-trade agreements with Serbia, affording access to potential investors from Australia to a market of over a billion people. We also discussed the prospect of an Australian trade mission to Belgrade to explore investment opportunities.

As the Chair of the Parliamentary Joint Committee on Law Enforcement, I had a particular interest in our meeting with the head of the Bureau for International Cooperation in the Ministry of Interior, Mr Igor Peric. Mr Peric informed us about the developments in cooperation between the Australian Federal Police and the Serbian national police force and what the agreement had been achieving. Following that meeting, we had a briefing from the AFP liaison officer in Belgrade, Mr Ric Cummings, on the progress following signing of the memorandum of understanding on cooperation in fighting transnational and organised crime.

Her Excellency Neda Maletic also ensured that our working trip to Serbia included a visit to a number of culturally and historically significant sites. We were given a tour of the House of National Assembly as well as the White Palace, where the member for Hindmarsh and I had the honour of meeting Crown Prince Aleksandar Karadjordjevic. We also visited Viminacium, an incredible ancient Roman site and the cathedral church and Patriarch's residence in Sremski Karlović.

On behalf of the delegation, I would like to commend the efforts of Ms Neda Maletic, the Serbian Ambassador to Australia, for ensuring that our visit was most productive. She has been a wonderful representative of her country and the Serbian community in Australia, and we thank her for all her hard work. I also thank her counterpart, the Australian Ambassador to Serbia, Ms Helena Studdert. Finally, I would like to thank the Serbian people for their warm hospitality in welcoming our delegation to their beautiful country.

Gambling

Mr STEPHEN JONES (Throsby) (19:48): I like to watch basketball, football and soccer. When I cannot get to a game, I like to watch it at home on television. Generally speaking, when I watch a game at home I like to do it with my family. But what offends me is that I can no longer do this
without the incessant promotion of gambling—from the live odds to the game outcome to exotic bets on just about anything that goes on throughout the game, like the next try. I think I am in union with most average football fans when I say: enough is enough.

I am not against gambling. Next Sunday I will be attending the local racetrack with a lot of my friends and colleagues. When I do that, I will have a bet. I will probably be the same as the majority of other adults who walk through the gates next Sunday at Kembla Grange: we will be having a punt on the races. It would be a very rare adult who walked through the gates to go to the local racetrack who did not have a bet. But it is very different when we go to the football. It is not yet the case that the majority of people who go to the football have a bet on the outcome of the game. It is not yet part and parcel of the culture of going to the football. It is part and parcel of the culture of going to the races.

If it is going to be a normal part of going to the game and taking your kids along to the game, I think we need an important public debate about this. I think the majority of Australians feel quite uncomfortable about the excessive promotion of gambling when they take their kids to a football, soccer or basketball game, or indeed when they are sitting in their own living room watching a game on television. There should be a public debate. If it is going to be normalised, we are going to have to change the way we broadcast these things. It is not beyond the realms of possibility that, if it is going to be normalised that we incessantly promote gambling throughout a football game broadcast, we put out parental guidance warnings prior to the beginning of the match so that parents are able to have a conversation with their kids or perhaps switch the channel to another station that is broadcasting the football or another game without the incessant promotion of gambling throughout the game.

I have spoken to many people within my electorate, many other sports fans and many other parents on this matter, and they just about explode when you raise the issue with them. They complain that they can no longer go to their local football game without having the odds blared out at them throughout breaks at the game, or sit at home watching the game with their kids without the odds being broadcast throughout the game. They complain that their kids can now quote the odds on their team winning or losing, or on certain outcomes throughout the game. I do not think this is something that most Australians feel comfortable with.

I believe that the code should act. It is my view that from whistle to whistle at a game there should be a blanket ban on the promotion of gaming throughout the course of that sporting fixture. I think the same should apply to the broadcast.

If the codes do not act and embrace this proposition, then I think this parliament should act on that issue. I, for one, intend to raise the matter in my party room, and I would encourage—in what has been a very fractious 43rd parliament—members of other parties and members on the crossbenches to consider the matter as well. I think that if we did this—made a bipartisan effort—on this particular issue, we would prove that, on this particular issue, on this issue perhaps alone, we are in lockstep with the Australian community. Something needs to be done, because I do not think Australians feel comfortable about the fact that our sporting games are now being bombarded with this incessant advertising.

Child Sexual Abuse

Ms GRIERSON (Newcastle) (19:53): I rise to congratulate Newcastle Herald
journalist Joanne McCarthy on receiving the prestigious Graham Perkin award for journalism in Melbourne last week for her key role in reporting child sexual abuse and institutional cover-up. Her work was pivotal in the establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse, and for that I thank her.

The announcement of the royal commission by the Prime Minister, Julia Gillard, was a landmark moment in our history. Many tears of relief were shed by victims and their loved ones in my community when they realised that the Prime Minister of their country understood—understood the betrayal, the hurt, the harm and the whole horror that is child abuse committed by those who had a care relationship: churches and institutions working with children. No doubt the royal commission will bring more pain and more tears, and that is why this government has amended legislation so that victims and witnesses are looked after throughout this process, allowing those affected by childhood sexual abuse to present their accounts in an informal setting in private sessions, and not under oath in a court-like system. Given the distressing and thoroughly evil nature of child sexual abuse, this is appropriate. Too much harm has already been done to too many young lives—harm that permeates their lives forever.

In the Hunter region there have been ongoing revelations of abuse and cover-up by powerful institutions, particularly the church. There is no greater breach of trust or betrayal of innocence than the abuse of a child by someone who is in a care or pastoral relationship. All children have a right to a safe and secure childhood, free from suffering at the hands of those in positions of trust.

And of course we are talking not about doing wrong but committing a crime—abhorrent criminal activity that too many people tried to excuse by prioritising what they saw as a greater cause, such as the sanctity of the church. There is no greater cause than the care and protection of children. I am not a believer myself, but I know that 'Suffer the little children … unto me,' never meant, 'Make the children suffer because of me.' That is a great shame.

Much of what has come to light has done so as a result of victims speaking out—whistleblowers—and through the diligent investigative reporting at local media outlets of people like Joanne McCarthy at the Newcastle Herald. The Prime Minister has said that this royal commission will change the nation. I hope so. And she has said that the Herald's campaign got into her head, saying that we have an obligation to shine a light on what has happened in the past.

For many years, Joanne has been investigating child sexual abuse and cover-up in the Hunter Region and she has done so without fear or favour, as she should as a journalist. The Newcastle Herald's Shine the Light campaign has been instrumental in bringing to a head these heinous crimes, driving it into the national consciousness and prompting action from governments. She has personally told me of the solid support of her editors when they came under pressure. I thank them for their independence on this issue too.

Almost on a daily basis, the Herald has reported on this issue. We have heard of paedophile priests leaving the country and of victims speaking out only after the perpetrators were deceased. We have heard of heartbreaking victim suicides and of families left behind. We all cared; we were all concerned. The Newcastle community rallied for action, with more than 400 locals
attending a forum in Newcastle, a forum of tears, sadness and anger. The suicide of John Pirona, thought to be the 12th person to have taken his life after being abused by a priest in the Hunter, was a critical moment in this sad saga. His family and the community, and many others with similar experiences, said: 'Enough is enough.' I thank them for their strength.

Joanne McCarthy rightly says that a royal commission means that the government recognises sexual abuse as an issue of public importance, and that, 'There isn't a group in society that is above the law.' That is the way it should be.

Whistleblowers such as Detective Chief Inspector Peter Fox are also to be acknowledged for speaking out about these issues on a national level when it was not in the interests of his career. For that I thank him.

There have been other commissions set up in New South Wales, and of course our royal commission is underway. These commissions will, and should, leave no stone unturned in their quest for answers and justice for victims and their families.

Joanne McCarthy has said that her award belongs to many, having met some of the most courageous and outstanding individuals in her life, many of whom will never be publicly identified but who chose to speak out. I congratulate Joanne. I congratulate the Prime Minister; the former Attorney-General, Nicola Roxon; and the current Attorney-General, Mark Dreyfus, for their work.

We must stamp out child abuse in all its forms, institutional and otherwise. For me, the victims, past and present, and their families do deserve justice. The task ahead of us is a long and difficult one. But it should be the beginning of a culture in this country of zero tolerance of any child abuse, and I hope that one day we will see the terrible exploitation of young people on the internet also addressed. So I do congratulate all the law agencies as well who have been involved in these investigations.

**Riverina Electorate: Griffith**

**Headspace**

Mr McCORMACK (Riverina) (19:58): I have today begun the process to have a petition tabled in this parliament which contains some 2,400 signatures calling for a headspace facility to be built in Griffith which would service the Western Riverina. This is particularly important for the youth of that region, particularly with the troubles that they have had in recent times with an economic downturn, and it would be really important to have this facility built. These people deserve to have such a facility—not just an internet based service; not just a hotline; they need the actual physical presence of a headspace in Griffith to service the entire Western Riverina.

There were plenty of happy faces, energy, noise and cool moves, I am happy to report, at Leeton recently when the Vibe Australia 3on3 Basketball and Hip Hop Challenge was attended by hundreds of Riverina schoolchildren. The day was about young people getting in and having a game of basketball, learning about healthy lifestyles and just being able to talk and communicate with one another. That is really important, particularly for the youth of today who face many, many challenges—we all know that.

And we all know that we have some great young people who are achieving wonderful things, not just in the Riverina but in every electorate right across Australia, and I sometimes think that we do not give them the credit that they deserve. But certainly these sorts of days are very important in helping them to lead healthy lifestyles, and certainly I will be demanding, calling for and
working hard to, hopefully, achieve a headspace facility in Griffith.

The DEPUTY SPEAKER (Hon. BC Scott): Order! It being 8 pm, the debate is interrupted.

House adjourned at 20:00

NOTICES

The following notices were given:

Mr Albanese to present a Bill for an Act to amend the Aviation Transport Security Act 2004, and for related purposes.

Mr Albanese to present a Bill for an Act to amend legislation relating to telecommunications, and for other purposes.

Mr S. F. Smith to present a Bill for an Act to amend the Military Justice (Interim Measures) Act (No. 1) 2009, and for related purposes.

Mr Dreyfus to present a Bill for an Act to amend the Sex Discrimination Act 1984, and for related purposes.

Mr Dreyfus to present a Bill for an Act to facilitate disclosure and investigation of wrongdoing and maladministration in the Commonwealth public sector, and for other purposes.

Ms Macklin to present a Bill for an Act to amend legislation relating to Aboriginal land rights and other legislation, and for related purposes.

Mr Shorten to present a Bill for an Act to amend the Fair Work Act 2009, and for related purposes.

Mr Gray to present a Bill for an Act to amend the Referendum (Machinery Provisions) Act 1984, and for related purposes.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: New forensic facility at Majura, ACT.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: New National Archives Preservation Facility for the National Archives of Australia at Mitchell, ACT.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: The Australian Nuclear Science and Technology Organisation nuclear medicine project.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: The Australian War Memorial redevelopment of the First World War galleries.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Air warfare destroyer ship sustainment facilities at Garden Island, Randwick Barracks and HMAS Watson, Sydney, NSW.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: AIR 9000 Phase 8 MH-60R Seahawk Romeo facilities project.
Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Australian Broadcasting Corporation Melbourne accommodation project, Southbank, Vic.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Defence Science and Technology Organisation Human Protection Performance Division security and facilities upgrade, Fishermans Bend, Melbourne, Vic.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Landing helicopter dock ship sustainment facilities at Garden Island and Randwick Barracks, Sydney, NSW.

Mr Gray to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Infrastructure and upgrade works to establish a regional processing centre on Manus Island, Papua New Guinea.
CONSTITUENCY STATEMENTS
Stirling Electorate: Surf Lifesaving

Mr KEENAN (Stirling) (09:30): I rise to show my appreciation of the vital role that surf lifesaving clubs play all around Australia in ensuring that when we go to the beach we have the best possible protection. In my electorate of Stirling, we have some of the best beaches in Australia, in fact probably the best beaches in Australia, and they make up just a small part of the large Western Australian coast. I am fortunate enough to represent two surf lifesaving clubs in Stirling, the Scarboro Surf Lifesaving Club and the Trigg Island Surf Lifesaving Club. I would like to congratulate Trigg Island Surf Lifesaving Club for finishing third overall in the SunSmart Junior Surf Lifesaving Championships and also congratulate Scarboro Surf Lifesaving Club on finishing eighth overall. It was a great achievement for both clubs and it is great to see the level of participation by all the kids.

I look forward to attending the SunSmart Senior Surf Lifesaving Championships this Sunday, 24 March, hosted locally by Trigg Island Surf Club. Over 800 of WA's best surf lifesaving athletes will converge on Trigg Beach for the annual two-day event, which is a crucial lead-up event to the Australian championships next month. Trigg Island Surf Club are expected to battle it out for the champion club crown, as they are currently second only to Sorrento Surf Lifesaving Club in the electorate of my diabolical opponent the member for Moore. I wish all competitors from both Scarboro Surf Lifesaving Club and Trigg Island Surf Lifesaving Club the best of luck in this weekend's carnival.

I imagine that the Scarboro Surf Lifesaving Club will also be very pleased with the state Liberal government's $30 million announcement to develop the Scarborough beachfront. The plan includes new pedestrian promenades and cycling paths, fitness equipment, barbeques, children's playground, seating and shade along the beach, public art and improved parking facilities. In conjunction with this there are plans to increase children's activities as well as outdoor movie screenings, bike hire and pop-up kiosks, all of which will create more local jobs within the Stirling community. In the past I have contacted the Hon. Simon Crean in an effort to secure federal government funding for this development. Unfortunately, just as it was neglected by the previous Labor state government, the federal government has been unwilling to help fund this key project for Western Australia.

The proposed Scarborough Beach development plays an important part in reviving the tourism industry in Stirling and ensuring that more local jobs are created. I congratulate the state Liberal government for agreeing to fund this exciting development. I also congratulate the State member for Scarboro, Lisa Harvey, who put in lot of time lobbying for it. I am sure that many local Stirling residents will be happy to see Scarborough returned to a vibrant beachfront that is both safe and inviting for families and visitors. For many years it has been well known in Western Australia that Scarborough Beach has not lived up to its potential. It is a very significant injection of capital funding by the state government and I congratulate them for making what is a very sterling decision.
Ms KATE ELLIS (Adelaide—Minister for Employment Participation and Minister for Early Childhood and Childcare) (09:33): I rise today to update the House on efforts underway in Adelaide to ensure that our local community maximises the potential of the National Broadband Network and the huge opportunities that come with this state-of-the-art cutting-edge technology. I have recently had the opportunity to join with Adelaide Lord Mayor Stephen Yarwood in opening the Adelaide City Digital Hub and Digital Enterprise programs. This is a fantastic resource for our community and I am incredibly proud that our government was able to fund it. It allows a place where there is free advice and assistance to local residents and businesses in Adelaide on how to harness the opportunities of super-fast broadband.

Right across South Australia, as we speak, construction work is underway so that residents in Prospect can be connected to the NBN later this year. I am delighted that on Friday I will have the opportunity to join with the Prospect Council, who have worked so incredibly hard to ensure that our community will have access to this technology. We will be opening the Prospect Digital Hub and Digital Enterprise programs. In both of these hubs we will see that there is free support for small to medium businesses so that they can improve the way they do business, improve their online services and find opportunities to grow and expand. As local businesses understand the power of this technology and find smarter ways of operating for the future, I know this will result in a huge boost to our local economy and will support local job growth into the future.

But business is not the only one to benefit from these digital hubs. We know that local families, community groups and schools can be assisted by a comprehensive and up-to-date digital literacy training program, run at the hub, which will help them participate confidently and safely online, help to educate our kids and find new ways of connecting with our community. I know that Adelaide City have a particular emphasis on outreach to seniors and making sure that we go through programs so that seniors can capitalise on the opportunities which are presented by this technology. Indeed, I know that in Prospect there is a real focus on art and how we can use the NBN to further enrich our creativity.

I congratulate Lord Mayor Stephen Yarwood and Prospect Mayor David O'Loughlin, as well as the Adelaide City Council and the Prospect City Council, on delivering these innovative projects. It has been an absolute pleasure to partner with them for the benefit of a local community as we ensure that we have a plan for modern Australia.

Mr VAN MANEN (Forde) (09:36): I rise to speak on an issue starting to affect a number of constituents in my electorate as a result of this government pulling $103 million of funding from Queensland Health and the flow-on effects of that. Not only has my office been contacted in regard to this issue but it has been raised in the local media. As with the feedback to my local office, the article in the local media the other day stated that elective surgery patients across Logan can expect now a wait of at least nine months, or even more, to be added to their waiting time for treatment. The local hospital has postponed almost half of its non-urgent elective surgeries until the new financial year starts in July. According to Metro South Health chief executive Dr Richard Ashby, non-urgent elective surgery has been reduced from 67 to 40 operating theatre sessions per week. Some 92 patients have been
contacted to reschedule surgery due before June 30 and others on the waiting list will now also be waiting for an unspecified length of time.

I am concerned for patients on non-urgent surgery waiting lists who are suffering conditions which might be causing pain, discomfort and disability. A constituent recently contacted me to say that he has been affected by these delays. He was given only one week’s notice that his hip replacement surgery was to be cancelled. He had already hired equipment for his home recovery and has now been told the surgery will not happen until at least the new financial year.

This increase in postponements and the blow-out in waiting lists coincides directly with the Labor government taking $103 million out of the Queensland Health budget, of which $19 million came out of the budget of Metro South Health. When we look at the list of failures by this federal Labor government we see a total of $1.6 billion ripped out of public hospitals, $4 billion slashed out of private health insurance, $1 billion hacked out of dental health, and any number of other issues. This is not only affecting people in my electorate but electorates right around the country. All the while, as this finger pointing and blame game continues, it negatively affects all in our communities and these people are having to deal with those effects. It is not only the people who are not receiving the treatment, it is also family members, friends and employers. I request that the government reinstate the funding immediately.

Griffith Electorate: Aboriginal Centre for Performing Arts

Mr RUDD (Griffith) (09:39): In my community in Brisbane's Southside, we have some of Australia's most iconic arts and cultural institutions. One I am particularly proud of is the Aboriginal Centre for Performing Arts at Kangaroo Point. Mr Deputy Speaker, knowing your interest in such matters, I welcome you to visit as a fellow Queenslander. The Aboriginal Centre for Performing Arts has a vision of becoming the Indigenous NIDA. This incredible arts and cultural training centre was established in 1997 by the Queensland government and is now the largest centre for training of Indigenous artists in Australia. The centre has grown from 56 students in 2008 to 88 students in 2011, an increase of 56 per cent. Last year, 90 young Indigenous artists were enrolled in their programs, and they are forecasting 130 students to be enrolled by 2016. This terrific organisation provides training and employment pathways through nationally accredited educational courses in the performing arts, including dance, music, acting and song.

I recently visited the students, teachers and staff of the Aboriginal Centre for Performing Arts, ACPA, to see first-hand how these programs are making a difference in the lives of young Indigenous students. These eager young students have come from right across Queensland and New South Wales. Some have come off communities in the Cape, from regional towns interstate and from urban centres closer to Brisbane. A high proportion of students come from disadvantaged families.

As part of their training, the centre provides specialised support programs that include accommodation, pastoral care, mentoring, numeracy and literacy programs and academic support. In addition, 20 per cent of their training each week is dedicated to the promotion and development of their traditional arts and cultural awareness under the guidance of community recognised and respected elders and cultural staff. This type of training and support is unique
to the Aboriginal Centre for Performing Arts. ACPA is a first-class Queensland and Australian institution.

We are in fact creating something quite new here. I believe that part of the future of the Australian identity will increasingly be not just the great traditions we have inherited from our Anglo-Saxon past—the notion of the independence of laws, the Westminster system and parliamentary elections—but also at a much broader cultural level. I believe that there is a very creative fusion underway at a cultural level, led by our Indigenous brothers and sisters, who are becoming part and parcel of the new international cultural identity that we call Australia. Some of Australia's greatest artistic endeavours now form in the international art world the view of a modern, creative, Australian art movement—led by Indigenous Australians. Think of Emily's, for example.

The students from ACPA have performed right across the country and overseas, including in New York. With incredible training and employment outcomes, and a dedicated bunch of teachers, staff and support groups, I commend this institution to the House's attention and to the government's future support.

Bullpitt, Mr Noel, MBE

Mr NEVILLE (Hinkler—The Nationals Deputy Whip) (09:42): Today I would like to pay tribute to a man who devoted a great part of his life to the surf lifesaving movement. Noel Frank Bullpitt MBE passed away recently in Bundaberg aged 100. He celebrated his 100th birthday in November last year at a function where his family and friends gathered to see him re-presented with the bronze medallion which he obtained originally on 1 October 1934, nearly 80 years ago.

Noel was synonymous with the Bundaberg Surf Lifesaving Club as a member for 79 years and as president of the club for 41. He served as club captain and secretary and was awarded the Royal Lifesaving Citation of Merit in 1978 and the Surf Lifesaving Australia Outstanding Achievement Award in 1988. Along with Judge Adrian Curlewis, he was one of the very rare people who received a life governorship of Surf Lifesaving Australia. Noel was a member of the very famous march-past team which was inducted into Surf Lifesaving Australia's Hall of Fame in 2004. In 2007, the Year of the Lifesaver, Noel was awarded a medal of thanks and recognition for his many years of service to the club. Noel turned his thoughts on his beloved club, writing a tome The Surf Lifesaving Saga: The Bundaberg Surf Lifesaving Club, in which he detailed the club's history of the 65 years from 1921 to 1986.

In public life Noel was secretary of the Fairymead Sugar Club, which later became Bundaberg Sugar, where he was also the secretary. He was an alderman of the Bundaberg City Council and a member of the port authority. He was an early mentor of mine in my political life and I feel a great debt of gratitude to him as a good friend and a person you could rely on for guidance. His was a life well-lived and his three sons and daughter have every reason to be proud of his contribution to sport, to his city and to his country.

Melbourne Electorate: Racial Profiling

Mr BANDT (Melbourne) (09:45): The struggle for full equality takes many forms. Sometimes it is progressed by laws in this place, sometimes it is progressed by the decisions of government, but most of the time it comes from the courage of individuals or groups of individuals prepared to stand up to racism. The Greens will always stand with those who want
to fight racism, and today I want to pay tribute to the actions of some of my constituents in Melbourne who have successfully fought back against the racism they have experienced.

Last month, Victoria Police settled a case brought by six young African men which alleged officers engaged in racial profiling. The six men, Daniel Haile-Michael, Jibril God, Shuab Ali, Maki Issa, Hakim Hassan and Magnus Kaba, pursued the case for six years before this settlement was reached just prior to a hearing before the Federal Court. These six young men, members of the African-Australian community, lived in North Melbourne and Flemington in my electorate at the time the alleged conduct took place from 2005 to 2009. The men claimed that they were often stopped and searched in the community solely on the basis of their ethnicity.

Although the case was not determined by the court, a number of issues were raised which are now the focus of community concern. Among the evidence provided for the case is statistical analysis prepared by Professor Ian Gordon of the University of Melbourne. Professor Gordon's report identified that over the time period relevant to the case in these parts of my electorate, males of African ethnicity were 2.4 times more likely than men of other ethnicities to be subject to a stop and search. Professor Gordon also found this occurred despite the fact that the average number of offences committed by this group is significantly lower than that of males from other ethnic groups. That is a shocking statistic that needs to be addressed by Victoria Police. One of the outcomes of the settlement is an inquiry into the way checks on people are conducted by Victoria Police. This review will cover stop and search processes and will also review training.

The Flemington and Kensington Community Legal Centre, a legal service in my electorate, was one of the organisations that acted on the complaint. The exposure the case has brought to public processes is a valuable contribution to the community and I commend the individuals who persisted with the case over so long. Anthony Kelly of the Flemington and Kensington Community Legal Centre has said that more accountable and transparent systems are still needed for stop and search procedures. In particular, this case has highlighted that the public should not have to resort to discovery processes to obtain statistics on stop and searches. As in the United Kingdom, this data should be routinely published so that it can be scrutinised by the public. This will ensure greater accountability and transparency. Mr Kelly suggests a system in which receipts are provided to individuals who are stopped and searched.

The outcome from this case reflects years of work by the community sector and the perseverance of the men who took the case on, and I congratulate them on what they have achieved. It shows what can be done when people of courage take on institutionalised racism despite the odds.

Macarthur Electorate: World Down Syndrome Day

Mr MATHESON (Macarthur) (09:48): This Thursday is World Down Syndrome Day and I would like to take this opportunity to praise a group of parents in my electorate who are committed to supporting families touched by Down syndrome. The Right Start Foundation will celebrate World Down Syndrome Day with two events in Macarthur this week. There will be a special World Down Syndrome Day high tea this Thursday at Rydges in Campbelltown, and there will be a Family Fun Day this Saturday at the Camden Civic Centre from 1pm to 4pm with clown performers, face painting, balloons, food and drink.
Every child born with Down syndrome deserves the best start to life and the Right Start Foundation is committed to making this a reality by providing support, awareness and services for these families. The Right Start Foundation hopes to build a Down syndrome-specific centre in Macarthur to ensure that these children and their families receive all the therapies and support they need. The centre would be the first of its kind in Australia and it would give these children a great start in life. Families would be offered weekly support groups, information, therapy and individual counselling if required. This support would continue throughout the child's life, with help for their schooling, independent living and assistance with employment during their adult years.

The group is working hard to achieve this goal with the support of my community through many fundraisers and events throughout the year. I have two beautiful daughters myself, Mr Deputy Speaker, so I can imagine how daunting it would be to learn that your newborn child has Down syndrome, simply through the fear of the unknown. This can be one of the most difficult times in a parent's life, and new parents often struggle to find answers and assistance to manage their child's condition. The Right Start Foundation has been able to connect these new parents with others who have already been through this experience and who know how the health system works and where they can find useful information.

The foundation has also been critical in providing early intervention and therapies that help many people with Down syndrome in my electorate. The Right Start Foundation has joined with KU Starting Points Macarthur to offer several Down syndrome therapies for competitive prices in one location each week. Physical therapy classes focus on motor development, speech therapy classes develop clear communication, and signing skills and occupational therapy classes give children the skills they need to lead full and independent lives. Medical treatment for Down syndrome children can only go so far, but early intervention and therapies help many people with Down syndrome live long, productive lives. During my work with these families I have been fortunate enough to see first-hand the passion that drives their commitment. This has resulted in an increased awareness and understanding of the condition in my community.

Today I would like to praise the members of Right Start who work so hard to make this world a better place for their beautiful children. I would like to encourage others in my community to show their support for these families too—especially on World Down Syndrome Day later this week. This group sets a wonderful example for other parents across my electorate. Their love for their children comes second to none. I am so proud of this group and what they have achieved for their beautiful children. I would like to wish the Right Start foundation all the best as they continue to raise awareness of Down syndrome to the people of Macarthur.

La Trobe Electorate: Harmony Day

Ms SMYTH (La Trobe) (09:51): This week is very happily bookended by Harmony Day and St Patrick's Day. As this year is my 30th year in Australia, I have had cause to reflect on what this country has offered to so many Irish and other migrants. I have been able to do so with many other members of the Irish community in Melbourne over the last week. In turn, those migrants, including the Irish, have helped build the social fabric of Melbourne and Australia. In many cases, they have also been key in building physical infrastructure, businesses, our education, health and even political systems.
Australia offered my family a new home in the 1980s. It was at the height of The Troubles in Northern Ireland and the region was riven by internal conflict, violence and prejudice. As I have said before in this place, I am enormously grateful that my parents made the decision to immigrate, as it has given us opportunities that we would not have had in Belfast. But opportunity for migrants cuts both ways. Just as migrants and their families have benefited from the prosperity and living standards of Australia, this country and its citizens by birth have gained enormously from successive waves of migration. I went to school with many first-generation Australian-Italian and Australian-Greek children. Those children have, in many cases, gone on to pursue careers in things like teaching, the public service, business and research, benefiting Australian society enormously. They have had families of their own in many circumstances. Families from, for example, Vietnam who arrived in the 1970s and early 80s will have had a similar experience and new migrants of the last decade will no doubt replicate the very same pattern. At its most basic, our contribution is to our nation's economic prosperity; but our contribution is also to local culture, international cultural and business connections and social cohesion.

Although the circumstances have changed a lot in Belfast, the peace process is something which needs constant vigilance and hard work. It is always a reminder to me about the fragile nature of trust in any society and the corrosive effects of prejudice. It is not enough merely to say that a society is egalitarian or to speak about multiculturalism as though it is something that exists as a settled fact. We can only be an egalitarian multicultural society for as long as we continue to work at it and speak up for it. The Northern Irish experience tells me that it is much easier to tear down a society's sense of trust and social cohesion than to build it up.

I trust that our country will continue to be a place which recognises the tremendous good that has come, and the opportunities which still come, from Irish migration past and present, and the migration of others to our new shores. Organisations like the Casey multifaith group within my own community do very valuable work in promoting cultural and religious awareness and respect in what is a relatively new community. I commend them very much for that very practical work that they do through forums, media and events to promote cultural harmony. I wish all members the best for Harmony Day tomorrow.

**Bennelong Electorate: North Ryde**

Mr ALEXANDER (Bennelong) (09:54): As you enter the electorate of Bennelong you quickly notice a firm line of separation between the commercial hub of Macquarie Park, which includes some of our country's biggest corporate names, and the quiet, leafy suburbia of North Ryde. The line is Epping Road, dividing the bustling university and shopping centre from schools, family homes, small village shops and children's playgrounds. Many families have established themselves in North Ryde over recent years, crafting their own interpretation of the great Australian dream.

At the forefront is Tennis World. More than half of my life I have been visiting Tennis World, running coaching clinics for school students or just enjoying a casual game with friends. Whilst community health and recreation facilities have been demolished across the region, Tennis World has remained as a venue for school groups and local residents. Unfortunately, the shadow of development now looms large over this area and the local community battles the threat of high-rise construction crossing onto the southern side of Epping Road and consuming the Tennis World site. The New South Wales government has
put forward a development proposal for one of the state's largest residential developments in order to activate the North Ryde railway station precinct. The vast majority of this development sits on vacant land on the northern side of Epping Road.

I hold great concern about the crossing of that development over Epping Road and the proposed demolition of community recreation space. I have repeatedly made it clear to the local community that I do not support any development on the Tennis World site. Several months ago I had a private meeting with Premier Barry O'Farrell's chief of staff and policy director on the topic of traffic congestion and transport infrastructure. At the end of this meeting I took the opportunity to make clear my opposition to this part of the development. Perhaps after 16 years of state Labor government, I have become conditioned to think that such decisions are made in back rooms. Instead, I was immediately informed that there is no opportunity for anyone to influence any state infrastructure development outside of the established planning and consultation processes. As we watch the drama unfold at ICAC, this is a new way of doing business under the New South Wales coalition and it is to be commended.

Several days ago, the Department of Planning and Infrastructure announced that a 45-day consultation period for the North Ryde precinct development has commenced. I will be informing all local residents that I will provide them with every level of assistance to put forward the strongest possible objection to development on the southern side of Epping Road. This unique barrier between the high-rise fast pace of Macquarie Park and low-rise family environment of North Ryde must be maintained.

Lindsay Electorate: National Volunteer Awards

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (09:57): I recently had the pleasure of hosting an event to celebrate some of the most dedicated volunteers in my community who were recently recognised under the National Volunteer Awards. I congratulate all the recipients.

Firstly, Nicola DeSilva. Nicola has volunteered her time at a local youth group at ImagineNations church on a weekly basis for over 10 years. I congratulate Nicola on the great contribution she has made as a youth mentor and supporter of charities.

Our next worthy recipient was Trisha Drummond. Trisha is a valued member of the Nordoff Robbins Music Therapy Team. She is renowned for being hardworking, humble, gentle and intuitive. I congratulate Trisha on her great work with families and carers. Recognised for his work as founding president of the Association of Bhutanese in Australia, Sydney, I congratulate Om Dhungel. Om has been actively volunteering for many years assisting the Bhutanese community in sport, education and employment.

Acknowledged for his many years of community activism, I congratulate Keith Heggart. As a youth mentor, member of the rural fire service, union representative and teacher, Keith has always gone above and beyond the call of duty. I thank Keith and congratulate him for his great contribution.

Our next recipient, Rosasco Hutchison, has had a tireless commitment to the Penrith community over many years. Rosasco has dedicated his life to assisting those who need it most in our community. His foundation has helped to raise funds and provide opportunities for countless local projects and charitable organisations.
Recognised for his many years of dedication to local veterans associations, I acknowledge Tom Kelly. Tom has made an invaluable contribution to our ex-servicemen's associations, RSL clubs and many other charitable groups. I congratulate and thank Tom for his many years of service.

I congratulate Alexis Leones, a strong advocate for the Filipino community in the Penrith region and beyond. Alexis was recognised for her tireless work to raise awareness of the Philippine language and culture.

Our next worthy recipients were Alan and Gabrielle Moran. Alan and Gabrielle run prostate cancer support groups to provide assistance to newly diagnosed cancer patients, survivors, sufferers and carers. I thank them for all their efforts to improve the lives of others in our community.

I congratulate Jo-Ann and Michael Morris, acknowledged for their many roles supporting children. As foster parents themselves, and in forming the Samuel Morris Foundation, Jo-Ann and Michael have made a profound impact on our local community and are very worthy recipients of this award.

I congratulate Norma Nolan, recognised for her voluntary service to Lifestart Nepean. Norma offers advice and support to families of children with disabilities and is a greatly valued member of the community.

Finally, I congratulate Raylene Vidler, who has worked for McDonald's in various roles over the past 34 years and has contributed so much of her own time and resources, especially to Ronald McDonald House Charities.

The DEPUTY SPEAKER (Mr B.C.Scott): Order! In accordance with standing order 193 the time for constituency statements has concluded.

Sitting suspended from 10:01 to 10:06

BILLS

Financial Framework Legislation Amendment Bill (No. 2) 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr ROBB (Goldstein) (10:06): I apologise for causing the delay in proceedings in this chamber. I rise to speak on the Financial Framework Legislation Amendment Bill (No. 2) 2013. The bill seeks to amend five acts across three portfolios. This is the 13th financial framework legislative amendment bill since 2004. It was an important process initiated by the Howard government and it is really a maintenance program. The last in the series that was passed in the House was just recently, in February. The bills are typically non-controversial in nature and tend to address a lot of housekeeping issues from legislative anomalies and text errors to bringing greater clarity to certain bills, giving consistency and efficiency. This bill is no exception in that regard.

Briefly, there are three areas that are addressed in this bill. Firstly, it attempts to remove any constitutional doubt about the Commonwealth’s existing involvement with 20
Commonwealth initiated companies such as Medibank Private and the Australian Submarine Corporation and it is in response to the High Court ruling of the Williams versus Commonwealth case relating to the School Chaplaincy Program, which ruled that there must be clear enabling legislation for moneys to pass from the Commonwealth to the states. I think the Commonwealth government contest the decision of that High Court case, so, as a measure to remove any doubt, they have taken certain amendments in this bill to provide clear enabling legislation. Secondly, there are amendments to formalise a recoverable payments framework for inadvertent payments or overpayments made by agencies to recipients who are not entitled to receive them.

Finally, there are amendments relating to the transfer of tax losses from the Military Superannuation and Benefits Scheme to the ARIA Investments Trust. This stems from the government's decision to consolidate the trustees of the Commonwealth's main civilian and military superannuation schemes in May last year. It is not surprising that there are subsequent amendments to that legislation. Deputy Speaker, you might recall that at the time there was a lot of angst and concern about the speed of it all and the nature of the decision and the policy changed. As I say, it is not surprising. This is one issue which is characteristic of so much of what this government has done, in that it has rushed and failed to have proper consultation in so many areas. We are seeing it in the parliament right now with this media legislation. We see it in the superannuation area, particularly the tax gouges, the changes and the breaking of promises about maintaining certainty—another manifestation of that. Certainly, if we get the privilege of government sometime this year, particularly the tax gouges, the changes and the breaking of promises about maintaining certainty—another manifestation of that. Certainly, if we get the privilege of government sometime this year, one of the driving intents of our approach to policy and policy change will be to restore a sense of stability, certainty and constancy, and when decisions are taken not to then after the event keep changing the rules. That is damaging so much potential investment in this country, and in many ways it has caused subsequent revenue problems for this government because of the uncertainty that that has been generated by the legislative process in this place and the endless changes that are taking place.

They are the main areas the bill addresses. The coalition find them non-controversial, necessary changes, and we support the bill.

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (10:10): I thank the member for Goldstein for his contribution to the debate on the Financial Framework Legislation Amendment Bill (No. 2) 2013. This bill will amend five acts across three portfolios. It will authorise the Commonwealth to form or participate in forming companies. It will also establish a framework to address certain technical overpayments made from certain special appropriations. Lastly, it will allow deferred tax asset relief to the Commonwealth Superannuation Corporation in relation to the transfer of assets from the Military Superannuation and Benefits Scheme to the ARIA Investments Trust. 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.
Water Efficiency Labelling and Standards (Registration Fees) Bill 2013
Second Reading

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

Mr BILLSON (Dunkley) (10:12): I rise to speak about the Water Efficiency Labelling and Standards (Scheme Enhancements) Bill 2012. In talking to this bill, I would like to propose a number of enhancements beyond what is in this bill that I think would support the reliable and cost-effective implementation of what is a good idea—an initiative instigated under the previous coalition government. The bill before the parliament today allows the minister to determine changes to the WELS scheme without those changes requiring endorsement at state and territory level through their own legislation. As I mentioned, the WELS scheme is a proud achievement of the previous, coalition government. In 2005, the coalition government created the world's first national scheme of its kind, providing for water efficiency labels on shower heads, washing machines, toilets, dishwashers, urinals and taps. These labels give consumers an easy-to-understand star rating and water consumption information on the water efficiency of different products. This was all about empowering consumers so they can make better decisions in terms of their purchase of water and water-related articles and fittings.

This bill amend the WELS Act to allow the Commonwealth minister to determine more of the scheme's details, particularly those relating to the registration of products and cost recovery. This differs from the current position in that some aspects of the scheme, such as the five-year period of product registration, cannot be changed without changing nine sets of legislation. The minister will make changes by disallowable legislative instrument, the terms of which must be agreed by the majority of states and territories—and, as we know, there is an opportunity for the parliament to dissent from those instruments if they are unbecoming. If the bill is passed it is expected that the minister will make a number of changes to the WELS scheme including revising registration fees to meet the cost recovery target of 80 per cent, which the industry finances through fees set against users of the WELS system to pay for its administration.

Further amendments are proposed in the bill to the enforcement provisions of the WELS Act. I will talk more about that in a few moments. Civil penalty provisions have been added to provide a more cost-effective enforcement response. The bill will also apply strict liability to more provisions because it is currently difficult to prove intent in relation to breaches of the act—for example, not labelling a product properly.

Some other changes of an administrative nature have been made, and some of them reflect on the practical experience of implementing the scheme, such as the need to remove the requirement for gazettal of registration decisions and instead requiring decisions to be published on the WELS website, and providing for further reviews of the operation of the WELS scheme at five-year intervals. The coalition supports this bill as it builds on and improves a successful scheme that was first introduced by the coalition.

I turn to aspects of the regulatory and enforcement overreach that I think is happening under the current arrangements. In my travels with my coalition colleagues I have met with those directly at the coalface in the use of the WELS scheme—I am talking primarily about
retailers and wholesalers of water technology that is covered by the WELS legislation. I thank a very impressive business owner, Glenn Powell of Who Bathroom Warehouse at Varsity Lakes in Queensland, for walking me through what the practical implementation measures look like from the point of view of a small business seeking to work within the WELS framework. As a business owner, he and his team are very keen to meet the needs of their customers, so they are very oriented towards providing relevant information that helps inform consumer decisions.

Glenn has a display facility in one of the main areas, and Ms Andrews, the local member, took me there and we sat down and had a chat. In that facility there are probably at least 100 items on display. Some of them are displayed in homelike environments so people can get a sense of the look and feel of the different articles available through Glenn's business. The majority of the items are presented in what would be a more familiar retail arrangement—not a display arrangement but more of a retail arrangement where customers can identify the item they wish to purchase and take it to the cash register. Where you actually get the item from the stock, from the shelving areas, there is no question about the labelling—every item is labelled; every individual product that is covered by the WELS scheme complies with the requirements. The display area, where you get the look and feel and the feng shui of what your bathroom or your kitchen might look like, is beautifully done, overwhelmingly so, and the products also carry WELS information on swing tags and the like.

A WELS inspector attended this business and observed that six of the items did not have a swing tag on them. There was no malicious intent, no ambition to deceive the customer—as I mentioned, Glenn Powell and his dedicated team are very keen to provide all the consumer information that customers might want. But in this case some swing tags were missing. It did not matter that if you saw an item you were attracted to you would walk over to the shelved area and lift it out. Before any purchase was made the consumer would have been fully informed of the information that the WELS scheme seeks to communicate. But taking the item off the shelf and seeing the information before buying the article was not enough—there were six articles that did not have a swing tag on them.

When this scheme was conceived under the former Howard government I believed that that kind of strict non-compliance could easily have been addressed by some encouragement to put a swing tag on the items, so that the display item and the stocked item, within reach of the customer—the article which a customer would grab and see the WELS information on before making a transaction or decision to purchase had been made—carried the same information. There was not a swing tag on six of the articles, but would it not have been better to say, 'We notice you have done a terrific job with all the point-of-sale information at the point where you reach for the packaged article to take it over to the cash register; good job to you, Glenn, and your team—but on six items there are no tags.' Who knows what might have happened. Someone might have lifted the swing tag off to actually write down the article. Or, heaven forbid, they might have gone through a Swedish furniture manufacturer and marketer that you are all very aware of where you are encouraged to take the tag off the display item to go and connect it up with the stock item that you get when you buy it. For those people who are familiar with that kind of experience, they may well have just lifted the tag off and gone over to the area where the WELS material is on the packaging and thought, 'This is the article I want because I've got the tag.' Or there might have been a lag time and it not going back, or
they might have pocketed it or they might have written down a phone number on it. They might have done anything to it. The bottom line is that there was not a swing tag on that article but there was on the box that you actually buy.

What happened? What happened was that Glenn—and I thank my colleague—got smashed. He was told that he was now subject to a fine of potentially $6,000 per breach—$36,000 for the six swing tags not on the display item. But all of the WELS materials that you would hope would be available, and which the law says should be available to the consumer, they are staring at them on the package they would pick up to go and purchase it. So there is no lack of information—but no swing tag. There is a $6,000 fine for each breach. The staff member was very courteous. I do not have their name, and it would not add anything to the debate if I did. They pointed out that that is what the law said and they had very little wiggle room—to deviate from the strict prescribed requirements put them at risk of a $6,000 fine for each breach.

But there was an option. There was a $36,000 fine hanging over the head of a small business. We all know things are pretty tough in small business and there are no sloppy margins around anywhere. You can pay the fine or you can enter into a voluntary undertaking which was an enforceable undertaking. Once you had entered into, if you deviated from it, guess what? Here come the fines again. So here is a small business person doing all that the parliament could ask of them in giving effect to a scheme designed to inform consumers, entirely in keeping with his business mode and meeting all the requirements on the shelved items that people would purchase—but on the funky presentation in the showroom area someone might have pinched the six tags and done the IKEA trick: 'I want one of those.' 'Okay, we've got one of those.' They go for the shelf. 'See this? There are all the WELS labels. Great.' But that was on the tag you have got, too. Because it did not go back, or whatever happened to the tag, there was a $36,000 fine.

And then the enforceable undertakings come in. Glenn did what was required of him. They said, 'You need to produce a compliance training program.' He said, 'Who am I training? Am I training my customers not to pinch the tags like they are taught to do at IKEA? Or am I training me, when I fully know of these obligations? That is why I spend so much time meeting them.' This is a guy who had flagged to the department that he had imported an article for display that he did not think had been registered. He was proactively working collaboratively with the department. This is not someone trying to flinch on his responsibilities, yet he gets told to do an enforceable undertaking. Well, that enforceable undertaking has cost him absolutely thousands. He was instructed to produce a compliance training manual—and I have the handsome beast here. Do you think there would be a template on the website? Do you think every plumber, retailer or wholesaler within the country has the wherewithal to produce one of these manuals? There is actually useful feedback coming back to him about a range of things that were included in the manual, all the way down to the form, the text and the style—many of the lifts from the legislation—that he is fully aware of. But how do you train the customers not to pinch the tags? That must be in the next edition!

Let us work collaboratively with Australian small businesses to achieve the public policy objectives of this scheme—that is, to communicate to consumers information relating to water products in terms of their water efficiency and performance. Let us work collaboratively. Here
is a guy who I respect and admire for his courage in being involved in small business at a time when this government has no inclination whatsoever to assist him. There are cost pressures—he has got to be top-class in his customer service. He aims to achieve that. He has got his business set up in such a way that you cannot help but have the WELS information hit you in the face, because that is what is on the packaging of the article you wish to purchase. But, in the funky display areas—where there are those people who like to watch home renovation programs or want to get a feel for the size, shape and the feng shui of their purchase—six of these swing tags swung off. I do not know why and neither does he. He is alert to the need for them to be there, yet a $6,000 fine is just completely over the top.

There is the suggestion that you can voluntarily go into an enforceable undertaking. I think this publication might have cost him $12,000 to produce. He now has to get himself audited every three months, because of the swing tag. He proactively contacts the department to identify plumbing items which he does not believe have been registered to assist the department with its work. He can look forward to routine raids to make sure he is doing okay. He has got a higher infringement notice risk available to him that could add up to over $100,000.

I would have thought the best thing to do was say to Glenn: 'You've clearly embraced the spirit of the scheme. You share our motive to have customers aware of what is going on. Do you know a couple of those swing tags are missing? We know that a customer can't help but see the WELS information before any purchase because it is on the packet. Once they see something they like, they can reach for it and there it is. We'd like it to be on the articles themselves.' He would say, 'Me too'.

We systematically have people run through the store to make sure customers are aware that the IKEA training of pinching the tag—so that you go and buy the article that is the one that is on display—might set him up each time for a $6,000 fine for each breach—and, if he does not pay that fine, he has got a voluntary enforceable undertaking that is about as voluntary as a gun to the head.

I think we can do better with this scheme. This bill talks about a review. Let's have a look at a more collaborative, engaging and shared purpose approach to the implementation of this arrangement—not this arrangement, which I think is a regulatory and enforcement overreach that serves no good purpose, that sets up some tension between agencies that should have a shared purpose. It is just way too much for small business to have to cop when they are trying to do the right thing.

The DEPUTY SPEAKER: I understand that it is the wish of the Federation Chamber to debate this order of the day concurrently with the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013. If there is no objection to that I will allow that course to be followed.

Mr ZAPPIA (Makin) (10:28): I speak in support of the Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 and the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013.

Just listening to the member for Dunkley, I have a great deal of empathy and sympathy for the businessperson that he was referring to. It would seem to me that, in administering this kind of legislation, there ought to be a degree of common sense, and I think the member for
Dunkley quite appropriately outlined the compliance regime that is currently being practised as opposed to perhaps the way it ought to be. I certainly share his concerns if that is what is happening within the industry, because it is my view that that was never the intention.

This legislation, which was brought in in 2005 by the Howard government, is all about setting up a water efficiency labelling system which will do several things. It was done in conjunction with the states—in fact, there is complementary legislation in each of the state and territory jurisdictions. I believe that the intent to comply with the legislation started on 1 July 2006. There was a six-month period which gave businesses the opportunity to adjust to and dispose of stock that had previously come in that was unlabelled but, after that, all businesses were expected to comply with the legislation.

The legislation is all about putting labels on products to determine their water efficiency rating. If they have a higher rating, more stars are attached to the product. The intent of that is very important. It enables consumers to make choices about what products they buy and I believe they make those choices on two very important grounds. Firstly, they make the choices on the ground that they will save water. Secondly, and perhaps more importantly, I believe consumers are making those choices because they want to do the right thing by society and consume less water if that is at all possible. Also, in the consumption of less water we also consume less energy.

I speak to people on a regular basis who are concerned about the environmental impacts of the way we live today, and anything that they can do to reduce those impacts they do because they care about the future of the planet. It has been estimated that, through this system alone, in the years ahead—by the year 2025 or thereabouts—we will save about 100,000 megalitres of domestic water use each year, 800,000 megalitres of total water use across the country and about 400,000 tonnes of greenhouse gas emissions each year as a result of using water much more efficiently than we are.

We will do that by enabling products to be marketed so that people can make those choices. Currently, there are about 18,000 products that have been labelled and are on the market for the very purpose of enabling consumers to choose which they use, and consumers are certainly taking advantage of that. It is not only domestic products, like washing machines, dishwashers, shower heads and the like. These efficiency products go right through to industry in a commercial sense as well. Some of the most impressive changes that I have seen over the years in respect to water efficiency measures come from the industrial sector.

Industries also use a lot of water and many of them, from both an economic point of view and an environmental point of view, have made decisions that enable them to use water more efficiently. Those decisions come at a cost initially upfront, but I have no doubt that in the long term those costs are recovered as a result of using less water. The classic case that perhaps all of us see on a daily basis is of the operators of the car-washing facilities around the country who today, instead of discharging that water once it is used into the system and allowing it to drain away, have systems in place where they reuse that water and then it gets used for the washing of other vehicles.

The same applies with respect to many other facilities that use washing down procedures in their daily business operations. Many of them are also now in a position as a result of investments that they have made to reuse that water rather than seeing it go to waste and ultimately polluting our waterways when that water reaches the oceans, into which most of it
is discharged. I commend those businesses and those industries that have done exactly that because that is the way we should be going.

The other area that I commend for the work that has been undertaken over recent decades in water efficiency is the irrigators on our farms. I believe that the irrigators on our farms—and I notice the member for Riverina is here right now—have been at the forefront of making efficiency gains in the way they use water on their farms. They have done that twofold: by looking at the agricultural methods that they use in the products they grow and also by investing in new irrigation systems and monitoring systems which enable them to use the amount of water that they need without wasting any and to get the most effective results from it. I certainly do commend them because, as we looked at the Murray-Darling Plan and how we could save water, water efficiency investment was the priority in terms of how we should be making those gains. I believe that we can learn a lot from the irrigators who have already made those investments and also carried out the research.

In a world where the population is growing and there is a need to grow more food, and combining that with climate change, there is likely to be even less water available in some parts of the world. So we know that we have to be much smarter in the way that we use water. In fact, it has been suggested that most of the conflicts in the future will arise as a result of water shortages. Therefore, if we are going to be smarter in the way that we use water, we have to look at systems that empower consumers to use more efficient systems, and that is why systems like the WELS system are so important: it rates a product on its water efficiency. In order to rate a product it clearly has to be assessed, and in order for the system to work it also has to be monitored. Whilst I appreciate the comments of the member for Dunkley, it does have to be monitored.

Monitoring the system comes at a cost. To date, my understanding is that the recovery of those costs is at about 20 per cent. The intent is and always was, from the day this legislation went into the House in 2005, to recover about 80 per cent of those monitoring and compliance costs. The intent of this legislation will enable us to move from 20 per cent to around 80 per cent cost recovery. My understanding is that the last 20 per cent will come from a combination of state, territory and federal government revenues. In order to get to that 80 per cent, this legislation of course will mean that additional costs will be imposed due to a compliance process that will be implemented. The process itself should be, as the member for Dunkley quite rightly outlined, one where common sense is applied. This is a responsibility not only on the federal government but also on the state and territory governments. I appreciate the fact that they will meet 10 per cent of the remaining 20 per cent of the costs to administer the program. Water efficiency labelling is something that has been embraced by the community at large. But it is fair to say that all people around the world have a responsibility when it comes to this.

Finally, for the manufacturers of the products, the rating system will undoubtedly be a very strong and powerful marketing tool. I said earlier how consumers today are looking for more efficiencies in terms of both cost savings and responsibility for the environment. Because the rating system will be used by consumers to choose products, it will be an important marketing tool for them. The last thing we want to see is the rating system abused by unscrupulous manufacturers—or unscrupulous retailers for that matter—who simply want to rate a product
at a higher rate than it is entitled to because they know full well that the rating will enable them to sell the products.

So it is important that if we are going to have a rating system in place, the rating is true to the labelling. For that reason, the compliance system has to be put into effect. If we did not have a system in place, it would be unfair on those manufacturers of products who have complied with the rating system, carried out the research and ensured that their product is true to the claims made about it and who have to compete with an alternative product where the claims do not stand up to scrutiny. From both points of view, it is important that the rating system can be relied upon and has integrity, and therefore the compliance mechanisms that are in place need to be carried through. I end where I began: I agree that we need a compliance system that we can have confidence and faith in, but I also believe that it ought to be applied with a degree of common sense. I commend the legislation to the House.

Mr McCormack (Riverina) (10:39): I find myself in furious agreement with the member for Makin once again—as far as a piece of legislation is concerned—and certainly with his comments on the water efficiencies of irrigators. I know how much work he did to save water when he was the Mayor of the City of Salisbury in South Australia. Much of the water savings measures conducted throughout this great land of ours in recent times have been with the objective of providing water to South Australia.

We heard the minister for water only yesterday talking in the parliament about the final day for any disallowance to the Murray-Darling Basin Plan. Last year, in the last week of parliament, I moved a disallowance to the Murray-Darling Basin Plan, and I stand by what I did then. But water is, as the member for Makin pointed out, so important to us all, and I certainly concede that water is as important to South Australia as it is to any other state. We need to make Commonwealth decisions in the national interest when it comes to water.

I know that one of the great pioneers of water and irrigation, Sir Samuel McCaughey, is going to be honoured soon with the unveiling of a marvellous statue in the Murrumbidgee Irrigation Area, where he did so much work to enhance irrigation and thereby give that particular region the ability to grow food, because you cannot grow food without water. Water is life; life is water—we all know that. One of Sir Samuel's famous sayings was 'Water is more precious than gold'. I concur with the member for Makin when he says that future conflicts will be fought over water. That is the reality.

We talk a lot in this place about mining, but I do not think we give enough credit and priority to that most precious resource, which is of course water. I heard the member for Makin loud and clear when he said that the priority of this parliament should have been water-saving measures and water-saving infrastructure. I am sad to say that, for every dollar the federal Labor government has spent on water-saving infrastructure, it has spent $5 on water buybacks, which do nothing but rip out the lifeblood, the economics, and the ability of regional communities to make money and grow food to feed our nation and other nations.

We are talking about the Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 and the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013, and it is important legislation. In 2005, the coalition government created the world's first national Water Efficiency Labelling and Standards scheme, or WELS scheme, providing for water efficiency labels on dishwashers, urinals, taps, toilets, shower heads and washing machines. These labels give consumers easy-to-understand star ratings and water
consumption information on the water efficiency of various products. The scheme has been generally accepted and supported by industry, although some believe that the scheme has not been stringent enough in dealing with non-compliant products. Yet others complain about the high cost of administering the scheme.

We heard the member for Dunkley, just a little earlier, talk about a Queensland retailer, Glenn Powell, who was in some difficulty because the swing tags were removed from six of the products in his store and he faced a $6,000 fine for each and every one of those six swing tags removed. We all know that consumers go into stores and sometimes take things, like taking swing tags to the shelf to see that they match up with a product or to another store, thinking that it has a price on it and they can perhaps get a better deal.

Sometimes they just take them so that they have the information—maybe a phone number that they can call to get some more information. For whatever reason, we find ourselves in a situation where sometimes stores are hit with high fines for not being compliant, when really a little bit of common sense by the compliance officer would make so much sense. We do live in a nanny state and hopefully after 14 September 2013, when hopefully the coalition will be elected to government, that nanny state that we are currently living in will be lessened. We have an amendment bill before the parliament at the moment to stop undercover operatives having to wear hi vis vests in Afghanistan. In my own electorate I heard the other day that people who are pallbearers and are carrying caskets from funerals have to do a three-day course to carry the coffins on their shoulders, otherwise it must be at waist level. I hear you laugh, but this is the ridiculous state which we have become—

An honourable member: It just doesn't have a lot to do with the water bill—waist level!

Mr McCormack: Some of the occupational health and safety nonsense that businesses and people are being forced to endure is just ridiculous.

The Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 will enable the minister to set registration fees under the WELS Scheme based on the whole cost of the scheme. The Water Efficiency Labelling and Standards Scheme Amendment (Registration Fees) Bill 2013 makes consequential amendments to allow the fees to be recovered in the form of a tax or levy. All scheme costs may be taken into account in setting the fee, including, but not restricted to, costs to do with processing registration applications, compliance monitoring and enforcement, policy, standard development and communications. In the absence of these changes, the registration fees could cover only the costs of service provision, instead of the entire costs of the scheme.

Combined, these bills implement the decision of the Standing Council on Environment and Water in November 2011 that the scheme should recover 80 per cent of its costs from registrants. This will represent around $1.7 million per annum. The quantum of the fee will be set by the federal minister in a legislative instrument after consultation with the states and territories. The coalition established the WELS Scheme and continues to back it. Despite that, these changes envisage a rise in government fees, or in effect represent a levy or a tax on the industry to recover the costs of administration. Indeed, many are concerned that the government setting of the fees is unaccountable to the industry or consumers. There is nothing surprising in that sentence—'government' and 'unaccountable'—because those two words go hand-in-hand. For example, this bill allows the government to recover all of the costs of the scheme even though the Council of Australian Governments agreement was for only 80 per
cent to be recovered. The government says it intends to recover only 80 per cent of the costs, but sometimes what this government says and what this government actually does are generally, Member for Flinders, two entirely different things, as you would well know.

Some believe that the proposed fees are too high and could be lowered if the government administered the scheme in a more efficient way. For these reasons—and they are important reasons—the coalition has referred these bills to a Senate inquiry. The coalition supports the Water Efficiency Labelling and Standards Scheme and the government should recover the appropriate costs it incurs to administer the scheme. However—and this is important—this must be done in an efficient and effective way.

I see the minister for water has arrived, and he knows how important water efficiency is. He, of all people, knows how important it is so that we save as much water as possible. He would be very interested too, because he was not in the chamber when the member for Makin was praising irrigators and made reference to Riverina irrigators for the water efficiency that they have been doing for many years. They are using such things as laser levelling and drip measures to ensure that the water they use is going to where it is needed. It is not generally going in evaporation, and they are spending a lot of money. I would urge him while he is here to once again see where the taxation implications for irrigation corporations are up to, because in a press release on 18 February 2011 he promised that it would be fixed up in association with the regional development minister, Simon Crean—as men of their word, I take it that they will be doing something about it and they have given me an assurance that they will. I again urge him to look into that. I see him urging his advisers to do that. I am appreciative of that because I know that he knows how important it is that we get those implications sorted, so we can put in place that water savings infrastructure and make sure that South Australia gets its fair share of water, which I know the member for Makin wholeheartedly agrees with.

As I say, it was a Liberal and Nationals government that introduced the first water efficiency labelling standards scheme in 2005. We did it because we know how important it is to save as much water as we can. I know Minister Burke knows how important it is to save as much water as we can, because there is nothing more precious in this country than water. We all know that and we need to make sure that we can save as much as possible. It is true to say that water efficiency comes at a cost, but it is imperative that we safeguard this cost from massive price rises, which makes efficient use of water unaffordable for farmers and householders.

This bill will enable the minister to set registration fees based on the entire cost of the scheme. That is a bit of a concern. As I say, the government always needs to be accountable—no matter when it sets taxes, levies, it has to be accountable. Compliance needs to have common sense with it for all those businesses which sell products with the star ratings under the WELS scheme. They cannot be smashed as the member for Dunkley pointed out a little earlier on. We need to have common sense, because businesses are the engine room, particularly small businesses, of our economy. They employ so many, many people. They pay enough taxes as it is. They do not need to be continually hurt by stupid, nonsensical compliance regimes. This is good legislation but it needs a little more thought. That is why we have recommended that it go to a Senate committee and, on those points, I will sit so that the water minister can make his valid remarks.
Mr HUNT (Flinders) (10:52): In 2005, I had the honour and the privilege to introduce the water efficiency labelling and standards bill into the parliament. It involved a process which had been worked through with industry, with conservation and environment groups, with the bureaucracy and, in particular, with the plumbing and water efficiency sector. I think the bill transformed into legislation which has transformed into a system and a practice that has generally been very positive. It was designed and intended to provide a water efficiency and star rating system for washing machines, urinals, toilets, showerheads, taps—all of the basic water dispensing and water use devices in the household. It was a sensible, common-sense practical approach to efficiency and conservation.

It was always designed and intended to be a low-touch scheme. It began that way, and we support the scheme. There are, however, two operative concerns, which I wish to raise in the presence of minister and those relate to what I would call an increasing use of this legislation for first-strike activities against small operators. I have met with small operators who in good faith have sought to comply with the legislation. They gave me examples of where they had one product with the WELS sticker on it, but the same product elsewhere in the store where it was not, and they had been either threatened or in some cases fined. This legislation is meant to provide a guide to consumers and its implementation has to be done in a way which is sensible and not threatening.

I would request the minister to ask his department for a review on the implementation at the ground level. There ought to be a simple approach where if somebody is inadvertently in breach, they are requested to rectify. Fines should not be a part of that process. It is only when somebody has repeatedly and wilfully breached the notice and notification requirements that you would then turn to enforcement. It should not be a first-strike process. It should not be abused. The member for Dunkley, myself and others have encountered small-business people who felt that this legislation has been misused. It is good legislation, with a good intent, a good purpose and a good design. It is at the coalface where we need to review it to see whether or not there has been a practice of inadvertent over-regulation and inadvertent first-strike misuse.

The second element that I want to raise, and again this has come from directly meeting with small-business participants in the water efficiency industry, is duplication. I think there is a legitimate question at this time to look at the interrelationship between the WaterMark system and the WELS system. Many plumbing and water goods suppliers have said that they feel there is a duplication. I do not come to this with a pre-emptive view as to the outcome. I think that both issues of the first-strike misuse and the potential for simplifying arrangements between the WELS and WaterMark system and any overlap and duplication ought to be considered by the Senate process. Both are genuine and legitimate concerns which have come from the implementation and the practice of the legislation. These are the real world examples provided firsthand to myself which need to be considered.

Against that background we then have the reforms within this legislation. It is a cost-recovery measure. I am cautious about any cost-recovery measures. We will not stand in the way of it through the House. We will look at it with a cautious and sceptical eye. If it appears to be gouging then of course we would reject it. If it is a legitimate, modest cost recovery, and we will let the Senate inquiry take those examples, then we will accept it. We support the
legislation. We support the principle. We were the architects and we think that it is a sensible approach to water efficiency.

But there are two genuine legitimate concerns in practice: one being in relation to the first-strike misuse of this legislation—and it may be some rogue inspectors or it might be a more widespread practice that has become overly oppressive. The second area is the potential for simplification and reducing the duplication, or eradicating duplication, in the relationship between the WELS legislation and the WaterMark systems. Against those areas for legitimate inquiry, I thank the minister for his attention. My impression is that he has noted that there are some genuine concerns at the grassroots level from small-business players who feel that what is reasonable legislation could be improved in its practical application.

Mr BURKE (Watson—Minister for Sustainability, Environment, Water, Population and Communities) (10:58): I will follow up the points that were just raised and I get back to the member directly. There was discussion in my office yesterday that I have never actually used the summing up points that they prepare for me. I find it difficult because they write them prior to the debate ensuing. Nonetheless, today I will. I thank members of the House for their useful contributions and support of the Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 and the Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013. These bills provide for the long-term viability of the Water Efficiency Labelling and Standards scheme, which makes a valuable contribution to water efficiency in Australia. I commend these bills to the House.

Question agreed to.

Bill read a second time.

Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013

Second Reading

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

Federation Chamber adjourned at 11:02