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SITTING DAYS—2013

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

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

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

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

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

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

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**PARTY ABBREVIATIONS**

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

**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
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<tr>
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Thursday, 12 December 2013

The SPEAKER (Hon. Bronwyn Bishop) took the chair at 9:00, made an acknowledgement of country and read prayers.

COMMITTEES

Joint Standing Committee on the National Disability Insurance Scheme
Membership

The SPEAKER (09:01): I have received a message from the Senate informing the House that Senator Urquhart has been discharged from the Joint Standing Committee on the National Disability Insurance Scheme, and that Senator Gallacher has been appointed a member of the committee.

DOCUMENTS

Australian Parliamentary Delegation to the 129th Inter-Parliamentary Union Assembly
Presentation

The SPEAKER (09:01): I present the Australian Parliamentary Delegation to the 129th Inter-Parliamentary Union Assembly, held in Geneva, Switzerland, from 6 to 10 October 2013.

BILLS

Fair Work (Registered Organisations) Amendment Bill 2013
Second Reading

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

That all the words after "That" be omitted with a view to substituting the following words:
"the House declines to give the bill a second reading because it would be ill advised to continue having regard to the:

(1) adverse impact of the creation of the Registered Organisations Commission on registered organisations, including unions, employer and employee groups; and

(2) fact that last year the Fair Work (Registered Organisations) Act 2009 (the Act) was amended to improve disclosure requirements, transparency, accountability and amended to also triple civil penalties for breaches of the Act."

Mr PYNE (Sturt—Leader of the House and Minister for Education) (09:02): Can I on this last day of sittings for 2013 acknowledge that it is the last day of the parliament sitting when the Clerk will be in his current position. We look forward to commenting on his long service later on in the day.

I rise to close the debate on the Fair Work (Registered Organisations) Amendment Bill 2013. I would like to thank all the members for their contributions to the debate. The recent HSU scandals, as well as the slush funds in the Transport Workers Union; the Australian Workers Union; the National Union of Workers; the Construction Forestry Mining and
Energy Union; the Shop, Distributive and Allied Employees Association; the Communications, Electrical and Plumbing Union; and the Electrical Trades Union shows us that a stronger compliance regime and a more effective regulator, as introduced by this bill, are absolutely essential.

Many registered organisations control assets worth millions of dollars. They are effectively dealing with cash flow and investments similar to those of large businesses. Consequently, members of unions, employer associations and the community want and deserve to have confidence that their registered organisations are being properly regulated and will be subject to swift action in the event of any wrongdoing.

This bill establishes the independent Registered Organisations Commission and provides it with robust investigative and information gathering powers. It enables the commission to educate and provide advice to registered organisations and their members.

The bill also introduces stronger reporting and disclosure requirements for organisations and their officers, significantly higher civil penalties as well as a number of criminal penalties. These penalties are in line with those facing companies and directors under the Corporations Act. The government firmly believes that there should be alignment between the maximum penalties levied against a company director who misuses shareholder funds and the boss of a registered organisation who misuses members’ money.

Labor has failed to explain why the principle 'same crime, same time' should not apply in this instance. Confusingly, most Labor members who have spoken on the debate have stated that the amendments brought in by the Labor Party in 2012 went far enough, before going on to take task with four issues: that the disclosure requirements for officers of registered organisations are too invasive and go further than the Corporations Act; that the disclosure requirements for officers of registered organisations include the reporting of family members' income and assets; that the disclosure requirements for officers of registered organisations capture the whole governing body and need to be reported to the entire membership; and that there is no discretion on the training for officers.

Members opposite would be interested to learn that all of these requirements were contained in the Fair Work (Registered Organisations) Amendment Bill circulated earlier this year by the authority of the then minister, the member for Maribyrnong. To assist those opposite let me quote the member for Maribyrnong in introducing that bill. He said:

This bill will require the rules of registered organisations to provide for the disclosure of remuneration, including board fees, of the five highest paid officials of the organisation as well as the two highest paid in each branch, to the members of the organisation. Determining the five highest paid officials will be based upon monetary remuneration rather than non-cash benefits. However, where an official's remuneration is required to be disclosed, that disclosure will require non-cash benefits paid to the official to be identified.

He went on to say:

Under the amendments proposed by the government—
Meaning the then government—
registered organisations will be required to amend their rules to provide for the disclosure of transactions between the organisation and related parties, which may include the family members of officials.
He said further:

To improve financial literacy within registered organisations, the rules of organisations will require each officer whose duties relate to the financial management of the organisation or the branch as the case may be to undertake approved training relating to the officials' financial management obligations. So that it assists the members opposite, I would like to table an outline of those provisions of the previous government's legislation and how they are dealt with in the current bill that has been prepared. The government recognises the concerns that have been expressed by stakeholders about these requirements, which will come into effect on 1 January next year, courtesy of the member for Maribyrnong's bill, and will actively consider how to clean up his mess.

Importantly, the Senate Standing Committee on Education and Employment, in a report tabled on 2 December this year, made a number of recommendations in this regard that the government will actively consider. We welcome the opposition's expression of concerns about the member for Maribyrnong's drafting but suggest that those concerns should have been raised in the Labor caucus when the member for Maribyrnong sought to rush the bill through the parliament.

Opposition members have suggested that the new penalties will mean that they will have difficulty persuading people to take on official responsibilities. The government does not agree. Let me be very clear: the only people who have anything to worry about are dodgy union bosses or dodgy employer association bosses who do the wrong thing. The government believes that enhanced reporting and disclosure requirements will not do the job if they are not consistently and strongly enforced and the penalties for wrongdoing are not high enough to act as a deterrent.

The need for increased penalties has been recently noted in the comments by Federal Court Justice Anthony North, who is reported to have said that he was unhappy at the relatively small penalties on offer, particularly in relation to the cost of court proceedings. He said, 'The penalties are rather beneficially low; beneficial to wrongdoers.' Officers who are operating within the law, which is the overwhelming majority of them will continue to take on official responsibilities. The overwhelming number of officers who are already doing the right thing should be comforted in knowing that unlawful behaviour will be effectively dealt with, thus ensuring ongoing confidence in registered organisations as a whole.

Before concluding, I will point out once again that the coalition's policy has been supported by union bosses such as Paul Howes and Chris Brown as well as former ACTU secretaries Simon Crean and Martin Ferguson. Labor today will vote against this bill and against providing greater accountability and transparency to registered organisations. Instead of backing union members and those who do the right thing, the Labor Party will be backing dodgy union bosses who break the law and betray the trust of members. The government firmly believes that the bill sets the high standard that is essential for the governance and regulation of registered organisations and that passage of this legislation will be beneficial to registered organisations, their members and the Australian community. I thank all members for their participation in the debate. I table the schedules from the bill introduced by the member for Maribyrnong.

**The SPEAKER:** The question is that the amendment be agreed to.

Question negatived.
The SPEAKER: The question now is that the bill be now read a second time.

The House divided. [09:14]

(The Speaker—Hon. Bronwyn Bishop)

Ayes .......................... 72
Noes .......................... 50
Majority ...................... 22

AYES

Alexander, JG
Andrews, KL
Briggs, JE
Broadbent, RE
Buchholz, S (teller)
Ciobo, SM
Coleman, DB
Entsch, WG
Frydenberg, JA
Gillespie, DA
Grigs, NL
Hawke, AG
Hendy, PW
Howarth, LR
Irons, SJ
Jones, ET
Kelly, C
Laundy, C
Marino, NB
Matheson, RG
McGowan, C
Nikolic, AA
Pasin, A
Porter, CC
Pyne, CM
Randall, DJ
Ruddock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tudge, AE
Varvaris, N
Whiteley, BD
Williams, MP
Wood, JP

NOES

Albanese, AN
Bird, SL
Burke, AS
Byrne, AM
Champion, ND
Clare, JD

Bandt, AP
Bowen, CE
Butler, MC
Chalmers, JE
Chester, LM
Claydon, SC

CHAMBER
Question agreed to.
Bill read a second time.

Message from the Governor-General recommending appropriation announced.

**Third Reading**

**Mr PYNE** (Sturt—Leader of the House and Minister for Education) (09:30): by leave—I move:

That this bill be now read a third time.

Question agreed to.
Bill read a third time.

**COMMITTEES**

**Publications Committee**

**Report**

**Mr COULTON** (Parkes—The Nationals Chief Whip) (09:31): I present the report from the Publications Committee sitting in conference with the Publications Committee of the Senate. Copies of the report have been placed on the table. I ask leave of the House that the report be agreed to.

Leave granted.

**Mr COULTON** (Parkes—The Nationals Chief Whip) (09:31): I move:

That the report be agreed to.

Question agreed to.
PETITIONS

Dr JENSEN (Tangney) (09:32): On behalf of the Standing Committee on Petitions, and in accordance with standing order 207, I present the following petitions:

Genetically Modified Foods
To the Honourable Members of the House of Representatives in the Parliament assembled:
This Petition from the undersigned residents of Australia, requests labels on all foods containing Genetically Modified (GM) ingredients, and a freeze on all GM approvals by Food Standards Australia& New Zealand (FSANZ)

Draws to the Attention of the House that: in-depth & independent scientific data published in peer-reviewed journals has found GM organisms have long term health and safety impacts on experimental animals, in our food and on our farms. The FSANZ assessment regime excludes evidence of such potential harm from its assessments and does not require materials made using GM techniques to be proven safe "beyond reasonable doubt". We have the right to know if our food contains ingredients derived from GM organisms and to have GM-free diets.

We therefore ask the House to:

1. Freeze all new applications for transgenic GM foods while: FSANZ safety assessment regime is aligned with the European Food Safety Authority methods; and past approvals are reassessed;

2. Require full labelling of all foods made using GM techniques including processed products such as: vegetable oils, starches and sugars; and the meat, milk and eggs from animals fed GM feed; and;

3. Remove exemptions from GM labelling requirements in Food Standard 1.5.2 so any trace of a GM organism in a foodstuff, stock feed or seed must be fully and clearly labelled as GM in origin.

from 3,196 citizens
Petition received.

Australian Paper
To the Honourable Members of the House of Representatives in the Parliament assembled:
This petition of citizens of Australia draws to the attention of the House:
That Australian Paper at Maryvale is Gippsland's largest private employer. Almost 1000 people work at the pulp and paper mill and many more thousands of jobs in the community rely on its operations. Last year workers from the Maryvale mill went to Canberra to talk to politicians as part of the CFMEU's 'Let's Spread It Around' campaign (www.letsspreaditaround.com.au). The Australian Government is the biggest purchaser of paper in Australia and we want the Government to buy less imports and more Australian made paper to support our jobs, our families and our communities.

Workers are still concerned that Australian companies continue to lose procurement contracts with Federal Government agencies to overseas suppliers which are putting jobs at risk.

We therefore ask the House to:

• Commit to getting true value for money when buying paper and paper products by taking into account the socio-economic benefits to the community of supporting Australian manufacturing jobs, the significant taxation receipts from local production and the environmental benefits of procuring paper which reaches high Australian Standards.

• Achieve this through implementing a pilot project covering all Government procurement of paper and paper products which core principle is preference of Australian made product except where it is independently assessed against agreed Government-CFMEU criteria that net cost to the community of the imported product is lower than the Australian made product.
from 140 citizens
Petition received.

Marriage
To the Honourable Members of the House of Representatives in the Parliament assembled:
This petition of citizens of Australia draws the attention of the House: to the marriage laws of Australia. We wish to keep marriage between a man and a woman.
We therefore ask the house to call a referendum to coincide with the September 14 election to give the people of Australia a vote on this important issue.
from 35 citizens
Petition received.

School Chaplaincy
To the Honourable Members of the House of Representatives in the Parliament assembled:
We a group of Australian Citizens wish to thank the Government for the worthwhile investment you are making for Australian kids through School Chaplaincy. SU QLD has again been forced to attend the High Court of Australia to defend the vital program of School Chaplaincy.
We urge you to do everything in your power to ensure that the funding of School Chaplaincy continues so that the pastoral care role of school chaplains can be maintained. Schools deserve the right to choose chaplaincy as part of their student support network.
We believe that School Chaplains are a worthy and valuable investment in the lives of kids and young people. Chaplains back our children - the future generation - when they need it most and therefore we back our Chaplains. Will you, our Government back our chaplains too?
from 257 citizens
Petition received.

Aboriginal and Torres Strait Islander Peoples
To the Honourable Members of the House of Representatives in the Parliament assembled:
"BOOMERANG PETITION"
This petition of certain citizens of Australia draws to the attention of the House:
The concern raised by the Expert Panel reporting on the Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples in January 2012 was the need to remedy the historical exclusion of Aboriginal and Torres Strait Islander peoples from Australia's Constitution and the need to remove discrimination.
We therefore ask the House to:
Educate the Australian nation about the need for constitutional change and hold a referendum within two years to:
• Remove Section 25 — which says the States can ban people from voting based on their race;
• Remove section 51(xxvi) which can be used to pass laws that discriminate against people based on their race;
• Insert a new section 51A - to recognise Aboriginal and Torres Strait Islander peoples and to preserve the Australian Government's ability to pass laws for the benefit of Aboriginal and Torres Strait Islander peoples;
• Insert a new section 116A, banning racial discrimination by government; and
• Insert a new section 127A, recognising Aboriginal and Torres Strait Islander languages were this country's first tongues, while confirming that English is Australia's national language.

from 2,113 citizens
Petition received.

Falun Gong

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of certain citizens and residents of Australia draws to the attention of the House that Falun Gong is a peaceful meditation practice based on the principles of Truthfulness, Compassion and Tolerance. Falun Gong practitioners in China have been subjected to the most brutal and relentless persecution by the Chinese Communist regime since July 1999, causing thousands to lose their lives from illegal detention and systematic torture. Such conduct stands in blatant violation of all international human rights charters that the Chinese government has itself ratified. According to investigative reports published by human rights lawyer David Matas and former Canadian Secretary of State for the Asia-Pacific; David Kilgour, tens of thousands of imprisoned Falun Gong practitioners have been subjected to forced organ harvesting for China's transplant market and lost their lives (www.organharvestinvestigation.net).

We therefore ask the House to request the Prime Minister and the Foreign Minister to openly and forthrightly call for an immediate end to the persecution of Falun Gong in China.

from 3,788 citizens
Petition received.

Telecommunications

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of certain citizens of Australia draws to the attention of the House: The 3G network coverage provided by Telstra in the towns of Normanton and Karumba is patchy and unreliable, with weak signals and poor ability to transfer data. This is an unacceptable service level in an area where tourists, residents and businesses all rely on modern information communication technologies to engage, navigate, operate and develop. We expect decent 3G coverage because as customers we pay for it.

We therefore ask the House to do all in its power to ensure the provision of resources and infrastructure necessary to create a robust and reliable 3G network in Normanton and Karumba.

from 1,382 citizens
Petition received.

Dampier Archipelago—World Heritage

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of Citizens of Australia draws the attention of the House to:

The petitioners' support of World Heritage Listing of the Dampier Archipelago and opposition to the development of any further industrial infrastructure on the Burrup Peninsula or any of the islands that make up the Dampier Archipelago that may impact on the National and World Heritage values of the place.

It is acknowledged that the Dampier Archipelago contains what is probably the largest assemblage of prehistoric rock engravings (petroglyphs) anywhere in the world and provides one of the few chronologies in the world of environmental and social change through the fast ice age to the present.
We therefore ask the House to:

- pay heed to the Final Report of the Australian Heritage Council re the Burrup April 2012
  http://www.environment.gov.au/heritage/ahc/national-assessments/dampier-archipelago/pubs/dampier-archipelago.pdf which reviewed all scientific data and expert advice on the scientific, cultural and heritage values of the rock art, standing stones and other components of the archaeology that exists on the Burrup peninsula and islands of the Dampier Archipelago and consequently support its indisputable values as a World Heritage nomination.

- encourage the State of Western Australia to nominate the area for World Heritage listing and make ensuing recommendations to the Federal Government to pursue such nomination.

from 356 citizens
Petition received.

**Asylum Seekers**

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of Certain Concerned Citizens of Australia draws to the attention of the House:

the dire and unjust — and very costly — situation of asylum-seekers detained by the Australian Government in off-shore and on-shore Detention Centres

We therefore ask the House to:

1. Adopt a compassionate, just and bi-partisan approach to this issue, as befits our Australian values (as happened with the 'boat-people' of the 70's and 80's)
2. Withdraw all asylum-seekers ASAP from off-shore centres to mainland Australia
3. Choose locations and arrange on-shore accommodation and facilities (as has been done in Leonora, WA) to provide a quality of life which meets Australian community standards — and benefits the Local Community
4. Process their claims ASAP (Canada is able to process in Three Months)
5. Provide on-going assistance to those released into the community - as offered in the 80' and 90's
6. Cease indefinite detention immediately, and review the cases of current detainees, providing them with reasons for their incarceration and options / conditions for rehabilitation / release
7. Admit that on-shore, rapid processing would prove far less costly —and be much more just and humane - than the current totally un-Australian approach

from 240 citizens
Petition received.

**National Broadband Network**

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of citizens from Yarras/Clear Creek/Glanmire and surrounds via Bathurst NSW draw to the attention of the House:

Citizen's objection to:

1. The process adopted by NBN Co's rollout of radio network facilities in our area due to their Failure to:
   a. Consult the farming community of Yarras/Clear Creek/Glanmire and adjoining property owners about plans to propose a NBN Monopole site and disclosing plans to those within the monopole's range (i.e.5 — 8 kms).
   b. Consider the proposed site is directly under flight paths to Bathurst Airport.

from 356 citizens
Petition received.
c. Provide a reasonable response period for objections/comments.

d. Provide formal complaints process including the appointment of a neutral body to collate and assess this information.

e. Identify alternative sites at distance >1,000 metres from any homes

f. Propose upgrades to existing wireless infrastructure as an alternative.

(2) The erection of 41m high monopole and accompanying infrastructure at the site identified as 968 Limekilns Road, Yarras NSW for the following reasons:

a. Consideration for the local environment and ambiance of the region and lifestyle of residents — this is a rural farming community.

b. Concerns for affects of monopole & accompanying infrastructure on land values.

c. Unknown health risks.

We therefore ask the House to:

- Request NBN Co extend the comment time to sixty (60) days from the date of this petition.

- NBN Co identify alternate sites >1,000m from any home following community consultation.

- Appoint a neutral body to collate and assess objections.

from 26 citizens

Petition received.

National Religion

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of citizens of Australia draws to the attention of the House the fact that s.116 of the Australian Constitution prevents Parliament from making any law establishing any religion. However, in the 1981 Defence of Government Schools case the High Court said s.116 does not mean separation of church and state, but prohibits government from establishing a national state religion. Over thirty years have elapsed since that case. As recognised in the federal government's Gonski report, critical inequalities between public and many private schools have developed; Australia's multiculturalism has become more diverse; community values systems are more complex.

We therefore ask the House to legislate for separation of church and state in Australia in keeping with the changing values of contemporary Australians. We request: legislation that prohibits (1) government establishing any religion, not just a national religion, but providing any advantage to religion or non-faith as an effect of legislation (2) passing any law, or undertaking any administrative action that allows the sponsoring or supporting (financially or otherwise) of any religions or alternative non-faiths such as atheism. We ask the House to recognise the words of our first prime minister, Edmund Barton, that 'the whole mode of government, the whole province of the State is secular', allowing the manifestation of any belief or non-faith, subject only to limitation by law, but sponsoring or supporting none.

from 370 citizens

Petition received.

Age Pension

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of certain citizens of Australia draws the attention of the House to the failure of measures adopted in The Social Security and other Legislation Amendment (Pension Reform and Other 2009 Budget Measures) Bill 2009 to guarantee an adequate quality of life for those receiving the age pension.

from 2512 citizens
We therefore ask the house to:
1. Increase the pension rate from 27.5% to 35% of total male average weekly earnings
2. Ensure that proper and improved, culturally appropriate, healthcare measures for pensioners are prioritised, including medical, dental, optical, hearing and pharmaceutical services.
3. Significantly increase the level of funding for aged care services, including culturally appropriate services.
4. Introduce quarterly indexation of all pensions and welfare payments,
from 37 and 36 citizens
Petition received.

Marriage
To the Honourable Members of the House of Representatives in the Parliament assembled:
This petition of certain citizens of Australia draws the attention of the House to the proposal to amend the Marriage Act, 1961
We therefore ask the House NOT to approve the marriage Amendment Bill 2012 as presented by Mr Stephen Jones and specifically not to change the definition: {"marriage" means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life}.
from 26 citizens
Petition received.

Telecommunications
To the Honourable Members of the House of Representatives in the Parliament assembled:
This petition of concerned residents and small business owners in Wilcannia, far western NSW, draws to the attention of the House the need to improve mobile communications in Wilcannia beyond the current extremely poor service.
We ask the House to address the limited broadband and internet connectivity in Wilcannia through a significant service upgrade. Without fast and reliable mobile and internet connectivity, economic development and access to services taken for granted elsewhere in Australia, including access to information and social networking opportunities for individuals, families and small businesses in Wilcannia, are severely limited.
Wilcannia is one of only two Indigenous remote service delivery communities in NSW where government is investing considerable resourcing and services to address Indigenous disadvantage. Without high quality mobile telecommunications, the capacity of government investment to bring change will be limited.
While the roll out of satellite and cable broadband services will ultimately address some of these issues, mobile communications offer greater flexibility and need less investment by individuals and small businesses, both Indigenous and non-Indigenous. In locations with challenging economic conditions as is the case for Wilcannia, the power of high quality mobile communications is critical to creating niche enterprises, diversifying the local economy, generating new employment and development opportunities, and marketing local products and services nationally and globally.
High quality mobile telecommunications are essential to overcome the tyranny of distance, both social and economic, for Wilcannia residents and small businesses.
from 64 citizens
Petition received.
Cambodia: General Election

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of Cambodian-Australian draws to the attention of the House that:

1. The July 28, 2013 General Election in Cambodia did not meet international standards for being free and fair.

2. There were widespread election irregularities and the result produced the Ruling party does not reflect the will of the people.

3. Mr. Hun Sen and his ruling party are undermining the principle of democracy and the 1991 Paris Peace Agreement by not willing to accommodate a peaceful solution to the current political crisis but instate deploying troops, tanks and armoured vehicles to intimidate the people in the capital Phnom Penh.

4. The Australian Government has already earmarked million and millions of dollars to assist Cambodia.

5. As one of the signatories of the Paris Agreement 1991, Australia has the moral and legal obligation to ensure that true democracy is materialise in Cambodia.

6. True democracy is required in Cambodia to put an end to a long suffering and hardship of the people of Cambodia and would also bring stability and prosperity within the Southeast Asian region from which Australia can benefit in terms of trade.

We therefore ask the House to put pressure on the Cambodian Government to ensure a peaceful solution to this political crisis and to set up a credible independent committee to investigate and resolve election irregularities.

from 185 citizens
Petition received.

Legalisation of Cannabis

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of a citizen.

Draws to the attention of the house the ineptitude of the AFP and local police to stop the supply and demand of cannabis. The only people currently profiteering off the sales of this product are "criminals" who use the revenue gained to obtain and distribute the harder and more socially devastating drugs such as cocaine, heroin and meth. According to The Age National newspaper as of 2010 Australians spend 3.8 billion dollars a year on cannabis if we were to legalize, tax and regulate the sales of cannabis similar to alcohol and tobacco this would bring in a massive amount of revenue that could be used to improve health care services, schools or even roads, not to mention saving money currently being wasted fighting an unwinnable battle and freeing up the judicial system. With legalization comes an increase in our agricultural industries and a boost to our tourism sector. The world is waking up to the fact that this is a relatively harmless drug with scientific studies proving cannabis to be less harmful the caffeine and aspirin. Let's face the facts, history shows prohibition doesn't work if it did the town of Nimbin wouldn't exist and yet there it is distributing tonnes of cannabis annually, it's 2013 and cannabis use is not slowing down let's make a real change and take control of the situation.

I therefore ask the house to legalize cannabis.

from 1 citizen
Petition received.
Mobile Home Parks: Goods and Services Tax Exemption

To the Honourable Members of the House of Representatives in the Parliament assembled:

Petitioners from Bungalows Park, Terrigal, NSW, refer you to the ATO's Draft Ruling (DR) which overturns the current ruling that 'moveable home parks ('home parks') are like caravan parks and are 'commercial residential premises' and therefore not subject to GST. Home parks are also known as 'manufactured' or 'relocatable' home villages, 'village parks' and, in a Bill currently before the NSW Parliament, 'Residential (Land Lease) Communities'. Bungalows contains 140 dwellings.

The DR argues that home parks should no longer be regarded as 'commercial residential premises' due to their provision of long term occupancy rights similar to retirement villages. Reasons for Petition:

1. A 10% increase on site fees following on from liability for GST will cause hardship for the many age and disability pensioners caring for themselves in home parks, 95% of residents.
2. The DR's reasoning that home parks are not like caravan parks but like retirement villages is erroneous. Basic similarities are: lack of land ownership; dwellings owned and maintained by residents and bought and sold in a private market (unlike retirement villages); NO personal services for residents, including age or disability pensioners (unlike retirement villages). What 'goods and services' are there to tax? These features characterise GST-free renters of accommodation in the general community.

Request for Action

That should the Taxation Commissioner accept the Draft Ruling, that the House proceed to amend the GST legislation so as to maintain home parks within GST exempt categories.

from 103 citizens

Petition received.

Marriage

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition is to show the support of students and staff of Fort Street High School for marriage equality. We value and celebrate our tolerance for diversity in our school community. We believe that couples should have the right to marry, regardless of their gender. The only way that this can be achieved is through a change in law.

We therefore respectfully request the House to acknowledge and pass the Marriage Equality Bill.

from 256 citizens

Petition received.

Dyslexia

To the Honourable Members of the House of Representatives in the Parliament assembled:

This petition of Dyslexia Support Groups affiliated with the Australian Dyslexia Association draws to the attention of the House the lack of recognition, funding and assistance provided to students with dyslexia in the education system in Australia.

Dyslexia is very prevalent in society but it is the forgotten learning disability in education. Up to 15% of Australians are affected by dyslexia and struggle daily with its implications. We want children with dyslexia to have the same opportunities in education as students without learning disabilities.

Left untreated, people with dyslexia underachieve in school resulting in limited employment opportunities, potential mental health issues and the risk of contact with the criminal justice system.

If detected early, and provided with quality evidence-based reading methods, children with dyslexia can learn to read and have the opportunity to reach their full potential. Subsequently, increasing literacy rates in the population will increase the economic outcomes for a country.
We therefore ask the House to make dyslexia a high priority on the political agenda including:

1. Greater recognition and awareness of dyslexia in the education system.
2. Appropriate pre-service training and professional development for teachers in evidence-based teaching, teaching for differentiation and multisensory instruction.
3. Early identification and effective early literacy intervention for children identified 'at risk' of reading difficulties.
4. Ensure that students with dyslexia receive sufficient disability loading to provide appropriate learning support and reasonable adjustments.
5. The provision of specialist dyslexia teachers at the third level of intervention.

from 7,516 citizens

Petition received.

PETITIONS

Responses

Dr JENSEN (Tangney) (09:33): I am also tabling the following list of ministerial responses to petitions which have been received since the 43rd Parliament. The terms of the petitions and the text of the responses will be recorded in *Hansard*.

**Diabetes**

Dear Mr Murphy

Thank you for your letter of 3 June 2013 from the Standing Committee on Petitions, regarding a petition to reduce the risk of type 2 diabetes and to manage type 1 and type 2 diabetes.

The Australian Government recognises the significant burden that diabetes places on individuals and their families and is working hard to tackle present and future challenges relating to the disease. As part of this commitment, significant funding is being provided for a broad range of initiatives aimed at encouraging prevention of the disease and, in situations where prevention is not possible, ensuring appropriate support is available for affected individuals to effectively manage their diabetic conditions.

In recognition that diseases like type 2 diabetes can be prevented, the Government is providing up to $932 million over nine years (from 2009-10) under the Council of Australian Governments National Partnership Agreement on Preventive Health (NPAPH), to address the rising prevalence of lifestyle related chronic disease by laying the foundations for healthy behaviours in the daily lives of Australians.

Under the NPAPH, a Healthy Communities Initiative has been implemented to provide a targeted, progressive roll-out of community-based healthy lifestyle programs which aim to facilitate increased access to physical activity, healthy eating and healthy weight activities for disadvantaged groups and those not in the workforce.

With regard to risk assessment, the Government supported the development of the Australian type 2 diabetes risk assessment tool, which consists of a short list of questions that, when completed, provides a guide to a patient's current level of risk of developing type 2 diabetes over the next five years. The tool is available for use by clinicians and the general public and can be accessed from my Department's website.

Diabetes prevention measures also include the ongoing subsidisation of specific Medical Benefits Schedule (MBS) items for medical practitioners (including GPs, but not including specialists or consultant physicians) to undertake health assessments for patients at risk of developing the disease.
These prevention measures are complemented by significant investments to support the management and treatment of diabetes in the Australian community. This support includes access to subsidised MBS items (including services provided by dieticians and diabetes educators), along with diabetes-specific medicines through the Pharmaceutical Benefits Scheme.

Provision of subsidised syringes and needles, blood glucose test strips, urine ketone test strips and insulin pump consumables is supported through the National Diabetes Services Scheme (NDSS). The NDSS, which is expected to cost around $1 billion over five years (from 2011-12) also provides a range of educational and information services to Registrants to assist in the best use of products and the effective self-management of diabetes. Free registration to the NDSS is available for anyone who is a resident in Australia, has been diagnosed with diabetes by a medical practitioner and holds a current Australian Medicare card or Department of Veterans' Affairs file number. A further measure, the Type I Diabetes Insulin Pump Program provides a means-tested subsidy to assist young people under the age of 18 years who have type I diabetes) with the cost of purchasing an insulin pump.

In addition, the Government has implemented the Diabetes Care Project (DCP), which is being piloted over three years (from 2011-12) at a cost of more than $33 million. The DCP will test a new model of health care delivery designed to improve care for people with diabetes by providing more consumer focused, coordinated multidisciplinary education and care. The evaluation of the DCP will inform new models of care for Australians with diabetes.

Further information on the work being undertaken by the Australian Government to combat diabetes can be found on my Department's website at www.health.gov.au/internet/main/publishing.nsf/Content/pq-diabetes-gov.

Once again, thank you for writing.

from the **Minister for Environment**, Ms Plibersek

**Churchill, Victoria: Digital Television Reception**

Dear Mr Murphy

Thank you for our letter dated 3 June 2013 to the Senator the Hon Stephen Conroy, the former Minister for Broadband, Communications and the Digital Economy concerning the petition recently submitted by residents of Churchill, Victoria about digital television reception in the area. On 1 July 2013, I was sworn in as the

Deputy Prime Minister and Minister for Broadband, Communications and the Digital Economy. As I have portfolio responsibility for the matters the petition has raised, I have addressed them below. I apologise for the delay in responding.

The Australian Government understands the importance of free-to-air television to people living in regional and rural Australia, and has introduced policy and legislative measures to maximise viewers' access to digital television services. Providing equal television services to viewers throughout Australia is a central feature of the government's digital switchover program.

I am advised by the Digital Switchover Taskforce that residents of Churchill may be able to receive digital television services from a number of transmission sites around Churchill. I am also advised however, that depending on where residents live, coverage from these sites will vary from very good to poor. I will provide more detailed information about these transmission sites below.

Because of the complexity of the digital television reception situation in Churchill that results from the number of possible transmission sites residents might be receiving services from, it is essential that residents' antennas are optimised to receive the best signal available at their specific location.

The mySwitch tool on the Digital Ready website at www.digitalready.gov.au allows people to enter their addresses in order to find out which transmission site would provide the best reception based on their location. mySwitch is a web-based tool which has been developed by the Digital Switchover
Taskforce to provide a wide range of information to viewers about digital television services in their area.

Churchill residents experiencing reception difficulties should consider contacting a Government Endorsed Antenna Installer to have their antenna installation assessed to ensure it is correctly set up for their location. A list of endorsed antenna installers in the Churchill area may be found in mySwitch.

Digital television services in Churchill

Churchill is located in the Gippsland switchover area of regional Victoria which switched to digital-only television services on 5 May 2011.

The main transmission site serving Churchill is located about five kilometres north-east of Churchill at the Mills Trig Point. According to mySwitch, the Mills Trig Point site provides very good coverage to the town of Churchill. Residents of Churchill with a correctly set up antenna should generally expect to have very good digital reception from this site.

There are a number of other transmission sites around Churchill that residents of Churchill may be able to receive services from, or may be trying to receive services from. These are located at:

- Jeeralang/Yinnar South, about five kilometres west of Churchill
- Mt Tassie (Latrobe Valley), about 17 kilometres south-east of Churchill
- Boolarra, about 15 kilometres south-west of Churchill
- Newborough, about 16 kilometres north-west of Churchill
- Trafalgar/Yarragon, about 28 kilometres west of Churchill
- Mt Dandenong (Melbourne), about 100 kilometres north-west of Churchill.

I am advised that many parts of Churchill may have good coverage from the Mt Tassie and/or Jeeralang/Yinnar South transmission sites. However, for most Churchill residents the best coverage would be expected to come from the Mills Trig Point site, and as long as their antenna installation is optimised to receive signals from there, they should have good reception. An endorsed antenna installer will be able to provide advice about the best source of digital television signals at a specific location and how to optimise reception.

I am also advised that the Boolarra, Newborough, Trafalgar/Yarragon, and Melbourne sites have not been planned to serve Churchill and coverage of Churchill from these sites would be moderate, at best, to poor. It is not recommended that Churchill residents try to receive digital services from these sites.

The most detailed information about local digital television services, including the expected coverage of transmission sites serving local areas and the frequencies services are transmitted on, is available from mySwitch on the Digital Ready website.

Churchill, Boolarra and Jeeralang/Yinnar South Single Frequency Network

The Churchill (Mills Trig Point), Boolarra and Jeeralang/Yinnar South transmission sites are part of a Single Frequency Network. This means that the transmitters at these three sites all simultaneously transmit the same signal over the same frequency channel.

In March 2012, following complaints from residents in the Boolarra area, broadcasters identified and fixed a technical problem that was affecting the operation of the Single Frequency Network (SFN). This problem would have been likely to cause reception problems for people receiving their digital television services from any of the three transmission sites in the network.

The broadcasters have maintained remote logging of the operation of the SFN since then and have not found any further problems.
Possible reasons for poor digital reception in Churchill

I am advised that the most likely explanation for poor digital reception in Churchill is that residents' antennas are not correctly set up to receive services from the transmission site that provides the best coverage at their location.

Digital television services commenced from the Churchill site in March 2010. Digital services did not start at the Boolarra, Newborough, and Trafalgar/Yarragon sites until late 2010 or early 2011. People in Churchill who were attempting to receive digital television services before March 2010 would have been trying to receive them from Mt Tassie (from which reception might be adequate) or Mt Dandenong (from which reception would be very poor).

Because of this, it would appear that many houses in Churchill have complicated reception systems with multiple antennas and masthead amplifiers. Unnecessary antennas can compromise the performance of an otherwise correctly set up receive antenna system. Apart from ensuring that their antenna is correctly set up to receive the best quality signal at their location, therefore, residents should remove any antennas that were previously used to receive services from other transmission sites but are no longer needed.

If residents have a masthead amplifier (booster) fitted to their antenna, this could also be contributing to poor digital reception. Masthead amplifiers are used in poor signal strength areas to boost the strength of a weak signal. If in the past residents were trying to receive digital transmissions from a distant transmission site, it is likely that they have a masthead amplifier installed.

Residents in Churchill would be unlikely to need a masthead amplifier to receive digital television services from the Mills Trig Point site. If they are now trying to receive digital services from this site and they have a masthead amplifier fitted, it is likely to be overloaded by the signal from Mills Trig Point. This will cause interference to their reception and, potentially, to their neighbours' reception also. Residents should seek advice about their specific situation from an endorsed antenna installer, but, in general, if they have a masthead amplifier fitted and they are receiving services from Mills Trig Point it should be turned off, and preferably removed.

Residents should also ensure they have good quality, low loss cabling, which is essential for good reception.

After residents have had their antenna installation optimised to receive the digital signals available at their location, they should retune their set-top box or digital television tuner. They may have to retune more than once to pick up the available channels in their area.

Because of the number of transmission sites around Churchill, if residents use auto tune (also known as auto scan, channel search, channel scan, auto program or full scan) to tune their reception equipment to available channels, they may find that this results in tuning to services that do not provide the best reception when they press the appropriate channel numbers on their remote control. This can happen even if their antenna is correctly set up to receive services from a local transmission site.

The reason for this is that when using auto-tuning in areas where there is more than one transmission site, it is difficult to determine which channels the receiving equipment has selected. The receiving equipment may not have selected the transmission site channels with the most reliable reception.

For example, the receiving equipment may pick up the Australian Broadcasting Corporation (ABC) signal from a transmitter some distance away and store it at channel two on the remote control. When it then picks up another ABC signal from a local transmitter, it will store it somewhere else (typically in the channel range 350-399). When the viewer presses channel 2 on their remote control, they will see the weaker, more distant, signal rather than the local, good quality signal.

This problem can be resolved by manually retuning a digital television or set-top box so that the channels that provide best reception are located under the right channel numbers on the remote control.
An endorsed antenna installer will be able to provide advice about how to do this, or viewers can refer to their equipment manufacturer's instruction manual.

I am advised that removing antennas that are no longer needed may help avoid receiving multiple signals, and that this may reduce the need for manual tuning.

Another possible cause of reception problems could be an intermittent localised source of interference. Although this could be caused by any electrical equipment or appliances operating nearby, a common source of local interference is faulty masthead amplifiers. Masthead amplifiers can become unstable for a variety of reasons such as broken connections, water ingress, corrosion or short circuits. Faulty masthead amplifiers can radiate a relatively high level signal that causes interference to reception of the broadcasting channels in the vicinity of the faulty device, and radiating masthead amplifiers can result in making the digital television channel(s) completely unavailable in a radius of up to 300 metres of the faulty device.

Other problems with masthead amplifiers can include the gain being set too high, which can lead to signal overload and distortion, with an associated reduction of signal quality, or the installation of poor quality amplifiers, which were satisfactory for analog signals (which have less stringent requirements than digital signals), but not for digital.

If residents of Churchill are still experiencing reception difficulties after having done all that they reasonably can to improve their reception, including engaging the services of an endorsed antenna installer, and they believe that their problems might be related to intermittent interference from an unknown source, they may wish to contact the Australian Communications and Media Authority (ACMA). The ACMA has procedures in place to assist in the identification of sources of interference and resolution of the problem.

I trust this information will be of assistance to Churchill residents.

from the Minister for Broadband, Communications and the Digital Economy, Mr Albanese

Overseas Child Abduction

Dear Mr Murphy

I refer to your letter of March 18, 2013, conveying a petition asking that the Australian Government 'take action to intervene and demand that the Japanese Government confirm the safety, welfare and location' of the petitioner's son.

The key instrument in international law pertaining to child abduction is the Hague Convention on the Civil Aspects of International Child Abduction. Japan has signed, but not yet ratified, the Convention. For this reason it is not legally bound by the obligations of the treaty.

I am advised by my Department that the Australian Embassy in Tokyo has made a number of enquiries in Japan, including representations to Japanese authorities to seek information on the whereabouts of the petitioner's son and to request consular access to him if he is in Japan. The Japanese Government has declined to provide the Embassy with information from Japanese immigration arrival and departure records, citing regulations governing the protection of personal information. The Japanese authorities have also informed our officials that they would have no legal basis to compel the child's mother to allow access by Australian consular officials. This advice was provided by the Department of Foreign Affairs and Trade to the petitioner on May 6, 2013.

Japanese officials have further informed the Embassy that the petitioner may also request information about his son from the Japanese Government through a local legal representative in Japan. I understand this advice was also conveyed to the petitioner on May 6, 2013.

I am advised that the petitioner may be able to apply for financial assistance under the Overseas Child Abduction Scheme. The Scheme is means - and merits - tested. It covers the costs of engaging an
overseas lawyer and may also cover travel costs. The Scheme is managed within the Attorney-General's portfolio. Information about it can be found at:


Thank you for bringing this matter to my attention.

from the **Minister for Foreign Affairs, Senator Bob Carr**

**Australian Defence Force Cadets**

**Dear Mr Murphy**

Thank you for your letter of 16 May 2013 referring a petition for the reinstatement of the full Defence Force Cadet Allowance and programs.

The petition refers to "Budget Cuts to Army Cadet Programs and Air Force Cadet Units Facing Possible Closure". There are no planned closures of Cadet units, Air Force or otherwise.

For Financial Year 2012-13, a cap of 40 days (in place of the standard 48) has been placed on Cadet Forces Allowance for Army's Officers of Cadets and Instructors of Cadets Army Cadets. This affects quite a small proportion of Officers of Cadets and Instructors of Cadets who claim more than 40 days. There have been no cuts to the Cadet Force Allowance for Navy and Air Force, whose Officers of Cadets and Instructors of Cadets may claim up to 48 days per year.

The major high value activities conducted by the Australian Defence Force Cadets, such as annual camps, courses and weekly parades, have continued. There has been some reduction in support to lower priority, higher cost activities that involve only a relatively small number of cadets, such as international exchanges.

The Australian Government and Defence remain committed to the Australian Defence Force Cadets as a world class youth development program to the benefit of Defence, our youth and our nation.

I trust this information is of assistance.

from the **Minister for Defence, Mr Stephen Smith**

**Palm Oil**

**Dear Mr Murphy**

Thank you for your letter of 27 May 2013 regarding the petition calling for legislation to mandate the disclosure of palm oil used in food products.

The Australian Government is aware of the community interest concerning the use and labelling of palm oil as an ingredient in food products.

In 2011, the final report on the Review of Food Labelling Law and Policy (Labelling Logic) was released by the Independent Panel chaired by Dr Neal Blewett Labelling Logic contains 61 recommendations, including one (Recommendation 12) that recommends 'where sugars, fats or vegetable oils are added as separate ingredients in a food, the terms 'added sugars' and 'added fats' and/or 'added vegetable oils' be used in the ingredient list as the generic term, followed by a bracketed list (e.g., added sugars (fructose, glucose syrup, honey), added fats (palm oil, milk fat) or added vegetable oils (sunflower oil, palm oil))."

On 9 December 2011, the Legislative and Governance Forum on Food Regulation (the Forum), considered its response to the recommendations in Labelling Logic. The Forum proposed actions and implementation over the next five years that endeavour to balance improving the information on food labels to meet consumers' needs, against maintaining marketing flexibility and minimising the regulatory burden on industry and reducing technical barriers to trade.
With regard to Recommendation 12 specifically, the Forum asked Food Standards Australia New Zealand (FSANZ) to undertake a technical evaluation and provide advice on the proposed changes to the ingredient listing on the label. The advice from FSANZ will assist the Forum to consider the benefits and cumulative impacts of possible changes to labelling requirements prior to considering any amendments to the Australia New Zealand Food Standards Code.

The Government supports FSANZ being asked to undertake a technical evaluation and provide advice before a final decision on palm oil labeling requirement is made.

I trust that the above information is of assistance.

from the Parliamentary Secretary for Health and Ageing, Mr Neumann

Nurse Practitioners

Dear Mr Murphy

Thank you for your letter of 27 May 2013 regarding a petition recently submitted for the consideration of the Standing Committee on Petitions requesting nurse practitioners gaining access to the same Medicare Benefits Schedule (MBS) items and rebates as medical practitioners.

Under the Expansion of the Nurse Practitioner Workforce measure, eligible nurse practitioners working in private practice may provide Medicare rebateable services within their area of speciality using four time-tiered MBS attendance items. These eligible nurse practitioners may also request a range of diagnostic tests, and refer patients to specialists and consultant physicians.

The present structure of MBS nurse practitioner items, and the fees set for those items, was developed in consultation with two Advisory Groups that included representatives of all nursing professional organisations. The membership of the Advisory Groups included the Australian College of Nurse Practitioners, the Royal College of Nursing Australia, the Australian Nursing Federation, the Australian Nursing and Midwifery Council, the Council of Deans of Nursing and Midwifery, and the Council of Remote Area Nurses.

In addition, the Advisory Groups also included representatives of the main medical peak organisations representing general practice - the Australian Medical Association and the Royal Australian College of General Practitioners — and of state and territory governments.

I note the concerns raised in the petition that nurse practitioners are not able to provide health management plans, general procedures, and referrals to allied health professionals. The reason for this is that these services are intended to help medical practitioners to provide more comprehensive care to people with complex and chronic health conditions. These patients present with complicated care needs, and their treatment requires the comprehensive diagnostic and planning skills that medical practitioner are specifically trained to provide.

At this stage, the Australian Government has no plans to allow nurse practitioners to have access to medical practitioner MBS items. However, it will continue to monitor the use of the existing nurse practitioner MBS items, and to engage with nurse practitioner organisations in relation to how effectively they support access by patients to private nurse practitioner services.

The petition also recommends that nurse practitioners be enabled to provide services for the Department of Veterans' Affairs, the Transport Accident Commission and Work Cover. As these are not the responsibility of my portfolio, I am unable to comment on this recommendation.

Once again, thank you for writing.

from the Minister for Health, Ms Plibersek
Ipilimumb

Dear Mr Murphy

Thank you for your letter of 27 May 2013 (ref. 771/1227) inviting my response to a submission to the Standing Committee on Petitions regarding the Pharmaceutical Benefits Scheme (PBS) listing of ipilimumab for the treatment of metastatic melanoma.

The Australian Government recognises that metastatic melanoma has a significant impact on the Australian community and is committed to improving outcomes for people affected by this disease and their families.

I am pleased to advise that, on 30 June 2013, I announced that the Government had approved the listing of ipilimumab (under the brand name Yervoy®) on the PBS for the treatment of metastatic melanoma. This listing, at a cost over $380 million over four years, is expected to occur on 1 August 2013, subject to listing conditions being met.

Australia has the highest skin cancer incidence rate in the world, with one in 17 Australians at risk of contracting the disease. While prevention is always the best option, the PBS listing of ipilimumab is a major step forward for people who have developed malignant melanoma.

Once again, thank you for writing.

from the Minister for Health, Ms Plibersek

Youth Services: Headspace

Dear Mr Murphy

Thank you for your letter of 3 June 2013 enclosing a petition regarding the establishment of a Headspace centre in Griffith, NSW.

I note the concerns raised by the community about the young people of Griffith and surrounding Western Riverina towns and the availability of mental health services in the area. I appreciate the level of community interest that has emerged about the successful Headspace model and that many communities are keen to have a site established within their area.

The Australian Government has, through the 2011-12 Budget, allocated $197.3 million over five years to expand the Headspace program. This will result in funding for 90 Headspace sites across Australia by 2014-15 that, once fully established, will help up to 72,000 young people each year. To date, 70 Headspace sites have been announced. The remaining 20 Headspace locations will be announced progressively to June 2015.

To support this expansion, Headspace and the Government have developed a robust methodology for selecting Headspace locations, which is based primarily on youth population. The methodology also gives priority to areas experiencing social disadvantage, or where factors such as youth suicide and substance abuse indicate a high need for improved youth mental health services. The locations identified are also discussed with the states and territories.

The Government and Headspace have also sought to strike an appropriate balance between the number of services located in regional Australia and the number of services located in metropolitan Australia. To date, half of the announced sites (35) are located in rural and regional areas.

Unfortunately, not every community is able to secure a physical Headspace site, and the Government and Headspace are therefore working together to expand the range of services provided online and through other forms of outreach. eHeadspace is providing free, confidential and anonymous telephone and web-based support services to young people between the ages of 12-25 years with, or at risk of developing, a mild to moderate mental illness. More information can be found at www.eheadspe.org.au.
I have noted the petition for a *headspace* service in Griffith and appreciate the community's interest in the establishment of additional *headspace* services in New South Wales.

from the **Minister for Mental Health and Ageing, Mr Butler**

**Clinical Trials**

Dear Mr Murphy

Thank you for your letter of 3 June 2013 on behalf of the Standing Committee on Petitions, regarding improving consumer safety in pharmaceutical products.

Thank you for the opportunity to provide a submission. Please find enclosed my response to the issues raised in the petition (Attachment A).

**Attachment A**

Once again, thank you for writing.

All clinical trials that meet the WHO/ICMJE 2008 definition of a clinical trial are required to be registered on the Australian New Zealand Clinical Trials Registry. This must occur before the first patient is enrolled in the trial.

In Australia, publicly funded research funded by funding bodies such as the National Health and Medical Research Council (NHMRC) must be conducted in accordance with the Australian Code for the Responsible Conduct of Research, 2007 (the Code), and, for research involving humans, with the National Statement on Ethical Conduct in Human Research, 2007 (the National Statement). These documents establish robust standards for the approval and conduct of research in Australia.

The Code guides institutions and researchers in responsible research practices. The National Statement promotes ethically sound human research by providing guidance on the design, review and conduct of human research.

While neither document provides a legislative mandate, the conduct of NHMRC funded research is tied to a funding agreement such that any funded research must be carried out in accordance with the Code and the National Statement.

In relation to the provision of negative results from clinical trials, Section 4 of the Code acknowledges that dissemination of research findings is an important part of the research process and that researchers have a responsibility to their colleagues and the wider community to disseminate a full account of their research as broadly as possible. It also states that the account should be complete, and, where applicable, include negative findings and results contrary to their hypothesis.

The National Statement provides guidance for interventions and therapies, including clinical and non-clinical trials and innovations. In addition, the National Statement provides guidance on reporting requirements in relation to adverse events that may occur during research involving humans such as clinical trials. The events must be reported to the Human Research Ethics Committee by those conducting the trial.

In order for a new prescription medicine to be approved in Australia it is necessary for a sponsor to make an application to the Therapeutic Goods Administration (TGA). The application must be accompanied by supporting data to establish the quality, safety and efficacy of the medicine for its intended use.

A comprehensive evaluation of the submitted clinical and other scientific data is undertaken by the TGA and it is expected that all relevant data is submitted. Sponsors submitting an application for registration are required to provide a summary of the adverse events which occurred or worsened in the clinical trial patient populations. These are required to be summarised in tables listing each event, the number of subjects in whom the event occurred and the frequency of the events in the patients treated with the drug under investigation, with comparator drugs and with placebo. A separate section is
included which details any deaths which may have occurred during the trial or post-trial completion which may have resulted from a process that began during the trial. It should be noted that adverse events occurring in a clinical trial are not necessarily causally related to the drug.

Where people with particular characteristics have suffered serious or life threatening side effects, these characteristics can be documented in the contraindications and precaution section of the Product Information (PI). For example, the clinical trial may highlight that people of a certain age and gender or people with conditions such as high blood pressure or particular organ diseases have suffered side effects to the point that the PI will provide advice to medical practitioners about the use of the medicine by these particular people.

Further, when advice about a prescription medicine application for registration is sought by the TGA from the Advisory Committee on Prescription Medicines, sponsors are required to submit tabulation of any serious unexpected adverse drug reactions that are not mentioned in the proposed Australian Product Information and have not been submitted previously. This can also lead to precautionary advice being included in the PI.

The PI document provides health professionals with a summary of the essential scientific information to allow the safe and effective use of a medicine under nearly all circumstances. As a condition of registration, certain medicines, mainly those prescribed by a doctor, are required to have a product information document which provides information relating to the safe and effective use of the medicine, including information regarding the medicine's potential side effects and interactions with other medicines. PI documents are agreed with the TGA as part of the medicine's approval process before it can be made available in Australia.

The Consumer Medicines Information (CMI) is a leaflet that contains information on the safe and effective use of a medicine, including relevant and extensive information on side effects and interactions with other medicines. The information has been written by the pharmaceutical company responsible for the medicine. TGA regulations require that the CMI must be made available to consumers either in the pack or in another manner that will enable the information to be given to the person to whom the medicines are administered or otherwise dispensed.

The information in both these documents assists doctors, pharmacists and other health professionals in prescribing and dispensing medicines and also in their consultations with patients, such as to better educate a patient on the medicine they are being given.

The TGA recognises that no adverse events which may be related to a medicine will occur within the context of a clinical trial. Therefore it conducts extensive post-market monitoring activities on medicines and regularly reviews adverse event signals which appear to be extra ordinary. This may lead to further information on adverse events being included in the PI and CMI documents.

from the Minister for Health, Ms Plibersek

Barnabas Fund Proclaim Freedom

Dear Mr Murphy

refer to your letter of June 3, 2013, informing me of the petition regarding freedom of religion, and in particular, persecution of Christians. I have noted the petition and passed it to the relevant area in the Department of Foreign Affairs and Trade for information.

Let me assure you that Australia considers freedom of religion or belief to be a core human right, which must be respected in all countries in accordance with international human rights law and norms.

Australia actively raises human rights, including concerns about freedom of religion, in bilateral and multilateral fora. We also engage in dialogue with international experts, including the United Nations Special Rapporteur on Freedom of Religion or Belief, in order to foster a better international understanding of the importance of these rights. We have co-sponsored United Nations General
Assembly and Human Rights Council resolutions condemning religious intolerance and have ratified the International Covenant on Civil and Political Rights, Article 18 of which guarantees freedom of religion and belief. We also regularly raise freedom of religion and belief during the United Nations Universal Periodic Review process.

Thank you for bringing this matter to my attention.

from the Minister for Foreign Affairs, Senator Bob Carr

Bangladesh: Human Rights

Dear Mr Murphy

I refer to your letter of June 17, 2013, informing me of a petition regarding alleged media freedom and human rights violations in Bangladesh.


We also continue to make representations to a range of government and opposition interlocutors and actively encourage all sides to exercise and advocate restraint, tolerance and the peaceful settlement of disputes. It is especially important that all sides do this in the lead-up to Bangladesh’s scheduled national elections.

the Australian High Commission will continue to monitor the situation in Dhaka.

I have noted the petition and passed it to the relevant area in the Department of Foreign Affairs and Trade for information. Doing so does not connote agreement with the judgement or conclusions in the petition.

Thank you for bringing this matter to my attention.

from the Minister for Foreign Affairs, Senator Bob Carr

Mental Health

Dear Mr Murphy

Thank you for your letter of 19 June 2013 to my predecessor, the Hon Mark Butler MP, regarding a petition drawing attention to the prevalence of suicide and available mental health services on the Fleurieu Peninsula, South Australia.

I appreciate the time taken by the petitioners to share their views relating to mental health services on the Fleurieu Peninsula. The Commonwealth and state and territory governments share responsibility for the delivery of mental health services. State and territory governments primarily provide specialised community mental health services and inpatient care for people with severe mental illness, while the Commonwealth Government complements this through funding primary mental health care, subsidising access to private specialist medical services through Medicare, and funding programs targeting mild to moderate mental health disorders and early intervention.

The Australian Government has made mental health a priority with the 2011-12 Budget Delivering National Mental Health Reform package investing $2.2 billion over five years to improve the lives of Australians experiencing and affected by mental illness — through better access to services, better detection, better targeting and better coordination.

Under the reforms, $205.9 million over five years is being provided for the Access to Allied Psychological Services (ATAPS) which provides people with access to up to 12 sessions each calendar year with a mental health professional, following referral from a General Practitioner. It helps those who have a mild to moderate mental illness who may not be able to easily access services. On the
Fleurieu Peninsula, funding of $2.76 million is provided to Fleurieu Kangaroo Island Medicare Local to deliver this initiative.

In addition, $200 million over five years is being provided for the National Partnership Agreement Supporting National Mental Health Reform. Through this initiative, states and territories are introducing services to assist people with mental illness who are experiencing or are at risk of homelessness to secure or maintain stable accommodation. This will contribute to reducing homelessness among people with chronic mental illness through accommodation support and improved discharge planning in emergency departments and major hospitals.

Of particular relevance to the residents of the Fleurieu Peninsula, this agreement is providing funding for the expansion of the Assessment and Crisis Intervention Service (ACTS) teams. This project will establish an additional late shift to the current ACIS roster to allow the service to operate 24 hours a day, 7 days a week. ACIS provides services including an initial comprehensive assessment, case write up, and preparation of correspondence to the consumer's General Practitioner or key worker.

The Government recognises the challenge of accessing face-to-face mental health services in regional areas and is complementing existing mental health services with an e-Mental Health Strategy to provide evidence-based and accessible telephone and online services. In the last 12 months the Government has established mindhealthconnect and mindspot.

Mindhealthconnect, at www.mindhealthconnect.org.au, is the first national online mental health portal providing access to Australian Government funded online and telephone based mental health services for those experiencing anxiety, depression and/or psychosocial distress.

Mindspot, at www.mindspot.org.au, is a virtual clinic providing free cognitive behavioural therapy to people with mild to moderate anxiety and depression in real time with a trained therapist provided online or by telephone.

The Government appreciates the challenges of meeting the mental health needs of the expanding population in the Fleurieu Peninsula and is continuing to work in partnership with the states and territories to improve access to mental health services across Australia and reduce the prevalence of suicide.

I trust that the above information is of use.

from the Minister for Mental Health and Ageing, Senator Collins

Melbourne Airport

Dear Mr Murphy

Thank you for your letter dated 24 June 2013 in relation to a petition recently submitted for the consideration of the Standing Committee on Petitions which opposes additional runways at Melbourne Airport as part of its 2013 Master Plan and requests the imposition of a curfew and a cap on the number of aircraft at the airport.

Every five years, Melbourne Airport is required to prepare a Master Plan that sets out the proposed development of the airport over the next 20 years. The airport's next Master Plan, which is currently undergoing public consultation to 21 August 2013, includes details of a proposed third runway.

Previous Melbourne Airport Master Plans, including the current 2008 Master Plan, available on the Melbourne Airport website <www.melbourneairport.com.au>, have foreshadowed an additional north-south or east-west runway (or both) as part of the airport's proposed development. This infrastructure will be in addition to the north-south and east-west runways already in operation.

In its submission of the draft Master Plan, Melbourne Airport is required to demonstrate due regard to comments received during the consultation period. I encourage the petitioners to participate in the public information events held by Melbourne Airport to keep informed on the proposals. Any Formal
submissions on the preliminary draft. Master Plan can be made to the airport's Master Plan team. on 03 9297 1597 or <community@mclair.corn.au>.

If the 2013 Master Plan is approved, the construction of the third runway will require a further major development plan process, including an environmental impact study and further public consultation.

Thank you for raising this matter.

from the Minister for Infrastructure and Transport, Mr Albanese

Child Support Scheme

Dear Mr Murphy

Thank you for your letter of 27 May 2013 about a recent petition (773/1230) submitted for consideration by the Standing Committee on Petitions, regarding a proposed amendment to the child support legislation. The petition suggested that child support payments be quarantined for the purchase of essential items such as food, clothing and education.

The majority of receiving parents spend their child support payments appropriately.

The objects of the Child Support Scheme intend that the level of financial support to a child be provided in accordance with both parents' capacity to provide financial support.

The Scheme is designed to be non-intrusive and allow parents some flexibility in how child support payments are managed. An approach along the lines of that proposed in the petition would be intrusive for parents and therefore not consistent with the Scheme's intention.

Paying parents who are concerned about the way the other parent spends child support payments may be able to receive credit towards their child support liability for money spent on items such as essential school and medical fees. These payments, known as prescribed Non-Agency Payments, are credited at 30 per cent of the monthly liability when the remaining 70 per cent of the liability is paid. Prescribed Non-Agency Payments can be credited without the receiving parent's agreement that the payment was in lieu of child support. Further information about these provisions can be found in chapter 5.3.1 of The Guide, the online policy guide to the administration of the Child Support Scheme, which can be accessed online at www.guide.csa.gov.au.

Alternatively, parents may wish to enter into a Child Support Agreement which specifies the payment of certain goods or services in lieu of or in addition to regular child support payments. For example, parents may agree that a certain percentage of child support payments are spent on extra-curricular activities for the children. Information about the different types of agreements that parents can enter into can also be found in The Guide at chapter 2.7.

If a parent has serious concerns about the welfare of their children due to the misuse of child support payments or for other reasons, they should contact the relevant child welfare authority in their state.

I thank the Committee for bringing this petition to my attention. The effects of the child support legislation are continually monitored by my Department and the suggestions raised within the petition make an important contribution to this monitoring process.

Thank you again for writing.

from the Minister for Families, Community Services and Indigenous Affairs, Ms Macklin

Marriage

Dear Mr Murphy

Thank you for your letter of 24 June 2013 referring to me a petition which requests a referendum to coincide with the federal election regarding the definition of marriage in the Marriage Act 1961 (Cth).
My view is that any change to the definition of marriage in Australia should occur through Parliamentary consideration of an amendment to the Marriage Act, not through a referendum. The most appropriate way to consider such an amendment is through a conscience vote in Parliament.

When this issue has previously been considered by Parliament, the Labor Party has allowed each Labor MP and Senator a conscience vote according to their own personal views. This reflects the fact that people of good will can have different views on this matter.

While Liberal and National Party Members of Parliament have not been afforded the same opportunity previously, it is hoped they will be able to exercise a vote according to their personal conscience at some point in the future.

With regards to a referendum, any change to allow same-sex marriage would occur by amending the Marriage Act, not the Constitution. That means any referendum question would first need to pass Parliament, because Australia does not have a mechanism for citizen-initiated referendums. Further legislative change would then be required in the case of a 'yes' vote, with the Parliament free not to follow the result of a referendum.

I hope this information is of assistance to the Committee when considering this petition.

from the Minister for Emergency Management, Mr Dreyfus

Aged Care Packages

Dear Mr Murphy

Thank you for your letter of 24 June 2013 to the Minister for Health and Minister for Medical Research, the Hon Tanya Plibersek MP, regarding a petition submitted for the consideration of the Standing Committee on Petitions requesting an increased number of aged care packages to the Tweed Heads/Banora Point area. Your letter has been referred to me as the Minister for Mental Health and Ageing.

I have enclosed a formal response to the subject of the petition for the consideration of the Standing Committee on Petitions.

I appreciate you bringing the contents of the petition to the Australian Governments attention and trust that the enclosed information assists the House in responding.

To the Honourable the Speaker and Members of the House of Representatives

This petition of the residents of the independent living units of Darlington Retirement Community, 126 Leisure Drive, Banora Point, New South Wales, draws to the attention of the House the inadequate number of Community Aged Care Packages, including Extended Aged Care at Home Packages, available in the area of Tweed Heads/Banora Point to allow individuals to remain in their own homes.

We also highlight to the House the significant discrepancy between the considerable number of packages available on the Gold Coast (just across the border from this area) and the lesser number available in this area.

We therefore ask the House to either have the Department of Health and Ageing grant more aged care packages to the Tweed Heads/Banora Point area and/or correct the imbalance in the package availability between this area and the Gold Coast.

Response:

The Australian Government recognises that the preference of many older Australians is to remain living at home for as long as possible and is making a substantial investment in expanding access to home care.

On 20 April 2012, the Government announced a comprehensive 10 year package, Living Longer Living Better, to reshape aged care in Australia. It will build a better, fairer, sustainable and nationally
consistent aged care system to meet the social and economic challenges of the nation's ageing population.

A key component of the aged care reforms is to provide additional support and care to help older people remain living at home. The Government is committing $880 million over five years to expand home care and to provide more choice for people receiving care at home. Over this period, the number of operational Home Care Packages will increase by nearly 40,000 to around 100,000 packages across Australia. A further 40,000 packages will be made available over the next five years from 2017-18 to 2021-22.

As part of the aged care reforms, a new Home Care Packages Program will commence on 1 August 2013. Under this Program, there will be four levels of packages to support older people to remain living at home. A Home Care Package is a coordinated package of services tailored to meet a person's specific care needs. The package is coordinated by a home care provider, with funding provided by the Australian Government.

The Home Care Packages Program is replacing the current Community Aged Care Packages (CACPs), Extended Aged Care at Home (EACH) and Extended Aged Care at Home Dementia (EACHD) packages. The Home Care Packages Program will incorporate all existing CACP, EACH and EACHD packages which, from 1 August 2013, will be known as Home Care Packages.

With respect to the number of existing Home Care Packages available in the Gold Coast area compared to the number available in the Tweed Heads/Banora Point area, as at 30 June 2012:

- the Far North Coast Aged Care Planning Region in New South Wales, which includes the Tweed Heads and Banora Point area, had 25.6 operational community care and flexible care places (equivalent to home care places) per 1,000 people aged 70 years and over.
- the South Coast Aged Care Planning Region in Queensland, which includes the Gold Coast area, had 26.0 operational community care and flexible care places (equivalent to home care places) per 1,000 people aged 70 years and over.

On 5 July 2013, the results of the 2012-13 Aged Care Approvals Round (ACAR) were announced. Through the 2012-13 ACAR, the Australian Government has allocated 5,835 new Home Care Packages across Australia, including 130 new Home Care Packages in the New South Wales Far North Coast Aged Care Planning Region.

The number of Home Care Packages available across Australia will continue to increase over the coming years, as more Home Care Packages are allocated through future ACARs, in line with the Government's significant investment in expanding the Home Care Packages Program.

Further information about services to support both older people and their carers can be obtained from the new MyAgedCare website at www.myagedcare.gov.au or the national contact centre on 1800 200 422 (free call).

from the **Minister for Mental Health and Ageing, Senator Collins**

**Dandenong Rail Line**

Dear Mr Murphy

Thank you for your letter dated 20 June 2013 about a petition recently submitted to the Standing Committee on Petitions regarding level crossings on the Dandenong Rail Line in Victoria.

The Federal Government is committed to improving the safety and productivity of transport infrastructure in Victoria and is investing a record $13.5 billion on road and rail projects under the Nation Building Program.

While I note the issues associated with level crossings at Carnegie and Murrumbeena, planning for and the operation of the Dandenong Rail Line is the responsibility of the Victorian Government.
That said, the Australian Government continues to assess the needs and merits of removing level crossings on the Dandenong Rail Line though Infrastructure Australia. As the petition mentions, in 2011, Infrastructure Australia assessed a submission from the Victorian Government for the Dandenong Rail Capacity Program.

In their 2012 and 2013 Infrastructure Priority List, Infrastructure Australia assessed the proposal as having real potential, meaning that the proposal addressed a nationally significant issue or problem but required further analysis to be undertaken by the Victorian Government.

Thank you for raising this matter.

from the **Minister for Infrastructure and Transport, Mr Albanese**

**Trade**

Dear Mr Murphy

I refer to your letter of 25 June 2013 to the Hon Dr Craig Emerson MP, former Minister for Trade and Competitiveness, regarding a petition on the imposition of emergency safeguard measures on imported canned fruit and tomatoes.

The Government recognises SPC Ardmona's role as one of Australia's largest fruit processors and its significant economic contribution to the region, including to employment and community wellbeing.

As you will now be aware, the Government referred SPC Ardmona's requests for safeguard investigations into canned tomatoes and processed fruit to the Productivity Commission on 21 June 2013. The inquiries will determine the impact of imports on the domestic fruit and tomato processing industries and assess whether safeguard measures, such as tariffs, are justified. The Commission is to provide a final report within six months.

Underscoring the urgency with which we regard the situation for SPC Ardmona and growers, the Government has asked the Commission to report on the need for provisional safeguard measures within three months.

In respect of the request for an industry survival package, the Government recognises that some farmers are struggling with high levels of debt and so has developed Farm Finance. This is a package of measures aimed at assisting farmers who are experiencing debt servicing difficulties. Under Farm Finance, the Government has committed up to $30 million each year over two years, to each state and the Northern Territory to provide eligible farm businesses with access to concessional loans. These loans will help farmers cope with debt stress, as well as invest in productivity enhancements such as infrastructure improvements, land purchases and equipment, leading to more sustainable production and competitive enterprises.

The timing for availability of the loans is subject to agreement being reached between the Government and state and Northern Territory governments on delivery arrangements, including eligibility criteria and the terms of the loans.

Under Farm Finance, the Government is also providing funding for additional rural financial counselling positions across Australia focussing on regions and industries experiencing debt servicing difficulties and where natural disasters have had a heavy impact on farm businesses. These additional resources will ensure growers in the Goulburn and Murray Valley have access to this important source of impartial support.

Thank you for bringing your concerns to the attention of the Government.

from the **Minister for Trade, Mr Marles**
Dear Mr Murphy

Thank you for your letter of 20 June 2013 (ref. 805/1268) inviting my response to a petition submitted to the Standing Committee on Petitions, requesting that I exercise Ministerial Discretion to approve an additional pharmacy in Leeton, New South Wales.

Before I can decide whether or not to exercise my discretionary power under section 90A of the National Health Act 1953 (the Act), a formal request must be made by a pharmacist. A request may be made only if the pharmacist's application, under section 90 of the Act, for approval to supply Pharmaceutical Benefits Scheme (PBS) medicines at particular pharmacy premises, has been rejected because it failed to satisfy the criteria specified in the Pharmacy Location Rules (the Rules). The criteria in the Rules aim to ensure access for all Australians to a well distributed network of community pharmacies, including in rural and remote areas.

The discretionary power is designed to address exceptional circumstances where there are unintended consequences of the Rules. I can only exercise my discretionary power to approve a pharmacist under the Act if I am satisfied that a decision to not approve a pharmacist will result in a community being left without reasonable access to PBS medicines, and it is in the public interest to do so.

I have recently received a request from a pharmacist seeking that I exercise my discretionary power to approve an additional pharmacy in Leeton. The terms of the petition will be taken into account during my consideration of the request.

Enclosed is a fact sheet on the process of the Australian Community Pharmacy Authority, the Pharmacy Location Rules and Ministerial Discretion, for your information.

Once again, thank you for writing.

Fact Sheet - Australian Community Pharmacy Authority, the Pharmacy Location Rules and the Ministerial Discretion power

Australian Community Pharmacy Authority

All applications to supply Pharmaceutical Benefits Scheme (PBS) medicines at particular pharmacy premises made under section 90 of the National Health Act 1953 (the Act) are considered by the Australian Community Pharmacy Authority (the Authority).

The Authority is an independent statutory authority established under s99J of the Act.

The Authority meets monthly to assess applications against the requirements of the Pharmacy Location Rules (the Rules) and recommends whether or not an applicant should be approved to supply PBS medicines.

Applications must be made to Medicare (within the Department of Human Services), before being referred to the Authority.

There are three types of decisions the Authority can make in relation to each application — recommend approval, not recommend approval or defer a decision on the application to the next meeting subject to further evidence being provided.

Following each meeting, the Authority's Secretariat informs Medicare in writing of the decision made by the Authority in respect of each application. Medicare in turn advises the applicant of the outcome. If the Authority has recommended that an application not be approved, the Authority will also advise the applicant and include reasons for the decision.

The Pharmacy Location Rules

The Rules have been established under the National Health (Australian Community Pharmacy Authority Rules) Determination 2011.
The Rules allow pharmacists to make application for approval to establish a new or relocate an existing approved pharmacy.

The Rules set out strict location-based criteria that must be satisfied before the Authority can recommend that the pharmacist can be approved.

There are 11 Rules, each applicable to certain circumstances, including the establishment of pharmacies in large medical centres, shopping centres and rules for additional pharmacies in rural and urban contexts. Applicants choose to apply under the Rule which best suits their circumstances.

The specific overall objectives of the Rules are to ensure:

- All Australians have access to PBS medicines;
- A commercially viable and sustainable network of community pharmacies dispensing PBS medicines;
- Improved efficiency through increased competition between pharmacies;
- Improved flexibility to respond to the community need for pharmacy services;
- Increased local access to community pharmacies for persons in rural and remote regions of Australia; and
- Continued development of an effective, efficient and well-distributed community pharmacy network in Australia.

**Ministerial Discretion to approve a pharmacist**

The aim of the Ministerial Discretion provision of the Act is to address any unintended consequences of the Rules.

A pharmacist can only request the Minister to exercise her discretionary power after an application has been considered by the Authority and rejected by the Secretary's delegate. A pharmacist is able to lodge a request for the Minister to exercise her discretionary power within 30 days of notification of the Secretary's decision to reject the application.

Under subsection 90A(2) of the National Health Act 1953 (the Act), the Minister may only exercise her discretionary power if she is satisfied that:

(a) the decision by the Secretary's delegate will result in a community being left without reasonable access to pharmaceutical benefits supplied by an approved pharmacist; and

(b) it is in the public interest to approve the pharmacist.

Under the Act, the Minister has three months from the date the request is received to decide whether or not to consider the request. During this period, the Minister (or the Department acting on behalf of the Minister) may seek additional information from the pharmacist making the request, or from any other party.

If the Minister does not make a decision within this three month period, she will be taken to have decided not to consider the request. The Minister is not under any legal obligation to consider a request and cannot be compelled to do so.

If the Minister decides to consider a request, she has a further three months (after making that decision) to decide whether or not to exercise the discretionary power. During this period, the Minister (or the Department acting on behalf of the Minister) may seek additional information from the pharmacist making the request, or from any other party.

If the Minister exercises her discretion, she substitutes the delegate's decision with a decision to approve the applicant to supply pharmaceutical benefits at the premises.

Medicare is then able to issue an approval number to the applicant, who will liaise with Medicare about the date when they will open their pharmacy.
Details of individual applications for Ministerial Discretion can not be divulged to any third party as they are covered under the secrecy provisions in section 135A of the Act.

from the Minister for Health, Ms Plibersek

Animal Welfare

Dear Mr Murphy

Thank you for your letter of 27 May 2013 (reference 513/1210) forwarding to me a petition to phase-out the use of hen cages in egg production, which has been submitted for the consideration of the Standing Committee on Petitions. I note that an identical petition was previously submitted by this group, citizens of Coffs Harbour and its environs, and that I responded in January 2011 (reference MNMC2010-12225).

Australia recognises three basic housing systems for egg production—cage, barn and free range. Each of these housing systems must provide feed, water, light, air quality, space and sanitation that promote good health and welfare for the hens.

The Australian Government has no legislative responsibility for the welfare of animals within Australia. Each state and territory government is responsible for putting in place its own appropriate animal welfare legislation within its territory, including for production animals such as laying hens. This allows state and territory regulation to reflect local geographical and climatic conditions; animal husbandry practices; and relevant animal industry and community expectations.

The Australian Government plays a leadership role by engaging with states and territories in developing model codes of practice for the welfare of animals, including poultry. The Model Code of Practice for the Welfare of Animals: Domestic Poultry covers both egg and chicken meat production.

Animal welfare model codes are being progressively replaced by a new series of nationally agreed standards and guidelines, which will be legislated by the states and territories. All states and territories are now working to implement the first of these, the Australian Standards and Guidelines for the Welfare of Animals—Land Transport of Livestock. The Australian Government ensures that appropriate experts, farming industries and animal welfare organisations, such as the RSPCA, are part of this process.

You can find more information on the standards at www.animalwelfarestandards.net.au.

I note the petitioners' comment that some European Union countries have banned the use of battery cage production systems. I am advised that the EU has not banned cage production systems but has instead specified new minimum standards for cages.

Thank you again for bringing the concerns of the people of Coffs Harbour and its environs to my attention. I trust you will find this information of assistance.

from the Minister for Agriculture, Fisheries and Forestry, Senator Joe Ludwig

Professional Year Program

Dr Mr Murphy

Thank you for your letter of 24 June 2013 concerning a recently submitted Petition requesting a stipend or daily allowance for international students to undertake the Professional Year Program.

I understand that you have referred the Petition to the Minister for Immigration, Multicultural Affairs and Citizenship. I have copied my reply to the Hon Tony Burke MP for his consideration as the issue falls wholly within his portfolio.

from the Minister for Higher Education, Senator Kim Carr
Gymnastics Facility in Mackay

Dear Mr Murphy

Thank you for your letter dated 30 May 2013, addressed to the Hon Anthony Albanese MP, former Minister for Regional Development and Local Government, regarding a petition for funding for a state-of-the-art multipurpose gymnastics facility in Mackay.

The Department of Regional Australia, Local Government, Arts and Sport administers the Regional Development Australia Fund (RDAF), which supports the immediate and critical needs of regional Australia. The RDAF is a national program to support Australia's regions and enhance their wellbeing and economic development. It ensures that new investments build on strengths and characteristics and opportunities in Australia's diverse regions.

The first four funding rounds of the RDAF have delivered significant benefits to regional communities by providing $570 million in funding for over 200 infrastructure projects.

A fifth round of the RDAF has been announced. I encourage the petitioners to monitor my Department's website at www.regional.gov.au for details.

In addition, the Australian Government has a number of grants programs in place that may be of assistance to the petitioners. More information on these programs, as well as those offered by state and territory governments, can be found on the website at WWW.rnyregion.gov.au

Thank you for raising this matter.

from the Minister for Regional Australia, Local Government and Territories, Ms King

Access to Emergency Assistance

Dear Chair

Thank you for your letter of 30 May 2013 concerning a petition submitted to the Standing Committee on Petitions by Mr George Christensen MP, Member for Dawson, to Senator the Hon Stephen Conroy, the then Minister for Broadband, Communications and the Digital Economy. As the matters raised in the petition fall within my portfolio responsibility, I have addressed them below.

I note that the petition requests that the Australian Government work with all telecommunications service providers to ensure that mobile phones and personal medical alert systems are able to connect to the Triple Zero emergency call service at all times.

The impact on telecommunications services of severe weather in Queensland caused by ex-tropical cyclone Oswald earlier this year was greater than any other recent natural disaster, with 438,000 PSTN services (i.e. fixed line telephones), 179,000 ADSL services (i.e. internet) and 777 mobile base stations operated by Telstra affected. The severe weather caused breaks in both Telstra's inland and coastal cables. These unprecedented cable outages resulted in the effective isolation of areas of central and north Queensland, and a loss of access to the Triple Zero emergency call service for affected customers. There were also localised incidents caused largely by loss of power and water damage.

The Australian Government is committed to an effective and efficient Triple Zero emergency call service which provides reliable access to emergency assistance.

My Department has engaged closely with Telstra on this matter. I can advise that Telstra undertook a post-incident review into the event and briefed the Department on the lessons learnt. Telstra has since implemented a number of technical measures to improve the overall resilience of its network and the availability of Triple Zero services in similar events.

One example that has been implemented nationally by Telstra is technology to ensure that mobile phones divert to other available networks in order to allow Triple Zero calls when Telstra's network experiences an outage. I understand Telstra has also installed additional capacity in the area affected by
the outage as a redundancy measure to preserve access to Triple Zero if its large cables are compromised in future.

Another lesson identified is the need for local contact numbers for emergency services and options for local diversion in the event that access to Triple Zero is disrupted.

Regarding the use of personal alert devices to access Triple Zero, this issue is currently being considered by the Australian Communications and Media Authority's Emergency Call Service Advisory Committee. Membership of the committee includes government departments, emergency service organisations, telecommunications providers and Telstra in its role as the national emergency call operator.

On broader network resilience issues, the Government works closely with the private sector through the Government's Trusted Information Sharing Network for Critical Infrastructure Resilience. The network comprises a number of sector groups, including the Communications Sector Group. Telstra is a member of the group and the lessons learnt by Telstra during this incident are informing the group's work on critical infrastructure resilience.

I trust this information will be of use to the Committee.

from the Minister for Communications, Mr Turnbull

Araluen Gum

Dear Chair

I refer to your letter of 24 June 2013 to the former Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, inviting a response to the petition submitted to the Standing Committee on Petitions concerning the development of a mine and ore processing plant at Major's Creek, New South Wales. As I am now the Minister for the Environment, your letter has been passed to me for reply.

This activity (the Dargues Reef Gold Mine Project) was referred to the Minister for the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) on 6 December 2010 (EPBC 2010/5770), for consideration of whether or not it was likely to have a significant impact on matters protected under national environmental law. On 24 January 2011, the Minister's delegate decided that the action was a controlled action under Part 3 of the EPBC Act and would need to be assessed before it could proceed.

The assessment process included a rigorous assessment of the likely impacts of the proposal on matters protected under the EPBC Act. The assessment paid particular attention to potential impacts to surface water and groundwater downstream of the proposed action and associated impacts on matters of national environmental significance. A key concern of the Department of the Environment (the department) was the potential for impacts on the vulnerable Araluen Gum (Eucalyptus kartoffiana), which occurs in several locations downstream of the proposed action.

The assessment concluded that the proposed action would not be likely to have unacceptable impacts on matters of national environmental significance and the action was approved by the delegate on 27 September 2011, subject to 26 conditions. The conditions of approval include the development and implementation of a surface water and groundwater monitoring program and the rehabilitation and revegetation of impacted areas on the site.

With respect to the petitioners' concerns about the impacts of the action on endangered species, I am satisfied that the impacts have been fully assessed and are acceptable subject to the conditions imposed, insofar as they affect matters protected under the EPBC Act.

Further information on this approval is available on the department's website at: http://www.environment.gov.au/cgi-pbin/ephc/epbc_ap.pl?name=current_referral_detail&proposal jd=5770.
Thank you for bringing this petition to my attention.

from the Minister for the Environment, Mr Hunt

Macquarie River Pipeline

Dear Mr Murphy

Thank you for your letter of 24 June 2013 (reference numbers 810/1273 and 811/1274) to the former Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, inviting a response, to two petitions submitted to the Standing Committee on Petitions concerning the Macquarie River Pipeline, Orange, New South Wales. As I am Parliamentary Secretary to the Minister for the Environment, your letter has been passed to me for reply.

This activity (the construction of a pipeline from the Macquarie River to the City of Orange) was referred to the Minister for the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) on 25 November 2011 (EPBC 2011/6202), for consideration of whether or not it was likely to have a significant impact on matters protected under national environmental law. On 22 December 2011, the Minister's delegate decided that the action was a controlled action under Part 3 of the EPBC Act and would need to be assessed before it could proceed.

Since then, an assessment process has taken place that has included an analysis of the likely impacts of the project on matters protected under the EPBC Act. The assessment paid particular attention to potential impacts on EPBC Act listed threatened species, ecological communities, listed migratory species and the Macquarie Marshes Ramsar site. The approval decision for this project was made by the Minister's delegate on 19 August 2013.

With respect to the petitioners' concerns about the impacts of the action on endangered species and ecological communities, I am satisfied the impacts have been assessed and be found to be acceptable insofar as they affect matters protected under the EPBC Act. Further information on the proposal is available on the Department of Environment's EPBC website at:


Thank you for bringing the petitions to my attention.

from the Parliamentary Secretary to the Minister for the Environment, Senator Birmingham

Kimberley Liquefied Natural Gas Hub

Dear Chair

I refer to your letter of 17 June 2013 to the former Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP concerning Standing Committee on Petitions calling for a public inquiry into the impacts of the proposed Browse liquefied natural gas (LNG) precinct near James Price Point, in the Kimberley region of Western Australia. I regret the delay in responding.

An agreement to undertake a strategic assessment of a common user LNG Hub in the Kimberley was jointly signed by the Western Australian and Australian governments in February 2008. Woodside Petroleum Limited (Woodside) was designated by the Western Australian Government as the 'Foundation Proponent'. On 12 April 2013 Woodside announced it was reviewing alternative LNG developments as the existing proposal did not meet the company's commercial requirements for a positive final investment decision and on 2 September 2013 the Browse Joint Venture participants selected the use of floating LNG technology as the preferred development concept to commercialise the Browse Basin resource.
On 19 August 2013 three administrative decisions made in connection with environmental approvals granted by the Western Australian Environment Protection Authority for the proposed Browse LNG precinct were determined to be unlawful and invalid. Consequently there is no state environmental approval for the Browse LNG precinct at James Price Point.

In April and May 2013 the Western Australian Government provided final documentation in accordance with the strategic assessment agreement. As this documentation does not reflect the commercial and legal developments outlined above, I will not be making any decision on the strategic assessment at this time and a public inquiry is not required.

Thank you for writing on this matter.

from the Minister for the Environment, Mr Hunt

Enoggera Army Base

Dear Mr Murphy

Thank you for your letter of 6 June 2013 to the Minister for Defence, the Hon Stephen Smith MP, advising that a petition was recently submitted to your committee for your consideration regarding a new entrance to the Enoggera Army Base on Samford Road, Queensland (Ref 787/1248). As this matter falls within my portfolio of responsibilities, your correspondence has been passed to me for response.

The Department of Defence is aware of traffic congestion issues around the Enoggera Army Base. However, the extent to which traffic congestion would be alleviated by providing an additional entrance to Gallipoli Barracks on Samford Road, is currently unknown. In order to give this matter appropriate consideration, Defence commissioned a detailed study to develop and assess options to address the traffic concerns. A new entrance to the Barracks on Samford Road is one option that has been assessed as part of this study. The report is currently being finalised and is expected to be completed towards the end of 2013.

Once the outcomes of the study have been fully assessed, a decision can be made on whether a new entrance on Samford Road will provide the optimal value for money solution. If so, Defence will develop a detailed business case for construction of the new entrance that will be subject to Australian Government and Parliamentary approval.

In the meantime, Defence will continue to work with the Department of Transport and Main Roads and the Brisbane City Council to seek resolution of traffic congestion in the vicinity of Gallipoli Barracks. This includes Defence providing upgrades to the Wardell Street and Lloyd Street intersection, including extending the right turn slip lane into Lloyd Street.

Defence has also engaged additional traffic controllers during peak times at the Wanimo and Lloyd Street entrances. The Wanimo Street entrance has been modified to allow two lanes entering the Barracks during peak times, which has greatly increased the traffic flow in an effort to alleviate the concerns raised by the local community members.

I trust this information is of assistance to the Standing Committee on Petitions. Yours sincerely

from the Parliamentary Secretary for Defence, Senator Feeney

BUSINESS

Suspension of Standing and Sessional Orders

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:34): On behalf of the Minister for Social Services, I move:

That so much of the standing orders be suspended as would prevent notices Nos 2 to 5, Government business, relating to the disallowance of the Residential Care and Aged Care Subsidies made under the
Aged Care Act 1997, being called on immediately and considered together, with separate questions being put on each at the conclusion of the debate.

Mr BURKE (Watson—Manager of Opposition Business) (09:35): The opposition is opposed to suspending standing orders on the purposes that have just been announced by the government. The request from the government that has appeared on the Notice Paper today is that, without knowledge and without prior warning, a massive change is to occur that will have an impact across aged-care services. There is a separate policy debate, which no doubt the House will get into, given the numbers in the chamber and where this vote will end up. But in the immediate term there is a question as to whether it is right and proper for a decision of this gravity—a decision involving, as I am advised, more than $1 billion of expenditure—which is something that will reach into aged-care services and dementia-care services all around Australia, to be debated by the parliament on the basis that it appeared for the first time on the Notice Paper this morning. Deliberations for aged care are something where there should be a government announcement, a reasonable debate and an opportunity for the public to participate in the debate. A decision of this gravity should not be done through a suspension of standing orders by the government and every member of parliament be put in a situation where they are hearing about this issue for the first time and being expected to vote on it immediately. Not only that, we are aware that both sides of politics have their party room meetings during the time that this debate will be taking place. You could not get a worse situation for making sure that the parliament is properly informed and properly able to participate in a debate than what the government is trying to do right now. I stress, if ever there were an argument, that it was not proper to suspend standing orders to bring a debate on. That is what we are seeing before us at this very moment. What is proposed when you suspend standing orders is that the other business of the day is not as important—that you have a matter of particular urgency. The government has discovered this urgency within the last 24 hours. It has discovered it without consultation with the aged-care sector, without consultation with the people who will be impacted by this.

As I understand it, we are talking about a sector which has staff turnover in the order of 40 per cent, and the supplements which are being sought to be disallowed are supplements that go to nurses, to carers, to community helpers and to admin staff. They are supplements that actually have an impact, far and wide, on whether or not people are—

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:38): I move:

That the question be now put.

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

The House divided: [09:42]

(The Speaker—Hon. Bronwyn Bishop)

Ayes .....................80
Noes .....................52
Majority ................28

AYES

Alexander, JG
Andrews, KJ
Andrews, KL
Baldwin, RC
Billson, BF
Bishop, JI
AYES

Briggs, JE
Brough, MT
Christensen, GR
Cobb, JK
Coulton, M
Entsch, WG
Frydenberg, JA
Goodenough, IR
Hartseyker, L
Henderson, SM
Hogan, KJ
Hunt, GA
Irons, SJ
Jones, ET
Keenan, M
Landry, ML
Ley, SP
Marino, NB
Matheson, RG
McNamara, KJ
Nikolic, AA
O’Dwyer, KM
Pitt, KJ
Price, ML
Ramsey, RE
Robb, AJ
Ruddock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Truss, WE
Turnbull, MB
Varvaris, N
Whiteley, BD
Williams, MP
Wood, JP

NOES

Albanese, AN
Bird, SL
Burke, AS
Byrne, AM
Champion, ND
Clare, JD
Conroy, PM
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Giles, AJ
Griffin, AP
Hayes, CP

Bandt, AP
Bowen, CE
Butler, MC
Chalmers, JE
Chesters, LM
Claydon, SC
Danby, M
Elliot, MJ
Feeney, D
Fitzgibbon, JA
Gray, G
Hall, JG
Husic, EN
Thursday, 12 December 2013

HOUSE OF REPRESENTATIVES

NOES

Jones, SP
Leigh, AK
MacTiernan, AJGC
McGowan, C
Neumann, SK
O’Neil, CE
Parke, M
Plibersek, TJ
Rishworth, AL
Ryan, JC (teller)
Thistlethwaite, MJ
Vamvakinou, M
Wilkie, AD

King, CF
Macklin, JL
Marles, RD
Mitchell, RG
O’Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Snowdon, WE
Thomson, KJ
Watts, TG
Zappia, A

Question agreed to.

The SPEAKER (09:50): The question now is that the original motion moved by the Assistant Minister for Employment be agreed to.

The House divided. [9:53]

(The Speaker—Hon. Bronwyn Bishop)

Ayes ..................... 80
Noes ..................... 53
Majority ............... 27

AYES

Alexander, JG
Andrews, KL
Billson, BF
Briggs, JE
Brough, MT
Christensen, GR
Cobb, JK
Coulton, M
Entsch, WG
Frydenberg, JA
Goodenough, IR
Hartley, L
Henderson, SM
Hogan, KJ
Hunt, GA
Iron, SJ
Jones, ET
Keenan, M
Landy, ML
Ley, SP
Marino, NB
Matheson, RG
McNamara, KJ
Nikolic, AA
O’Dwyer, KM
Pitt, KJ

Andrews, KJ
Baldwin, RC
Bishop, JI
Broadbent, RE
Buchholz, S (teller)
Ciobo, SM
Coleman, DB
Dutton, PC
Fletcher, PW
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Howarth, LR
Hutchinson, ER
Jensen, DG
Joyce, BT
Kelly, C
Laundy, C
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
O’Dowd, KD
Pasin, A
Porter, CC

CHAMBER
Question agreed to.
MOTIONS

Residential Care Subsidy Amendment (Workforce Supplement) Principle 2013
Disallowance

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:54): On behalf of the Minister for Social Services, I move:

That the Residential Care Subsidy Amendment (Workforce Supplement) Principle 2013 made under the Aged Care Act 1997 [F2013L01225], be disallowed.

Debate adjourned.

Aged Care (Residential Care Subsidy—Workforce Supplement Amount) Determination 2013
Disallowance

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:54): On behalf of the Minister for Social Services, I move:

That the Aged Care (Residential Care Subsidy—Workforce Supplement Amount) Determination 2013 made under the Aged Care Act 1997 [F2013L01251], be disallowed.

Debate adjourned.

Division 2.4 of the Aged Care (Home Care Subsidy Amount) Determination 2013
Disallowance

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:55): On behalf of the Minister for Social Services, I move:

That Division 2.4 of the Aged Care (Home Care Subsidy Amount) Determination 2013 made under the Aged Care Act 1997 [F2013L01339], be disallowed.

Debate adjourned.

Division 2.5 of the Aged Care (Flexible Care Subsidy Amount—Multi-Purpose Services) Determination 2013 (No. 2)
Disallowance

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:56): On behalf of the Minister for Social Services, I move:

That Division 2.5 of the Aged Care (Flexible Care Subsidy Amount—Multi-Purpose Services) Determination 2013 (No. 2) made under the Aged Care Act 1997 [F2013L01347], be disallowed.

Debate adjourned.

Residential Care Subsidy Amendment (Workforce Supplement) Principle 2013
Disallowance

Debate resumed on the motion by Mr Hartsuyker:

That the Residential Care Subsidy Amendment (Workforce Supplement) Principle 2013 made under the Aged Care Act 1997 [F2013L01225], be disallowed.

The SPEAKER (09:57): In accordance with the resolution agreed to earlier, this order of the day will be debated cognately with three related orders of the day.
Mr HARTSUYSKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (09:57): I table the motion to disallow the Residential Care Subsidy Amendment (Workforce Supplement) Principle 2013 [F2013L01225], the Aged Care (Residential Care Subsidy Workforce Supplement Amount) Determination 2013 [F2013L01251], Division 2.5 of the Aged Care (Flexible Care Subsidy Amount Multi-Purpose Services) Determination 2013 (No. 2) [F2013L01347] and Division 2.4 of the Aged Care (Home Care Subsidy Amount) Determination 2013 [F2013L01339].

These instruments were introduced by the former government to provide legislative basis for the aged-care workforce supplement in residential care, home care and multipurpose services. However, the supplement did not guarantee improved pay and conditions for all aged-care workers. Many providers could not justify applying because the supplement would not have covered their additional costs of implementing the supplement. For many providers the funding was also conditional upon the signing of an enterprise bargaining agreement. This government, when in opposition, promised to oppose this ‘unionism by stealth’. Less than one per cent of aged-care providers had applied for the supplement as at 26 September 2013. As the majority of aged-care providers were not willing to apply for the supplement it was never going to reach the majority of aged-care workers. For these reasons we suspended the application process for the supplement on 26 September 2013 and are now seeking to disallow it. Over the coming months the government will work in partnership with key stakeholders on how to apply these funds in a more flexible and better targeted way.

Mr NEUMANN (Blair) (09:59): There are 350,000 workers in the aged-care sector who tonight will discover that they will not get the pay rises and better working conditions that they deserve and need. We will need a million workers in this sector by 2050. Not only will childcare workers and automotive industry workers now have a very bad Christmas, but aged-care sector workers will as well. This government is attacking workers once again. The Labor government Minister for Mental Health and Ageing was actually doing what needed to be done in this sector. There is a 40 per cent turnover in this sector, and what we did was in accordance with the agreement undertaken with the National Aged Care Alliance—providers, unions and everyone in the sector. We negotiated across the country, consulted widely with stakeholders and made sure that we did what we needed to do to put a provision in place.

In 2008 the Productivity Commission said that, despite the fact that the now Prime Minister in his previous ministerial guise did everything he possibly could, allegedly, in terms of several initiatives to assist provision of extra funding for the aged-care sector with better wages and conditions, the aged-care providers did not pass it on. The Productivity Commission found that in 2008. As a result of two Productivity Commission reports, the first one being a draft report of 507 pages, and the final one undertaken after further consultation, the Labor government then announced the Living Longer Living Better package of $3.7 billion, which was accepted across the aged-care sector as the right way to go. Central and core to that was a $1.2 billion workforce supplement—better working conditions and more funding, because we know, of course, that this is a big challenge. If you are in an aged-care facility and you are wanting better quality care you need good nurses, good personal carers, good administrative staff and high-quality professionals to look after you. We saw in the third Intergenerational Report the necessity for Australians to care and to spend more money on the
aged-care sector in this country. We need the kind of assistance that the Living Longer Living Better package provided.

The coalition government could not even get the senior minister in the portfolio in here to move this disallowance motion. The Assistant Minister for Employment had to do the dirty work today. These workers need the kind of assistance that this aged-care package would have provided. On 25 September we witnessed a terrible decision made by the senior minister in this portfolio, the Hon. Kevin Andrews—the Minister for Social Services. He made a terrible decision with two determinations to effectively suspend the operation of the workforce supplement. It meant that unions, aged-care providers and those people in the aged-care sector who needed to get access to that supplement, which increases from one per cent to 3.5 per cent across the forward estimates, could not get access to it. Before that decision by the coalition minister it was clearly working. Senate estimates provided the answer to the question: was it working? The answer was yes. One hundred million dollars of the $1.2 billion had already been accessed by the aged-care sector. Why? Because the aged-care sector liked the workforce supplement. They said: 'We would like to pay our workers better. We would like to provide career structures and professional development. We just do not have the funding.' Clearly, what was offered was accepted and we would have seen this funding rolled out, but 350,000 workers in the sector will go to Christmas knowing they will not get the assistance they need.

Not only are the coalition government getting rid of the workforce supplement, which the member for Port Adelaide in his previous guise as the minister in the previous government provided after extensive consultation, but they are also getting rid of the workforce supplement in relation to dementia and for veterans in multipurpose services. This is the party that went around before the last election saying that they supported veterans and alleging that we did not support veterans. Over there they are getting rid of the supplements for veterans with mental health problems. How heartless is that before Christmas? We know that 50 per cent of patients in public hospitals have cognition difficulties. We know that there are about 250,000 people in this country with dementia problems, and it is going to increase massively to close to one million by 2050. We know that there are 16,000 Australians with early-onset dementia under 65 years of age, but the dementia supplement is going. That is what they are doing. It is heartless, it is cruel, it is wrong, and it is not the way to go.

One of this government's first acts was undertaken back on 25 September. We filed a motion in the Senate which would open the gate. We got the support of the Greens. That was introduced by Senator Helen Polley, the shadow parliamentary secretary for aged care, and was being debated last night. With the support of the Greens the gate would have been opened. A decision would have been made this morning. What those opposite have done is close the gate entirely. They have made sure that low-paid workers in this sector cannot get access to that funding. The aged-care providers, whether it is TriCare, Regis, Carinity, PresCare or Blue Care, are all saying the same thing. The not-for-profits and the for-profits need this supplement. They need it to provide assistance to their workers because they cannot afford to provide it themselves. Ratios are difficult, profitability is challenging—that is what they are saying.

In this shadow portfolio I have met with a number of aged-care providers in relation to this issue. I have met with the leading peak bodies and the consultation was extensive. They need
this supplement. Those opposite have the temerity to say that it is about unionism. It was not just about unionism; it was far more than that. Seventy-five per cent of workers in residential aged care are covered by collective agreements. Sixty per cent are in flexible community care arrangements. We made provision that, if there were fewer than 50 operational places in relation to the assistants working in aged care, they did not have to have a collective agreement. Small operators, community based care services in the aged-care sector, could get access if they signed the workforce supplement agreements. If they did what they proposed to do in terms of career paths, wage increases and better conditions in the workplace they could get access to the supplement. It did not have to be all about collective agreements. The union supported it, I admit that—the nurses supported it, United Voice supported it and the HSU supported it. But the aged-care sector wanted it; and the employers wanted it.

Those opposite said, and took the policy to the last election, that they would put this money back into the general pool of aged care. They have put nothing back into the general pool of aged care. They have not given any details whatsoever to the sector about how that money will be used to enhance the working conditions of men and women in this sector. Not a skerrick, not a word, not a dot, not an iota has come from those opposite about how this money will be used to help workers in this sector—nothing, complete silence.

When we asked the question in Senate estimates about what was going to happen—silence; a political vacuum from those opposite. What we believe will happen is that they will snaffle that money, the $1.1 billion that is left, and put it towards other purposes. There is no guarantee at all that that money will go to the wages and conditions of workers in this sector and no guarantee at all that those opposite will actually assist those people who work in this sector. We know this because day after day, in speech after speech in this place, those opposite attack the workers in this sector and the unions that represent them. We have heard it whether it is the aged-care sector, the childcare sector or any other sector.

We debated in the last few days the ABCC; we debated registered organisations; we debated a whole host of areas. But today, without any notice whatsoever, except for it just being on the Notice Paper, we have these disallowance motions. They are there without prior consultation with stakeholders, without prior consultation with the aged-care sector, without prior consultation with the unions or the workers or any other organisation. They are there like a Christmas grinch—that is what it is like. Today, there are people across this sector who will be surprised, stunned and outraged, just as we on this side are because we are the ones who want to stand up for workers. You can tell by the speeches made in this parliament and by votes in this parliament that we on this side of the chamber, the Labor Party, are the only ones interested in assisting workers.

This motion should be opposed. It should be opposed by every single person. If you say you care for workers in the aged-care sector, vote against this motion.

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

The House divided. [10:13]

(The Speaker—Hon. Bronwyn Bishop)

Ayes ...................... 69
Noes ...................... 53
Majority ................. 16
AYES

Alexander, JG
Baldwin, RC
Broad, AJ
Brough, MT
Christensen, GR
Cobb, JK
Coulton, M (teller)
Fletcher, PW
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Howarth, LR
Iron, SJ
Jones, ET
Landry, ML
Ley, SP
Markus, LE
McCormack, MF
Nikolic, AA
O'Dwyer, KM
Pitt, KJ
Price, ML
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Tehan, DT
Van Manen, AJ
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

Andrews, KL
Briggs, JE
Broadbent, RE
Buchholz, S (teller)
Cobo, SM
Coleman, DB
Entsch, WG
Frydenberg, JA
Goodenough, IR
Hartsuyker, L
Henderson, SM
Hogan, KJ
Hutchinson, ER
Jensen, DG
Kelly, C
Laundy, C
Marino, NB
Matheson, RG
McNamara, KJ
O'Dowd, KD
Pasin, A
Porter, CC
Pyne, CM
Randall, DJ
Ruddock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tudge, AE
Varvaris, N
Whiteley, BD
Wood, JP

NOES

Albanese, AN
Bird, SL
Burke, AS
Byrne, AM
Champion, ND
Clare, JD
Conroy, PM
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Giles, AJ
Griffin, AP
Hayes, CP
Jones, SP
King, CF

Bandt, AP
Bowen, CE
Butler, MC
Chalmers, JE
Chesters, LM
Claydon, SC
Danby, M
Eliot, MJ
Feeney, D
Fitzgibbon, JA
Gray, G
Hall, JG (teller)
Husic, EN
Katter, RC
Leigh, AK
Question agreed to.

The SPEAKER (10:19): (In division) While we are having the count, I might advise the House that Mr Warwick Costin, who is sitting at the Hansard table, is having his last day with us as a Hansard reporter. We thank you for your services.

The SPEAKER (10:22): The question now is that the motion to disallow the Aged Care (Residential Care Subsidy—Workforce Supplement Amount) Determination 2013 made under the Aged Care Act 1997 be agreed to.

The House divided. [10:22]

(The Speaker—Hon. Bronwyn Bishop)

Ayes .................69
Noes ..................53
Majority...............16

AYES

Alexander, JG
Andrews, KL
Baldwin, RC
Briggs, JG
Broad, AJ
Broadbent, RE
Brough, MT
Buchholz, S (teller)
Christensen, GR
Cobb, SM
Coulton, M (teller)
Coleman, WA
Fletcher, PW
Entsch, WG
Gillespie, DA
Frydenberg, JA
Griggs, NL
Goodenough, IR
Hawke, AG
Henderson, SM
Hendy, PW
Hogan, KJ
Howarth, LR
Hutchinson, ER
Irons, SJ
Jensen, DG
Jones, ET
Kelly, C
Landy, ML
Laundy, C
Ley, SP
Marino, NB
Markus, LE
Matheson, RG
McCormack, MF
McNamara, KJ
Nikolic, AA
O'Dowd, KD
O’Dwyer, KM
Pasin, A
Pitt, KJ
Porter, CC

CHAMBER
AYES

Price, ML
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Tehan, DT
Van Manen, AJ
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

NOES

Albanese, AN
Bandt, AP
Bird, SL
Bowen, CE
Burke, AS
Butler, MC
Byrne, AM
Chalmers, JE
Champion, ND
Chesters, LM
Clare, JD
Claydon, SC
Conroy, PM
Danby, M
Dreyfus, MA
Elliot, MJ
Ellis, KM
Fenney, D
Ferguson, LDT
Fitzgibbon, JA
Giles, AJ
Gray, G
Griffin, AP
Hall, JG (teller)
Hayes, CP
Husic, EN
Jones, SP
Katter, RC
King, CF
Leigh, AK
Macklin, JL
MacTiernan, AJGC
Marles, RD
McGowan, C
Mitchell, RG
Neumann, SK
O'Connor, BPJ
ONeil, CE
Owens, J
Parke, M
Perrett, GD
Piberserk, TJ
Ripoll, BF
Ryan, JC (teller)
Rowland, MA
Rishworth, AL
Snowdon, WE
Thistlethwaite, MJ
Thomson, KJ
Vanvakinou, M
Watts, TG
Wilkie, AD
Zappia, A

Question agreed to.

The SPEAKER (10:23): In accordance with the resolution agreed to earlier, I now put the question that the motion to disallow division 2.4 of the Aged Care (Home Care Subsidy Amount) Determination 2013 made under the Aged Care Act 1997 be agreed to.

The House divided. [10:25]
(The Speaker—Hon. Bronwyn Bishop)
Ayes .......................... 70
Noes .......................... 53
Majority ..................... 17

AYES

Alexander, JG
Baldwin, AJ
Broad, AJ
Brough, MT
Christensen, GR
Cobb, JK
Coulton, M (teller)
Fletcher, PW
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Howarth, LR
Irons, SJ
Jones, ET
Landry, ML
Ley, SP
Markus, LE
McCormack, MF
Nikolic, AA
O'Dwyer, KM
Pitt, KJ
Price, ML
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Tehan, DT
Turnbull, MB
Varvaris, N
Whiteley, BD
Williams, MP
Wood, JP

NOES

Albanese, AN
Bird, SL
Burke, AS
Byrne, AM
Champion, ND
Clare, JD
Comroy, PM
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Giles, AJ
Griffin, AP

CHAMBER
Thursday, 12 December 2013

The SPEAKER (10:25): In accordance with the resolution agreed to earlier, I now put the question that the motion to disallow division 2.5 of the Aged Care (Flexible Care Subsidy Amount—Multi-Purpose Services) Determination 2013 (No. 2) made under the Aged Care Act 1997 be agreed to.

The House divided. [10:25]

(The Speaker—Hon. Bronwyn Bishop)

Ayes ................. 70
Noes ................. 53
Majority ............. 17

AYES

Alexander, JG
Baldwin, RC
Broad, AJ
Brough, MT
Christensen, GR
Cobb, JK
Coulton, M (teller)
Fletcher, PW
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Howarth, LR
Irons, SJ
Jones, ET
Landry, ML
Ley, SP
Markus, LE
McCormack, MF
Nikolic, AA
O'Dwyer, KM
Pitt, KJ

NOES

Hayes, CP
Jones, SP
King, CF
Macklin, JL
Marles, RD
Mitchell, RG
O'Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Snowdon, WE
Thomson, KJ
Watts, TG
Zappia, A

Husic, EN
Katter, RC
Leigh, AK
MacTiernan, AJGC
McGowan, C
Neumann, SK
O'Neil, CE
Parke, M
Plibersek, TJ
Rishworth, AL
Ryan, JC (teller)
Thistlethwaite, MJ
Vamvakacos, M
Wilkie, AD

Question agreed to.
AYES

Price, ML
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Taylor, AJ
Tudge, AE
Varvaris, N
Whiteley, BD
Williams, MP
Wood, JP

Pyne, CM
Randall, DJ
Rudlock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tehan, DT
Van Manen, AJ
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

NOES

Albanese, AN
Bandt, AP
Bird, SL
Bowen, CE
Burke, AS
Butler, MC
Byrne, AM
Chalmers, JE
Champion, ND
Chesters, LM
Clare, JD
Claydon, SC
Conroy, PM
Danby, M
Dreyfus, MA
Elliot, MJ
Ellis, KM
Feney, D
Ferguson, LDT
Fitzgibbon, JA
Giles, AJ
Gray, G
Griffin, AP
Hall, JG (teller)
Hayes, CP
Husic, EN
Jones, SP
Katter, RC
King, CF
Leigh, AK
Macklin, JL
MacTiernan, AJGC
Marles, RD
McGowan, C
Mitchell, RG
Neumann, SK
O'Connor, BPJ
O'Neil, CE
Owens, J
Parke, M
Perrett, GD
Phibers, TJ
Ripoll, BF
Rishworth, AL
Rowland, MA
Ryan, JC (teller)
Snowdon, WE
Thistlethwaite, MJ
Thomson, KJ
Vanvakinou, M
Watts, TG
Wilkie, AD
Zappia, A

Question agreed to.
BILLS

Building and Construction Industry (Improving Productivity) Bill 2013
Second Reading

Cognate debate.
Debate resumed on the motion:
That this bill be now read a second time.
to which the following amendment was moved:

That all the words after "That" be omitted with a view to substituting the following words:
"the House declines to give the bill and the related bills a second reading because it would be ill
advised to continue having regard to:

(1) the negative impact of the re-establishment of the Australian Building and Construction
Commission on the rights and entitlements of Australian workers; and

(2) Government plans to equip the Australian Building and Construction Commission with powers that
are extreme, unnecessary, undemocratic and compromise civil liberties."

Mr PERRETT (Moreton) (10:28): I rise today to speak strongly against the government's
desperate and misguided actions to return to the former Australian Building and Construction
Commission, the ABCC, set up by the former Howard Liberal government in 2005, via the

I should declare up-front that, whilst I do not work in the building industry I have three
brothers who all work in the building industry. One brother actually worked on the
construction of Parliament House, when the big flag fell over 25 years ago. People may
remember; I am sure the Clerk would remember. I know he is only a fresh young face here in
Parliament House but he might remember when the flagpole fell over. My brother's company
works in cranes. They were actually working down at the Canberra casino at that time, so he
came to fix the flagpole that fell over. Another one of my brothers, my younger brother—
all three of my brothers work in the construction industry—had a crane collapse right beside
him while he was working at Twin Towns. The kibble on the crane injured his back significantly
when the crane collapsed. But the most traumatic part of that accident was that two of his
friends who were standing right beside him were killed. He was literally only inches away
from being killed. So I have seen the building industry via the prism of my siblings and what
they have and are experiencing, because all three of them still work in the industry.

Much of the bill before the chamber today largely replicates the former ABCC legislation,
which was then amended by the Rudd-Gillard government through the Fair Work (Building
Industry) Act. I am particularly outraged by this piece of legislation. It is tough enough when
we have legislation that we just voted on, before this current piece of legislation, that took
away a pay rise for people in the aged-care industry. We have seen a pay rise snatched away
from the childcare workers and now we have an extra imposition on the building industry.

This legislation is wrong for so many reasons. It certainly introduced an element of
retrospectivity into this area of law. Retrospectivity is never a good idea, especially from a
government where so many of the promises from the now Prime Minister were that there
would be no surprises and no excuses. To suddenly reach back into the past with this legislation is very disappointing. Retrospectivity should never be embraced in legislation.

The coalition government's claim is that their bill is strengthening the powers of the ABCC, but in fact it is restricting business certainty. It is creating a lot of uncertainty for small businesses that work in the building industry. It is actually imposing extra red tape from a government that said they were going to abolish red tape. They are not only bringing in future red tape but imposing red tape on past decisions, which is the very worst sort of legislation. They are proposing some sort of watchdog, but it is really just an attack dog on unions, not dissimilar to those attack dogs we saw down on the waterfront under the MUA dispute years ago. The reason it is particularly offensive is that, even when the people involved in employment in the building area have reached agreement and signed on to an agreement, now the government of today proposes to reach back. This is the very enemy of contract law, as all lawyers would know. And these changes are actually a waste of taxpayers' money, because of this extra red tape.

The changes will result in the ABCC using public funds to engage lawyers to continue litigation where the parties have already reached certainty and have an agreement. This is just a simple regurgitation of failed Howard government policies. This is yet another example of the Abbott government living in the past.

Looking at the brochure sent to my home by my opponent during the election—his 'Real Solutions' booklet—included in the visuals the words 'this is an experienced team'. I remember the photograph. I think I even saw it on a few billboards—'this is an experienced team'. They even were generous enough to put the member for Wentworth in the photograph so that there was a token Liberal in this hard-nosed team that was supposed to be experienced. As it turned out, what we have seen in the last 100 days, sadly, is the stumblings of amateurs.

Australia as a nation must look to the future. We need to be concerned about the future of jobs, the future of economic growth, especially in an environment where the dollar is high and puts pressure on our export industries and manufacturing, particularly, as we have seen with the disaster announced yesterday of Holden committing to leave the country. It was obviously not helped by the $500 million slashed from the automotive industry, as proposed by one of those members of the 'Real Solutions' team, the former member for Indi.

I have heard a bit of comment about mandates. I would have thought that, if your shadow automotive minister is the person who represents your policy in the automotive industry and they are the only Liberal shadow who is not elected, surely that suggests you have no authority to implement that policy. That would have been my suggestion.

The government understand political tactics but I do not think they understand the needs of Australian people, and they certainly do not know how to consult with building workers and how to consult with the people who actually turn up at the workplace every day.

Sadly, the coalition has a history of removing the rights from workers in this country, particularly in the building industry. I remember Ark Tribe—I think the member for Makin, being a South Australian, would be more familiar with the situation—

Mr Zappia: In 2008.

Mr PERRETT: It was 2008. I remember reading information about it. The reversal of the onus of proof is something that any government should always be very wary of. The Magna
Carta has been around for a while. We have this long history of looking after rights, so to reverse the onus of proof in such an area should be done very carefully. There is an argument that coercive powers, such as Ark Tribe experienced, have no place in a free society. This government is now extending the ABCC’s ability to interrogate workers, causing stress and unnecessary worries for innocent people.

Throughout the federal election campaign, the coalition government, I think, unnecessarily tried to make political mileage out of fatalities. I remember hearing comments, even in parliament, about the deaths that occurred when the insulation program was rolled out around Australia. A total of 1.2 million homes were insulated, but sadly there were some dodgy employers with bad work practices. Look at the mileage that has been made out of those fatalities, despite the 1.2 million homes that were insulated and all of the benefits to those households, both environmentally and for their wallets.

But let us have a look at the building industry. I was speaking to a friend of mine, Andrew Ramsay, from the CFMEU in Queensland. He said—

Mr Tudge: Is he a good friend?

Mr PERRETT: He is a good friend. He worked on my campaign in 2007.

Mr Tudge: I bet he did. How much money did he give you?

Mr PERRETT: No money.

Mr Tudge: What about the CFMEU?

Mr PERRETT: The CFMEU has made contributions to my election campaigns, and I think that they did in 2007.

Mr Tudge: How much?

Mr PERRETT: It is all on the public record. I do not think that there is any problem with having a connection with workers. I have always seen the Labor Party as being the political wing of the trade union movement. I am not afraid of workers. Unions have a great history of contributing to the good of this nation. That is my belief.

It is interesting to compare. A judicial inquiry was announced into these work related deaths—the insulation deaths. But, since the last fatality of the home insulation scheme, 31 Queenslanders have died in construction related accidents on the job. That is, to put it in context: 31 Queenslanders have died and five of those were electrocuted. There is a comparison. Since the judicial inquiry was announced, there have been 31 deaths. That is to put it in context. Construction work can be very dangerous work. Construction work is challenging, especially in high-rise buildings, where there can be all sorts of complications.

This bill before the House includes provisions on prohibiting unlawful picket lines and allows anyone to get an injunction to prevent such a picket line happening. This government is clearly pushing to almost outlaw unionism in the construction industry. It is seen to be a bad thing for a union to make a contribution to a political party. That was the suggestion that came from the member opposite. The reality is, Australian workers need unions to fight for their rights and to look after their health and safety. We all know that when an employer tries to make money they will cut back on health and safety, and that makes it dangerous for workers. It is disgraceful to have union officials and members dragged off to the courts, fined and threatened with jail for taking part in union activities that have been a part of the fabric of
this nation since the 1890s—since the shearsers' strike that we had in Barcaldine in the 1890s that saw the formation of the Labor Party. Why would those opposite be scared of people banding together and speaking up for their rights?

The merits of the ABCC are based on flawed and ridiculous modelling. Its proposed powers are scary, particularly the unfettered coercive powers, the secretive interviews and imprisonment for those who do not cooperate. This is a star chamber that Oliver Cromwell would blanche at. These proposed powers are extreme, unnecessary and undemocratic and they compromise civil liberties.

Let us have a look at the record under Labor. Under the Fair Work Act, after the ABCC went, productivity went up in the building industry. Let us look at the Liberal legislation. After the ABCC was introduced in 2005, building industry fatalities jumped 95 per cent between 2006 and 2008. They had a budget of $35 million, including up to $500,000 a year for the salary of the commissioner. They brought cases against the CFMEU and other unions resulting in over $5 million in fines and millions more in court costs. That was good for lawyers, obviously. As a lawyer, I have no problem with lawyers getting paid, but the reality is that someone will always pay for it when lawyers are involved. The ABCC legislation was condemned eight times by the International Labour Organization for bias and for breaching conventions that Australia has signed. We saw when the judgment in the Ark Tribe case was handed down that they were completely embarrassed due to them not exercising their coercive powers correctly. They were found to have unlawfully interviewed 203 people.

That is why the Gillard and Rudd governments removed the majority of the ABCC's powers. We had the Fair Work Australia model, which is a much fairer system in the workplace. And what did we see? We saw industrial disputes go down. We even saw fatalities go down. I know that we should not refer to fatalities only, but that is a fact. And productivity rose.

Under the Howard government's ABCC, there was no right to silence and the commission possessed national security style powers to prevent a witness from revealing even to his wife or her husband that he or she had been interrogated by the commission. That is crazy stuff from George Orwell's 1984, not modern, progressive Australia. Now the coalition want to reinstate these secretive state police powers. They have not put a logical, coherent, empirical argument as to how this will boost productivity. This government, as we saw from the legislation that we just voted on, cannot be trusted when it comes to looking after workers and workers' rights.

What the construction industry needs is investment. It needs apprenticeships and jobs for Australian residents and citizens. They need to be schooled in health and safety. We do not need another government body determined to undermine industry standards, safety and working conditions such that the rogue and the cowboy will lower the standards and make it harder for those good employers—those good builders who do the right thing—to pay their workers and look after their health and safety. No-one wins the race to the bottom, and the biggest losers will always be the workers.

The government has not put a case that this will improve productivity. There is little evidence that this bill will work. Rather, it is about amplifying false statements about productivity. I ask those opposite to come out to a building site. I can arrange for them to
come on site and talk to my family and see what really goes on in the construction industry. *(Time expired)*

**Mr SIMPKINS** (Cowan) (10:43): Clearly, this bill has caused concern in the union movement and for the union movement's political arm, the Labor Party. That is not surprising, because it promises to bring back to the building and construction industry two concepts that unions like the CFMEU do not like one bit, and they are productivity and accountability. They hate such terms because they are effectively the opposite of the objectives of the unions in the construction industry. On 7 September, the Australian people went to the polling booths in full knowledge that the re-establishment of the Australian Building and Construction Commission was part of the policies of a coalition government. It was not being hidden; it was right out there. And now it is happening. This is of course not about Work Choices; this is about productivity and accountability on the building sites of Australia.

There is no greater example of the need for this bill and the reintroduction of the ABCC than the CFMEU's illegal action against construction company Grocon in Melbourne in 2012. If anyone were to say the ABCC and these powers were not now required I would direct them to recent history. Having had the chance to do the right thing, and comply with the law, the CFMEU chose to be militant and contemptuous of the law. In their dispute in Victoria the CFMEU now face the potential of multimillion-dollar fines and legal costs for contempt of court. Grocon has asked the court to impose a $1.5 million fine plus another $400,000 in legal costs after the CFMEU did plead guilty to a third round of contempt charges. Collectively the penalties could amount to more than $7 million because the court has been asked to impose fines of $5 million for other contempt charges resulting from the reckless and illegal blockades that brought Melbourne to a standstill. That recklessness was not only reckless and arrogant in its disregard for the law and court orders but also because the penalties of $7 million will come not out of the pockets of the union's leaders, who somehow thought themselves above the law, but from the members' dues—it is their money.

This is where this country has found itself. A militant union operating beyond the law, determined to destroy productivity, demonstrates exactly why the ABCC needs to be restored. The Labor Party cannot control the CFMEU but that union, drunk with its own sense of importance and power, stood defiantly against the rule of law. Yes, it is true the CFMEU could not be controlled by their political wing, but it is in fact the other way around: from the speakers list, clearly the CFMEU control the Labor Party, no doubt offering the stick and carrot to those opposite—threatening preselections and campaign contributions if the union's servants do not do as the union says.

The CFMEU is of course a repeat offender—and, when judgment is passed upon them, the costs will probably reflect their history of disregard for the law and the national interest of productivity. In Perth the same sort of disregard for getting on with the job was well known. For many years the CFMEU was led by Kevin Reynolds. Apart from getting his wife installed in state parliament as a Labor MLC, there were many deals done across building sites in Perth. A most interesting deal was where Reynolds acquired a luxury apartment in the Raffles Tower in expensive Applecross. The apartment overlooks the Canning River, and I think that the full cost of such an apartment would exceed the means of all but the most highly paid—or perhaps the well-connected, in this case.
In 2007 the *Weekend Australian* reported that the CFMEU in WA was greatly looking forward to a Rudd victory. The *Weekend Australian* found that figures showed an extraordinary halt to the union's rogue strikes—including 'blue flu', where hundreds of workers called in sick at once—after the ABCC used its powers to hit unionists with individual writs that could result in fines of up to $28,600 each.

It was a testament to the success of the ABCC that in Western Australia days lost to industrial action in the construction industry fell from 71 days per 1,000 workers in the December quarter of 2004 to just nine in the same quarter of late 2006. In fact, across 2006 there had been 45.2 days lost per 1,000 workers compared with 725 days in 2005.

In 2003 the Cole royal commission found lawlessness widespread in the construction industry. The commission heard that 10 Western Australian construction companies had handed over a combined total of $397,935.48 to the CFMEU in Western Australia for 'casual' union tickets for non-union workers. The commission also found widespread disregard for right-of-entry rules on building sites.

Perhaps in the case of WA and Victoria, the siphoning off of funds generated through 'peace accords'—some may call it blackmailing—of some builders has allowed massive war chests to be accumulated. These funds serve to inoculate the CFMEU against compliance with the law. In the case of Victoria's CFMEU it has been suggested that some $50-plus million has been accumulated in union coffers.

The question now becomes: what does this bill mean for Australians? The ABCC is to be re-established, armed with the powers it previously held to compel the attendance and production of documents. It is also good to see that new limits are imposed on unlawful industrial action and unlawful picketing, backed up by tougher penalties. There is no doubt that the need to restore these arrangements comes because of the absolute need to address what happened with a number of high-profile disputes in the construction industry, most prominently the Grocon event. It is little wonder that the ABCC needs to be brought back given the contempt the CFMEU showed for the courts in that issue.

The bill includes expansions of prohibitions on coercion and discrimination, with reverse-onus provisions to make it easier to prove breaches. A new Building Code will be issued, imposing further obligations on building industry contractors and other participants in the industry as conditions of obtaining work on Commonwealth funded projects.

Being from Western Australia I am also keen on new provisions, not present under the previous ABCC legislation, such as the expanded definition of 'building work' to include the transportation or supply of goods to building sites, including offshore resources platforms. This change will ensure that large resource construction projects, onshore and offshore, cannot be indirectly disrupted through coordinated go-slows on the supply of materials to those projects.

Of course, we are not talking about low pay or conditions at all. The CFMEU WA pattern-bargaining sees tradesmen getting about $140,000 per year, a labourer about $120,000 per year; four weeks leave a year and an additional 10 days of personal leave as well. Furthermore, there are 26 paid rostered days off per year. The working week is a 36-hour week but when overtime kicks in it is paid at double-time, because the usual site hours are around 50 hours a week. There is also very generous income protection that sees employers
paying well in excess of $100,000 per year in policy premiums. Beyond their eight weeks
paid leave a year, a great imposition on employers is the union training levy of $27 per week
per EBA employee. From all reports there is very little training but significant collection of
money, with one subcontractor having paid $70,000 in the last 12 months.

I understand that the construction sector has been willing to pay premium wages and
conditions in the past, so long as productivity was delivered, but the CFMEU has failed to
deliver for many years. Those commercial builders who sign the union EBA suffer a major
cost disadvantage compared with those who do not. I emphasise that base wage rates are
similar between the union and non-union sectors, but the excessive union allowances, 26
RDOs and insurances are a major difference between the two sectors. Productivity is also
higher in the non-union sector.

The industry works on the general rule of thumb that labour costs represent around 50 per
cent of total construction for a commercial project, so high labour costs are a major
consideration for clients, including the public sector and the private sector. Rents therefore
will reflect the costs of construction, and uncompetitive and unproductive union sites will
result in higher costs for consumers. Extra costs in WA also include the union-imposed
requirement for non-working job stewards on about $150,000 per year, for subcontractors to
have safety officers that are paid in excess of $100,000 per year, and for the engagement of
union EBA subcontractors only. It therefore revolves around making builders pay for the
nepotism and jobs for the mates—or, more accurately, paid positions for the mates of union
bosses. All these extra costs, these uncompetitive and unproductive practices, are being
supported and applauded by those opposite. This is not the old mantra of a fair day's pay for a
fair day's work; rather, this is about fleecing builders and therefore consumers without regard.

The bill provides for the establishment of the ABCC, headed by the commissioner. The
commissioner's functions include monitoring and promoting appropriate standards of conduct
by participants; investigating suspected contraventions of relevant building laws; instituting or
intervening in legal processes; and providing assistance, advice and representation to building
industry participants where appropriate. The commission will also have inspectors who can
enter premises where they believe breaches of building laws are occurring or likely to occur,
or where there are records or documents relevant to compliance purposes on the premises.
While on the premises, the inspectors can inspect work, conduct interviews and require the
production of records. The bill also restores the 'coercive powers' formerly held by the ABCC.
These powers are designed to be 'a key tool for breaking down the historical and unacceptable
culture of silence' in the construction sector. The ABCC's exercise of these coercive powers
will be overseen by the Commonwealth Ombudsman.

Chapter 5 of the bill contains prohibitions on organising or engaging in 'unlawful industrial
action' and 'unlawful picketing'. To be covered by the bill, these prohibited forms of action
must be taken by, or in a way that affects, a 'constitutionally covered entity'—that is, a
corporation, the Commonwealth, a Commonwealth authority, a body incorporated in the ACT
or the Northern Territory, or a federally registered union or employer organisation. An
unlawful picket is action that has the purpose of preventing or restricting a person from
accessing or leaving a building site or ancillary site; that directly prevents or restricts a person
from accessing or leaving a building site or an ancillary site; or that would reasonably be
expected to intimidate a person accessing or leaving a building site or an ancillary site.
The penalties for unlawful industrial action are increased under the bill to $34,000 for individuals and $170,000 for corporate entities. The same penalties apply for unlawful picketing. The government states that these increased penalties are needed to 'act as a deterrent to unlawful behaviour' and 'blatant disregard for court orders'. With the exception of protected industrial action, it is also unlawful to take action to coerce another person to agree or not agree to make, vary or terminate a building enterprise agreement.

In conclusion, I would like to further reinforce the need for this bill to pass. I have talked about the high-profile incidents that make this bill and the re-establishment of the ABCC critical for a return to productivity and competitiveness that the CFMEU is the enemy of. However, to further make this point, I would like to also speak about something of an icon for shoppers in Perth. I speak of the direct factory outlet and discount centre known as Harbour Town. In the construction of Harbour Town some 10 years ago, it was well known in the industry that anyone bringing equipment or furnishings on to the site had to pay to get in. There were particular costs for each item. Apparently, to be allowed by the CFMEU to bring carpet on site was worth a carton of full-strength beer, to be handed in at the gate. And this was not the 1970s; it was not long ago.

To quote a 2009 Federal Court decision against the CFMEU, Justice Gilmour said:

It is of particular concern that the CFMEU, Mr McDonald and Mr Buchan have, as I have found on a prima facie basis, hidden behind spurious concerns as to the health and safety of employees to advance, as I infer, their own unspecified industrial aims. It is the very behaviour which the Commonwealth Parliament has made clear should be eradicated from the building industry in this country. It is conduct that directly undermines the main object of the BCII Act (s 3(1)) which is to provide an improved workplace relations framework for building work to ensure that building work is carried out fairly, efficiently and productively for the benefit of all building industry participants and for the benefit of the Australian economy as a whole.

The point is that unions such as the CFMEU have been and are responsible for massively increased costs, inefficiencies and the reduction of productivity. Like so many organisations, they have a reckless disregard for the need for businesses to be competitive and efficient. They see any project as a chance to fill the coffers for the union leadership and they just do not get that they are driving businesses overseas through excessive costs.

The ABCC needs to be returned with all these powers to help return accountability, efficiency and productivity to the industry. The CFMEU and construction unions had the chance to be part of the Australian team under their political arm but instead they chose to fleece builders and undermine the economy. Rather than let them carry on, the time to act is now. It is time to restore the ABCC and get the construction industry back to a lawful and effective industry in this country. Whether it is the CFMEU or their Labor Party, those on the other side of politics find that eventually you run out of other people's money to spend. The well is not bottomless, and Australians expect this reckless waste and self-interest to stop. I therefore commend this bill to the House.

Mr CONROY (Charlton) (10:58): I rise to oppose the Building and Construction Industry (Improving Productivity) Bill 2013. And I oppose it because not a single extra building worker will get home safely because of this bill; not a single extra building worker will avoid losing their entitlements from collapsing companies because of this bill. What will happen is that the 5,000 building workers in my seat of Charlton and nearly one million Australia-wide
will lose their fundamental rights. Sadly, this bill is not aimed at productivity, it is not aimed at strengthening the economy; it is aimed at destroying the basic rights of Australian workers, and it is built on a tower of sand. Every single economic fact that I will present in my speech demonstrated that the industry is in good shape, productivity is strong, industrial disputation is down and safety is increasing.

We do not need this bill. This bill is aimed purely at attacking workers and destroying trade unions. It is typical of the Orwellian approach of the new government to title it the Building and Construction Industry (Improving Productivity) Bill. Let's look at the industry first. The construction industry is a viable sector of the economy. It has grown strongly over recent years and, with average growth of around 2.9 per cent, it has outgrown other sectors of the economy. It contributes over $100 billion dollars to annual GDP and employs around 900,000 people, which constitutes 7½ per cent of the total workforce. The percentage is even higher in my electorate of Charlton where 8.3 per cent of workers are employed in the construction industry. This represents almost 5,000 workers in my electorate who will be adversely affected by this legislation.

While the government allege that the introduction of this bill will improve productivity, there is no credible evidence to substantiate this claim. It is based on flawed and discredited analysis. Yet again, dodgy research is driving their approach. They have attempted to justify the return of the ABCC by referring to a recent report by consulting firm Independent Economics, a firm formerly known as Econtech. What they will not tell you is that this firm has a long history of churning out report after report which attacks workers and their unions whilst supposedly demonstrating a path to improved productivity. The member for Sturt failed to disclose when he introduced this bill that this consulting firm once had the rare distinction of producing modelling so inaccurate that the former Federal Court judge Murray Wilcox slammed the work as deeply flawed and recommended that it ought to be totally disregarded. This is the factual base that the government rest their justification for this bill on.

But attacking workers does nothing to improve productivity. Productivity improves where workers are guaranteed safe and fair working conditions. This bill, which will reintroduce the ABCC, was never about productivity, nor was it about taming an industry that is out of control. This is a robust industry. There are bad actors on both sides of the industrial landscape in this industry, that is without doubt. But there is no evidence to suggest that disputation in this industry has materially increased in the period since the ABCC was abolished or that the disputation in the construction industry is at historically high levels. Under Labor's Fair Work model, industrial disputation remains comparatively low. So why is it then necessary to make these changes? The truth is that it is not necessary. It is ideologically driven, just like Work Choices was. It was only ever about attacking unions and workers' rights.

Let us look at the origins of this bill. In the second reading speech, the Minister for Workplace Relations, who introduced the original ABCC in 2005, directly referred to unions no fewer than nine times and stated that they were specifically targeted to address union activity. The previous speaker, who is one of the Western Australian members, was very obvious in saying that this bill is designed to attack the CFMEU in particular. To be honest, at least they are not hiding their true colours in their speeches. This bill is now, as it was then, an attack on unions. It is a deliberate and orchestrated attempt to destroy the unions that
represent the construction industry. But they have not stopped there. They have extended the definition of 'building work' to include offshore construction and the transport and supply of goods to building sites. This means that these new measures will apply to workers in the maritime industry and the transport industry and could extend to the manufacturing industry. This is another case of this government attacking workers' rights, not just in the construction industry but in every other industry they can get their hands on. This is truly a 'back to the future' time.

The construction workers that I have met in my electorate are hardworking Australians, just like every other worker. They have families and mortgages, and they expect—as they should—a fair day's pay for a fair day's work. Most importantly, they expect to return home safely from work. Every worker is entitled to a safe workplace free of injury. I have met families who have been affected by workplace safety incidents and by workplace deaths. It is a tragedy. Even one worker dying at a workplace is one too many. This bill, sadly, does not improve safety—it undermines safety. As I have said before, every worker is entitled to a safe workplace. Unfortunately, this was not happening in the industry when the ABCC operated. From the time the ABCC was introduced, the rate of workplace fatalities increased every year until Labor was elected. Their model organisation for industrial harmony and for improving the construction industry occurred at the same time as fatalities in the industry increased year on year. I am proud to say that, under Labor's Fair Work model, fatalities in the building and construction industry have declined. According to the ABS, last year the construction industry saw a fatality rate of 1.93 deaths per 100,000 workers. This is the lowest fatality rate in history. This is very much lower than under the former coalition government, where it peaked at 2.95 deaths per 100,000 workers. The fatalities in the construction industry were fully a third higher under the last coalition government than they were last year. Under Labor, workplace injuries also declined.

Let us consider productivity for a second, because the government have included 'improving productivity' in the title of bill. Labour productivity in the construction industry under the Labor government was double that of the last three years of the Howard government. I know speakers on the other side will be tempted to compare the labour productivity in the unionised sector with that of the non-unionised parts of the construction sector. Any comparisons are facile because the unionised sector covers high-rise commercial construction, and they are trying to compare it to low-rise commercial construction in the outer suburbs, which is a completely different form of construction. The productivity story is very similar in the economy as a whole. I am proud that economy-wide labour productivity rose over one per cent last year and 3.9 per cent over the past two years. This is the highest in a decade, and our average productivity growth in the last five years has been twice that of the OECD average. On any available measure, labour productivity under Labor's Fair Work model in the construction industry and in the broader economy is much stronger than when the coalition is in government. On industrial disputation, the rate of industrial disputes in the construction industry is, on average, one fifth of the rate we saw under the previous government.

So we have higher productivity and we have fewer fatalities, and we have numbers of industrial disputes running at 20 per cent of those we saw under the coalition government. Yet their solution to this supposed problem is to crack down on workers' rights. I would submit
that this is incredibly unfair and shows what the coalition is really about. The government remains wilfully ignorant of all the evidence that the current building industry regulation arrangements are working well. Labor has always supported a strong building industry regulator and a strong set of compliance arrangements for the building industry. Labor will not tolerate corruption, extortion or criminal behaviour in any industry, not just the construction industry.

There is no evidence to suggest that the monitoring of compliance in relation to building laws has failed or is not occurring under the current provisions. The current Fair Work Building Industry Inspectorate has considerable powers to obtain information and documentation and have questions answered without compromising procedural and substantive fairness. The inspectorate is undertaking more investigations, concluding more investigations, getting matters to court faster and recovering more money for workers in the industry than the ABCC ever did. The inspectorate has secured over $2 million in unpaid wages and entitlements for more than 1,500 workers. Those are the sorts of breaches that the ABCC was never focused on. Those opposite do not care about nonpayment of employee entitlements, nonpayment of employee superannuation and nonpayment of workers compensation premiums. Most importantly, in an industry where there is, on average, one fatality per week, they do not care about compliance with occupational health and safety standards.

It is the government's responsibility to create a sound and workable industrial landscape in this country. To achieve this you have to have employers, workers and their representatives working together in a spirit of cooperation. Labor got this right with the Fair Work Act. In this country workers have safeguards to protect their rights, employers have safeguards to protect their interests and representatives are acknowledged as having a legitimate role in Australia's industrial relations system.

I want to go to the extreme nature of the proposed powers for the ABCC. The proposed powers are extreme and unnecessary and they compromise civil liberties. They include unfettered coercive powers, secretive interviews and imprisonment for those who do not cooperate. People interviewed have no right to silence and are denied the right to be represented by a lawyer of their choice. This bill abrogates the privilege against self-incrimination—something that has, until now, been enshrined in the common law.

In terms of the level of judicial oversight into investigatory powers, ASIO's investigatory powers into terrorist activities are subject to more checks and balances than the ABCC ever was. If this legislation passes, alleged terrorists will be entitled to a higher level of judicial protection than unionists are entitled to. Let me pause on that for just a sec. If this bill goes through parliament, terrorists and alleged terrorists will have more rights under our laws than unionists will. That is disgraceful, and it demonstrates yet again that this bill is not about promoting productivity, improving competitiveness, reducing disputation and increasing safety; it is about taking rights away from workers and saying to workers, 'You should have fewer rights than people alleged to be terrorists.'

Prime Minister Abbott refers to his workplace policies as returning 'the industrial relations pendulum back to the sensible centre'. Interestingly, there is very little emphasis in this bill on tackling what I believe are some of the most serious issues in the industry, including nonpayment of employee entitlements, nonpayment of employee superannuation, nonpayment
of workers compensation premiums, the use of phoenix companies to avoid these obligations or avoid paying tax, and compliance with occupational health and safety standards—in an industry with, on average, one fatality per week. These are the real issues confronting the construction industry. I have seen workers affected by companies shutting up shop one day and refusing to pay entitlements, and then starting again the next day with a slightly different name. It is even affecting members of my family, where all they have done is gone to work and worked hard, and at the end of the day they have lost their entitlements because of shonky contractors. This bill does nothing to protect those workers. All it does is attack them.

There are other areas of concern with this bill—for example, in relation to taking protected industrial action over issues of safety. An employee, when taking industrial action over safety issues, is required to prove their concerns about workplace health and safety only in relation to their personal safety. It is unclear whether or not this means that workers can only take action when their own personal safety is jeopardised and they are restricted from taking action over the safety of their colleagues. Let's pause on that for a second. Under this bill, it is unclear whether or not, if I am working next-door to another construction worker and I see his safety imperilled, I can take action to protect that worker. I would submit that that is a most unfair set of conditions.

Reversing the onus of proof is also part of this bill—a part that the previous speaker was proud of. It is a disgraceful state of affairs that the complainant bears the burden of proof. This undermines the tradition of 'innocent until proven guilty', which is the bedrock of Western legal traditions. That, combined with the loss of the right of silence, means that this bill is taking us very far away from those traditions. I would submit that this is nowhere near the 'sensible centre' the member for Warringah long promised us. The truth is that the ABCC is not a watchdog; it is an attack dog. It is an attack dog aimed at attacking workers' rights. It has been condemned by the International Labour Organization.

It is crucial that we oppose this bill because it attacks workers' rights, it attacks the rights of workers to organise, it will not improve safety and it will not improve productivity. It will not mean that a single worker in this country will have a better chance of being safe. The fact is that productivity in the construction industry is much higher now than it was with the ABCC under the previous Liberal government. Industrial disputation is one-fifth of where it was under the previous Liberal government. The industry is growing. It is strong. It was safe in Labor's hands. It has been jeopardised by the coalition because all they care about is attacking workers' rights.

Ms O'DWYER (Higgins) (11:13): This bill seeks to re-establish the Australian Building and Construction Commission—an institution that was dismantled under the previous government for no other reason than to appease their mates in the union movement, and to shore up the power base of the former Prime Minister, Julia Gillard, despite the obvious and valuable contribution that the ABCC was making to the construction industry and to the economy.

It is important to understand how and why the ABCC first came to be. I will go through its history. In 2001 the then Minister for Workplace Relations, the current Prime Minister, commissioned the Cole Royal Commission into the Building and Construction Industry to better understand the facts. What was revealed was really quite shocking. The royal commission report found that construction projects in Australia were hotbeds of intimidation,
lawlessness, thuggery and violence. The commission concluded that inappropriate behaviour was 'behaviour that infringes the Workplace Relations Act 1996, a person's right of choice or other conduct which departs from recognised norms of civility and behaviour'.

As a result of this in-depth and detailed report, the Australian Building and Construction Commission was established to stamp out this kind of behaviour. The results spoke for themselves. The ABCC had an immediate and positive impact. That is not simply the anecdotal evidence; it was evidenced by the 2013 Independent Economics report, which found that building and construction industry productivity grew by more than nine per cent, consumers were better off by around $7.5 billion annually, and that fewer working days were lost through industrial action.

Despite these positive results the previous government kowtowed to the unions and implemented their agenda to get rid of the ABCC. As was the case with the rest of its economic agenda, the previous government simply implemented the demands of the militant unions, which allowed them to dictate to management exactly what they should be doing on sites—to allow unions control of worksites. It is important to point out at this stage that unions do play a valuable role in our economy—but they are not the entire economy, which is something that those on the other side of the House seem to forget at times. The removal of the ABCC joins a long list of economically reckless, antibusiness policies introduced by the previous government, including policies like the carbon tax, the mining tax and other changes to regulatory policy.

Restoring the ABCC will achieve a couple of things. First, the ABCC will create a strong cop on the beat that will increase penalties for unlawful behaviour. These increased penalties are important in ensuring that any future fines are not simply seen as 'part of the job'. In order for fines to be successful in their deterrence they must hurt.

The coalition government understands and appreciates the importance of the construction industry. It is, after all, the construction industry that helps build our nation. We would not have some of the world's most picturesque and famous landmarks without the hard-working men and women of the construction industry—those who turn up to work day-in and day-out who simply want to do their job, and do it well. Let me make it crystal clear that this bill does not target those people. In fact, this bill will assist those people who want to do the right thing, by protecting them from industrial bullying and other corrupt behaviour. This bill does, however, target those who try to use intimidation, extortion and coercion—and the government makes no apology for that. It is very simple. Do not break the law and do not participate in illegal activity, and the ABCC will be of no relevance to you.

This bill will also reinstate civil remedies in the case of coercion and discrimination—for example, the CFMEU's printing of posters labelling non-members as scabs, and calling on them to be 'run out of the industry' simply for not joining the union. Freedom of association needs to work both ways. These actions were in open defiance of the Fair Work Act and the Supreme Court orders. Similarly, in Werribee at the City West plant we saw more deplorable behaviour. Death threats and physical intimidation occurred there on a daily basis.

The bill will bring the ABCC into line with the Australian Competition and Consumer Commission, the Australian Prudential Regulation Authority, the Australian Securities and Investment Commission, the Australian Taxation Office, Centrelink and Medicare in providing coercive powers of interrogation when it is deemed reasonable to do so. This is an
important point, as in the past there have been people who have been hesitant to provide evidence, fearful that they would pay a very high price—fearful of retribution. This new power for the ABCC will mean that that will no longer be the case.

There are a number of people who are quite prepared to behave in an illegal manner in order to try to achieve their aims. I found it astonishing, a couple of weeks ago, when I was speaking on a TV program with Tony Sheldon, the head of the Transport Workers Union, that he admitted that he 'did the right thing' in reference to actions against Qantas that the Federal Court deemed to be illegal. This reminds me of a quote by Theodore Roosevelt when he said: No man is above the law and no man is below it: nor do we ask any man's permission when we ask him to obey it.

Yet, for some reason in this country there is a subsection of the community that feels that they are above the law. There are a few bad eggs in the union movement that act in a militant fashion, conduct illegal industrial disputes, break the law and make no apology for it. This sort of attitude is also prevalent in the construction industry. It was most visible during the Myer Emporium debacle, where CFMEU members illegally closed down part of the city, blocking people who simply wanted to go to work.

Finally, the bill will, for the first time, take into account the importance of the supply chain in the construction industry to ensure that threats of refusal of supply will not befoul the industry. It reminds me of a story told to me by a constituent. This builder told me that he received a phone call from a union representative, who made it clear that if he did not advertise in the union's magazine his concrete would not be turning up the next day. It is this kind of extortion that the ABCC will stamp out of the industry. The only people who will lose from this legislation are those who will no longer be able to use force and thuggery to achieve their objectives.

Those opposite have used some pretty savage language in this debate—words like 'archaic', 'extreme', 'severe'. Let me say this: the only things that I find archaic, extreme and severe are the actions of militant unions that use threats of violence in the workplace. Not one member from the opposition side has condemned the actions I have outlined in my speech or any of the other many examples cited in this debate. I think that that says a lot about the standards that they accept. It shows a culture of acceptance, a culture of cover up, when it comes to crimes within the union movement.

Over the past few years we have witnessed many allegations of corruption within the union movement and we have heard about scandal after scandal. Yet the default response from those opposite is to sweep it under the carpet to avoid any potential political fall-out. Whether it is former Labor Minister Eddie Obeid, former President of the Labor Party Michael Williamson or former Labor MP Craig Thomson, union corruption, like corporate corruption, should be exposed, dealt with and punished accordingly—how else can we restore confidence. That is why this bill is so important; it will expose criminals in the industry and it will bring them to justice.

In conclusion I would like to say that the ABCC is required—to protect those in the building and construction industry, to protect workers from unlawful protest and intimidation, and to protect the industry as a whole so that we can build our future together.
Mr ZAPPIA (Makin) (11:23): The Building and Construction Industry (Improving Productivity) Bill 2013 is nothing more than a continuation of a decade-long obsession by the coalition to attack and destroy workers and worker organisations in this country. It is an attack that started in 2001, when the Cole royal commission was commissioned by none other than the current Prime Minister. That in turn led to the establishment of the Australian Building and Construction Commission, under the premise that the industry needed to be cleaned up. What we got was an organisation whose focus was almost exclusively on the workers within the Australian building and construction industry. It had scant regard for the builders and construction companies themselves—their illegal practices were entirely ignored by those opposite and the commission they established.

When Labor came to office it changed the rules in a way that brought balance and fairness to the management of improper behaviour and practices right across the board. We did that through the introduction of Fair Work legislation and the Fair Work Building and Construction Agency. We did that because we understood and accepted that some action needed to be taken. But we were not prepared to go to the extreme measures that the previous government had used. The Fair Work Building and Construction Agency, established by Labor, has sufficient powers to look into, prosecute if necessary and carry out whatever investigations are required in order to ensure that the industry operates in accordance with the standards that we would all expect. But it does so without denying anyone their natural rights—unlike this legislation.

This legislation not only seeks to re-establish the ABCC but also includes and re-includes coercive powers that will compel ordinary Australians to be subjected to secret interviews, be denied legal representation of their choice, and be threatened with imprisonment if they refuse to cooperate. The bill also extends the reach of the ABCC into picketing, offshore construction and the transport and supply of goods to building sites. It not only reinstates the Howard government's earlier legislation but goes much further. The legislation also extends the ABCC's jurisdiction to offshore places—to as far as Australia's exclusive economic zone or waters above the continental shelf—and, more significantly, it will encompass the transport and supply of goods to building sites, including to resource platforms.

Whilst the government's rhetoric is about fairness and the middle ground, the details of this legislation prove otherwise. Earlier this morning, in the first item on the agenda of business of this House—the Fair Work (Registered Organisations) Amendment Bill 2013—we saw another attempt to attack workers and their organisations in this country. I think it is fair to say that Australians believe in a fair go, in treating people fairly, and in treating people in the way they themselves would like to be treated. In fact, Australia has a proud record of being one of the founding nations of the Universal Declaration of Human Rights. On Tuesday we celebrated International Human Rights Day, and I heard members opposite speaking of the importance of protecting those rights and the decency that comes from them.

This legislation contravenes not only the conventions contained in the Universal Declaration of Human Rights, but everything we have ever stood for and fought for in this country for over a century. I ask members opposite: would you agree to being subjected to the laws enshrined in this bill? I very much doubt that. Of course, the truth is that members opposite do not work in the building and construction industry—they probably never have and probably never will. I will also be interested to see whether this legislation is referred to
the Joint Standing Committee on Human Rights and, if so, how that committee responds. I would also be very interested to know whether the government sought advice as to whether this legislation complies with Australia's human rights obligations contained under any international convention to which Australia is a signatory. If so, will the minister table any legal response that it received.

The truth is that the Fair Work Building and Construction Agency already has sufficient powers to deal with any unlawful activities within the industry. I noted the comments of the member for Cowan earlier on, when he was referring to the current Grocon dispute in Victoria. He alluded to the penalties that are likely to be imposed on the parties to that dispute. If the laws are already there and being applied, why would you need to change them? I thought he actually argued the case for leaving things the way they are right now. In fact, there are a range of industrial and criminal laws already available to authorities to control any unlawful activities, and those laws are available to the authorities if any alleged unlawful activities occur. By its very description, if an activity is illegal or unlawful, it means that we have laws which are being breached. So the obvious question is not why we should be introducing new laws but why are we not enforcing the current laws? It is because the agencies in question need to be better resourced.

The government knows that this proposal is extreme, and that is why it only applies to one sector of society. If it were to apply to every sector of society, the government knows that the Australian people would not cop it, and that there would be outrage over it. By vilifying and targeting one sector, and one sector alone, and turning the rest of the community against that sector, the government believes that, by stealth, it can get away with it. It is interesting, in fact unique, that these laws are limited to a specific industry and that they propose coercive powers.

It is a flawed comparison when the minister and other members of this place stand up and say that the ATO, ASIC and the ACCC have similar powers. Firstly, whether it is ASIC, the ATO, the ACCC, or others in respect of their powers they are not confined to one single sector of society. They apply to all Australians in a non-discriminatory way. Secondly, those powers do not prevent the attendance of legal counsel of choice at any of the interviews that those authorities conduct. Thirdly, in his second reading speech the minister referred to the information gathering powers of the ABCC being similar to those of other government agencies. He does not, however, refer to the coercive powers of the ABCC inspectors which are entirely separate to the information gathering powers he refers to.

In a genuine attempt to bring some real balance to this issue the previous Labor government commissioned the Wilcox inquiry which, in turn, led to the Building and Construction Industry Improvement Amendment (Transition to Fair Work) Bill 2011. The Office of the Fair Work Building Industry Inspectorate was then created to regulate the building and construction industry. That bill brought some balance and some fairness to the process, as I have previously stated. The point I want to make is that that legislation was passed in April 2012, just around 18 months ago. The agency came into effect about one year ago. We have not even had a year of it in operation to properly assess and evaluate its performance, and now the government comes in and says that it wants to change it again. Clearly, this government is driven by ideology and nothing else because, if the government were legitimate and serious about wanting to improve the situation, at the very least it would
wait a reasonable amount of time, assess what has happened in the last 12 months, maybe even longer, and then make a judgement call as to whether further amendments would be required.

The fact is that the Fair Work Building and Construction Division is undertaking more investigations, concluding investigations, getting matters to court faster and recovering more money for workers in industry than the ABCC, which existed between 2005 and 2012. Over $2 million in unpaid wages and entitlements for more than 1,500 workers has been secured by Fair Work Building and Construction. These were the sorts of breaches that the ABCC was never, ever focused on. Importantly, labour productivity has increased over the last 10 quarters and, on average, is almost three times higher under Fair Work than under Work Choices.

Building workers have been and continue to be critical in the building of our country. They do work that many others would never, ever do. They work in extreme weather conditions such as outdoors on freezing cold mornings and on building sites in the hot sun in the middle of summer. They often face risks that, again, no other person in this country faces. As was previously pointed out, the member for Moreton, when he spoke on this matter, highlighted the number of serious accidents and even deaths that occur within the industry.

Building workers are entitled to stand up for their rights and for fair and safe working conditions without being persecuted, as was Ark Tribe in Adelaide, in 2008, for attending a stop work meeting called in relation to safety concerns at a building site. Ark Tribe was not a union leader, he was just a worker on the site who understood that there were some serious safety concerns and wanted to bring them to the attention of the authorities and the building company. For that he was dragged before the ABCC and taken to court. Ultimately the court found in his favour.

If the government seriously believes that there is a problem with the construction sector, why does it simply not extend the powers of Fair Work Building and Construction? Why does it need to go to the extreme steps that it is taking and reintroduce the ABCC with the kinds of powers that no other agency in this country has and no-one who generally believes in fairness would ever agree to? The government wants to reintroduce this legislation because, as I said from the very outset, this is a government that is intent on attacking workers in this country, wherever they may be, and intent on destroying the unions that support those workers. We are seeing it through this legislation, and we are seeing it through other legislation which indirectly does exactly the same thing. This legislation is, in my view, not only unnecessary and uncalled for but is also un-Australian.

The member for Gorton, as the opposition spokesman on industrial matters, has introduced some amendments to this legislation. The amendments are, I believe, more than appropriate and ought to be supported by this House. I support the amendments moved by the member for Gorton, and I believe that this House should seriously ask the question: is this the kind of legislation we want for this country, and is it legislation that members opposite would be prepared to live under if it applied to them?

(Quorum formed)
Debate adjourned.
MINISTERIAL STATEMENTS

Australia-Korea Free Trade Agreement

Mr ROBB (Goldstein—Minister for Trade and Investment) (11:41): by leave—I am pleased to report to the House that the recent successful conclusion of the free trade agreement between Australia and the Republic of Korea will both restore our country's competitive position and open a raft of new growth opportunities for our country. Korea represents both our third largest goods export market and our fourth largest trading partner. I had the privilege of substantially concluding negotiations last week with my Korean counterpart, trade minister Yun, on the sidelines of the successful World Trade Organisation ministerial conference in Bali.

Negotiations on the agreement commenced back in 2009, and as a government we were fully aware of the imperative of finalising them as soon as possible. Every day of delay was another day Australia was at a competitive disadvantage against the likes of the United States, the European Union and ASEAN countries. These major competitors are all enjoying preferential market access on account of the free trade agreements they already have secured with Korea. The playing field will be levelled through the finalisation of this free trade agreement.

I can assure the House that this is a world-class agreement: it is both comprehensive and of a very high quality. It will result in the elimination of over 99 per cent of the tariffs that our exporters currently face across key areas, including agriculture, resources, energy and manufactured goods. We have also negotiated significant new market openings in services and investment in areas such as financial, accounting and legal services as well as telecommunications, education, audiovisual production, engineering, health, aged care and environmental services.

This is a very strong and liberating agreement for agriculture. For instance: tariffs of 304 per cent will be eliminated on chipping potatoes; the 40 per cent tariff on beef will be eliminated over 15 years, not 18 years, because we pushed for the same deal as the United States enjoy; the 22½ per cent tariff on lamb and sheep meat will go; the tariff on dairy products ranging from 36 per cent to 176 per cent will be eliminated; the three per cent tariff on sugar, in a market currently worth nearly $500 million to Australia, will be eliminated as soon as the FTA comes into effect; tariffs on wheat, seafood items, wine, chocolate, beer, a range of horticulture, pharmaceuticals, canned fruit—and the list goes on—will all go; and tariffs of up to eight per cent on a range of resources products—including crude petroleum, natural gas and coal—will also be eliminated over time.

This is a very good agreement also for our manufacturers. While acknowledging the challenges faced by our car manufacturers, the FTA will result in the elimination of Korea's eight per cent tariff on our automotive parts and accessories.

Korea is Australia's third largest market for automotive components exports. It is our largest export market for gearboxes ($122 million last year) and second largest for car engines ($50 million, again, last year).

Independent modelling shows both the opportunities for our country of finalising this free trade agreement and also the costs associated if we had not. It shows that agricultural exports to Korea will be 73 per cent higher after 15 years and manufacturing by 53 per cent as a result...
of this free trade agreement; and overall exports will be 25 per cent higher. It will provide an annual boost to our economy in the order of $650 million. Without this agreement, agricultural exports alone to Korea would have declined by 29 per cent by 2030 and overall exports would be five per cent lower.

The conclusion of negotiations has been warmly welcomed by a broad cross section of Australian industry. Some examples include:

The National Farmers Federation, Queensland Cattle Producers, the Business Council of Australia, the Cattle Council of Australia, Grain Growers, CPA Australia, ACCI, AiG, the Australian Food and Grocery Council, the Winemakers Federation of Australia, Queensland Sugar, Canegrowers, AusVeg, the Minerals Council of Australia, Australian Services Roundtable and the Law Council of Australia. This list goes on.

This agreement will include an investor-state dispute settlement provision. ISDS provisions are certainly nothing new. In fact, they are already contained in four free trade agreements that we currently have with other countries and 21 other investment agreements that Australia is a party to. The previous government, for instance, included such provisions in two free trade agreements that it signed. They are designed to create confidence for investors, both Australian and Korean. Importantly, the provisions also provide key safeguards which preserve Australia's ability to govern in the public interest in areas such as public health and the environment.

I acknowledge the constructive work of my predecessor Craig Emerson. Unfortunately for Australia, this ISDS became a major stumbling block with Korea under the previous government on account of pressure exerted by elements of the union movement, which is ideologically opposed to free trade. This government has placed strong priority on backing our nation's strengths, the things we do as well as any and better than most.

Pursuing an ambitious free trade and investment agenda gives these strengths—agriculture, mining and resources, education, health, tourism and events management and the services that have developed around them, including high-level manufacturing—the best possible chance to thrive and grow. It is also an emphatic signal to the world that Australia is indeed open for business.

I present the following document: Australia-Korea Free Trade Agreement—Ministerial Statement, 12 December 2013, and seek leave to move a motion to allow the Deputy Leader of the Opposition to speak for a period not exceeding seven minutes.

Leave granted.

Mr ROBB: I move:

That so much of the standing and sessional orders be suspended as would prevent Ms Plibersek (Deputy Leader of the Opposition) speaking for a period not exceeding seven minutes.

Question agreed to.

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (11:48): I thank the Minister for Trade for his statement and welcome progress in negotiations for a free trade agreement with the Republic of Korea as outlined by the minister. Labor has long recognised that reducing barriers to trade can boost economic growth, create more competitive industries and give consumers access to a wider range of goods and services at a lower price.
As noted by the minister, negotiations on a bilateral agreement with the Republic of Korea were initiated by the former Labor government in 2009. I thank him for his acknowledgement of the work of the former trade minister, Craig Emerson. Labor in government identified the opportunities and challenges of the Asian century, and the initiation of negotiations with Korea was a manifestation of our outward-looking policy framework.

The Republic of Korea is a great friend of Australia. I was very happy to meet with the ambassador this morning. Korea is Australia's third largest export market, and a free trade agreement presents significant opportunities for Australian exporters and for Australian workers. We unambiguously welcome the opportunities this agreement delivers for our exporters in both goods and services, including key agricultural sectors. We also note the challenges it presents for a number of our industry sectors, including textiles, clothing and footwear, steel, and the automotive sector. In light of the decision by Holden to cease its manufacturing operations in Australia by 2017, the impact of tariff reductions on our automotive sector will need to be carefully assessed.

The minister noted the government's decision to include an investor-state dispute settlement mechanism in the agreement. Labor has grave reservations about this decision. It is disappointing the minister did not outline the so-called safeguards in the proposed ISDS provisions of the Korean FTA. Instead of attacking the opposition and the union movement, the minister should recognise the genuine concern in this parliament and in the broader community about the impact of investor-state dispute settlement mechanisms. He should also acknowledge that debate on the desirability of investor-state dispute settlement provisions in bilateral trade agreements is also a feature of debate in Korea about the provisions in the free trade agreement. It is a feature of debate in Korean domestic politics, too.

If the minister genuinely believes that it is in the national interest to give foreign companies standing to take action against the Australian government, standing that is not available to Australian companies, he needs to explain why. If he genuinely believes it is in the national interest to constrain the ability of future governments to make laws for the benefit of Australians, he needs to explain why. Also, if he genuinely believes that it is beyond the wit of a government to negotiate bilateral trade agreements without an investor-state dispute settlement, he needs to explain why the Howard government managed such a negotiation with the United States and why the Labor government managed such a negotiation with Malaysia.

Notwithstanding the potential benefits of trade liberalisation, the outcome of any individual negotiation should be assessed against the national interest and our interests should never be traded away. For that reason, Labor urges the minister to release the full text of the negotiated agreement, including the investor-state dispute settlement mechanism, so that the parliament and the Australian community can assess its potential benefits and, if applicable, its detriments.

Labor responded to last week's announcement of the proposed free trade agreement with Korea by urging the government to release the full text of the agreement. The government, unfortunately, has rejected that request. Indeed, while the trade minister was away I also asked the foreign minister if she would release the full text of the agreement. She also refused. This week Labor successfully moved in the Senate a motion to order the release of the full free trade agreement before signing. The government has sought to resist this order. I urge the
minister to reconsider his decision to deny Australians the opportunity to read the agreement for themselves.

Debate on trade should not be allowed to descend into the political tubthumping that we saw inside the government over the proposed foreign acquisition of GrainCorp. A mature debate can only occur if the minister is prepared to treat the parliament and the community with respect. Last Thursday the Prime Minister told the House that the minister had—and I quote:

… successfully concluded negotiations for a free trade agreement between Australia and the Republic of Korea.

Today the minister said that he had 'substantially' concluded negotiations. It is important the government explain what, if any, stumbling blocks remain, including whether they relate to negotiations over the form of the investor-state dispute settlement he has agreed to include in the agreement.

It is disappointing that the minister has outlined only in the broadest terms key facts about this free trade agreement, drawn from a fact sheet that had already been released by the department last week. I believe we deserve more than that on something as important as this to our future—a key trading agreement with a key trading partner. Labor recognises the importance of our trading relationships with the world. They underpin our economy and they underpin our current and future prosperity. Labor looks forward to examining the full terms of the proposed agreement and will assess it carefully to ensure it is genuinely in the national interest.

**BILLS**

**Building and Construction Industry (Improving Productivity) Bill 2013**

**Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013**

Second Reading

Cognate debate.

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

That all the words after "That" be omitted with a view to substituting the following words:

"the House declines to give the bill and the related bills a second reading because it would be ill advised to continue having regard to:

(1) the negative impact of the re-establishment of the Australian Building and Construction Commission on the rights and entitlements of Australian workers; and

(2) Government plans to equip the Australian Building and Construction Commission with powers that are extreme, unnecessary, undemocratic and compromise civil liberties."

Mr HUSIC (Chifley) (11:54): I seek leave to continue my remarks at a later time.

Debate adjourned.
Mr TURNBULL (Wentworth—Minister for Communications) (11:55): by leave—The National Broadband Network is the nation's largest and most costly infrastructure project. Regrettably, it is also the most misunderstood and misrepresented. That is because for the four years of its life under Labor, the NBN has been shrouded in a web of spin, obfuscation and exaggeration. Forecasts have been set, missed, set again, missed again, set a third time, and missed a third time. Beguiling promises have been offered but not delivered.

This is not a question of fibre versus copper. The key issue is only how far fibre optics are pushed out into the network and whether they must reach into every home and every business or whether existing copper infrastructure can be used for the last few hundred metres and in so doing save much time, inconvenience and many billions of dollars. The NBN project needs, more than anything, an end to spin.

After I became Minister for Communications, I wrote to the employees of NBN Co. telling them that this government expects to receive the unvarnished truth, not what they think we want to hear. Forecasts, business plans and practices need to be informed by sober reality. NBN Co.'s people must be free to express their views and perform their work without worrying whether they are contradicting a minister's press release.

1. Background to the strategic review

On 3 October the government asked NBN Co. to undertake a strategic review of this vitally important project. In a nutshell we posed three questions:

- Where is the project now?
- How much will it cost and how long will it take to complete under Labor's specifications?
- And what are our options for completing it sooner and at less cost?

NBN Co. delivered a draft report on 2 December and its final report today. We are releasing the final document presented by NBN Co. in full, subject only to certain redactions sought by the company to protect its interests in current and prospective legal and commercial agreements.

The strategic review confirms what many Australians suspected, but what both of my predecessors as communications minister shamefully concealed from the public.

- The rollout is two years behind after three years and will not finish until the mid-2020s.
- Costs are so high that they will add $43 per month to a typical household's broadband bill.
- And NBN Co. faces a daunting internal transformation under its new leadership.

Critically, this report is not reverse engineered to justify or rationalise government policy, whether set out in a speech, conjured up by press release or sketched on the back of a drink coaster.

I emphasise this point because the facts so methodically presented in the review make it plain that the NBN is in a worse state than Australians have been told.

- We were told by Labor that the case for a fibre-to-the-premises NBN was so potent there was no need for a cost-benefit analysis.
We were assured this costly project could be built without any increase in broadband charges.

And we were repeatedly told that the rollout was on schedule and within budget.

Even just prior to the 7 September election, long after it was clear to most observers that the rollout was missing every goal, the member for Grayndler continued to assert that 5½ million households and businesses would get the NBN by 2016. Yet the former minister knew that that was untrue, as demonstrated by the draft 2013 NBN Co. corporate plan that he had received and, according to a leaked minute published in *The Australian*, presented to cabinet in July.

Turning this project around is a formidable challenge, but we are determined to complete the project as quickly as we can, at the lowest possible cost to taxpayers, and affordably for consumers. And we are equally determined that in the rollout of the NBN, the many Australians without adequate fixed line broadband today, particularly in regional areas, receive top priority.

2. Progress and prospects of the current rollout

I will start by outlining the strategic review's findings regarding the previous government's NBN policy. Because the situation at NBN Co. is far worse than parliament and the public were led to believe, worse even than the most trenchant critics of the NBN imagined.

**Rollout schedule**

Construction of the network has fallen further and further behind schedule. At the end of September the NBN's fibre, satellite and wireless networks passed 384,000 homes and businesses.

- That is barely three per cent of the 13 million premises NBN Co. must reach to finish the job.
- It is only 45 per cent of the forecast for September in NBN Co.'s latest corporate plan.
- And it is over a million premises behind Julia Gillard's rollout announcement in December 2010.

Because of construction delays, the strategic review estimates Labor's NBN will not be completed until 2024. That is 3½ years later than stated in the corporate plan, six years later than claimed in Labor's original fibre-to-the-premises plan in 2009, and 11 years later than promised by Kevin Rudd in 2007.

**Service delays**

The brownfield rollout—which is connecting homes and businesses in established areas—is in even worse shape. At the end of September 227,000 premises were 'passed' with fibre, which, in the language of the telecommunications sector, normally means the occupant can order a service and receive it within a few days.

But 74,000 were 'service class zero', a term unique to the NBN Co., which indicates that they cannot foreseeably obtain any service. These are mostly businesses and multidwelling premises such as apartment blocks. A further 104,000 were 'service class one', which indicates fibre has not yet been run from the street into the household or business. This can take six months or more, based on current experience. So the bottom line is that the occupants...
of fewer than one in four established premises 'passed' by fibre can order a service and expect to get it in a reasonable and predictable time span.

**Costs and revenues**

The cost of constructing the NBN to Labor's plans has also blown out. The strategic review estimates completing it requires peak funding of $73 billion—another $29 billion or 65 per cent beyond the cost forecast by the current corporate plan.

Unit costs for part of the network are twice as much as forecast, while NBN Co. is burdened by what the review frankly admits are excessive corporate overheads ramped up in anticipation of a level of construction and customer activity that never materialised.

The revenue assumptions made under Labor are also extremely optimistic, and entirely at odds with industry experience here or abroad. NBN Co. and its advisers found revenues between now and 2021 have been overstated by $13 billion compared to the midpoint of two more realistic revenue scenarios presented—one plausibly optimistic, and one plausibly pessimistic.

**Retail prices**

The exact impact of Labor's NBN on the price Australians pay for broadband depends on investment returns and retail service provider margins. But if NBN Co.'s goal is to earn the 7.1 per cent return promised by the previous government, and RSP margins remain unchanged in dollar terms, Labor's NBN will drive up retail prices by between 50 and 80 per cent. That means a $43 per month increase in the broadband bill paid by a typical Australian household. And that, of course, is perfectly obvious. If you seek to receive a particular internal rate of return and your project costs dramatically more to build, the price you have to charge your customers is going to be equally dramatically higher.

As I have noted previously, the most shocking aspect of the NBN is Labor's arrogant disregard for the devastating effect of price rises driven by their policy on the take-up of broadband among low-income households. Those opposite may not care, but the strategic review confirms the gravity of the problem.

To summarise, the cold hard facts about Labor's NBN are profoundly at odds with the fanciful tales and wishful thinking of those opposite. And it is important to note that achieving even these projections of higher costs and slower construction schedules requires a very significant improvement indeed in NBN Co.'s productivity and efficiency from the current levels. In the absence of such an improvement, outcomes would be materially worse.

3. **Alternative options for the NBN**

The second broad set of questions the finance minister and I assigned the strategic review involved exploring alternatives to the existing NBN, which as we have seen will cost billions more and take years longer to complete than was ever admitted to the public. The strategic review's baseline scenario is its revised outlook for the NBN proposed by Labor. Beyond this it considers five additional scenarios:

- The second is a radical redesign of the all-fibre-to-the-premises NBN. This cuts one year and $9 billion off the peak funding, but at $64 billion it is no bargain.
- The review examines three intermediate scenarios, which make increasing use of existing network infrastructure to cut costs to more reasonable levels.
The sixth and final scenario is an NBN utilising a optimised multitechnology-mix, or MTM, model. This optimises the rollout by choosing the most economically efficient technology in each locality according to its housing stock, existing infrastructure and user demand.

The scenario recommended by the NBN Co. is the last: the MTM model. But none of the scenarios can escape the irresponsible and wasteful current and future expenses locked in on Labor’s watch. The NBN Co. strategic review team estimates the burden of these inescapable costs at $15 billion or more.

The MTM rollout

Under an MTM model 26 per cent of the premises in the fixed line footprint will receive very fast broadband over fibre to the premises. Another 44 per cent are served with fibre to the node, building or distribution point, while the last 30 per cent are served via upgraded HFC—the cable rolled out for pay TV in our capital cities in the late 1990s. HFC networks are capable of delivering hundreds of megabits per second today, just like fibre, but under Labor’s plan Telstra and Optus were to be paid billions of dollars to switch them off.

The MTM scenario is the least expensive modelled scenario, requiring peak funding of $41 billion. This would still be the biggest and most expensive infrastructure project in our history and the largest single national broadband project in the world. Regrettably it will be many billions of dollars more expensive than it would have been had the MTM approach been taken from the outset. Labor has wasted billions which we can never recover.

An MTM network can be substantially completed by 2019—when 91 per cent of premises in the fixed line footprint will have access to download rates of 50 megabits per second or more, and between 65 and 75 per cent will have 100 megabits per second or more—and entirely finished by 2020.

Coalition Election Commitments

This means the coalition's goal of completing the NBN in the next six years—set out in our April policy, released long before we knew the truth about the damaged project we would inherit from Labor—can be achieved.

Disappointingly that is not the case for the objective we also expressed of delivering nationwide access to 25 megabits per second by 2016. The rollout is drastically further behind schedule than we expected in April. NBN Co.’s latest estimate of the established premises it will reach with fibre by June 2014 is only 357,000—772,000 fewer than claimed by Labor at the time of the election. And NBN Co. is in a far worse condition, its contractor relationships more damaged and its capacity to change course and assimilate new technologies more debilitated and diminished than even we allowed for.

A policy based on the strategic review's MTM scenario can, however, deliver very fast broadband to twice as many premises by 2016 as were ever going to receive it under Labor. Let me make this pledge on behalf of the government: we will work assiduously with NBN Co. to do everything we can to surpass the forecasts in the strategic review. Likewise, we remain determined to ensure our NBN connects those Australians, with the worst broadband in priority, unlike the NBN managed by our predecessors.
Broadband Quality

Upgrading from download rates of five megabits per second to 25 or 50 megabits per second would be welcomed by any internet user but, for those with limited or no access to adequate fixed broadband at all, it is transformational. Shortly we will publish the first ever analysis of broadband availability in Australia. It will confirm areas encompassing about 1½ million premises have little or no broadband. Many are in regional areas. All are victims of the lack of investment in fixed line communications by private carriers over the past six years, which is yet another damaging by-product of the gap between Labor's rhetoric and execution on broadband.

The critics of the coalition's approach to broadband have claimed that the coalition has not paid attention to the need for remediation of the existing copper plant that would be used in the hybrid model proposed by the company. As honourable members will see when studying this report, that matter has been taken most carefully into account by the authors of the report and very conservative assumptions have been taken about the level of proactive remediation of the copper network, an approach which is much more conservative than that adopted by comparable carriers.

Honourable members opposite have also argued that the endgame is fibre to the premises and that, in asserting that, therefore we should build fibre to the premises now rather than upgrade later. Even accepting the assumption that fibre to the premises is the endgame—and for reasons set out in the report you will see that there is a big question mark over that—as the report demonstrates, if the upgrade was only five years after the investment in fibre to the node it would still be a considerably wiser and more prudent economic decision. So the proposition of some honourable members that we should build fibre to the premises immediately, bluntly, fails to take into account the time value of money and the importance of flexibility and optionality in terms of emerging technologies.

Return on Investment

The review's preferred scenario saves $32 billion compared to business as usual under Labor. While that is the sort of number the Rudd and Gillard governments tossed around with abandon, it is a saving that makes a difference. It allows the network to earn a return roughly equal to the Commonwealth bond rate and ensures prices do not rise in real terms. This strategic review points the way to a new corporate plan, but it is not yet the new corporate plan. More work is required to set the NBN on a responsible and affordable course.

An important step in the reform of the NBN, announced today, is the appointment of a new chief executive officer, Mr Bill Morrow, currently the chief executive of Vodafone Australia. Mr Morrow is a very experienced telecom engineer and chief executive who has managed and, indeed, constructed telecom networks in America, Asia and Europe.

4. Cost Benefit Analysis and Review of Regulation

Part of the work that follows is a cost-benefit analysis of the economic and social returns from broadband and a review of the long-term regulation of the NBN Co. which will also inform the new corporate plan. The government is today announcing an experienced and distinguished panel to carry out that inquiry, which will report by June: it will be chaired by Dr Michael Vertigan AC, who will be joined by Ms Alison Deans, Dr Henry Ergas and Mr Tony Shaw.
5. Conclusion

I congratulate and thank the team at NBN Co. and its advisers who prepared the strategic review, which is the most thorough and objective analysis of the National Broadband Network ever provided to Australians—a highly professional piece of work prepared in a very tight time frame. The internal NBN Co. team was led by its Head of Strategy and Transformation, JB Rousselot, and ably supported by Tim Ebbeck and many others. The company's outside advisers were the Boston Consulting Group, who focused on the alternative models and the revenue model, Korda Mentha, who focused on the real costs and real time frames of the existing corporate plan model under Labor, and Deloitte, who coordinated this whole exercise. Valuable insights came from international experts, including Mike Galvin from Openreach in the UK and Mark Ratcliffe from Chorus in New Zealand. Finally, I want to thank the NBN Board and most of all its Executive Chairman, Dr Ziggy Switkowski.

Despite the delays and disappointments, the concept of a national broadband network remains popular. Australians want universal access to high-quality broadband and so does the government. But because of the misguided way the previous government embarked on this project as much as $15 billion has been unnecessarily spent to achieve this goal. And those dollars cannot be recovered. To date the NBN has been the most wasteful infrastructure project in our history.

But we are where we are. Let me assure the House that, under this government, we can complete this project as we promised—sooner, at less cost to taxpayers and more affordably for consumers. Our first step in that mission is to end the spin and wishful thinking and embrace reality. This is the beginning of the era of truth on broadband, the beginning of an era when we will have facts to work with, objective analysis instead of political spin. This is the welcome-to-the-real-world moment for the NBN.

I present a copy of the NBN Co. strategic review report and a copy of my ministerial statement.

I ask leave of the House to move a motion to enable the member for Blaxland to speak for 20½ minutes.

Leave granted.

Mr TURNBULL: I move:

That so much of the standing and sessional orders be suspended as would prevent Mr Clare speaking for a period not exceeding 20½ minutes.

Question agreed to.

Mr CLARE (Blaxland) (12:16): Well might the minister say, 'Welcome to the real world.' We say, 'Welcome to the world of broken promises.' Today is a day that the government will rue for a very long time. Today the Abbott government is breaking one of the biggest and most important promises that it made in the last election campaign. This government has been in office for barely three months—a little over 90 days—and yet it is breaking promises left, right and centre: first on debt, then on boats, two weeks ago on education and now on the NBN. This is a betrayal, a broken promise that will hang like an albatross around this minister's neck. It is an unforgivable broken promise and this government will be punished by the electorate for it. Remember the press conference with Sonny Bill Williams in April of this
A press conference with the virtual Sonny Bill, the now minister and the now Prime Minister at which the Prime Minister uttered these immortal words: 'Under the coalition by 2016 there will be minimum download speeds of 25 megabits,'—not anymore. And these: 'We will deliver a minimum 25 megabits by the end of our first term.' Today they are breaking that promise.

Before the election they promised: 'No excuses.' Today we get a tawdry list of excuses from this minister. Before the election they said: 'No surprises.' Today we get the worst of all surprises from this government. Remember the words of the Prime Minister when he said, 'I do not intend on making promises I won't keep.'? He has broken a whopper today. It was one of the biggest and most important promises that the government made—and the minister, from the look on his face, knows it—to the Australian people at the last election. What it means is that you cannot believe anything that this government says—not on debt, not on boats, not on education, not on the NBN. Nothing they say is worth two bob.

Here is the truth. I seek leave to table the NBN Co.'s assessment of the coalition's broadband policy prepared during the caretaker period.

The DEPUTY SPEAKER (Mr Broadbent): Is leave granted?

Mr Turnbull: No.

The DEPUTY SPEAKER: Leave is not granted.

Mr CLARE: The minister for transparency has just told us exactly what we need to know. This was never about getting us all the information; this was always a stitch up. If he was ever interested in the truth he would be prepared to allow us to table this document now.

Mr Turnbull: Deputy Speaker, a point of order: the honourable member has accused the authors of the NBN Co. report of authoring a stitch up. The member has accused Korda Mentha, Deloitte, Boston Consulting Group of a stitch up and he should withdraw.

The DEPUTY SPEAKER: That is not a point of order.

Mr CLARE: I am holding the real strategic review of the coalition's dodgy second-rate NBN plan. It is the unadulterated, unamended, uncensored version of the coalition's plan. It was written before the minister sacked the experts at the NBN and put his mates in charge. It is the report that the minister does not want the people of Australia to see. It is the secret advice that was given to the minister in his first weeks in the job but he never released until today.

The minister says that this is an old report: it is dated Friday, 20 September. It is a 154-page document, very detailed, and, funny enough, it does not say what the minister just said. It paints a very different picture. It is a scathing document, scathing of the coalition's plan. First, it says building the NBN in two stages is the wrong approach and is 'not recommended'. It says it would cost more and take longer. Second, it says the coalition's election promise that all Australians will have access to speeds of 25 megabits by 2016 is 'unlikely to happen'. Now we know why they said that.

Mr Husic: Out of his own mouth!

Mr CLARE: Out of the minister's own mouth, indeed. Third, it says the coalition's plan will result in lower revenues of up to 30 per cent, which will impact on the ability of NBN Co. to raise debt. Fourth, it says no-one knows how much it will cost to fix Telstra's old
copper network so it can be used for the NBN—not Telstra, not the government and not NBN Co. Fifth, it also says that the cost of maintaining the copper network is estimated between $600 million and $900 million per year. That is between $6 billion and $9 billion over the next decade just to maintain the old copper network. Sixth, it says the coalition's promise of minimum speeds of 50 megabits per second by 2019 cannot be guaranteed using copper. Seventh, it says the coalition's slower speeds would compromise the provision of tele-health, distance education and other business applications.

So, all up, what does this report say? It says the coalition's plan is a dud. It was a dud in April and it is more than a dud now. It is a litany of betrayal by this government, which promised one thing before the election and which is now, after having perpetrated a deceit on the Australian people, breaking its promise today. What we know in this document and what has been proven by what the minister has said today is that the NBN will now take longer to build than promised before the election; it will make less money; and it will not meet the needs of business or families. In the end, we are going to have to come back and finish the job.

The minister has said a lot about costs in his speech, and we should not be surprised. Remember: the capital cost of building the NBN has been outlined in the NBN Co.'s corporate plans. In the corporate plan 2012-15 it was $37.4 billion. In the corporate plan 2013-16, leaked to the Australian Financial Review, it was $37.4 billion. In version 13 of the corporate plan, which was prepared by NBN Co., given to the board on 20 September and is sitting on the minister’s desk right now but not released, it is $37.4 billion. All of these accounts have been ticked off not just by the company but also by the board—including two members of the board who were there in September and have been there for all of these corporate plans—and have been audited and verified by the Australian National Audit Office, by Ernst and Young and by KPMG. So these costs are verified in government, Finance, Treasury as well as these other organisations, and now, suddenly, it has all changed. Suddenly, the experts have been sacked. People have been brought back in and we have got a different answer.

Some people might be surprised that all of this information is now out of date, but I am not. For the last few weeks, I have been warning the Australian public that this would happen. I did it again on the doors today, and I have been proven correct today. You only have to look at what Brad Orgill said in a column that he wrote for the Financial Review a few weeks ago to know why this is the case. This is what Mr Orgill said:

Selective data, conservative assumptions and extrapolations out to 2021 could be formulated to argue why the NBN might have comprehensively blown out its costs and not achieved its objective. It would be a continuation of the Coalition's attacks from opposition on NBN management and the board including threatening a Royal Commission of Inquiry.

In other words, change the assumptions and you get a different result. You do not have to think hard to see how this has been done. Mike Quigley, the former CEO that the minister likes so much, said this last week:

Rates to build the fibre network based on the existing design and architecture were rising. But those rate increases would not have produced a cost increase because we had identified and validated, network and design changes that would have offset those increases.

He goes on:
Which is why I find it incomprehensible to hear the suggestion that the increases in LN/DN rates should be built into the forward projections and cost reductions that have already been identified, should not be.

Here is the killer:

Unless, of course, your objective is to try to confirm a pre-conceived position.

The minister in his contribution talked a little bit about copper and the work that has been done in the strategic review to cost that copper. The fact is that, in this report, there is no detail about the exact amount that it would cost to fix and then to maintain the copper network. Three weeks ago the minister said at a CommsDay conference:

We want hand on heart true, realistic and achievable options prudently costed and scoped on which we can make weighty decisions.

My argument to the parliament today is that this report does not do this. It fails to provide this information. It fails to provide the exact information we need on how much it will cost to fix and then to maintain the old copper network. It gives estimates. It gives international comparisons. It gives, as the minister has just said, conservative assumptions. It does not reveal them and does not provide us with the information we need.

This report, which the minister will not let me table in parliament, does. It tells us that the cost of maintaining the old copper network could be between $600 million and $900 million a year. So it is between $6 billion and $10 billion to maintain the old copper network over the next decade. My argument to the parliament is: would that money not be better invested in building a fibre network than keeping the old copper network going?

The most important thing today, the most important thing in the report and the most important thing in the contribution that the minister has made today is the admission that he is breaking a promise to the Australian people. This is not the only broken promise that he has made today, but it is worth remembering that it is still on the Liberal Party's website. It might not be now; it was when I came down to the parliament. This is from the Liberal Party's website:

Download speeds of between 25 and 100 megabits per second by the end of 2016 and 50 to 100 megabits per second by 2019.

**Mr Husic:** Not anymore.

**Mr CLARE:** Not anymore. But, as I said, it is not the only broken promise here. The minister has also said that he is going to pare back the number of houses that are going to get fibre to the node. In the policy that he put out before the election, he said that 8,968,000 people will get fibre to the node—you know this is true; 71 per cent of the population, now, gone. All the rest of those people are going to have to rely on the HFC network. The minister said that he is going to fill the gaps there. But will it be an open access network? And who is going to pay to connect the coax from the pole to people's houses? Is it you? Is it NBN Co.? Is it the people who live in those houses? And, if they do, well, who is going to pay that extra money? The minister has promised that this would be a faster, cheaper NBN. What we are getting here is a slower, potentially more expensive NBN—slower because internet speeds will be slower under this model than they would be under ours, slower because this minister has just broken a promise to deliver it by 2016 and, potentially, dearer because people in the bush are going to pay more than people in the city.
This is the biggest and most important infrastructure project in Australia. Remember: we sit on the edge of what will be the biggest middle class that the world has ever seen. Our challenge in this parliament is to make the most of it. We often call this the Asian century; it is also a digital century. The wealthiest countries in the decades ahead will be the smartest countries, the countries with the best educated workforces, with the best access to information and with the infrastructure to drive that. That is why the NBN is so important. It is the engine that drives jobs, creates companies, builds productivity, increases trade and makes us a stronger economy and a fairer country. It will help to build the Australia of our imagination.

Now, because the NBN is so important, it is important that it be done right, and that means using fibre, not copper which we are going to have to come back and replace down the track. The minister keeps telling us what the old, decaying economies of Europe are doing. That might be right; they might be investing in maintaining their copper. But we are not part of Europe. We are part of Asia, the dynamic and growing Asian region, and this region is investing in fibre. Japan, South Korea and Singapore are all investing in fibre to the premises. So is New Zealand and so should we; otherwise, we are putting ourselves at a disadvantage. We will be left behind with a second-class, second-rate national broadband network and, we learned today, one that will not be delivered on time. Of all days to learn this, it is the day after finding out that Holden is shutting its doors, when we should be thinking ahead, thinking about the future, thinking about where we invest to make sure we have a strategic advantage and can compete in the Asian century to set ourselves up for the future. This government is not doing that.

I have said this before but it is worth saying again. When Robert Menzies was in opposition in 1949, he was one of the biggest critics of the Snowy Hydro scheme. He criticised it up hill and down dale. Two months before the 1949 election, Menzies refused to attend the launch of the Snowy Hydro scheme; but, when he became Prime Minister, he changed his mind. He supported it, he funded it and he built it. At the opening of, I think it was, the Tumut dam project in the fifties, he said:

In a period in which we in Australia are still, I think, handicapped by parochialism, by a slight distrust of big ideas, of big people or of big enterprises … this scheme is teaching us and everybody in Australia to think in a big way, to be thankful for big things, to be proud of big enterprises and … to be thankful for big men.

Menzies was a big man, but there are not too many 'big men' on that side of the parliament, just broken promises, one after the other—debt, boats, education and now the NBN.

We have a Prime Minister who does not understand how important the NBN is, how important this infrastructure is. He has described it as 'essentially a video entertainment system'. In The Washington Post only a few weeks ago, he called it 'wacko'. But he has also described himself as 'the infrastructure Prime Minister'. If you are going to be 'the infrastructure Prime Minister of Australia', then you need to build the infrastructure of the 21st century, the infrastructure that Australia needs—and guess what? That is what this is. That is what the NBN is. It is quintessentially the infrastructure of the 21st century, and you cannot be 'the infrastructure minister' or 'the infrastructure Prime Minister' unless you are investing in building the biggest and most important infrastructure project in Australia.

Today, Paul Keating is visiting Parliament House for only the third time since he retired. Paul Keating, like Menzies, knew the importance of the big calls in government and getting
the big calls right. It was his decisions that set Australia up for a staggering 20 years or more of uninterrupted economic growth. In large part, Paul Keating built modern Australia. He built the Australia that we are living in today. The big decision we need to make today is whether we are going to build the infrastructure that we need for the next century or just for the next few years. Our responsibility is to govern not just for this generation but for the ones that follow. The pace of change and the challenges ahead demand it, and there is no better example of this than the National Broadband Network. Menzies knew it, Keating knew it and we know it, but this government obviously does not. Today they have made a very big mistake. They have betrayed the trust that was put in them by the Australian people, and for that you can be sure they will be judged very harshly.

**BILLS**

**Private Health Insurance Legislation Amendment Bill 2013**

**First Reading**

Bill and explanatory memorandum presented by Mr Dutton.

Bill read a first time.

**Second Reading**

Mr DUTTON (Dickson—Minister for Health and Minister for Sport) (12:35): I move:

That this bill be now read a second time.

This bill seeks to redress implementation concerns with legislation introduced by the previous government. As part of the 2012-13 Mid-Year Economic and Fiscal Outlook, the former government announced that from 1 April 2014, the government's contribution to an individual's private health insurance rebate would be capped and effectively reduced over time as a proportion of the premium.

The previous government's legislation caps the Australian government rebate by setting a base premium for every type of insurance product on the market, and then indexes the rebate payable for every type of private health insurance product subgroup by the lesser of the increase in the CPI or the increase in the commercial premium for each product subgroup.

It was the third measure introduced by the previous government to reduce rebates available to people with private health insurance, but it also introduced additional complexity.

Industry has expressed concern that the planned administration of the base premium act at a product level was unduly complicated, difficult and costly to implement and would be difficult for consumers to understand. Industry has advised that there are over 34,000 policies on the market and the burden placed on private health insurers to comply with the application of a unique rebate for each policy type is estimated to be more than $15 million in implementation costs alone.

The Private Health Insurance Legislation Amendment Bill 2013 simplifies current implementation arrangements for indexing the government's contribution to the rebate by amending the Private Health Insurance Act 2007 to create a single adjustment factor under a legislative instrument. The rebate will be adjusted uniformly across all insurance policies each 1 April by a factor to be determined in accordance with the Private Health Insurance (Incentives) Rules made under section 333-20 of the Private Health Insurance Act 2007. The adjustment factor will be a ratio representing the proportion of the increase in the CPI.
compared to the average private health insurance premium increase. The adjustment will apply to premiums that are paid or payable in the 12 months starting on that 1 April.

This arrangement will be easier for consumers to understand and for insurers to implement.

Industry has advised that this bill will result in administrative savings of around 80 per cent below the costs to implement the previous Labor government's base premium act.

The bill is also making a minor amendment to the Private Health Insurance Act 2007 to clarify that a restricted access group can include one or more classes of people as defined within the Private Health Insurance (Registration) Rules.

Debate adjourned.

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

First Reading

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

Second Reading

Mr DUTTON (Dickson—Minister for Health and Minister for Sport) (12:38): 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 changes that will contribute to a reduction in regulation or in potential health risks to the public, improving the transparency of the regulatory scheme or providing greater clarity and certainty about the operation of the act.

An important measure included in the bill, which is the power of the minister to remove products from the operation of the Therapeutic Goods Act in appropriate circumstances, will provide a basis to address the growing trend of therapeutic claims being made for all manner of products to appeal to health conscious consumers. Jewellery, bedding and even clothing may be marketed for their claimed health or wellbeing benefits, and because of such claims, may draw those products within the regulatory scheme for therapeutic goods, a scheme which is primarily directed at the regulation of goods designed specifically to, amongst other things, ameliorate, prevent, treat or influence ailments, diseases or injuries.

This has come about because the definition of 'therapeutic goods' in the act is very wide, and may capture goods in respect of which any claim is made that it could, for example, influence or modify a physiological process in persons. Claims made that a good will influence a person's wellbeing, physical attributes or mood could well bring those products within the description of 'therapeutic goods' and attract regulation under the act.

New section 7AA will allow the minister to remove such products from the regulatory scheme for therapeutic goods, and reduce unnecessary or inappropriate regulation of goods that are caught by the act only because of claims made about them, particularly where any concerns about the nature and extent of those claims may be more appropriately dealt with under other existing regulatory schemes, such as the consumer protection laws.

In making decisions to remove products from the operation of the act, the minister must consider a number of factors, including whether it is likely that the goods in question—if not
regulated under the act—might harm the health of members of the public, whether it is appropriate in all the circumstances for the goods to be regulated under the act, and whether the goods could be more appropriately dealt with under another regulatory scheme. The new section will provide the first opportunity for particular goods to be removed from the regulatory constraints of the act where those goods, for instance, do not represent a health risk, or where there may be other sound reasons for not regulating the products under therapeutic goods legislation. The Australian public should be assured that there is no intention to use this power to remove from the regulatory oversight of the TGA medicines and medical devices in relation to which standards, level of assessment for marketing approval and post market monitoring and compliance under the act is appropriate.

Any decision to exclude particular goods from the operation of the act will be by way of a legislative instrument, and will be subject to parliamentary scrutiny and where appropriate will involve industry and public consultation.

Consistent with this approach of ensuring that the focus of regulation under the act remains directed at products that have a genuine public health focus, the bill also includes a power for the secretary to remove goods from the Australian Register of Therapeutic Goods where they are not, in fact, therapeutic goods.

Such goods can find their way into the register where sponsors of low-risk products, such as complementary medicines, include goods that may be, for instance foods, into the register by means of electronic listing without pre scrutiny by the TGA.

A new power will allow the secretary to remove those products from the register but only after the sponsor has been afforded an opportunity to make submissions and any decision is subject to internal and, indeed, external review by the Administrative Appeals Tribunal.

Another measure that will have the effect of reducing regulation is the removal of the offence provisions directed at applicants seeking marketing approval for their therapeutic goods who fail to provide information required by the TGA about their goods. The application of these offence provisions to such applicants is unnecessary because if an applicant fails to respond to a requirement to provide information this could lead to a refusal to grant marketing approval for the applicant's goods, and this will mean that the goods may not be lawfully manufactured or supplied.

Other measures that reduce regulation include expanding the scope of the definition of a 'kit' which will allow a greater range of products to be subject to a simpler regulatory approval process, and amendments to allow the reversal of cancellation decisions done at the request of sponsors and holders of licences thus avoiding review procedures or the need to seek new marketing approval or licences.

To assist industry with complying with current regulatory requirements, a number of changes have been made to clarify the operation of existing provisions in the act.

One of those is the reference to the obligation to comply with requirements relating to advertising applicable under the act and regulations. An amendment has been included to clarify that these advertising requirements include complying with applicable provisions of the Therapeutic Goods Advertising Code, a document that sets out rules for the advertising of therapeutic goods. Among other things, this requirement to comply with 'advertising requirement' forms one of the criteria for determining whether goods should be included in
the register and whether goods should be removed from the register because of non-compliance with this requirement. Information about compliance with advertising requirements may also be required from sponsors of therapeutic goods applying to include their goods in the register or who have goods already included in the register.

The process by which higher risk medicines are registered in the register has been made clearer, with changes to the Act that clarify under which provisions of the Act decisions to approve product information, and decisions to approve an application to register medicines, are made. Both decisions are interrelated, and the amendments clarify that, where a decision to approve an application and a decision on product information have both been made, additional administrative steps that are already required under the Act must be followed before the medicine may actually be included in the register, from which time the sponsor of that medicine may then lawfully market it.

To assist with clarity and provide greater consistency, amendments have been included to address a legal anomaly to ensure that the offence for publishing or broadcasting an advertisement about therapeutic goods to the public containing a prohibited representation for a low-risk medicine (for example, a reference to the treatment of cancer) does not apply where the sponsor of the goods has been given the TGA's permission under the Act to use the representation in particular circumstances. This will ensure that a sponsor with such permission will be able to use the representation in accordance with the permission without fear of committing an offence.

To reduce potential health risks to the public, two new grounds for cancelling goods from the register have been included in the Bill. One of these grounds enables the TGA to cancel products from the register where the presentation of therapeutic goods is no longer acceptable. Presentation includes how the goods are named, how they are labelled and packaged, and any advertising or other informational material associated with the goods. Presentation is one of the matters that is relevant to a decision whether to include medicines and biologicals in the register. The effect of the new ground of cancellation is to ensure that this important precondition to the inclusion of goods in the register continues to apply while they remain in the register but will not increase the regulatory burden on compliant sponsors and is aimed solely at safeguarding public health. It should be noted in this context that the TGA already has the power under the Act to cancel medicines from the register that do not comply with applicable standards such as the standard on medicine labelling and packaging.

The second ground of cancellation of goods from the register relates to a failure by a sponsor to comply with a request to provide information about its medicines after the medicine has been included in the register. This information may be required to inform the TGA about whether the medicine in question should remain in the register, or whether regulatory action should be taken in relation to that medicine because of any concerns about its safety, efficacy or quality. Again, this measure would not increase regulatory burden for compliant sponsors who respond to requests for information about their products within the required time.

Sponsors have a right to both internal and external review about decisions the TGA makes to cancel products from the register.

Currently, it is an offence or a breach of a civil penalty provision for a sponsor of complementary medicines to give false or misleading information in response to a request by
the secretary for information about their goods. An amendment has been included in the bill to extend this offence to also cover all sponsors of registered goods and other persons such as applicants for registration or listing to whom such requests for information can be made.

The bill also introduces offences and a civil penalty provision where sponsors of therapeutic goods give information that is false or misleading in a material particular in a request for approval of changes to their goods. The kinds of information that may accompany such requests can include complex and extensive scientific data about the goods, for example clinical trial results or the incidence of adverse reactions to prescription medicines. This information will often only be known to the sponsor, and can be critical to determining the quality, safety or efficacy of the goods. It is therefore important that the act contains an effective deterrence against providing false or misleading information to the TGA about goods that are being used by the Australian public.

These measures will not increase the regulatory burden on compliant sponsors but are, rather, aimed solely at safeguarding public health.

An amendment has become necessary to support the current transition arrangement for the reclassification of hip, knee and shoulder joint implants from class IIb medical devices to class III. These products were reclassified following the November 2011 inquiry by the Senate Standing Committee on Community Affairs on regulatory standards for the approval of medical devices. The proposed amendment will allow for an alternative number of days (to be prescribed in the regulations) to the current 20 working days for the secretary to decide whether to audit an application for marketing approval for a class IIb device seeking up-classification to class III and what information is required from the applicant for the purposes of undertaking that audit.

A large number of these transitional applications are expected in the lead-up to the end of the transition period on 30 June 2014. Allowing more time to determine whether an application should be audited will help ensure that the TGA can manage all the applications efficiently but will not adversely affect sponsors because their class IIb devices will remain on the register, allowing these to continue to be marketed, until their application for up-classification has been processed, providing their application is lodged before 30 June 2014. It will also help ensure that resources are not diverted from consideration of applications for other kinds of medical devices during that period.

Finally, measures that will require the TGA to publish details of cancellations of medicines on the TGA's website or in the gazette, and measures to allow the publication of decisions currently required to be published in the gazette to be published on the TGA's website, plus a new requirement for TGA to publish the outcomes of any internal review decision where the effect is to overturn a decision to suspend or cancel a product from the register, will improve transparency of the regulatory scheme established under the act.

In conclusion, the measures contained in this bill will make improvements to the regulatory scheme by making a contribution to reduction in regulation where appropriate and in potential health risks to the public, create greater transparency about decisions made under the act and assist industry by providing greater clarity, certainty and consistency in relation to the operation of the act.

Debate adjourned.
Tax Bonus for Working Australians Repeal Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Ciobo.

Bill read a first time.

Second Reading

Mr CIODO (Moncrieff—Parliamentary Secretary to the Treasurer) (12:51): I move:

That this bill be now read a second time.

This bill repeals the Tax Bonus for Working Australians Act (No. 2) 2009 (‘Tax Bonus Act’) to ensure that the Commissioner of Taxation does not make any further tax bonus payments, which are more commonly known as the "$900 stimulus cheques".

The government made a commitment to end this waste during the 2013 federal election, and this repeal bill delivers on that commitment.

Tax bonuses were paid to Australian residents who paid tax in the 2007-08 income year and who met certain income tests. The payments were designed to provide stimulus to the Australian economy at the height of the global financial crisis.

Eligible taxpayers received $900 where their taxable income was up to $80,000; $600 where their taxable income was over $80,000 but less than $90,000; or $250 where their taxable income was over $90,000 but less than $100,000.

Most payments were made in 2009, but a number of payments have continued to be made because of either the late banking of cheques or the issuing of an amended assessment for the 2007-08 income year.

In fact, more than 480,000 payments totalling more than $400 million were made over the financial years following the original payment of stimulus cheques between July 2009 and the present, when we are now some four-and-a-half years on from the GFC.

This includes the fact that last financial year—the 2012-13 financial year—more than 15,000 cheques were issued totalling around $13 million of borrowed money.

If it were not bad enough that the government was borrowing money to pay for $900 stimulus cheques four years on after the height of the global financial crisis, it is worse that these stimulus payments continue to be sent to taxpayers living overseas.

Since its introduction, more than 16,000 stimulus payments have been sent directly to taxpayers living overseas, totalling around $14 million of borrowed money, all supposedly to provide stimulus to the domestic Australian economy.

Over 1,000 of these stimulus payments worth nearly $1 million have walked out the door in the four years since July 2009.

Worse still is the fact that stimulus cheques have been, and are still being, made out to those who are deceased.

Since the introduction of the stimulus cheques more than 21,000 payments have been made to deceased taxpayers, totalling more than $18 million of borrowed taxpayer funds.
Of the 21,000 stimulus payments which have been made to the deceased, over 2,000 of these payments have gone out the door since July 2009.

This includes the payment of 40 stimulus cheques to deceased individuals so far this financial year. The total amount of borrowed government money spent on stimulus payments to date is estimated to be around $7.7 billion.

At the time of the introduction of the original legislation in 2009, the government opposed the entire economic stimulus package, including payments to be authorised by the Tax Bonus Act, on the grounds that the package was poorly targeted, ineffective in supporting employment, and unaffordable.

Given that stimulus to the economy is no longer required and time has moved on since the GFC, the government considers that further payments are not warranted.

This represents an opportunity to stop further government waste and is a step towards more prudent budget management.

The ATO has ceased issuing cheques in most circumstances, except when it has been requested by the taxpayer.

Therefore, to ensure that further unnecessary tax bonus payments are not being made by the ATO, this bill repeals the Tax Bonus Act.

We can no longer afford to be borrowing money to pay for this type of spending.

In fact government spending has never returned to levels prior to that of the global financial crisis. In the 2008-09 financial year alone, real government spending grew by more than 12 per cent.

The government is now spending over $100 billion a year more than in the final year of the Howard government.

That is why this government is proceeding with a Commission of Audit which has been tasked to assess the role and scope of government, as well as ensuring taxpayers’ money is spent wisely and in an efficient manner.

This bill is a step in the right direction when it comes to ending waste in government.

Debate adjourned.

Migration Amendment Bill 2013
First Reading

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

Second Reading

Mr MORRISON (Cook—Minister for Immigration and Border Protection) (12:56): I move:

That this bill be now read a second time.

The Migration Amendment Bill 2013 amends the Migration Act 1958 to address a number of recent court and tribunal decisions that significantly affect the operations of my department, including the processing of visa applications made by asylum seekers and other non-citizens.
When a decision is made and meaning of 'finally determined'

The first schedule to the bill will put beyond doubt that a decision on review, or a visa refusal, cancellation or revocation decision by the minister or his delegate, is taken to be made on the day and at the time when a record of it is made, and not when the decision is notified or communicated to the application or the former visa holder.

The amendments address the decision of the full Federal Court of Australia in Minister for Immigration and Citizenship v SZQOY [2012] FCAFC 131, in which the full Federal Court found that the RRT's decision-making power in respect of a review is not exercised or 'spent' until the review decision is notified 'irrevocably and externally'.

They also address the full Federal Court's decision in Minister for Immigration, Multicultural Affairs and Citizenship v SZRNY [2013] FCAFC 104, in which the full Federal Court extended the judgment in SZQOY and found that an application is 'finally determined'—that is, no longer subject to a form of merits review—only when the review decision of the RRT is notified to both the review applicant and the Secretary of the Department of Immigration and Border Protection according to law. It was immaterial that the review decision had been notified externally and that the review applicant had actually been notified of the review decision despite any error in the notification itself.

These findings cause potential difficulties and risks in the administration of the act. For example, the concept of an application being 'finally determined' is crucial to liability for removal under section 198 of the act. The amendments will therefore remove any doubt as to when a decision by the minister, delegate or tribunal is made and an application is 'finally determined'.

Statutory bar against further Protection visa applications

The second schedule to the bill clarifies that a person in the migration zone who has previously been refused a protection visa, or who held a protection visa that was cancelled, is prohibited from making a further protection visa application. This applies regardless of the basis upon which the earlier protection visa application was made or granted.

The amendment addresses the decision of the full Federal Court on 3 July 2013 in SZGIZ v Minister for Immigration and Citizenship [2013] FCAFC 71. In that case, the full Federal Court found that section 48A of the Migration Act only prohibited the making of a protection visa application that relied on the same ground as the previously refused protection visa application.

For example, if a non-citizen previously made a protection visa application raising claims under the refugee convention, section 48A of the Migration Act would not prohibit a new protection visa application based on complementary protection claims.

By restoring the intended operation of the statutory bar in section 48A of the act, the amendment will preserve the integrity of Australia's protection visa program and avoid its abuse, by preventing non-citizens without meritorious claims for protection from delaying their departure from Australia by making repeat protection visa applications on different grounds each time.
Protection visa applicant not assessed to be a risk to security by ASIO

The third schedule to the bill addresses the decision made by the High Court in Plaintiff M47/2012 v Director-General of Security & Ors [2012] HCA 46. In October 2012, the High Court of Australia found that the use of the public interest criterion 4002 in the Migration Regulations 1994 was not a valid criterion for the purposes of a protection visa application.

Public interest criterion 4002 states that the applicant is not to be assessed by the Australian Security Intelligence Organisation, ASIO, to be directly or indirectly a risk to security within the meaning of section 4 of the Australian Security Intelligence Organisation Act 1979, known as the ASIO Act. In the absence of PIC 4002, the protection visa assessment process for persons with an adverse security assessment is currently problematic as each case requires individual consideration as to whether the person does or does not pass the character test in section 501 of the act.

The bill will amend section 36 of the Migration Act to insert a specific criterion for a protection visa that the applicant is not assessed by ASIO to be directly or indirectly a risk to security, within the meaning of section 4 of the ASIO Act. The new criterion in section 36 reflects the wording of PIC 4002.

In addition, the amendments in the bill also put beyond doubt that the Migration Review Tribunal, the Refugee Review Tribunal and the Administrative Appeals Tribunal will not have the power to review a decision to refuse to grant or to cancel a protection visa on the basis of an adverse security assessment by ASIO that the applicant for, or holder of, a protection visa is directly or indirectly a risk to security within the meaning of section 4 of the ASIO Act.

The amendments will also reflect current paragraph 500(4)(c) of the Migration Act by confirming that the Refugee Review Tribunal does not have the power to review a decision to refuse to grant or to cancel a protection visa made on the basis of one or more of articles 1F, 32 or 33(2) of the refugee convention or paragraphs 36(2C)(a) or 36(2C)(b) of the Migration Act. Paragraph 500(1)(c) provides only the AAT has the jurisdiction to conduct a merits review of those decisions.

The amendments ensure that to meet community expectations, the government must not only have the ability to act decisively and effectively, wherever necessary, to protect the Australian community, but also to have the legislative basis to refuse a protection visa, or to cancel a protection visa, for those non-citizens who are a security risk.

We must prevent and deter any threats posed by those who are a risk to the security of our nation and must implement legislative amendments such as those to section 36 of the Migration Act to ensure the security and safety of the Australian community.

I commend the bill to the House.

Debate adjourned.

Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Robert.

Bill read a first time.
Second Reading

Mr ROBERT (Fadden—Assistant Minister for Defence) (13:05): I move:

That this bill be now read a second time.

I am pleased to present legislation that will improve and update Veterans' Affairs legislation.

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

In 2012-13 the department processed over 165,000 claims for reimbursement for travel expenses for treatment purposes.

Travel expenses can include costs for transport, meals and accommodation for eligible persons and where necessary an attendant to accompany the eligible person.

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

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

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

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

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

These allowances were replaced by the MRCA Supplement in 2009.

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

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

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

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

Debate adjourned.
Building and Construction Industry (Improving Productivity) Bill 2013


Second Reading

Cognate debate.

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

That all the words after "That" be omitted with a view to substituting the following words:

"the House declines to give the bill and the related bills a second reading because it would be ill advised to continue having regard to:

(1) the negative impact of the re-establishment of the Australian Building and Construction Commission on the rights and entitlements of Australian workers; and

(2) Government plans to equip the Australian Building and Construction Commission with powers that are extreme, unnecessary, undemocratic and compromise civil liberties."

Ms BRODTMANN (Canberra) (13:08): In my first speech in this place I said, 'History shows us that if work is to be dignified workers need advocates, because workers' rights did not fall from the sky.' History shows that, without unions, workers were broken in what William Blake called dark satanic mills. He understood that change would not come without a fight, and the best weapon in the fight for workers' rights is the trade union. This is why I am proud that the Labor Party was born in the fires of the union movement and fashioned on its anvils. It is something we should never seek to hide and something we should be proud of.

Since I left high school, unions have protected me at work.

In that first speech, I also made a promise. I said that I would never forget what the unions have done for this country and that as long as I am here I will staunchly defend their right to defend their members. In rising today to speak against this legislation—the Building and Construction Industry (Improving Productivity) Bill 2013 and the Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013—I am honouring that promise. The bill seeks to re-establish the Australian Building and Construction Commission. The ABCC was created in 2005 to investigate breaches of and to enforce federal industrial law in the building and construction industry. Labor opposes this legislation, which forces a return to the draconian ABCC, which is based on flawed modelling and whose proposed powers are extreme, unnecessary, undemocratic and compromise civil liberties. The bill means that the ABCC, if re-established, will have coercive powers that will compel ordinary workers to be subject to secret interviews, to be denied legal representation and to be threatened with imprisonment if the person subject to such coercive powers refuses to cooperate. The powers are excessive, undemocratic and unwarranted. As many of my colleague have pointed out before me, they are Orwellian, and not what Australians expect of our government in our democratic, 21st century society.

The bill extends the reach of the ABCC into picketing, offshore construction and the transport and supply of goods to building sites. The new powers aimed at stopping pickets include a 'reverse onus', requiring individuals to prove they were not motivated by industrial
objectives to escape the maximum $34,000 penalty. The bill will extend the ABCC’s jurisdiction offshore, to as far as Australia’s exclusive economic zone or waters above the continental shelf. More significantly, it will encompass the transport or supply of goods to building sites, including resource platforms.

Prior to the election, those opposite promised that if they were elected they would not go back to the extreme measures of the Howard-era Work Choices industrial relations policies. They made this promise because they had to; they knew that the Australian people simply would not vote for them otherwise. They knew that the Australian people remembered that it was the now Prime Minister who in 2001, as Minister for Workplace Relations, called for the Cole royal commission into supposed criminality, fraud and corruption within the building and construction industry. However, after 18 months and $66 million of taxpayers’ money, the commission failed to produce one single criminal conviction—because, as Labor asserted at the time and has continued to assert, the investigation of crime is a matter for the police.

Yet here we are, still in early days of 44th Parliament, and already those opposite are trying to strip away the rights of Australian workers, are trying to introduce Work Choices in a poor guise. And, to be fair, these bills are not exactly like Work Choices; no, the coalition has learnt something from its past. It has learnt that Australians are smart and will not stand for the deprivation of workers’ rights. So the coalition is taking a different approach. Unlike Work Choices, which deprived workers of their rights across every industry, the coalition is now stripping away workers’ rights one industry at a time, starting with the construction industry. Perhaps they think that if they remove workers’ rights one industry at a time the Australian people will not notice—but they are wrong.

The rationale of those opposite for singling out one industry with special laws is flimsy at best. The ABCC’s proposed powers are extreme and unnecessary and compromise civil liberties. If passed, this bill will mean that there will be restrictions on freedom to gather. It will allow self-incrimination and a reverse onus of proof. There will be no presumption of innocence; there will be intervention by government—by this government, the very government that has spent much of its first 100 days talking about the need to get government out of business and to cut government regulation and red tape.

And what of our international obligations? Now, I know those opposite have a great disdain for multilateralism, and they are not afraid to show it. But this is just going too far. As my colleagues have pointed out, the former Building and Construction Industry Improvement Act 2005 was founded by the United Nations International Labour Organisation to breach Australia’s international obligations. It was in breach of our obligations as a member state and as a signatory to the Freedom of Association and Protection of the Right to Organise Convention of 1947, the Right to Organise and Collective Bargaining Convention of 1949, and the Labour Inspection Convention of 1947. That act was found by the ILO supervisory bodies to breach Australia’s international obligations in that it exposed building industry employees to penalties for taking industrial action in a wider range of circumstances than other employees, virtually rendering all forms of industrial action in the building and construction sector unlawful. There was an imposition of penalties and sanctions upon workers and unions that engaged in unlawful industrial action that was significantly higher than imposed on workers in other sectors. There were provisions in the act—
Mr Nikolic: I propose an intervention under standing order 66(a) to ask the member for Canberra to respond to the question: does the sort of thuggery we saw at the Grollo building site justify a stronger government response?

The DEPUTY SPEAKER: Member for Canberra, do you accept the intervention?

Ms BRODTMANN: No. The provisions of the code of practice contained restrictions on freedom of association and collective bargaining, and there were draconian monitoring and investigatory and enforcement powers for the ABCC, including the powers to enter premises, take possession of documents for as long as necessary and compulsorily interview any person for compliance purposes. These things were all found to be breaches of Australia's international obligations.

As I have mentioned, the great irony is that the proposed ABCC would mean more regulation, more red tape, more government intervention—

Mr Nikolic: I propose another intervention under standing order 66A to ask whether the sort of thuggery we saw at the Grollo building site breaches Australian domestic law.

The DEPUTY SPEAKER: Does the member for Canberra take the intervention?

Ms BRODTMANN: No. This would mean more government intervention from this government whose favourite catchcry is that they want to cut red tape. They are now introducing special regulation for one industry alone, without justification. Australia's industrial laws should be enforced in the building and construction industry in the same way as in any other industry. As Justice Wilcox said in his review of the previous ABCC laws:

There is no justification for selecting a different maximum penalty, for the same contravention, simply because the offender is in a particular industry.

As we know, Fair Work Australia and the Fair Work Ombudsman already have the capacity to deploy specialist investigators to deal with unlawful industrial action in this sector. If those opposite do not think the capacity of Fair Work Australia is sufficient, perhaps they should consider increasing its resources.

The fact is that Fair Work Building and Construction, established by Labor after we removed the previous incarnation of the draconian ABCC, has been a great success. The Australian Bureau of Statistics data shows that industrial disputes in the building and construction industry are on average one-fifth of the rates seen under the Howard government. Labour productivity has increased over the last 10 quarters and on average is almost three times higher under Fair Work than under Work Choices. Fair Work Building and Construction has continued, and will continue, to outperform its predecessor, the ABCC. Fair Work Building and Construction already has sufficient powers to deal with unlawful behaviour in the industry. Fair Work Building and Construction is undertaking more investigations, concluding investigations, getting matters to court faster and recovering more money for underpaid workers in the industry, securing over $2 million in unpaid wages and entitlements for more than 1,500 workers.

Under the Howard government's ABCC, workplace fatalities in construction peaked at 48 deaths in 2006 and 51 deaths in 2007, making them the worst two years for deaths in construction in the last decade. Following the abolition of the ABCC in 2012, some 30 deaths were reported, the lowest number of deaths in the past 10 years. Over the same period, the
incidence rate of serious injury claims in the construction industry fell by 17 per cent from 23.0 serious claims per 1,000 employees in 2005-06 to 19.1 in 2009-10.

The title of these bills would have you believe this was an exercise in productivity, but this is also not the case. These bills serve one purpose alone, and that is to return to the coercive powers used to intimidate workers and attack unions at the cost of workers’ safety and legal entitlements. Tony Abbott has claimed the former ABCC led to some $6 billion per year in productivity savings and cost reductions for consumers in the commercial construction sector. The figure comes from one of a series of reports compiled by Econtech—now Independent Economics—into whether the ABCC and its predecessor body, the Building Industry Taskforce, boosted productivity. The reports were initially commissioned by the ABCC at public expense and were later regularly recommissioned by Master Builders Australia as a tool to push for the reinstatement of the ABCC. The latest report commissioned by the MBA has the productivity savings figure at $7.5 billion.

The research has been widely discredited as being based on faulty or misleading premises. On 28 August 2013, the Fairfax federal politics fact checker found Abbott's claims to be mostly false. The ABS provides three widely accepted measures of productivity: labour productivity, which is the ratio of volume of output produced to the volume of labour employed; capital productivity; and multifactor productivity. However, the method used in the Econtech report was to compare the costs of completing standard tasks in the largely non-unionised housing sector against the more unionised commercial construction sector, as though union density is the only feature that distinguishes the two sectors. Unsurprisingly, the report's systematic finding is that there are significantly larger costs of completing specified tasks in the commercial construction sector than in the housing sector, which they attribute to unionisation.

There is an old saying: 'If it ain't broke, don't fix it,' and the coalition would do well to heed this advice. Fair Work Building and Construction has proven year after year that not only can it successfully deal with unlawful behaviour in the industry but also it supports a safer workplace and a safer industry. The fact that those opposite are ignoring this evidence demonstrates that their motives in trying to re-establish the ABCC are purely political. This is not about improving productivity, this is not about creating safer workplaces, this is not about preventing illegal industrial action, this is about the coalition's anti-union agenda. This is about demonising the construction industry, demonising unions and demonising their members. It is about stripping away workers' rights in any way they can, and Labor will not stand for it.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (13:21): What we are seeing here today is that the party of Work Choices is back in government. They cannot wait to reintroduce the harsh regime of Work Choices, and this is the first taste we are seeing of it. They have put before the parliament a bill which brings back the Australian Building and Construction Commission which, in government, Labor abolished, keeping a commitment to the Australian people from the 2007 election. The history of the building industry since the Australian Building and Construction Commission was abolished has been an increase in productivity and a reduction in days lost in the building industry. That is the important thing to notice.
No evidence has been put before the parliament by this government that in any way supports the return that they are proposing with this bill to a harsh and oppressive regime. It would impose an almost police-state form of regulation on the building industry. It is very similar to the bill that was before the House yesterday, the Fair Work (Registered Organisations) Amendment Bill. With that bill, similarly, the government is seeking to introduce anti-union measures which are harsh and repressive, and which are in no way justified by evidence by anything that is actually happening in the real world of building sites.

A number of previous speakers in this debate have noted the Australian Bureau of Statistics data but it is worth repeating. That data shows that the rate of industrial disputation in the building and construction industry is now, on average, less than one-fifth of the rate seen under the previous coalition government. It shows that labour productivity has increased over the last 10 quarters and that in the building industry it is, on average, almost three times higher under the fair work legislation than it was under Work Choices.

But of course one will read nothing of that kind of statistic in the minister's second reading speech, and one will hear nothing of the news from the real world in any of the ideologically driven speeches from those opposite. Instead, in pursuit of their anti-union agenda, they are producing a form of regulation which is excessive, undemocratic, unwarranted and extraordinarily harsh in comparison to regulation under the previous form of the Australian Building and Construction Commission.

Let’s recall that, the last time the party of Work Choices was in government, the present Prime Minister as minister instituted the Cole royal commission, in 2001. That was a royal commission into supposed criminality. It was said to be investigating fraud and corruption within the building and construction industry. That is what it was supposed to be investigating, despite the fact that the then Australian Building and Construction Commission had no role in investigating crime—let alone organised crime, which is, obviously, a matter for police. After 18 months and $66 million of taxpayers' money—that is what that expensive political stunt, that witch-hunt that the present Prime Minister put in place when he was minister, cost—the Cole royal commission failed to produce a single criminal conviction.

Now, in the 44th Parliament, Mr Abbott is continuing his expensive attacks, including this particular attack on workers' rights and entitlements. It is a bitter irony that, on the day after the Australian Attorney-General, Senator Brandis, gave a new reference to the Australian Law Reform Commission—a reference to identify provisions in Commonwealth legislation that, to quote from the senator's press release, 'unreasonably encroach upon traditional rights, freedoms and privileges'—we have this bill before the parliament. It is hard to imagine a greater encroachment on, to use the Attorney-General's words, 'traditional rights, freedoms and privileges'. In the terms of reference that the Attorney-General has given to the Australian Law Reform Commission, he directs the Law Reform Commission to inquire into laws that:

- reverse or shift the burden of proof;
- deny procedural fairness to persons affected by the exercise of public power;
- exclude the right to claim the privilege of self-incrimination;
- abrogate legal professional privilege;
- interfere with freedom of speech;
interfere with freedom of association …

And so on. The bill before the House does all of these things. It is an abrogation of traditional rights, freedoms and privileges.

I hope that the Attorney-General is participating in some kind of cabinet process, because it appears that, he has turned a blind eye—despite his purported concern, with this reference to the Australian Law Reform Commission—to protecting ‘traditional rights, freedoms and privileges’. In fact, this Attorney-General could not care less when it comes to this legislation that is proposed for the building industry. In this bill we have unfettered coercive powers, secret interviews, and imprisonment for people who do not cooperate with the secret interviews and the investigations to be conducted in secret by this proposed Australian building commission. People interviewed, under this bill, will have no right to silence. People interviewed will have no right to be represented by a lawyer of their choice.

Let’s bear in mind the words of the now Prime Minister, Mr Abbott, before the election. He often used to refer to his workplace policies as ‘returning the industrial relations pendulum back to the sensible centre’. Is it the ‘sensible centre’ to deny the right to silence? Is it the ‘sensible centre’ to deny people the right to be represented by a lawyer of their choice? Is it the ‘sensible centre’ to give unfettered coercive powers to a Commonwealth instrumentality, to give them the power to conduct secret interviews and to prosecute and imprison people who refuse to cooperate with this Australian building commission?

Mr Abbott promised to revive the Australian Building and Construction Commission, but he has broken his pledge, because this legislation goes far further than the Australian Building and Construction Commission, which was replaced by Fair Work Building and Construction with a far more balanced regime by the former, Labor government. This Prime Minister has broken his promise, because this legislation extends the reach of the Australian Building and Construction Commission that is proposed here into picketing, offshore construction, and the transport and supply of goods to building sites. That is not a revival. It is, in fact, a re-establishment of a new body with very significantly broader powers than its 2005 incarnation. We are not getting, here—again to use the Prime Minister’s words—a ‘tough cop on the beat’. We are getting an unnecessary workplace bully.

In the second reading speech that the minister offered to this House there was an attempt to justify the return of the Australian Building and Construction Commission by referring to a recent report compiled by the consulting firm Independent Economics—or Econtec, as it was formerly known. You would have to say of this firm that it has a very long history of turning out reports that attack workers. It has a very long history of turning out reports that attack unions, all the time pretending to demonstrate some kind of path to improved productivity.

The member for Sturt failed to disclose, in his second reading speech, that this same consulting firm once had the rare distinction of producing modelling that was so inaccurate that former Federal Court judge Murray Wilcox described the work as deeply flawed and recommended that it ought to be totally disregarded. When former Federal Court judge Murray Wilcox was making those comments he was making them about a report by Econtec that was in the very same area as the material on which the minister is now purporting to rely. The member for Sturt has a blind eye not only to the flaws in this report but to all of the
evidence about current conditions in the building industry and the fact that the current building industry regulatory arrangements are working well.

As with the legislation that was brought before the parliament yesterday—the Fair Work (Registered Organisations) Amendment Bill 2013—this second reading speech and all of the government's material purporting to support the re-establishment of the Australian Building and Construction Commission completely ignores the present regime. What ought to be clear to anybody—to any properly informed observer of the Australian building and construction industry—is that the Fair Work Building and Construction Division established by Labor already has sufficient powers to deal with any unlawful behaviour in the industry. The Fair Work Building and Construction Division has, in its history, outperformed—and it will continue to outperform—its predecessor, the Australian Building and Construction Commission. Fair Work Australia Building and Construction Division already has a full suite of appropriate investigative and prosecution powers to deal with any unlawful behaviour in the building and construction industry, whether that behaviour is by employers or employees, by unions or contractors. We have, in Fair Work Australia, a well-established, well-resourced, well-staffed body, which is already undertaking more investigations, concluding investigations, getting matters to court faster and recovering more money for workers in the industry.

Mr Nikolic interjecting—

Mr DREYFUS: The member for Bass should keep quiet. In particular, the member for Bass should keep quiet about matters which are before the court. He is behaving in a disorderly fashion. Mr Deputy Speaker, you should discipline him.

The DEPUTY SPEAKER (Hon. BC Scott): Member for Isaacs, I will determine what is inappropriate and disorderly conduct in this House. If the member wants to continue he will listen to me. The member for Bass will not interject across the chamber and cause division in the House.

Mr DREYFUS: Thank you, Mr Deputy Speaker, for the assistance that you have given to the member for Bass, who, I appreciate, perhaps may not know better.

The DEPUTY SPEAKER: I do not need your advice on that, either.

Mr DREYFUS: The Fair Work Australia Building and Construction Division has secured over $2 million in unpaid wages and entitlements for more than 1,500 workers. Those are breaches that the Australian Building and Construction Commission never focused on. I come back to conditions, because this is what we should be hearing about from the government. We should be focused on evidence about conditions in the industry. The evidence from the industry—I will repeat it because it bears repeating—is that industrial disputation in the building and construction industry is on average less than one fifth of the rates seen under the previous coalition government. Labor productivity has increased over the last 10 quarters and, on average, is almost three times higher under Fair Work Building and Construction than under Work Choices.

Mr Nikolic: I seek to intervene under standing order 66A.

The DEPUTY SPEAKER: The member will not take the intervention?

Mr DREYFUS: I reject the intervention. Under Fair Work Australia, the rates of industrial disputes are on average about one-third of the rate we saw under the previous
coalition government and in the building and construction industry they are around one-fifth
of the rate we saw under the previous coalition government. This is at a time when more
Australians than ever before are covered by enterprise agreements, which shows that the vast
majority of the agreements are made without any industrial action at all. What we see in this
bill is the determination of the Abbott government to take Australia back to the failed
Australian Building and Construction Commission. That shows that the return to Work
Choices is just below the surface of this government. And a very poor disguise this bill is,
indeed.

Mr SNOWDON (Lingiari) (13:36): Firstly, I acknowledge the great contribution of the
member for Isaacs, despite the irreverent interventions from the member for Bass. I listened
intently also to the contribution of the member for Canberra.

Mr Nikolic: Mr Deputy Speaker, I rise on a point of order. I am entitled in this House,
under 66A to make an intervention. Referring to it as 'irreverent' is, I believe, not called for.

The DEPUTY SPEAKER: That is not a point of order.

Mr SNOWDON: For the edification of the member for Bass: we can say what we like
about your interventions; they are unwanted and, on most occasions, they are inappropriate.
We do not have to take them, and we will not.

The DEPUTY SPEAKER: The member for Lingiari will return to the bill before the
House.

Mr SNOWDON: He is only a new member, Mr Deputy Speaker; he has got to learn the
ways of the place. The culture of the organisation is a bit different from where he came from.

The DEPUTY SPEAKER: The member for Lingiari will return to the bill before the
House.

Mr Frydenberg interjecting—

Mr SNOWDON: Young Josh wouldn't know. The Building and Construction Industry
(Improving Productivity) Bill 2013 and the Building and Construction Industry
(Consequential and Transitional Provisions) Bill 2013 will re-establish the Australian
Building and Construction Commission and its investigative powers which restrict people's
basic democratic rights. The shadow Attorney-General, in his contribution, made very clear
how this legislation impinges on the rights of Australian workers. This is not just about their
right of entry; it is about their right to be represented and their right to remain silent. This is,
in my view, a gross intervention. This legislation is pernicious in its intent—of that, there can
be no doubt.

Mr Frydenberg interjecting—

Mr SNOWDON: The member opposite says that is not right.

Mr Frydenberg: It came out of the Cole royal commission.

Mr SNOWDON: The Cole royal commission? It had not one single prosecution in 18
months and cost $66 million. It was stimulated by the now Prime Minister and it had zero
outcomes. And then they had the ABCC. What do we know about the ABCC? Let me quote
from Professor David Peetz. He says:

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The culture of the ABCC is not and has never been impartial. It has concerned itself almost exclusively with transgressions by unions, or by employers who have facilitated or acquiesced to transgressions by unions.

He went on to say:

If it is going to haul before the courts a union member who refuses to tell them about what happened at a meeting to discuss safety breaches by the employer, it must also haul before the courts the employers who breach the safety laws in the first place.

This is no trivial matter. There were 36 fatalities in the construction industry in 2007-08, twice as many as in 2004-05, immediately before the ABCC commenced operations in late 2005. Under the ABCC, construction became the industry with the highest number of deaths. As observance with occupational safety tends to be lower where unions are weaker, this trend is not surprising. But nor should it be allowed to continue.

Let us be clear: this is about taking a knife to the Australian workers movement, the trade unions in this country, for protecting the rights of workers. It has got nothing to do with productivity.

Mr Frydenberg: It's about the economy, Warren!

Mr SNOWDON: It's about being pernicious, stupid! But you are very clear about it.

Mr Frydenberg: Mr Deputy Speaker, the member opposite just engaged in a very derogatory statement, and it would serve the House if he apologised.

The DEPUTY SPEAKER: I was engaged in a conversation in my left ear and did not hear it. But it would help the House, as the member for Kooyong suggested, if the member for Lingiari withdrew that statement. I did not hear it, but I would ask him in good faith to withdraw that statement—and not replace it with another one.

Mr SNOWDON: I withdraw the statement, and I would make the observation that stupidity is not a defence.

Mr Frydenberg: Neither is ignorance a defence.

The DEPUTY SPEAKER: Member for Lingiari, as you are a former minister I would expect a very high standard from you. I would ask you to return to the bill for the House.

Mr SNOWDON: We know what this is about. It is about attacking the rights of Australian workers and their organisations. The ABCC's proposed powers are extreme, unnecessary, undemocratic, and compromise civil liberties. I have been in this place a fair length of time and I would have to say that, when we see the way the government is now treating Australian workers, we need to be very concerned. We have seen what they have done about BHP. We know what they have done in Gove—absolutely nothing. Let me be very clear: these people do not care about the interests of Australian working people, and this is an example of them attacking the right of Australian working people to be properly represented by trade unions.

Mr Nikolic: Mr Deputy Speaker, I rise on an intervention to ask whether the sort of thuggery that we saw at the Grollo site represents—

The DEPUTY SPEAKER: The member for Bass will resume his seat and the member for Lingiari will resume his seat. I will deal with the intervention first. The member for Lingiari does not want to take the intervention?

Mr SNOWDON: No. I said no.
The DEPUTY SPEAKER: Member for Bass, there is no intervention.

Mr Butler: Mr Deputy Speaker, on a point of order: the member for Bass has done this now on a number of occasions. Standing order 66A says very clearly that the idea of this new standing order is that you stand up and ask whether an intervention is going to be taken by the speaker and, if the speaker says yes, you get a chance to state your question. While I have been sitting in the chamber, on three occasions the member for Bass has abused standing order 66A. Either the Manager of Government Business has not given a lesson to these new members or they are wilfully ignoring it.

The DEPUTY SPEAKER (Hon. BC Scott): I take the point of order from the member for Port Adelaide. Those in the chamber ought to take note of that fact, otherwise in future they will find themselves disciplined while I am in the chair. The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later. The member for Lingiari will have leave to continue his remarks.

STATEMENTS BY MEMBERS

Same-Sex Relationships

Mr STEPHEN JONES (Throsby) (13:45): Today the High Court has ruled on the validity of the Marriage Equality (Same Sex) Act 2013, an act of the Legislative Assembly of the ACT. It held that the territory was unable to make such laws. It found that section 51(xxi) of the Constitution gives the federal parliament power to pass a law providing for same-sex marriage. We can presume that the government or the Prime Minister brought the appeal to the High Court on the presumption that it is proper that this parliament should consider such laws.

In February last year I brought a private member's bill before this parliament which would have provided for marriage equality. The bill did not succeed, and the reason it did not succeed is that members of the coalition were not given a conscience vote on the issue.

I believe that on this issue members of this place are lagging behind public opinion. I believe we are different but equal and we should not be differently equal before the laws of this place. I call on members opposite and I call on the government to allow its members to have a conscience vote on this issue when a bill is next brought before us.

Petition: Imported Fruit and Tomatoes

Dr STONE (Murray) (13:47): I table a petition on a WTO emergency safeguard and industry package for SPCA fruit and tomato growers.

The petition read as follows—

To the Honourable The Speaker and Members of the House of Representatives
This petition of certain citizens of Australia
Draws to the attention of the House to the fact that SPC Ardmona can no longer compete with very low cost imported preserved fruit and tomatoes. This is forcing growers and the industry to abandon orchards and retrench workers.

We therefore ask the House to ensure the relevant ministers impose a World Trade Organisation consistent Emergency Safeguard Measure which will make imported preserved fruit and tomatoes compete on a more level playing field.
We also urgently request support of an industry survival package to give the growers and related workers a future.

from 5,317 citizens

Petition received.

**Dr STONE:** I have already presented thousands of previous signatures on the issue of SPC Ardmona's threatened demise in the Goulburn Valley. This is the last standing fruit manufacturing business in the country. It is an icon business, it employs some 900 people directly and thousands more in the orchards growing fruit, in the transport sector and in the cool store sector. This industry was nearly killed off under the previous regime of Labor with high costs. The very high dollar did not help.

These petitioners are begging that this House support the World Trade Organization emergency safeguard measures which will be made known on 20 December. The petition also begs this House to understand the severity of the problem and for support from the federal government when it requests technological investment, hopefully supported by the state as well.

These petitions have been through the appropriate committee and, as I say, there are 5,317 signatures from the men, women and children of the Goulburn Valley. They are people who are either directly dependent on the fruit growing and manufacturing sector in my area or who simply want to see an Australian food growing enterprise continue into the future. They do not want to have to depend on imported food. They want SPC Ardmona to thrive and grow.

**Petition: Mobile Homes Goods and Services Tax**

**Ms RYAN** (Lalor—Opposition Whip) (13:48): I present a petition on a goods and services tax on mobile homes, which has been approved by the Standing Committee on Petitions.

*The petition read as follows—*

To the Honourable The Speaker and Members of the House of Representatives

This petition of Certain citizens of Australia draws to the attention of the House:

The current draft ruling of the Australia Taxation Office which proposes that a Goods and Services Tax be applied to Moveable Homes will adversely affect over 100,000 Australians.

We therefore ask the House to reconsider the draft ruling and ensure that a Goods and Service Tax not be applied to Moveable Homes.

from 53 citizens

Petition received.

**Ms RYAN:** Last week I raised the concerns of some of my constituents regarding the Australian Taxation Office's proposal to increase the GST on mobile home parks. Upon returning to my electorate of Lalor last Friday I met with two gentlemen regarding this issue. Both of these gentlemen live in a retirement village in Lalor with demountable homes. That means that they will be worse off if the draft proposal is adopted. Both gentlemen raised their issues about the negative effect looming, especially for single women, their neighbours. They understand that the majority of single women living in their village have little if any superannuation, a consequence perhaps of their generation. This is the same across the whole of Australia. They are worried that the added costs of the GST on mobile home parks will hurt those who are already living close to the breadline.
These gentlemen have been very active in highlighting the injustice of this proposed change to the GST. I am advised that they have raised the issue with the Victorian consumer affairs commissioner, and engaged with other concerned people in local retirement villages as well as with constituents in other states who will suffer under the proposed changes. They also requested that I table their petition to the House regarding this issue. I acknowledge that, yet again, I am proud of the Lalor community because this, again, highlights that they will stand up and fight for what is fair.

Community Infrastructure Grants Program

Mrs MARKUS (Macquarie) (13:50): I am pleased to announce today that the coalition is delivering on its election commitment in the electorate of Macquarie through the newly established Community Infrastructure Grants Program. We will deliver $255,000 to Blue Mountains, Lithgow and Oberon Tourism through this program. BMLOT are the peak regional tourism body in the Blue Mountains region and have a strong track record of delivering results through local projects. This is a welcome announcement for the local tourism industry, which has suffered substantial loss due to the recent bushfires. After only six weeks the current losses are estimated to be around $47 million.

With this financial assistance it is hoped that the marketplace will be able to make adjustments to bring business back to the mountains. I am working with BMLOT and the Assistant Minister for Infrastructure and Regional Development to ensure that this grant can be put to strategic use as early as possible. The grant will assist with a new digital platform and recovery campaign in the Blue Mountains which will direct visitors to a mobile app site. I look forward to working with BMLOT to encourage visitors back to our beautiful region.

Same-Sex Relationships

Dr LEIGH (Fraser) (13:51): Today the High Court unanimously decided that the Marriage Equality (Same Sex) Act 2013 of the ACT could not operate concurrently with the federal Marriage Act. This judgement was the result of a decision by the Abbott government to challenge the ACT law in the courts. It is a decision which I believe was fundamentally misguided. Same-sex marriage is a political issue that should be decided in this chamber. As the Prime Minister's sister, Christine Foster, has tweeted: 'Sad news that the ACT same-sex marriage law has been overturned. Focus now firmly on federal parliament.'

Many members of this place support same-sex marriage, but the challenge is that the Liberal Party does not give its members a conscience vote. If Senator Brandis puts out press releases making statements such as, 'Freedoms are some of the most fundamental of all human rights', then the least he could do would be to allow his party room the freedom to vote for same-sex marriage. As Warren and Grant of Aranda, who have been together for 27 years, told me:

Our marriage would not undermine heterosexual marriage—quite the opposite—our desire to be married reflects our deep respect for the institution of marriage.

Future generations of Australians will look back and wonder why it took Australian parliaments so long to bring about the reform of marriage laws.

Mobile Home Estates

Mrs McNAMARA (Dobell) (13:52): I rise to share my concerns on the draft ruling issued by the Australian Taxation Office on the application of the GST to mobile home estates. I
have been contacted by members of my community who live in mobile home estates, and the message is clear: this draft ruling unfairly impacts on those who can least afford to pay more tax. I have encouraged local residents concerned about the draft ruling to lodge their objections directly with the ATO so that the impacts of any change as a result of the ruling are fully understood.

Unfortunately, rather than taking a bipartisan approach to the issue, which affects many electorates, those opposite have sought to politicise the situation and seized on the opportunity to mount a scare campaign targeting the vulnerable and making false accusations against the government. It is important that we look at the history of the ruling and that we separate fact from fiction. The former Labor Assistant Treasurer, David Bradbury, was advised on 19 December 2012 that the application of the GST to movable home estates was being reviewed. For nine months those opposite failed to discuss the potential impact of the ruling with their constituents. They chose not to raise concerns here in parliament and instead decided to wait until they were no longer in government before incorrectly painting the situation as a move by the current government to target some of the community's most vulnerable members.

Unlike those opposite, I am serious about offering relief to households, businesses and vulnerable members of our community who face a daily struggle on cost-of-living pressures. I call on those opposite to likewise be serious.

Road Safety

Mr KELVIN THOMSON (Wills) (13:54): As we come towards Christmas—and I wish everyone in the chamber all the best for Christmas—road safety is a major issue. We have far too many road deaths, and too many of these are due to truck crashes. Sadly, something like 80 people will die between now and Christmas in truck crashes, and many more will be injured. Last year there were 47 deaths in truck crashes in my home state of Victoria, many of which were caused by drivers being forced to drive far too fast or too long because of unrealistic delivery deadlines set by their clients.

We are seeing an increasing number of deaths as the result of speeding, fatigue and poor maintenance caused by employers setting lunatic deadlines and keeping trucks on the road too long. A 2012 industry survey of drivers in the biggest supply chain, Coles, showed that 46 per cent of drivers felt economic pressure to skip rest breaks, 28 per cent felt pressure to speed and 26 per cent felt pressure to carry illegally overweight loads.

Drivers have been told that if they do not deliver on time they will lose their jobs. But often delivery times cannot be met without speeding, overloading trucks or staying at the wheel for up to 16 hours at a stretch. The only protection drivers have is the Road Safety Remuneration Tribunal, and I call on the government to maintain the Road Safety Remuneration Tribunal.

Opening of Parliament

Mr NIKOLIC (Bass) (13:56): I was dismayed to read in a recent bulletin from the Department of the Senate the following remark on the opening of parliament:

“... the role of the defence forces at the front of the building ... appears to have been increasing over the years, although there is no connection with the operation of the legislature.”

This statement is factually incorrect and wrong in its characterisation of our parliamentary democracy. The ADF has helped open all 44 parliaments by providing guards of honour and gun salutes. I note that in 1948, owing to demobilisation of troops, there was no gun salute but
there was still a guard of honour, which was founded by the Royal Military College Duntroon.

It is important for two reasons that the Defence Force be involved with the opening of parliament. First, it acknowledges our Governor-General as the commander-in-chief under the Constitution—it was Her Excellency who opened the new session of parliament. Secondly and crucially, the Defence Force is subject to parliamentary scrutiny, including of ministers in the Defence portfolio and the service chiefs, who are accountable under several processes here and in the other place. Every ADF member knows this.

It is important that the opening of the new parliament be marked by the participation of ADF personnel. Blind Freddy can see that this participation is not just colour and pageantry but a significant element in the continuing and rich life of our democracy. I lament that the Department of the Senate does not understand this point and urge them to immediately swot up with their history books.

Petition: Hume Freeway Interchange, Epping

Mr GILES (Scullin) (13:57): I rise present a petition on funding for the Hume Freeway interchange at Epping North, Victoria. The petition has been assessed as meeting the requirements of the House by the Standing Committee on Petitions.

The petition read as follows—
To the Honourable The Speaker and Members of the House of Representatives

This petition of residents and businesses of the City of Whittlesea, in particular the Epping corridor (Epping) Epping North/ Wollert), draws to the attention of the House, the significant social and economic disadvantage faced by residents and businesses due to the lack of services and infrastructure in Epping North/ Wollert.

We therefore ask the House to urge the Federal Government (through Infrastructure Australia) to resolve to fund in combination with the State Government where applicable:

1. The design and construction of the northern and southern ramps connecting O'Herns Road with the Hume Freeway (a full diamond interchange),
2. The duplication of the remaining section of single carriageway of O'Herns Road between the Hume Freeway and Redding Rise, and;
3. The four lane carriageway of Edgars Road between Cooper Street and O'Herns Road.

from 1,605 citizens
Petition received.

Mr GILES: The petition draws the attention of the House to the significant social and economic disadvantage faced by residents and businesses due to lack of services and infrastructure in Epping and Wollert. 1,605 people have signed the petition, which indicates widespread support for the Victorian and federal governments to work together to fund the O'Herns Road-Hume Freeway Interchange in Epping North.

The petitioners seek funding for: (1) the design and construction of the northern and southern ramps connecting O'Herns Road with the Hume Freeway; (2) the duplication of the remaining section of the single carriageway of O'Herns Road between the Hume Freeway and Redding Rise; and (3) the four-lane carriageway on Edgars Road between Cooper Street and O'Herns Road. I pay particular tribute to the hard work and dedication of the Aurora
Ms HENDERSON (Corangamite) (13:58): I rise to report some very good news for the people of Corangamite. After much uncertainty, Jetstar has committed to maintaining its operations at Avalon Airport until at least April 2015. The Victorian government is to be congratulated on its investment of $5.5 million in Jetstar's operations at Avalon. I also pay tribute to the Linfox group and Jetstar, which have contributed $2.75 million each.

The consequences of Qantas's walking away from Avalon would have been disastrous. Enterprise Geelong has estimated that Jetstar's departure would lead to a reduction in local economic output of some $87 million. Avalon Airport is so important to our region's economy for jobs and for tourism. The previous Labor government's failure to approve an international airline flying into Avalon back in 2008 was one of Labor's worst decisions for our region in recent times.

Last week I had joined the Mayor of the City of Greater Geelong, Darryn Lyons, to call on Jetstar to offer our community a 12-month reprieve on any decision to walk away. Linfox is working very hard to secure international flights and to grow the airport's potential. I now call on the people of my electorate and all Victorians to get behind Jetstar at Avalon. For the sake of our community, we must secure Avalon's long-term future.

CONDOLENCES

Mandela, Mr Nelson, AC

Report from Federation Chamber

Order of the day returned from Federation Chamber for further consideration; certified copy of the motion presented.

Debate resumed on the motion:

That the House record its deep regret at the death on 5 December 2013, of Nelson Rolihlahla Mandela AC, former President of the Republic of South Africa, and place on record its acknowledgement of his role in the development of the modern South African nation and tender its profound sympathy to his family in their bereavement.

Mr ABBOTT (Warringah—Prime Minister) (14:00): As the House would know, along with the Leader of the Opposition I had the honour of travelling to South Africa to represent our country at the memorial service for Nelson Mandela. I have to say that it had, as is fitting, the air of a celebration more than the air of a funeral. While we were sorry to see him leave us, we were thrilled that he had had such a long life full of such splendid example. Nelson Mandela was not only the father of modern South Africa but also one of the giants of the 20th century. He taught the world how to forgive and he taught the leaders of Africa how to leave office peacefully. These are very substantial lessons indeed.

As President Barack Obama said in his splendid panegyric, what seems obvious and inevitable to us now seemed impossible when Nelson Mandela began his long campaign. To us, a democratic, multiracial South Africa seems the natural order of things but in the mid-1960s it must have seemed an impossible dream. But it was achieved because one man had the guts, the decency and the idealism to fix on this and to see it through to the very end.
Whatever the hardship, whatever the risk, whatever the difficulty, he was determined to see it through.

All the people of modern South Africa, all the people of Africa and indeed all of us everywhere are the better off for his life. He was a man in form—he was a person who achieved extraordinary things although he was always at pains to point out he was just an ordinary man. The lesson that we take from his life is that we can all do extraordinary things if we have the courage to dream, if we strive constantly to be not just what we want to be but to be always our best selves. He will be missed, not just by the people of South Africa but by the people of Australia too.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:03): I, too, rise to record my deep regret that on 5 December Nelson Mandela AC, former President of the Republic of South Africa, passed away. I acknowledge the Deputy Prime Minister and my own deputy, the member for Sydney, for their notable words on this motion in the House earlier this week. Nelson Mandela was arguably one of the world's greatest figures of our time. It is true what many have said this week in Johannesburg, that we will never see his like again.

In troubled times in South Africa Nelson Mandela stood tall. He led his nation out of an incredibly difficult time; not with a violent struggle but with peace, compassion and the force of moral leadership. It is impossible to imagine what 27 years in prison would do to one's spirit, but in the case Nelson Mandela it steeled his resolve. He suffered so his people could be free. Nelson Mandela was a symbol to the rest of the world. He achieved perhaps more than any other world leader in his pursuit of peace, acceptance and justice. His example to all of us is as powerful today as it was 20 years ago when he was released from prison. The slow struggle for reconciliation does not end with Mandela's passing, not for South Africa and not for any of us. Let us renew our resolve for reconciliation. Let us think of Nelson Mandela in hard times and forge on with his strength in our hearts. Our thoughts and prayers are with his family, his country and all of those who look to him and hope for a better world. We are all the better because of Nelson Mandela's life—may he rest in peace.

The SPEAKER: I thank those members who have signed the condolence book, which will now be returned to the embassy, expressing individual messages from individual members. The question is that the motion be agreed to. I ask all present, including those in the gallery, to signify their approval by rising in their places.

Question agreed to, honourable members and those in the gallery standing in their places.

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

QUESTIONS WITHOUT NOTICE

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:06): My question is to the Prime Minister. How many times did the Prime Minister sit down and talk to Holden's senior executives to ask them what he could do to keep Holden and its jobs in Australia?

Mr ABBOTT (Warringah—Prime Minister) (14:06): I thank the Leader of the Opposition for his question because this is a very serious subject. As I have said before and will say again, these are sad times for everyone associated with Holden—the workers, the families of the workers and the communities where the major Holden installations are based.
As members on both sides of the chamber would know, governments of both persuasions have offered very considerable support to the motor industry over the years and certainly this government stood ready and stands ready to continue to offer very significant support to the motor industry. The difficulty is that, as the local MD of Holden, Mike Devereux, made clear on radio today, Holden's difficulties have been building up over many, many years. The truth is, as the Holden spokesman said publicly yesterday, 'It would be wrong to simply attribute their departure—

Mr Burke: Madam Speaker, on the issue of direct relevance: there was no prelude to the question at all. It was specifically on how many meetings.

The SPEAKER: The question was concerning the closure of Holden. I call the Prime Minister.

Mr Abbott: As the spokesman for Holden said yesterday, 'It would be wrong to simply attribute it'—that is to say, this impending closure—'to action or inaction on the part of the government.' So there we have it: 'It would be simply wrong to attribute it to action or inaction on the part of the government.' I am not seeking to play the blame game here, I am not seeking to play politics here and I think it would raise the reputation of the Leader of the Opposition if he did likewise. I had several meetings with the motor industry as Leader of the Opposition, including with Mr Devereux, and since the election there have been regular meetings between the Minister for Industry and the Holden company.

Automotive Industry

Dr Southcott (Boothby) (14:09): My question is to the Prime Minister. What action is the government taking in response to the decision of General Motors in Detroit to discontinue manufacturing in Australia by 2017? How will the government ensure Australian industry is competitive, innovative and successful?

Mr Abbott (Warringah—Prime Minister) (14:09): I do thank the member for Boothby for his question. I appreciate that the future of the motor industry is something that he has been grappling with as a local member and as a member of the coalition for several years. This is a sad time for Holden workers, their families and their communities. I want to make it very clear to Holden workers and to the people of Australia that the difficulties which Holden is now encountering is no reflection on Holden workers, who are good workers, who have worked well, and it is no reflection on this country. What Holden announced yesterday is part of a worldwide reorganisation and, amongst other things, involves the closure of plants in Korea and the withdrawal of the Chevrolet brand from Europe. It was, as the managing director of Holden Australia has made clear, a perfect storm. It has been building up for a long time—

Ms MacTiernan interjecting—

The SPEAKER: The member for Perth will desist.

Mr Champion interjecting—

The SPEAKER: The member for Wakefield is warned!

Mr Abbott: It has been building as a result of Australia's high dollar, high costs and low volumes. At a time like this, we need to be conscious of the limitations of government, as well as of the government's potential. The then government was unable to prevent the
departure from Australia of Mitsubishi in 2008. The then government was unable to prevent the imminent closure of Ford, in 2016, when this matter came before it some time ago. The then government, in March last year, believed that it had secured the future of Holden for a decade. But, despite the investment by the then government, of an additional $275 million, the future of Holden was not secured.

Our job now is to build on our fundamental strengths. It is not to play politics, it is not to indulge in the blame game and it is not to peddle false hope. That is why, in coming days, the government will announce new measures that focus on the strengths of the regions most impacted by Holden's departure in 2017, because there are great strengths in these regions—strengths in export education, R&D and niche manufacturing. We will not let these people down. But our challenge is to get them from one job to another job and we will not fail.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:12): Can the Prime Minister confirm that he had no meetings with Holden as Prime Minister?

Mr ABBOTT (Warringah—Prime Minister) (14:12): I can confirm that the government has been dealing constantly with Holden, absolutely constantly.

Automotive Industry

Mr RAMSEY (Grey) (14:13): My question is to the Minister for Education, representing the Minister for Employment. I know the minister appreciates that the decision of General Motors in Detroit to close operations in Australia by 2017 could have a significant impact on employment in our home state of South Australia. It is important, though, that we plan for today and tomorrow. I ask the minister: what action is the government taking to ensure the Australian economy is focused on growth and jobs?

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:13): I thank the member for Grey for his question regarding this very important issue. I note that he, as a fellow South Australian, recognises that South Australians are not interested in the doom and gloom being preached by the opposition on this issue. Nor are they interested in the political points scoring being taken by the Premier of South Australia, Jay Weatherill, who has been in government for 12 years in that state and has made no effort to diversify the economy.

Only three months ago the South Australian public elected a new government, full of promise, with a positive attitude about the future. Of course, while they are disappointed about the decision that General Motors made in Detroit, they are well aware that that decision could have been coming for some time.

Opposition members interjecting—

The SPEAKER: The member for Parramatta will desist.

Mr PYNE: Under the previous government, they sat there and watched what happened to Mitsubishi.

Opposition members interjecting—

The SPEAKER: The member for Melbourne Ports.

Mr PYNE: And they watched what happened to Ford.

Opposition members interjecting—
The SPEAKER: The member for Melbourne Ports is warned!

Mr PYNE: And they know that when the head of General Motors says:
The decision to end manufacturing in Australia reflects the perfect storm of negative influences the automotive industry faces in the country, including the sustained strength of the Australian dollar, high cost of production, small domestic market and arguably the most competitive and fragmented auto market in the world.

Opposition members interjecting—

The SPEAKER: The honourable member for Wakefield has been warned. He will remove himself from the chamber under standing order 94(a).

The member for Wakefield then left the chamber.

Mr PYNE: When they hear the head of General Motors say that, they know it is true. But they also expect the government to have a positive, energetic, enthusiastic attitude to the future of South Australia and the job prospects in our state. This government is getting on with the job of putting into place exactly those policies that will guarantee jobs for the future in South Australia. We are introducing policies like one-stop shops for environmental approvals, scrapping the carbon tax and the Minerals Resource Rent Tax—the job-destroying taxes.

Opposition members interjecting—

The SPEAKER: The member for Kingsford Smith.

Mr PYNE: We are scrapping Labor's plans for a $1.8 billion tax on fringe benefits, which would hurt the car industry. We are reducing red tape and regulation in the higher education sector. Most importantly, we are improving productivity in states like South Australia through transport infrastructure—the North-South Corridor.

Opposition members interjecting—

The SPEAKER: The member for Port Adelaide.

Mr PYNE: We are putting in place the kind of stable decision-making for government that gives companies like BHP Billiton the confidence to re-examine increasing expansion of the Olympic Dam mine in South Australia.

Opposition members interjecting—

The SPEAKER: The member for Charlton.

Mr PYNE: Under the previous government companies like BHP Billiton made decisions not to go ahead with mines like Olympic Dam, because they could not rely on the government of the day to keep policies from one moment to the next.

Opposition members interjecting—

The SPEAKER: The member for Kingston is warned.

Mr PYNE: This government is putting in place the foundations that will give South Australians long-term job stability, and I am pleased to be part of it.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:16): My question is to the Prime Minister. The managing director of Holden has confirmed that the federal government was presented with a business case by Holden outlining what was needed to save Holden jobs.
Why did the government ignore the business case and persist with its half a billion cut to auto industry assistance and Australian jobs?

Mr ABBOTT (Warringah—Prime Minister) (14:17): We did not ignore the business case.

Opposition members interjecting—

Mr ABBOTT: If members opposite are such geniuses when it comes to saving car companies, what happened to Ford and what happened to Mitsubishi? I am not in the business of playing politics here but, if members opposite are, I pose this question to them: if it is so easy to keep companies in this country, what happened to Ford, what happened to Mitsubishi and what happened to the $275 million former Prime Minister Gillard said had saved Holden?

Opposition members interjecting—

The SPEAKER: The member for Port Adelaide.

Mr ABBOTT: What happened to the promise that Julia Gillard had saved Holden with $275 million of taxpayers’ money?

Honourable members interjecting—

The SPEAKER: The Prime Minister will resume his seat. There will be silence on both sides of the House. We do not need to have those interchanges. The Prime Minister has the call.

Mr ABBOTT: The truth, as the Holden spokesman said publicly yesterday:

It would be wrong to attribute the decision to government action or inaction.

Yes, there are good things that government can do, and we will do the good things that can be done to help manufacturing in this country.

To follow up on the excellent answer from the Leader of the House a few moments ago, he talked about consistency and stability in government decision making. I refer members opposite to Senator Kim Carr, the former industry minister, who said in his book, when he was being truthful—

An opposition member interjecting—

The SPEAKER: The member for Kingsford Smith is warned!

Mr Burke: Madam Speaker, I rise on a point of order. We are going a very long way away from direct relevance now. The Prime Minister has had to refer to an answer from another minister to try to make it relevant to question time, let alone to what he was asked.

The SPEAKER: There is no point of order. I call the Prime Minister.

Mr ABBOTT: I was asked what government has been doing for the car industry. Let me quote Senator Kim Carr: 'International company executives wondered just what they had to do to get a consistent government policy commitment in Australia under the Labor government.' This is when Kim Carr was the minister for industry.

DISTINGUISHED VISITORS

The SPEAKER (14:20): I wish to acknowledge that in the gallery we have present with us the Premier of Queensland, Mr Campbell Newman, the Hon. Adam Giles MLA, Chief Minister of the Northern Territory, and the Hon. Bess Price MLA, a minister of the Northern Territory government. We also have present with us the Vice-Minister of Defense for Japan,
Mr Takeda, and Japan's Australian ambassador. On behalf of honourable members, I extend to all of you a warm welcome.

We also have in the gallery a delegation of 35 vice-governors from Turkey, who are guests of an individual member and senator. We make you very welcome.

Honourable members: Hear, hear!

**QUESTIONS WITHOUT NOTICE**

**Infrastructure**

**Mr SUKKAR** (Deakin) (14:20): My question is to the Deputy Prime Minister and Minister for Infrastructure and Regional Development. Will the Deputy Prime Minister update the House on how the government will ensure the development of economic infrastructure for the growth of the Australian economy, particularly in Victoria and South Australia? Is the Deputy Prime Minister aware of any impediments to these plans?

**Mr TRUSS** (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:21): I thank the honourable member for his question and recognise his keen interest in the economic development of his area and indeed all parts of Victoria and, for that matter, all other Australian states. The coalition is getting on with the business of providing the economic infrastructure that is so important to building a strong economy and a strong nation.

In the member's home state of Victoria there have already been a number of significant announcements about major new road projects. The East-West Link to which the Commonwealth has committed to provide $1.5 billion will certainly make a big difference to traffic flows in central Melbourne. That is an important project that is illustrative of the work that we intend to do to help make our economic infrastructure able to support stronger economies, jobs growth and additional community infrastructure right across the state.

In South Australia, we have also made announcements in relation to the north-south road and our commitment to improve that corridor and make a real difference to Adelaide and its capability to service growing industry. They are part of a comprehensive national plan. We intend to make further announcements about our commitments to economic infrastructure over the days and months ahead to build a strong national road and transport network that can deliver the very best possible results for our nation.

The coalition has also announced $342 million worth of projects under our community development grants program. That includes 86 projects worth $53 million in Victoria and a further 19 projects worth $26 million in South Australia. Those sorts of projects will help local communities to get some of the important economic and social infrastructure that they need to be strong even when their communities suffer setbacks, and particularly setbacks associated the closures of important industries.

The question asked about the impediments that there are to delivering this kind of important economic infrastructure, and they are obvious. There are impediments like the mining tax and the carbon tax, taxes that we are trying to get rid of because they hold back industry in this country but taxes that the Labor Party seem to want to entrench in our economy. Labor seems to have lost track of the fact that if you want to have a strong economy it has to have strong economic infrastructure to support it. It needs the taxes that impede
industry removed. It is time that Labor got out of the way and let us deliver on this important economic reform.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:24): My question is to the Prime Minister. I refer the Prime Minister to confirmation by Holden's managing director Mike Devereux in June this year that it was absolutely true that Holden would cease manufacturing in Australia if there was any reduction in taxpayer support. Prime Minister, hasn't the government known all along that it was forcing Holden to leave Australia?

Mr ABBOTT (Warringah—Prime Minister) (14:25): There has been no reduction in car industry funding. There is the same car funding available today as there has been. Let me refer members opposite to a statement by the former Prime Minister, Ms Gillard. She said:

It gives me great pleasure to be able to say to the House that we have worked together with Holden and we have secured Holden to manufacture cars in Australia for the next decade. Holden will be manufacturing two new-generation motor vehicles here in Australia for the next decade.

I simply make this point: how can it be the job of this government to save Holden when the former government said it had already been done?

Mr Dreyfus interjecting—

The SPEAKER: The member for Isaacs will desist.

Mr ABBOTT: The former government committed an additional $275 million to Holden. Unfortunately, it was not enough. I have no desire to play politics on this, but if it was so easy to save Holden why was the former government not able to deliver on its commitment? If it was so easy to save Ford, what happened under the former government? If it was so easy to save the motor industry, what happened to Mitsubishi under the former government?

What we are going to do is put in place the economic fundamentals that will give the manufacturers of this country the best possible chance to survive and to flourish. We will reduce taxes, we will reduce regulation and we will add certainty to government decision making. Unfortunately, the Labor Party is against all of those things.

The SPEAKER: Before I call the member for Barker, I did see the member for Makin holding up a prop, which could have been distributed to more than one of the members on my left. Should those props be used, those people using them can leave the chamber under 94(a). I call the honourable member for Barker.

Carbon Pricing

Mr PASIN (Barker) (14:27): My question is to the Treasurer. I refer the Treasurer to this email from the chief executive of—

Opposition members interjecting—

The SPEAKER: The member for Barker is not using props.

Mr PASIN: No. It is a document.

The SPEAKER: Just put it down. The member for Barker is a new member asking an early question.

Opposition members interjecting—

The SPEAKER: Those on my left will desist. The member for Barker has the call.
Mr PASIN: Thank you, Madam Speaker. My question is to the Treasurer. I refer the Treasurer to correspondence received by me from the chief executive of the Master Butchers Cooperative, Mr Warren McLean, saying that the carbon tax has cost his business more than $330,000 in higher electricity and gas costs. Treasurer, what is the government doing to reduce the electricity for families and businesses?

Ms Owens interjecting—
Mr Dreyfus interjecting—

The SPEAKER: The member for Parramatta and the member for Isaacs are warned!

Mr Fitzgibbon: Madam Speaker, I rise on a point of order. I refer you again to standing order 100(d), which is referred to again in House of Representatives Practice. I have raised this with you before. This is the fourth occasion this week when members on the government side have asked questions using names and, in this case, using a document that has not been authenticated. I ask you to rule the question out of order.

The SPEAKER: No, I will not be ruling it out of order. Under the standing orders the letter was necessary to make sense of the question and it was authenticated. We went through this with the Deputy Leader of the Opposition earlier this week. I call the honourable the Treasurer.

Mr HOCKEY (North Sydney—The Treasurer): I thank the member for Barker—

Mr Fitzgibbon: Madam Speaker—

The SPEAKER: You have had your point of order. The Treasurer has the call.

Mr HOCKEY (North Sydney—The Treasurer) (14:29): I thank the member for Barker—

Mr Fitzgibbon: Madam Speaker, standing order 100(d) is very clear. Shall I take that as a ruling—

The SPEAKER: There is no point of order. The Treasurer has the call.

Mr Fitzgibbon: Madam Speaker, I am asking you the question: do we consider that you are ruling—

The SPEAKER: You do not ask the Speaker questions.

Mr HOCKEY: I thank the member for Barker for his very good question, because he wants to get rid of the carbon tax, and Mr Warren McLean from the Master Butchers Co-op wants to get rid of the carbon tax—in fact, Australia wants to get rid of the carbon tax. The only people who don’t want to get rid of the carbon tax are the Labor Party and the Greens, who want to keep the carbon tax in place.

What is true, what is irrefutable, is that the carbon tax adds to the cost of business in Australia. As General Motors said yesterday, we have become a high-cost country for production. And as the Master Butchers Co-op have said, they are having to deal with a $330,000 increase in electricity and gas bills because of the carbon tax.

Opposition members interjecting—

Mr HOCKEY: That is in 2012-13. According to MBL that equates to $15,000 per employee. That is their carbon tax bill. If they cannot pass that on to customers, particularly in a global marketplace—the way, for example, Virgin said that they could not pass on the carbon tax to their customers—
The SPEAKER: The member for Chifley is warned!

Mr HOCKEY: and Qantas said they had to absorb overwhelmingly the cost of the carbon tax. If businesses need to absorb the cost of the carbon tax, it increases the cost of production, it reduces the profitability of the business and then people start to look to invest elsewhere. It is a no-brainer.

The Labor Party does not understand that, if you keep laying taxes and more regulation on Australian businesses, sooner or later they will look for cheaper places to go and work: they will look into Asia; they will look into other parts of the world where there is no carbon tax, where there is no excessive regulation, where there is no union militancy, where there is an environment that is conducive to investment and growth.

The fact is the coalition knows this. We know that the best way to remain competitive, the best way to meet head-on the challenges of the world, is to reduce the cost of doing business in Australia—get rid of the carbon tax, get rid of the mining tax, get rid of the regulation. The Labor Party want to keep all the impediments to business growth and then they want to cry crocodile tears when people go and invest elsewhere and turn away from Australia. I say to the Labor Party: get real—if you want to really help production in Australia, get rid of the carbon tax.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:33): My question is to the Prime Minister. I refer to the article by Mark Hawthorne in today's Age, which refers to Holden's internal reaction to government statements in question time on Tuesday: 'Are you seeing this question time attack on Holden? Taunting [Holden] to leave. It's extraordinary.' Prime Minister, isn't it the case that instead of developing a plan to keep Holden in Australia the government bullied, hectored and backgrounded Holden out of this country?

Mr Pyne: Madam Speaker, I rise on a point of order. On two heads the question fails. Firstly, because, as you pointed out to the Deputy Leader of the Opposition earlier this week, it is not enough to name an article in the newspaper and then simply read out a quote. Who made that quote that the Leader of the Opposition has simply read out? It is not an intelligible part of the question and therefore it cannot stand as a question. Secondly, the actual supposed question was a litany of arguments and epithets and does not stand as a question. When the opposition can get its questions within standing orders, we are more than happy to answer them. But that question does not fit within the standing orders.

Mr Burke: Madam Speaker, on the point of order, in terms of authentication: to provide the name of the article, to provide the author of it—to provide those specifics—certainly authenticates the exact quote that was used. If there is an issue with argument, notwithstanding they are words that are used regularly in this chamber, then that is an issue as to whether or not you may want it to be reworded.

The SPEAKER: I think I will ask the Leader of the Opposition to reword his question. If I can just add that the difference between the example we just had, of a letter which was authenticated, and a newspaper article, is quite distinctive. I ask the Leader of the Opposition to reword his question.
Mr SHORTEN: Thank you, Madam Speaker. I have the newspaper article for the assistance of the House. I understand it was the Treasurer who was taunting Holden. I refer to the article by Mark Hawthorne from today's Age—here it is, for authentication purposes.

Government members interjecting—

The SPEAKER: The Leader of the Opposition has the call!

Mr SHORTEN: Thank you. I think we all understand what the article was saying, so the question is: Prime Minister, isn't it the case that, instead of developing a plan to keep Holden in Australia, the government gave Holden no choice but to leave?

Mr ABBOTT (Warringah—Prime Minister) (14:36): All of us in this House, on this side no less than on the other side, are devastated that Holden has gone. We are all united in our disappointment and anguish at the demise in 2017 of our oldest, and for much of its history our largest, motor manufacturer—we are all devastated. But if Holden was so easy to save—and I do not want to play politics here—why didn't members opposite save it? Let's face it: they had six years to do so. And they are asking us to do, in less than three months, what they were incapable of doing in six years.

Mr Conroy interjecting—

The SPEAKER: The member for Charlton is warned!

Ms Owens interjecting—

The SPEAKER: The member for Parramatta will remove herself under 94(a).

The member for Parramatta then left the chamber.

Mr ABBOTT: It should not be necessary for us to save Holden, because, according to members opposite, when they were in government, they had already saved it. And if the $275 million more that members opposite tipped in in March last year was not sufficient to save Holden, what on earth do members opposite expect us to have done? To have doubled the money? Seriously: what exactly do they expect us to have done? How much money does the Leader of the Opposition think taxpayers should have put in? For how long should taxpayers have put in that extra money?

We made it absolutely crystal clear that we were prepared to continue to offer Holden a generous level of support, and we deeply regret that that has not been enough. So, the challenge now is to take appropriate steps to build on our nation's enduring economic strengths to try to ensure that our economy is as flexible and as low-cost as possible. That is why we are cutting the carbon tax. That is why we are abolishing the mining tax. That is why we are cutting regulation. And we just wish members opposite would get out of our way and let these sensible measures go ahead.

Budget

Mr VARVARIS (Barton) (14:38): My question is to the Treasurer. Will the Treasurer outline the importance of the government being honest and transparent about the state of the economy and the budget?

Mr HOCKEY (North Sydney—The Treasurer) (14:39): I thank the new member for Barton for his question. Well done—what a great victory that was. It is vitally important to be very honest about the state of the budget and the state of the economy. The member for Barton might have heard of it, but he was not here: on more than 500 occasions the previous
government promised a surplus. It is hard to believe, isn't it? The member for Lilley is not
here at the moment; he is obviously having lunch with Paul Keating, giving Paul Keating
some wisdom.

Mr Shorten: He is at his daughter's wedding.

Mr HOCKEY: Oh, his daughter's wedding—well, I am very happy for him. I wish him
well, and I wish her well. We have great faith in the member for Lilley, because the member
for Lilley was consistent with Labor values of not being quite as transparent as they could be
about the real state of the budget or the economy.

Dr Chalmers interjecting—

The SPEAKER: The member for Rankin will remove himself under 94(a).

The member for Rankin then left the chamber.

Mr HOCKEY: Why would Labor, on more than 400 occasions, promise a surplus that
they never delivered? Well, the revelation has come out today. I picked up on this stray email
from a Mr John McTernan. Remember him? We do! It is an email to chiefs of staff and media
advisors, and it goes like this:

We know from the groups that voters see surplus as an emblem of good economic management.
Well, we would agree. We were the last government to deliver a surplus, the last party. He
goes on to say:

We need all ministers to explain our achievement constantly—and celebrate it.
And celebrate a surplus!

Cabinet has agreed that ministers need to use the following language consistently …

No. 1: we have delivered a surplus!

This surplus means we now have a buffer in case the global economy gets worse. …We've delivered a
surplus with targeted and responsible savings while protecting the frontline services Australian families
rely on in health and education.

They are Labor's words. They all came from the spinmeister, based on groups.

I will tell you what we are going to do. Next Tuesday at the National Press Club we are
going to deliver a budget update based on the facts. It will tell the truth about the budget,
which Labor never did. It will tell the truth about the economy, which Labor never did. And
you have had a taste of it today with the release of the assessment on the NBN that shows that
a $44 billion promised NBN rollout has blown out to $73 billion. Where did that money go?
Where did that money come from? It would have come from the taxpayers of Australia if
Labor had another three years in office. Now is the time to tell the truth. It takes a new
government to tell the truth, and it will be a shame for Labor that it has taken this long.

Automotive Industry

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:42): When will the Prime
Minister admit that the government's behaviour towards Holden has caused 3,000 job losses
and put another 200,000 jobs on the chopping block before Christmas?

Mr ABBOTT (Warringah—Prime Minister) (14:42): Holden certainly does not blame this
government—it does not blame any government—for the predicament in which it finds itself.
And given that Holden is not blaming anyone, I do not think the Leader of the Opposition should either.

**Trade with South Korea**

Mr **HUTCHINSON** (Lyons) (14:42): My question is to the Minister for Trade and Investment. I remind the minister that a new free trade agreement with South Korea was successfully concluded by the coalition government within its first 100 days. How will this benefit agricultural producers and national award-winning exporters like Cressy based Tasmanian Quality Meats from my electorate of Lyons in Tasmania?

Mr **ROBB** (Goldstein—Minister for Trade and Investment) (14:43): I would like to thank the member for Lyons, a man who has had a lifetime involvement in agribusiness and who knows firsthand the challenges that are currently facing the agricultural sector. As I have moved around the world in recent weeks with my trade and investment responsibilities, I have gleaned a mood of disillusionment with the big government interventionist approach that has been adopted by so many governments around the world post the global financial crisis, including those opposite.

Many countries—such as Korea, which recently saw GMH cut the production of 100,000 cars from their country—are coming to the view that the only way to deliver sustainable economic growth which is large enough to start to make inroads into the high unemployment levels is to open up their economies far more to trade and investment and to change the priorities of their governments. This is what others are starting to realise. Those opposite never did. It is why our government sees an urgency in replacing the firestorm of choking regulation and the reckless spending of the last six years. It is why we have moved quickly to settle the free trade agreement with Korea and to move determinedly in our efforts with China, with Japan and with the Trans-Pacific Partnership.

The Korean free trade agreement is a world-class agreement. It is an agreement which will restore Australia's competitive position and open up a raft of growth opportunities. It will result in the elimination of over 99 per cent of the tariffs that our exporters currently face across key areas including agriculture, resources, energy and manufactured goods. The new agreement will see new market openings in services, and it will see investment in areas such as finance, accounting and legal services, as well as telecommunications, education, audiovisual engineering, health and many more. It is particularly important for agriculture. Tariffs of 304 per cent will be eliminated from chipping potatoes. Tariffs of 36 to 176 per cent on dairy products will go. Tariffs on seafood, wheat, wine, chocolate, beer, horticulture, pharmaceuticals and many more will go. Tariffs on beef, in particular, will fall from 40 per cent to nothing over 15 years. For sheep meats, in the same way, it will help the member for Lyons—(Time expired)

**DISTINGUISHED VISITORS**

The **SPEAKER** (14:46): I wish to advise that the Leader of the Opposition from South Australia, Mr Steven Marshall, is in the chamber, and we make him most welcome.

**Honourable members**: Hear, hear!
QUESTIONS WITHOUT NOTICE

Economy: Fiscal Policy

Mr KATTER (Kennedy) (14:46): In light of Ford's and Holden's announcements, the closure of all copper processing in northern Australia and collapses in WA wheat, Victoria dairying and northern Australia's sugar and cattle, would the Prime Minister acknowledge that, if Mr Keating and Mr Costello had continued with the free-floating dollar at 49c and 52c respectively, all these sectors would have grossed 50 per cent more income and would be now prospering and not collapsing? Would the Prime Minister not agree that this disastrous policy is continuing, with RBA interest rate settings of 2.5 per cent and the OECD average of 2.2 per cent? (Time expired)

Honourable members interjecting—

Mr Katter: Just shut up and listen!

The SPEAKER: I think I heard unacceptable language from the member for Kennedy. He will withdraw.

Mr Katter: I unreservedly withdraw, Madam Speaker, but if you could check him a bit, please.

The SPEAKER: No ifs, buts or maybes!

Mr ABBOTT (Warringah—Prime Minister) (14:48): I do thank the member for Kennedy for his question. I do appreciate the diligence with which he works for the industries in his area of North Queensland in particular. It is the diligence which is shared by members on all sides of this House. All of us want to ensure that the industries in our electorates and the workers who we know and respect have the best possible future. We all accept that, and I certainly would not, for a second, attack the sincerity, the goodwill, the fair mindedness and the decency of the member for Kennedy. Nor do I attack the fair mindedness and the decency—and the good intentions, at least—of everyone in this House.

But I do have to say to the member for Kennedy that for a long time now on both sides of politics we have accepted a floating dollar, and the member for Kennedy is right that a floating dollar went down in the middle of the 1990s. A floating dollar has gone up in more recent times to a level that did make it extremely difficult for many of our manufacturers to compete. But I am pleased to say that what goes up can come down, and the floating dollar is now down to about 90c, a level which makes it much easier for our manufacturers and for our exporters. I support the floating dollar just as, it seems, the member for Kennedy supported the floating dollar, at least when it was low in the mid-1990s. Just as well that the Reserve Bank has been, in effect, recapitalised to the tune of $8 billion because that enables the Reserve Bank to intervene prudently and appropriately in the market to try to ensure that the Australian dollar is at the best possible level.

Mr Katter: Madam Speaker, I rise on a point of order.

The SPEAKER: There is no point of order. The Prime Minister has finished his answer. What is your point of order.

Mr Katter: My point of order is that I was misrepresented.

The SPEAKER: You may deal with that at the end of question time.
National Broadband Network

Mr TAYLOR (Hume) (14:50): My question is for the Minister for Communications. Will the minister outline to the House what factors contributed to Australia's decline in the international broadband standards and how the government will address the situation?

Mr TURNBULL (Wentworth—Minister for Communications) (14:50): I thank the honourable member for his question, and I congratulate him on his election and his very fine maiden speech. During the six years of the Labor government, Australia's standing on any international broadband measure went backwards. There was rhetoric, billions of dollars spent and virtually nothing achieved of substance. As of September, under Labor, the NBN had passed a total of only 384,000 homes and businesses, including those supplied by satellite and wireless. This is barely three per cent of the 13 million premises it must reach to complete the project. It is 45 per cent of the forecast for September in the NBN Co.'s latest corporate plan, and it is one million premises behind Prime Minister Gillard's rollout announcement in December 2010. That meant that the rollout would not be completed until 2024, 3½ years later than stated under the latest corporate plan, six years later than originally promised in Labor's plan in 2009 and—wait for it—11 years later than the Australian public were originally promised by Kevin Rudd in 2007. And, as the Treasurer has observed, there is $29 billion more to be spent.

Ms Claydon interjecting—

The SPEAKER: The member for Newcastle is not in her seat and not entitled to interject.

Mr TURNBULL: There has never been, in our history—

Ms Claydon interjecting—

The SPEAKER: I said you are not in your seat and not entitled to interject.

Mr TURNBULL: so much money wasted and mismanaged on an infrastructure project. That is why we have gone backwards on all of the international broadband measures—because Labor could not get anything done. The reason why they could not get anything done was sheer mismanagement and incompetence. We have inherited an enormous mess in the NBN, billions of dollars wasted and forecasts missed.

I saw the shadow minister clutching a document the previous management published a little while ago. He was saying that was the truth. Well, that document which he says is the truth says there would be 729,000 premises passed with fibre in June next year. We already know that is only going to be 467,000. So it was not the truth for very long. Every single forecast this company made under Labor has been proved wrong.

What we have done is, for the first time, to tell the truth—a thorough, objective appraisal. It is not happy reading for anyone. It is tough. It is conservative. It is prudent. This is the way governments must govern: based on fact, not on paying people, as Labor did, to tell them what they want to hear.
MOTIONS

Prime Minister

Attempted Censure

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:53): by leave—I move:

That the House censures the Prime Minister for doing nothing as Holden leaves Australia after 65 years and for failing to save Australian workers from job losses and in particular for:

(1) failing to do everything he could to keep Holden in Australia;
(2) failing to sit down, face to face, with Holden and work through what was needed to support Holden jobs;
(3) persisting with a $500 million cut to Australia’s automotive industry even after receiving Holden’s business case that would have saved Holden jobs;
(4) setting up a Productivity Commission inquiry with a reporting date in 2014 after the South Australian election when Holden needed immediate answers and immediate assistance;
(5) failing to lead a Government united in supporting Holden and protecting Australian manufacturing jobs;
(6) allowing his Ministers to encourage Holden to leave Australia;
(7) failing to have any strategy and any plan to support Holden workers who have lost their job two weeks before Christmas; and
(8) having no plan for Australian jobs, other than a plan to cut wages.

I believe it is crucial for this parliament, today, on the last day that the parliament is sitting, to censure the Prime Minister for not having a plan to save the Australian automotive industry. We have been told by the government that this is not a day of doom and gloom. Only a person who is not working at Holden or in the car components industry could adopt such a pollyanna, head-in-the-sky attitude.

Labor, the opposition, believe that we can have a car industry in this Australia. We believe that it is up to a government to assist to maintain manufacturing jobs in this country. One reason for censuring this Prime Minister is that, unlike Labor, unlike many Australians, the Prime Minister has made a decision by his inaction to not have a car industry in Australia. Today we asked if the Prime Minister even met with the leadership of Holden to talk about this issue—whether he had had not three meetings, not two meetings, but even a single meeting. But, when it comes to car manufacturing, we get no support for Australian car workers. We are having a censure motion today because this government and this Prime Minister are doing nothing to save the car industry. They have decided that competing with the rest of the world is too hard for Australia. They have a 'little Australia' mentality which says that we cannot manufacture cars in this country.

Most of all, we seek to censure the Prime Minister because he promised before the election that the car industry would be better off under Liberal. What he never said—what is in the fine print—is that the only reason he could say the car industry would be better off under the coalition is that there would be no car industry under the coalition and therefore he would never have to prove his case.

There are things which this government could have done. The cynical defence of the government about the Holden news, their case, essentially comes down to this: we are a First
World country, and it is hard to make cars in a First World country. We have a global market and a high dollar; therefore it is just all too hard! This parliament should reject this shoulder-shrugging, responsibility-self-absolving government and their dereliction—they say, 'It is too hard to help.' The managing director of Holden made it clear in June. He said, 'If the incoming government, the coalition, were to keep the same policies as Labor, then we could do business.' Of course, what he did not count on is that the coalition never intended to do business.

Why is it that other First World countries can support their car industry more generously than we already do—and that is still too much for this government? In Germany: First World wages. Don’t blame the workers for the wages. In the United States: First World wages. Those governments support their car industry. In Australia we would not have to pay the sorts of subsidies they pay in Germany and the United States. But I can tell you one thing that you will get when you vote for Labor at the ballot box in three years. At least we will stand by manufacturing workers when you vote Labor. We understand the cost. We do not accept that life is too hard. We do not accept that things just happen—that life is not always beer and skittles. We do not accept that, as some in the government do—even those representing motor-car-making electorates. We will never give up on your voters, even if you will not defend them. The government have failed to do everything they can.

The government would have you believe it is just too hard in the modern world to make cars in Australia—it is just too hard. Is it too hard to have a meeting with Holden? I think not. Is it too hard to try and keep to your basic promises on the car industry? I think not. And is it too hard, even, to back up your industry minister? Let me make it clear: we are not censuring Ian Macfarlane. He might not have won the debate, but, from the very judicious leaking and backgrounding from his team of colleagues, at least we know he put up half a fight to defend the car industry.

Not only has this mob opposite failed to do enough, not only has the Prime Minister has been missing in action when it comes to saving hundreds of thousands of jobs—

Mr Hockey: Hundreds of thousands?

Mr Shorten: My advice to the Treasurer is this: stay silent and leave some of us in doubt as to your capacity. Do not speak and convince us.

There are 3,000 direct jobs at Holden. I do not know if the Treasurer has ever lifted the bonnet of a motor car, but if he had he would have seen that there are a lot of working parts, and they get made by component companies. Components are not all made by robots. They are not all made in Third World countries. They are made in Dandenong, in Bayswater and in South Australia. They are even made in Corangamite.

What we have is a government that has failed to do what it should have done. The Prime Minister cannot ring; he cannot talk to Holden. Those opposite do not even know how many people work in the industry. They cannot back their industry minister. They are certainly happy to background against the industry minister. They cannot even do what the Germans and the Americans do. This is world news: the Germans and the Americans, who subsidise their industries to levels that Labor would not recommend, at least back their industry.

Let me tell you why this Prime Minister should be censured. Holden has been here since 1948. It was a Labor Prime Minister, on 29 November, who waved hello to the first Holden
motor car. It will be a Liberal Prime Minister who waves goodbye to the last Holden. Holden has been a good company to Australia.

Honourable members interjecting—

The SPEAKER: There is too much noise in the House. Stop the cross-chamber discussion and have some order.

Mr SHORTEN: Holden have been a good company to this country. They deserve better than the schoolyard baiting and taunting of the Treasurer of Australia. On Wednesday we saw the Treasurer of Australia, puffed up and proud, saying, 'We're not going to be played in a game of bluff by Holden.' He was right. He was not up to playing a game of poker with them. Joe Hockey called their bluff and now he has thousands of jobs around his neck.

His failure and that of the Prime Minister to keep Holden will be a defining moment of this government. The brand of Holden used to mean motor cars; now it means coalition job cuts. Let us not, in all of this process, blame the workers. We have seen sinister anti-worker attacks by some opposite, creeping from under the rocks. I acknowledge that the Prime Minister said, 'We don't blame the workers.' It is a shame, Prime Minister, that the members behind you are saying, 'They're paid too much.' In what could only be a brain snap a certain Liberal powerbroker backbencher from New South Wales—the member for Mitchell—tweeted that Holden workers are paid three times too much. They say that a tweet and its twit are soon separated. They certainly are! The member for Mitchell said that Holden workers are paid three times what they should be paid. The base rate of a Holden worker is $48,000. What a marvellous industrial relations prescription we have running on the back bench!

Let's not blame the workers. Let us acknowledge that this government has not done what it should have done for these jobs. Let us acknowledge also that there will be a real cost—I do not mean an electoral cost—in terms of thousands of jobs. There are 2,900 direct employees of Holden but how many component workers are supplying that Holden factory—making every part of that motor car? Treasurer, there are thousands more. That you do not know means that you should hang your head in shame.

Let's look at this marvellous saving that these economic rationalists opposite are talking about. They have said: 'We've outsmarted Holden. We're not going to give them $120 million. We're too smart; we're the coalition.' How much extra will those on the other side of the chamber pay in unemployment benefits and forgone taxes?

I know that most members opposite, at the human level, if they have had a family member who has lost a job would appreciate this point. Perhaps a couple over there would not but most of them would. They would appreciate the pressure on families. I have seen it when people have lost their jobs and I am sure some opposite have, too. Wait until mum and dad come home and they see the decision by Holden. The kids will be asking, 'What does this mean for our jobs?' Mum and dad will say, 'We've got a government that's too spineless to stand up for us, who won't find the money; but, do you know what?—we'll have to pay more taxes to pay for the retraining.' I love it!

Out in Senator-Abetz-land, he is saying, 'I'll be all right for those Holden workers. They can go to work in a uranium mine that has not yet started in the middle of the South Australian desert at Olympic Dam.'

Mr Joyce: That's somebody's job.
Mr SHORTEN: Fantastic! There goes the 'Minister for GrainCorp, chirping in again. He says, 'That'll do.' If you are an assembly-line worker who has spent 20 years at Elizabeth do you reckon you are ready to be retrained? They are skilled people—

Mr Joyce interjecting—

Mr SHORTEN: The redder and the louder you get, the argument does not get better, Sunshine.

This is not helping the workers. The government have told us this is an inevitability. They have said, 'Everyone knew this was going to happen. This has been a sure thing.' As we know, the Prime Minister says, 'Things happen in life.' If this has been such a foregone conclusion for so long, why don't they have a plan B, today? Where are all their bright ideas? I know they can scrap the carbon tax and the mining tax; how about helping workers get retrained?

This is why we censure the Prime Minister. Before the election, never in my wildest imagination would I have suspected that there would be such a cowardly performance by the government in surrendering manufacturing. There is an attitude from those opposite who say that modern First World countries do not make things anymore. Well, they are wrong.

I am happy to attend, with the Prime Minister, a meeting with the workers at Elizabeth. Let's go and talk with them. Let's go and talk to Holden workers together—you and me and the workers. We can talk. You can tell them all of your facts. You can tell them all your fine words. You can quote Christopher Pyne saying that today is not a day of doom and gloom. What I will say to the workers, the small businesses, the apprentices and the families of all these people who are displaced, is that if Labor had been in government we would not have let this happen.

We do not give up on manufacturing. We do not think that 'manufacturing' is a dirty word. Why on earth would this government say, of all things, 'it's too hard'? The real concern I have is not just the Holden workforce and the component workforce but what will happen with Toyota next. Look at this group opposite! All of you are the people who have decided we will no longer make cars in Australia. You have managed in three months to get rid of what it took Australia 65 years to build up. You are the wreckers of the car industry, you are the destroyers of jobs. Never could I have imagined before the last election, when recommending to people that they voted for us, that the problem was that if you got Tony Abbott you would lose a car industry. Even I would have thought that was an exaggeration.

But what we discovered yesterday and today is an administration sufficiently cynical that they fundamentally believe that they can sell a message to the Australian people that the world is too hard to compete in, that we cannot manufacture in Australia any more, that, if you pay people First World wages, somehow we cannot manufacture. This mob opposite have surrendered on Holden and the car industry—and let us not even list all the other jobs that have gone. You have been a busy government in three months. Electrolux, Simplot, CSIRO, Caterpillar, Peabody—you have a rolcall of jobs. But you will never ever shrug the shame: Holden has gone on your watch, and the car industry is in deep distress on your watch. This Prime Minister should be censured for giving up on Australian manufacturing jobs.

The SPEAKER: Is the motion seconded?

Mr Brendan O'Connor: I second the motion and reserve my right to speak.
Mr ABBOTT (Warringah—Prime Minister) (15:09): I absolutely accept that the Leader of the Opposition is upset, disappointed, frustrated and angry. We are all upset to see Holden go. But there is one side of this parliament which is trying to help the motor industry, and there is another side which is playing politics. I say to the Leader of the Opposition that outrage is all very well for a union leader but it is not good enough for an alternative Prime Minister of this country. The Leader of the Opposition says that this would not have happened under Labor. But it did. Under Labor Prime Minister Gillard committed $275 billion to Holden and said Holden's future was secured for 10 years. It was not secured and the money did not work.

I say to the Leader of the Opposition and members opposite that we have tried throwing money at the motor industry but it just does not work. What we need to do if we are going to help the motor industry and the other manufacturing industries of this country is get the fundamentals right. We need to get taxes down, we need to get regulation down and we need to ensure that the great workers of Australia are unshackled and are able to be not just amongst the best paid workers in the world but amongst the most productive workers in the world. And that is what will happen under this government.

I hate to disturb the Leader of the Opposition with the facts, but the facts are that since the start of 2008 a manufacturing job has been lost every 19 minutes. That is what happened when members opposite were in power. That is what happened when members opposite were throwing $275 million at Holden—to no avail. What we need to do is approach this problem in a calm, considered and constructive way—and that is exactly what this government is doing. We started our campaign to help the motor industry by abolishing Labor's $1.8 billion fringe benefits tax hit on them. We are continuing our campaign to help the motor industry by abolishing the carbon tax, which adds $400 to the cost of every car produced in Australia, which damages domestic manufacturing and disadvantages it compared to foreign imports.

So there is one side which is doing what it can to help, and there is another side which is simply playing politics with this issue. Frankly, the Leader of the Opposition should be bigger than that. Until three months ago the Leader of the Opposition was a senior minister in a government which could not save Mitsubishi, which could not save Ford and which did not save Holden—even though they said they had saved Holden and even though they had spent $275 million extra trying to do it. Members opposite were completely shameless. I refer the House to a letter from the member for Wakefield, Mr Champion:

I have secured guaranteed support for Holden … ensuring production until 2022.

Why is it our job to save Holden when he said it was already saved, and when he invested $275 million which simply did not do the job?

I accept that this is a difficult time for manufacturing. I accept that this is a particularly devastating time for people employed by Holden—as it was earlier in the year for people employed by Ford. But I have faith in those workers, I have faith in our country and I have faith in the employers of this country. I am confident that, when the right policies are put in place, there will be jobs for those workers—because they are good people and they have a future in a strong and successful manufacturing economy.

The difficulty the Leader of the Opposition has is that he is arguing a case which not even Holden itself is arguing. He is arguing that, somehow, the problems of Holden in Australia are absolutely unique, and he is arguing that the problems of Holden are somehow uniquely
caused by this government, a government that has been in place for less than three months. It is nothing to do with the government that was in place for six years and did not save Mitsubishi and did not save Ford and did not save Holden. It is all the fault of this government. I commend Mike Devereux for pointing out that Holden, in this country, has been hit by a perfect storm—high costs, high dollar and small markets. It has been hit by a perfect storm and, of course, Holden worldwide is in the middle of a restructure. I have faith in the workers of this country. I have faith in the companies of this country. I refuse to accept, as members opposite accept, as the Leader of the Opposition does, that the only way the workers of this country can be competitive and successful is with a massive ongoing government subsidy. I think the workers and the businesses of this country are better than that.

We will do what we can to ensure that the workers of this country, the businesses of this country, have a strong, profitable, viable and competitive future. We will do what we can to ensure that Holden and Ford workers, when they are no longer with those companies in 2016 and 2017, get the best possible economy in which to move. We will do our best to ensure that they are moving from one job to another job, that they are moving from a good job to a better job, that they are moving from a business that required subsidy to a business that does not require subsidy.

Mr Perrett interjecting—

The SPEAKER: The member for Moreton.

Mr ABBOTT: That is what we will do, and we will make available the kind of funding—

Mr Perrett interjecting—

The SPEAKER: The member for Moreton is warned.

Mr ABBOTT: which governments in the past have made available in areas that have been hit by this kind of restructuring. We will make that money available to try to ensure that Adelaide and Geelong and western Melbourne have the kind of dynamic, viable, ongoing businesses into which these skilled, hard-working and adaptable workers can move. There are industries where we are competitive—in manufacturing for the mining industry, in niche manufacturing and in R&D. All of these things we can compete in—in tourism, in agriculture and in mining. We can compete in all of those industries.

The loss of BHP was a much more dramatic problem for Newcastle than the loss of Holden will be for western Melbourne and for Adelaide. Because government made sensible investments, because people did not give up hope and because we did not have the gloom and doom being preached by the Leader of the Opposition, those workers found a future and that city found a future, just as Adelaide and outer metropolitan Melbourne will find a future, and can have a future under a government which respects workers and will do the right thing by them.

The best thing we can do for the workers of this country is to ensure that taxes are low, that regulation is low and that productivity is high. That is what we are doing. Unfortunately, every single thing that we are doing to help the manufacturing workers of this country is being blocked by members opposite. Stop trying to put shackles on the workers of this country, give them a chance and back the policies of this government.
Mr BRENDAN O'CONNOR (Gorton) (15:19): I seconded the motion moved by the Leader of the Opposition and I did so because this government has been derelict in its duty to look after thousands of workers in this country. Today, the Prime Minister's response to a question asked by the Leader of the Opposition as to whether he had sat down, as Prime Minister of this country, to talk to the senior management of Holden was that he had not. He did not because he, along with his front bench ministers, has shown no regard for the future of this company and the future of its workers since before the election and certainly after. The difference between what happened before the election and now is that there was a feigned interest, a feigned sincerity, for Australian workers.

In fact for four years we had the Prime Minister as the then Leader of the Opposition visit every workplace in the country that he could possibly find to stand next to Australian workers or, indeed, stand in front of them and use them as a prop, as he said that he was concerned for their jobs. Well, what we have seen since this government was elected is, time and time again, a government that is totally disengaged, or worse, a government, through the auspices of the Treasurer, that is willing to goad a company to leave this country. That is what we saw on Tuesday. On Tuesday, before any decision was made by Holden to leave this country, we had the Treasurer stand up in this place and dare that company to leave. Well, Joe, you got your way. The company is leaving this country, and that is a dreadful shame.

In the last two weeks what we have seen are, indeed, some very terrible decisions that will impact on Australian workers. Two weeks ago Rio Tinto made a decision that will, of course, affect up to 1,200 jobs in Gove by closing down alumina production in Gove, which will obliterate, socially and economically, Nhulunbuy. Last week Qantas announced a 1,000-job reduction; and, of course, yesterday Holden made its decision, which will have the direct impact of 2,900 workers losing their jobs in this country. But there is more to come as a result of Holden's decision. What the government has to understand is that, when a company as large as Holden leaves our shores, there are terrible consequences which go beyond the company's direct employees. Small and medium enterprises and the components industry, which need larger companies through which to create demand, are also in the firing line. So because the government—through the Treasurer—dared Holden to leave, this decision has been made by Holden.

This is a very important debate, and I think it is time we heard from the industry minister. The Minister for Industry has been prevented by this government from saying what really happened with Holden in the last few weeks. We want the industry minister to tell us what actions, if any, were taken by this government before Holden made its decision to leave the country. To date, the industry minister has been silenced. The Prime Minister, most likely the Treasurer, and, indeed, the Minister for Education wanted to enter this debate. But we need to hear from the industry minister. Clearly he has shown at least some sympathy for Holden and its workers. Unfortunately, it is clear that the Minister for Industry lost the arm wrestle; the Treasurer clearly prevailed. But it was not just the Treasurer's work; we should not give Joe all the credit. Clearly new ministers in this government have been leaking to the media that they had no interest in providing further support to Holden before the decision was made. This information was coming out before the decision was made.

Imagine this: you are Mr Devereux—who was responsible for Holden's decision and who was involved in discussions with Holden in Detroit—and you have just fronted the
Productivity Commission and seen the Treasurer stand in the chamber and effectively dare the company to leave the country. But the company expected the government to co-invest in the company. The company would have hoped that, instead of ripping $500 million out of co-investment in the automotive sector, the government would have sat down with the company and worked out a way to ensure that not only would the company stay in this country but also that 2,900 people and their families would not be hit by as awful a decision as was made yesterday.

This Prime Minister must be censured because he has shown a total and callous disregard for workers in the automotive industry and because, unfortunately, there are potential adverse consequences for other workers in small and medium enterprises. The government talks about being the government for small business. But how many small businesses do you think will be affected adversely as a result of Holden's leaving the country? Hundreds or thousands of companies will be adversely affected, and the government does nothing. This is a government which has revealed itself as never putting workers or jobs first. This is a government that, when it comes to doing the work rather than just spinning out some lines, is not there to engage genuinely and comprehensively with companies—whether they be Holden or any other company.

Today the Prime Minister has feigned all sorts of sincerity. Today he is saying to this House that he is concerned about the workers. But it is a bit late now, Tony—it is a bit late now to be concerned for Holden workers after the decision has been made.

The SPEAKER: The member will refer to members by their correct names.

Mr BRENDAN O'CONNOR: Indeed, Madam Speaker. The fact is that the government has made an assault on manufacturing industry—and the automotive industry in particular. This government has made an assault on the car industry. What the government needs to do is to work out what it is going to do to provide support for the workers who have lost their jobs. What intensive, tailored support will the government give the workers who will lose their jobs over the course of the next four years? How is the government going to ensure that the workers will transition into any jobs that become available? What sort of effort is the government going to put into looking after those workers?

The government has some other challenges which it must attend to immediately. One of them is making sure that what has just been done to Holden is not done to Toyota. Toyota has made it very clear that they face challenges, and they would expect, as any major company in this country would expect, that the Prime Minister and the government would sit down with them and work through the challenges to ensure that the jobs of the local workers in the company—and, indeed, the company itself—stay in this country. Do not use the way you have dealt with Holden as a template for the way you might engage with Toyota, because you get zero out of 10 as a government for your efforts today.

I finish by pointing out that the unemployment rate went up by 0.1 per cent today—and, of course, this increase happened even before the effects of the announcements which have been made in the last two weeks could be taken into account.

Mr Hockey interjecting—

Mr BRENDAN O'CONNOR: The Treasurer wants to intervene. You should be ashamed of yourself. The fact that you even show your face in this place in this place is remarkable.
The SPEAKER: The member will refer to people by their correct titles.

Mr BRENDAN O’CONNOR: The Treasurer should be ashamed of himself because he is as much responsible, in his goading Holden to leave our shores, as any other contributing factor in the departure of the company from Australia. That is a dreadful shame, and you will be wearing it for your entire time as Treasurer. This government must be censured—indeed, this Prime Minister must be censured—because it has shown such callous disregard and decided to fight amongst themselves instead of fighting for Australian workers.

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:29): I move as an amendment to the motion moved by the Leader of the Opposition:

That all words after “That” be omitted and the following words be substituted: “this House calls on all Members to support policies that reduce taxation, cut red tape and regulation, improve productivity and create stable and consistent Government that encourages growth and investment.

Before I turn to the elements of the amendment, there are two gaping holes in the opposition’s case against the government today. The first of those gaping holes is their own record on jobs in the manufacturing sector and jobs in general over the last six years. The second gaping hole is the truth about why General Motors in Detroit made this announcement today. I will get to both.

Fancy being lectured about job losses by the Leader of the Opposition, who was part of a government that secretly planned to sack 14,500 public servants. They had that planned before the election and they were going to reveal it after the election. It was not like the Leader of the Opposition just signed up to a secret arrangement to sack 14,500 workers; many more workers than whose jobs are at risk over the next four years. These 14,500 job losses were going to occur within weeks and months of the election. He went to the Commonwealth Public Sector Union conference and said to members:

… we believe that the necessary savings should not impact unduly on the overall number of APS jobs

On 16 August 2013, the day he assured the people he was speaking to that their jobs were safe, he accused the coalition of planning to cut to the bone while he knew all along that his government, if re-elected, was going to sack 14,500 workers. It is difficult to be lectured by the opposition about manufacturing jobs when we know that under them, in the 5½ years to August 2013, 160,000 manufacturing jobs were lost. Just over one in seven manufacturing jobs were lost under Labor. In fact, a manufacturing job was lost every 19 minutes under the Labor Party. That is the fact. Under the 11½ years of the previous coalition government, jobs in the manufacturing sector remained relatively stable.

Mr Stephen Jones interjecting—

The SPEAKER: The member for Throsby!

Mr PYNE: For 11½ years in a growing economy with an adult government in charge that was doing the things to encourage growth and productivity, manufacturing jobs in a similar international economic climate remained stable. The record of Labor, who are lecturing us today, stands them in very poor stead because they lost so many jobs.

Mr Husic interjecting—

The SPEAKER: The member for Chifley is warned.
Mr PYNE: The second big problem they have with their argument is there is no truth to it. They are trying to create the idea that within the last three months of the new coalition government, suddenly Holden decided that they were going to close their manufacturing in South Australia. Obviously, that is not how business works internationally or in Australia. We know that it is not true. We know this not because we have said it is not true, not because any economic commentator has said it is not true, but because General Motors themselves have said it is not true. In the statement that they released yesterday they said:

The decision to end manufacturing in Australia reflects the perfect storm of negative influences the automotive industry faces …

They went on to name four different influences. None of them were the federal government, or even the state government in South Australia. Yesterday, Mike Devereux went even further on the Jon Faine program. Jon Faine said, 'Okay let us boil it down to the nitty-gritty here, why did they close? Mike Devereux replied, 'As you and I have talked on this very show before, Jon, over many, many years you get to the point where it is simply for us no longer a viable case to assemble and manufacture cars in this country.'

He is not the only General Motors spokesman who has made these kinds of statements. In fact on ABC radio today the spokesman for GMH in Detroit said, 'It is unlikely that any Australian government package would have averted the decision to close the Holden factories.' I repeat that because it is very important. Today General Motors in Detroit said on ABC radio, 'It is unlikely that any Australian government package would have averted the decision to close the Holden factories.'

Ms MacTiernan interjecting—

The SPEAKER: The member for Perth.

Mr PYNE: So General Motors has made it absolutely clear that no government package would have averted their decision. So it is intellectually utterly dishonest—

Ms MacTiernan interjecting—

The SPEAKER: The member for Perth.

Ms MacTiernan interjecting—

The SPEAKER: The member for Perth will remove herself for one hour under standing order 94(a).

The member for Perth then left the chamber.

Mr PYNE: It is utterly dishonest for the Labor Party to continue to propagate the myth, the untruth, the falsehood that somehow a three-month-old government has had more impact on Holden, on GMH in Detroit, than the six years of their government and the international factors of costs of production, costs of labour, the cost of the dollar and the relative cheapness of being able to build motor vehicles in other markets. But this government is not going to buy up to Labor's petty and juvenile politics on the car industry. There are families' livelihoods at risk here. Let us remember it is not as the opposition leader tried to claim today that apparently over the next 10 days before Christmas hundreds of thousands of workers would lose their jobs. Often with new opposition leaders they over-egg the omelette. In this case the member for Maribyrnong has very much done that.
Over the next four years we need to make sure that all the workers at Holden, whether they are in Victoria or in South Australia, find work in South Australia and in Victoria. The beauty of the public's decision three months ago is that they elected a government that has a plan to do just that. Over six years Labor could not save Holden, no matter how much money they gave the company. They did not save Ford; it did not matter how much money they gave the company. They did not save Mitsubishi, and their policies demonstrably damaged the South Australian economy. The only example I need to cite is the fact that BHP Billiton decided not to proceed with their expansion of Olympic Dam.

One of the reasons they did so was that bad government policy constantly changed. That created sovereign risk in Australia and that caused them to look elsewhere because of the uncertainty and instability created by very bad government policies. We will address that issue. We will create an environment in Australia for more jobs to be created, just as we did under the Howard-Costello government for 11½ years. We will create that environment, by reducing taxes such as the carbon tax; the fringe benefits tax changes the Labor Party proposed; and the minerals resource rent tax. We will create jobs by taking away red tape and regulation, which we are already doing in the tertiary education sector and right across the business sector, and as the Minister for the Environment is doing with one-stop-shops for development and environmental approvals across Australia. We will do so by building the infrastructure in Australia that makes transport cheaper in this country, by building ports, railways and roads that actually ensure that we get our goods to market faster and cheaper and at a cost to the consumer and the exporter that makes their markets grow. Infrastructure will be very important to productivity. We have made it very clear that we want to be a government that builds infrastructure and improves productivity.

But, most of all, we will take away the incredible and extraordinary uncertainty that Labor created around government policy. So many foreign businesses had to rethink their investment in Australia and Australian businesses had to rethink their investment in their own country.

I well remember the former Treasurer talking about trillions of dollars, billions of dollars of pipeline investment coming down in Australia. As the months progressed, the number would drop and drop and drop, as one after another entity announced they were not going ahead with their investments. Olympic Dam was just one of those. We expect that, through certainty of government, stability of government decision making and true cabinet processes that give business certainty, we will create the environment that will ensure that foreign investment is encouraged and welcomed in this country and that domestic corporations make their investments here in Australia rather than companies like BHP Billiton weighing up Canada, Chile and Australia and deciding that Australia was too big a sovereign risk.

Mr Danby interjecting—

The SPEAKER: The member for Melbourne Ports is not in his seat and is not entitled to interject.

Mr PYNE: I am proud to be part of a government that will create that environment.

Mr CHAMPION (Wakefield) (15:39): Obviously, I rise to oppose the amendment moved by the Leader of the House. This is a government whose character is being revealed by its foreign investment decisions. It is a government led by a man who combines the economic
policies of Malcolm Fraser, the politics of Richard Nixon and the economic xenophobia of BA Santamaria. That is its character. Its first approach is to do nothing; its second approach is to divide the community and to blame people; and the last approach is to demonise foreign investors, albeit for different reasons in different circumstances.

We saw this with GrainCorp and we have seen it with Holden. This will cost Australians jobs and it will cost Australians investment. This decision is no surprise because, on Thursday, 13 June this year the *Adelaide Advertiser* reported 'Libs reject Holden support ultimatum—no more car cash'. That was the headline in the *Adelaide Advertiser*. This government's policies were no surprise to GM in Detroit—no surprise at all. We were all waiting with bated breath on the election and on whether or not the Abbott government would actually undertake this $500 million cut. It was flagged to Detroit. They knew the nature of this government. But what we did not count on was the Minister for Industry, who is nowhere to be seen in this debate or in this parliament, who stormed out last night with the Treasurer but is not participating in this debate.

The Abbott government came to power on 3 October this year. The ABC headline was: 'New Industry Minister Ian Macfarlane tours Holden plant and seeks patience from Detroit over federal assistance'. That was to buy time so they could have another cabinet debate, another bit of division in the cabinet. During the first debate the Treasurer lost out to the member for New England. He got done over by the member for New England. We know he had to win this one. He had to triumph over the industry minister, the member for Groom, at the cost of thousands of jobs. Fifty thousand jobs is the price of this Treasurer's bravado.

After this long period of silence where they asked the nation for patience, where they asked GM in Detroit for patience, where they asked car workers for their patience, what do we have? The government's industry policy descends to a one-page letter. Can you imagine the governments of Germany, the US, South Korea or Japan behaving in such a way, issuing letters to their major companies? Can you imagine that? Can you imagine those nations' treasurers, standing at the dispatch box goading and hectoring a company about their foreign investment decisions? What was Detroit supposed to make of all this?

It is hardly laying out the welcome mat for foreign investment, is it, as we saw with GrainCorp? No wonder you can hear boardrooms around the country drawing breath as they think, 'They promised a government of adults and what we've got is a bunch of erratic 15-year-old children.' That is what we have got. They are as fickle as a teenage girl. That is the truth of it.

The SPEAKER: The member for Wakefield will resume his seat. I find that remark totally offensive and you will withdraw it forthwith.

Mr CHAMPION: Madam Speaker, I withdraw.

The SPEAKER: And apologise as well.

Mr CHAMPION: I withdraw, Madam Speaker, and I apologise to all the teenage girls offended who are listening to this debate.

Mr Joyce: I think the member for Wakefield should withdraw not only his initial comment, but his reiteration of his initial comment in the second instance.

The SPEAKER: I absolutely agree.
Mr Champion: I withdraw, Madam Speaker. What we have is a government whose policy is—and this is the headline in the Sydney Morning Herald: 'Taunts and text brought about company's exit'. That is the headline in the Sydney Morning Herald. Didn't read it today, Joe? Didn't get time? This is a government—

The SPEAKER: The member will refer to people by their correct names.

Mr CHAMPION: I was referring to the member for North Sydney. This is a government whose Prime Minister's policy was to have no meetings with Holden. He had no meetings with Holden and he also refused to meet with component workers who came up to this House—citizens and workers—and asked to meet with the Prime Minister about their jobs and 50,000 other jobs across the country. They asked to meet with him and what did they get? They did not get a meeting, just as Holden did not get a meeting.

That is an extraordinary industry policy to have. I can tell you who pays the price of all this. It is Mr Murray Akehurst, who I talked about yesterday. He is a 50-year-old auto assembler at Holden, who has worked at the plant for 16 years. He is one of many. One of them emailed me today. I will not reveal his last name but his first name is Martin. He said:

From myself and my family I would like to thank you and the Labor team for your hard work to help trying to keep the automotive industry going. It has been a very hard road recently, and there will be rocky roads ahead.

What I tell Martin is that the Labor Party and I will be there for that rocky road, which has been created as a policy choice by this government. Make no mistake about it. People in my electorate and around the country are going to be paying the price for this government's investment decisions. It is not just Labor who is disappointed. It is not just people in my electorate who are disappointed. It is not just Toyota and component companies who are disappointed. It is Minister Hodgett, who said to Sky News:

My message to federal colleagues is any speculation on the future of Holden is not helpful. It's disappointing.

So the Victorian industry minister is disappointed with the federal government, because he knows as we know the economic damage that is being done to this country in terms of jobs and investment.

This is a government not of adults but of erratic children who are playing politics with people's lives. Rather than rolling out the welcome map for foreign investment and rather than engaging, they withdrew and then they demonised. It is costing jobs in the Australian economy.

This government is taking on the character of its Prime Minister, a character of doing nothing. That is the first instinct in all his decisions: to do nothing. Then, when they have to make a decision we see the division rolling out. We have seen that in the last 24 hours with the demonising of workers at this plant. These are workers who during the global financial crisis worked one week on and one week off—one week with pay and one week without pay. Many of them gave up their afternoon shift penalty rates to go onto the day shift. They made sacrifices to keep this factory going. When they were asked to stump up costs, what did they do? They gave up those costs. But they are demonised for their efforts in trying to save this company.
Finally, what do we see on display from this government: the economic xenophobia of BA Santamaria. That is where this government is revealed—the economic xenophobia of the member for New England and of the member for Warringah. To try to fight this we have a Treasurer who, to prove that he had policy grunt, sacrificed 50,000 jobs and an iconic brand. It is just not good enough.

Mr HOCKEY (North Sydney—The Treasurer) (15:49): Enough of the hypocrisy. It is rather ironic that today Paul Keating was in the building addressing the caucus.

Ms Macklin: You are no Paul Keating.

Mr HOCKEY: I am no Paul Keating. I can assure you I am no Paul Keating. I say that emphatically because at the same time that the Labor Party was placing Paul Keating on a pedestal today, I was reminded of Paul Keating’s comments in the Sun-Herald of 1991. The article said:

Taxpayers are paying $1.6 billion a year, or $4,000 a car, to keep the car industry afloat. Treasurer Paul Keating has described this level of protection as a disgrace.

It was $4,000 in 1991. Today it is $4,961 per car. It is not the same in real terms, but does Paul Keating hold that view today? Did he say that to the Labor Party caucus today? Please spare us the hypocrisy on this. Please spare us the hypocrisy about caring for workers.

Paul Keating, the man who appeared in caucus today, said in 2000:

What do I say—
to people who lost their jobs—

What is your new job like? One of the 2.5 million created since the early 1980s. People have found better jobs. I mean, did we ever hurt anybody liberating them from the car assembly line?

That was said by Paul Keating, who appeared in the caucus today. He said, 'Of course we did not'. The way people talk about this free trade and fair trade, as if the economy is static and not dynamic, and a job lost is not a job replaced, is just bunkum—that is Paul Keating.

So today, when Paul Keating is in caucus and they are holding him up on a pedestal as the man who delivered economic reform, they come into this place and rail against the failure of the government to massively increase the amount of subsidy for car production in Australia and they say there is something wrong with change in the auto industry.

But let us deal with the facts, because the facts need to be stated. In 2000, 44 per cent of the cars sold in Australia were Australian made. In 2005, that fell to 30 per cent. In 2010, that fell to 19 per cent. There has been a transformation. In 2007-08, when the Labor Party was elected to government, they commissioned Steve Bracks to look at the entire car industry. In February 2008, Mitsubishi closed their operations in Adelaide under Labor. Did we cry about that? No. But I will tell you who celebrated that.

Mr Bowen: You should be hiding in your office.

Mr HOCKEY: Listen to this, Sunshine. I know that you are on your L-plates, but listen.

Lindsay Tanner, the former finance minister, said this in March 2008, one month after Mitsubishi closed:

The Rudd government is committed to upholding the tradition of reform established in the Hawke-Keating era. We have resisted the temptation to bailout Mitsubishi.
That was Lindsay Tanner, the Labor finance minister, one month after Mitsubishi closed their doors under Labor. Save us the hypocrisy.

Ms Kate Ellis: You haven’t talked about Holden.

The SPEAKER: The member for Adelaide will desist.

Mr HOCKEY: When the Labor Party committed $573 million to the automotive sector in 2008-09, Ford announced 350 redundancies. And Labor responded and committed $6.2 billion in a 13-year long plan to create environmentally friendly cars. Then in 2010 they came up with a new policy; a new plan: Cash for Clunkers. We remember that. People could get grants for $2,000 to scrap their pre-1995 motor vehicles. But at the same time that they were announcing putting in more money, our share of global production of cars had halved since the year 2000. The Australian motor vehicle industry is selling fewer cars in Australia and is exporting fewer cars—half the percentage of global production of what it was a few years earlier. But Labor committed more money.

Ms Kate Ellis: Say the word ‘Holden’.

The SPEAKER: Does the member for Adelaide wish to leave under 94(a)?

Mr HOCKEY: In August 2010, they announced Cash for Clunkers. Just a few months later in January 2011 they announced the abolition of Cash for Clunkers—the abolition of something announced earlier. What is more, the Labor Party then announced that they were closing the Green Car Innovation Fund that Steve Bracks announced, saving $861 million

Ms Kate Ellis: Can you say the word ‘Holden’?

The SPEAKER: Does the member for Adelaide wish to leave under 94(a)?

Mr HOCKEY: Hang on: Labor announced Cash for Clunkers and then withdrew it, they announced that they were putting money into a Green Car Innovation Fund and then they closed that and then they announced the closure of the LPG vehicle scheme. That is $1.4 billion of promises to the motor vehicle industry, and then the Labor Party pulled the rug out from under them.

What was the reaction of Mike Devereux? Listen to what he said in June 2011:

We cut a deal with the prime minister of the country in the Lodge back in ’08, showed our business plan, as did Ford, as did Toyota, made investments and then midway through ... the rules of the game changed.

Listen to this—Mike Devereaux, the head of Holden, said:

So it certainly worries a multinational parent—

company—

when sovereign risk begins to be something that is bandied about in terms of doing business with Australia.

That was in June 2011 when the head of Holden was warning that the Labor government was creating sovereign risk here in Australia for General Motors. But wait: there is more.

Ms Kate Ellis interjecting—

The SPEAKER: The member for Adelaide will remove herself under 94(a).

Mr HOCKEY: In January 2012, the Julia Gillard went down to Ford and pledged $34 million. She said:
As a result of us making $34 million available to join with Ford in new investment to keep car manufacturing here, we’ll actually see the number of jobs grow. There will be an additional 300 jobs as a result.

So, 300 jobs when they put in an extra $34 million. Six months later, Ford sacked 400 people. That is a 700-person turnaround after Julia Gillard went down there and gave them and extra $34 million. But there is more.

In March 2012, Julia Gillard went to Holden and announced an extra $215 million. Listen to what the Labor Prime Minister at the time said:

Holden will be here in Australia producing cars for at least the next 10 years. That's great news. ... So this is a great day for Australian car-making, to be able to announce that Holden will be here for the next decade and we've been able to secure that by working together.

Seven months later, Holden sacks 180 people at the Elizabeth plant and a few months after that Holden announces a further 500 sackings.

Mr Husic: Your guilt is burning you: 50,000 people have lost their jobs because of you.

The SPEAKER: The member for Chifley will remove himself under 94(a).

Mr HOCKEY: Hang on: the Labor Party kept giving them more money and announcing job security and then months later Holden would sack workers and Ford would sacks workers.

Then along came the carbon tax. Listen to what Mike Devereux had to say on the carbon tax:

There is no question that a tax on electricity, in making it more expensive in input costs, makes it more difficult for me to make money building cars.

That is what Mike Devereux, the head of General Motors Holden, said about the carbon tax. He said, 'It makes it more difficult for me to make money building cars.' Holden then announced 500 redundancies.

Mr Bowen: They have gone under on your watch.

Mr HOCKEY: The member for McMahon was the most incompetent L-plated Treasurer in Australian history. We thought that John Kerin walking into a cupboard was incompetent. The member for McMahon was only in for 84 days but, wow, what an 84 days. He announced a $1.8 billion fringe benefits tax that saw car sales plummet. We got rid of it.

Mr Bowen: I did not lose Holden; you lost Holden.

The SPEAKER: The member for McMahon will desist!

Mr HOCKEY: Let me tell you the real reason why Holden went: it was a perfect storm. That is what they said at General Motors Detroit. When I heard that term 'perfect storm', I knew that I had heard it somewhere else. Kim Carr in 2013 in his book said this: 'In many ways, the automotive industry was already weathering a perfect storm.' Kim Carr was talking about a perfect storm months before the General Motors announcement the other day. Stop the hypocrisy, Labor. You are looking really foolish.

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

The House divided. [16:04]

(The Speaker—Hon. Bronwyn Bishop)

Ayes ......................84
Noes ......................48

CHAMBER
Majority...............36

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Question agreed to.

The SPEAKER: The question now is that the motion as amended be agreed to. Question agreed to.

PERSONAL EXPLANATIONS

Mr ALBANESE (Grayndler) (16:09): Madam Speaker, I wish to make a personal explanation.

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

Mr ALBANESE: Yes.

The SPEAKER: Please proceed.

Mr ALBANESE: During his contribution to yesterday's matter of public importance debate, the member for Mayo said that I had told this House that I opposed the government's Infrastructure Australia Amendment Bill 2013 but that I had not sought to make any amendments during the debate on the bill in this House on Tuesday night. Madam Speaker, this is wrong, as you would well recall. The facts are these. The government gagged debate on the second reading, thereby stopping a number of opposition and government members from contributing to the debate, including the assistant minister, who did not bother to make a contribution prior to shutting down the debate. The government used its majority to shut down that debate. The government also stopped further amendments being made on that issue.

The SPEAKER: We are now getting into debate. The member showed where he was misrepresented.
AUDITOR-GENERAL'S REPORTS

Report No. 11 of 2013-14

The SPEAKER (16:11): I present the Auditor-General's Performance Audit No. 11 of 2013-14, together with a corrigendum, titled Delivery of the Filling the Research Gap under the Carbon Farming Futures Program: Department of Agriculture.

Ordered that the report be made a parliamentary paper.

DOCUMENTS

Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education) (16:12): Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

BUSINESS

Leave of Absence

Mr PYNE (Sturt—Leader of the House and Minister for Education) (16:12): I move:

That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question agreed to.

Suspension of Standing and Sessional Orders

Mr PYNE (Sturt—Leader of the House and Minister for Education) (16:12): Given the time and the number of matters that need to be dealt with before the House rises this year, I move:

That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after normal time of adjournment) be suspended for this sitting.

Question agreed to.

COMMITTEES

Selection Committee

Report

The SPEAKER (16:13): I present Report No. 2 of the Selection Committee relating to the consideration of bills introduced 9 to 12 December 2013. The report will be printed in Hansard for today. Copies of the report are being placed on the table.

The report read as follows—

Report relating to the consideration of bills introduced 9 to 12 December 2013.

1. The committee met in private session on 11 December 2013.
   Referral of bill
2. The committee determined that the High Speed Rail Planning Authority Bill 2013 be referred to the Standing Committee on Infrastructure and Communications for inquiry and report.
   General principles relating to the Selection of Private Members' business
3. The Committee reports to the House that it has endorsed general principles relating to the selection of Private Members' Business as attached. The principles reflect those applied by the Selection
Committees in the 43rd, 41st and earlier Parliaments, and by the Whips in the 42nd Parliament. The Committee recommends that the general principles be adopted by the House.

Government Response

The SPEAKER (16:13): For the information of honourable members I present a schedule of outstanding government responses to reports of House of Representatives and joint committees, incorporating reports tabled and details of government responses made in the period between 26 June 2013 to the date of the last schedule and 11 December 2013. Copies of the schedule are being made available to honourable members and will be incorporated in Hansard.

The schedule read as follows—

THE SPEAKER'S SCHEDULE OF OUTSTANDING GOVERNMENT RESPONSES TO REPORTS OF HOUSE OF REPRESENTATIVES AND JOINT COMMITTEES
(also incorporating reports tabled and details of Government responses made in the period between
26 June 2013, the date of the last schedule, and 11 December 2013)
12 December 2013

THE SPEAKER'S SCHEDULE OF OUTSTANDING GOVERNMENT RESPONSES TO COMMITTEE REPORTS

The attached schedule lists committee reports tabled and government responses to House and joint committee reports made since the last schedule was presented on 27 June 2013. It also lists reports for which the House has not received a government response. Schedules of outstanding responses will continue to be presented at approximately six monthly intervals, generally in the last sitting weeks of the winter and spring sittings.

The schedule does not include advisory reports on bills introduced into the House of Representatives unless the reports make recommendations which are wider than the provisions of the bills and which could be the subject of a government response. The Government’s response to these reports is apparent in the resumption of consideration of the relevant legislation by the House. Also not included are reports from the Parliamentary Standing Committee on Public Works, the House of Representatives Committee of Privileges and Members’ Interests, and the Publications Committee (other than reports on inquiries). Reports from the Parliamentary Joint Committee on Human Rights are only listed where the committee has examined and reported on a specific item(s) of legislation. Not listed are that committee’s regular reports on the human rights compatibility of bills and legislative instruments that come before either House of Parliament.

Government responses to reports of the Public Works Committee are usually reflected in motions for the approval of works after the relevant report has been presented and considered. Reports from other committees which do not include recommendations are only included when first tabled.

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

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<td>Netting the benefits: Inquiry into the role of science for the future of fisheries and aquaculture</td>
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<td>Report on the Department of Agriculture, Fisheries and Forestry and Department of Sustainability, Environment, Water, Population and Communities annual reports 2011-12</td>
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<td>Care of ADF personnel wounded and injured on operations</td>
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<td>Bridging the gap: Report on the inquiry into adult dental services</td>
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<td>Finding the right balance: Cabin crew ratios on Australian aircraft</td>
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<td>Rebuilding Australia's coastal shipping industry: Inquiry into coastal shipping policy and regulation</td>
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<td>Review of administration and expenditure: No. 10 - Australian Intelligence Agencies</td>
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<td>Report of the inquiry into potential reforms of Australia's national security legislation</td>
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<td>Inquiry into the gathering and use of criminal intelligence</td>
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<td>Immigration detention in Australia: A new beginning—</td>
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<td>Criteria for release from immigration detention</td>
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<td>Immigration detention in Australia: Community-based alternatives to detention</td>
<td>25-05-09</td>
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**Notes**

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

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

3. For reports up to the end of 42nd Parliament, the time specified is three months from the date of tabling. While the government has undertaken to continue to respond to reports within three months, from the 43rd Parliament (28/09/10 onwards) the period within which the House requires a response is 6 months - see resolution of the House of Representatives of 29/09/10. This resolution also puts in place
additional steps for reports not responded to within that six month period. The period from when the
43rd Parliament was prorogued on 5 August 2013 and the commencement of the 44th Parliament on 12
November 2013 is not included in the response period.

4 In July 2011 the government advised that it did not intend to respond to the report because of the time
elapsed since the report was tabled. The committee has not agreed to the removal of this report from the
schedule.

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

6 On 26 June 2013, the Minister for Veterans’ Affairs, Defence Science and Personnel provided an
interim response by way of statement to the Federation Chamber. See House of Representatives
Hansard, 26 June 2013, pp 103-104.

7 Recommendations made in the report have been implemented in amendments made to the standing
orders on 13 November 2013.

Intelligence and Security Committee
Appointment

Mr PYNE (Sturt—Leader of the House and Minister for Education) (16:14): by leave—I
move:

That, in accordance with the provisions of the Intelligence Services Act 2001, Mr Byrne, Mr Nikolic,
Ms Plibersek, Mr Ruddock, Mr B. C. Scott and Mr Tehan be appointed members of the Parliamentary
Joint Committee on Intelligence and Security.

Question agreed to.

STATEMENT BY THE SPEAKER

Wright, Mr Bernard

The SPEAKER (16:14): Today is quite a special day in the history of this parliament in
that it will be the last day that the Clerk of the House, Mr Bernard Wright, will be with us
serving in that capacity. I want to say, before I call the Prime Minister, that it has been an
honour and a privilege to know the Clerk of the House. The Clerk has served here for 42
years. He first came to the Treasury 42 years ago. He commenced in the Public Service as a
casual in 1966. He then began his long-term career as a graduate trainee with the Department
of Immigration on 22 February 1971. He was promoted to the Department of the House of
Representatives as a parliamentary officer on 1 February 1972, and then into the Clerk's
Office in 1973. He served at a senior executive level with the Committee Office, the
Procedures Office and the corporate area of the department. He was Deputy Clerk from 1997
to 2009 and Registrar of Members Interests from 1997 to 2009. He was appointed Clerk in
2009. He has an arts degree from the Australian National University, majoring in political
science and Asian studies.

It has been an honour to know Bernard Wright. I first had dealings with him when I
became a member of this House and had to learn the standing orders of this place, as distinct
from the standing orders of another place, and they are very different. They are very important
to the work in this place. Through periods of serving as a committee chair, including a very
difficult period, his guidance and knowledge in carrying out meeting structures correctly at all
times was something without which the work would not have been done.

We have in the gallery with us today Mrs Marie Wright, Mr Wright's wife, Mrs Catherine
Wright, his daughter, Mr James Wright, his son, Mrs Linda Hall, his daughter-in-law, Ms
Catherine Cornish, his sister, Louise McDonald, who is a member of the family, Ms Louise
Forster and Ms Lynette Eager. They are all people who are very close to the Clerk who has
served us so well. I know that the House will miss his ability, miss his dedication and miss his
quiet spoken advice which comes freely to all of us without bias, and will wish him well in
his retirement.

MOTIONS

Wright, Mr Bernard

Mr ABBOTT (Warringah—Prime Minister) (16:17): by leave—I move:

That this House place on record its appreciation of the long and meritorious s
ervice to the Parliament
by the Clerk of the House, Mr B. C. Wright, and extends to him and his wife and family every wish for
a healthy and happy retirement.

Forty-one years of service is an extraordinary record. In a world where nothing lasts, one
thing has lasted for 41 years, and that is Bernard Wright's service to this parliament. It has
been long—obviously. It has been meritorious—of course. And it has been motivated by a
love of this institution—a love that I would say is unmatched by any person currently serving
in this place. I have known Bernard Wright for 24 of those 41 years, since turning up back in
1990 as a staffer. I can remember discussing with Bernard and his fellow clerks various
parliamentary tactics which oppositions might use in the face of a rampant government, and
Bernard's advice was good. His advice was just as frank and fearless with me as, I am sure, in
other times and in other places, it has been frank and fearless with members opposite.

But what has motivated Bernard and what has been characteristic of Bernard at all times—
apart from his utter impartiality and total dedication to the welfare of this parliament—is his
legal skill, his profound understanding of the standing orders, his appreciation of how the
standing orders could be changed and improved at any time and, above all else, his great love
of this institution. We all say we love the parliament, and I suspect if we were not in this
parliament most of us would miss it. But the fact is, we all too often love this parliament as, I
regret to say, a vehicle for ourselves. But Bernard and other occupants of his office love this
parliament as a forum for democracy and as the great council of our nation. We are so
indebted to the Clerk's Office and to the various people who have held that office as the true
guardians—the true keepers of the spirit and the ethos and the values—of this great
institution.

Bernard, you have been utterly fastidious, utterly dedicated and utterly faithful to your task.
You have been a very model of a public servant, and you have been a great patriot. So, as the
28th Prime Minister, I salute the 15th Clerk. The fact that there have been 28 prime ministers
but only 15 clerks shows the longevity of clerks in office, and it shows the dedication of those
who have held that office.

While I am on my feet, I probably should make some of the customary acknowledgements
which we do at this time of the year. As well as thanking Bernard and the other clerks and all
of the others who make this House operate—the Hansard staff, the attendants, the drivers, the
cleaners and everyone who makes our life in this building possible—I would thank my own staff. They are indomitably led by Peta Credlin, someone who has had a little more publicity lately then she would like and who is undoubtedly the fiercest political warrior that it has ever been my privilege to work with. I thank my colleagues, so ably led by the Deputy Prime Minister, my own deputy leader, my frontbench and my backbench.

This has been a big year for everyone in this parliament but it has been a particularly big year for members of the coalition. What can we say about 2013? It marks the withdrawal of Australian troops in Uruzgan province after almost a decade. Our troops have done a magnificent job but they have paid a high price, and we hope that their years of service and sacrifice will be honoured by a province and a country which respects the values that we tried to bring to that province and which honours the sacrifice and the service that Australian troops and others brought to that province.

We have had floods in Queensland. We have had fires in New South Wales. But, so often in this country, nature at its worst brings out Australians at their best. I am very conscious of the fact that this is the quarter century, the 25th anniversary, of this new Parliament House. I acknowledge the fact that, along with you, Madam Speaker, three others currently in this building were in the former building and were here as members of parliament on the day this building opened: the member for Lingiari, who has served diligently in this House; the member for Berowra, the Father of the House and distinguished Chief Government Whip, who has served in so many capacities, always with honour and always with distinction; and, of course, Senator Boswell, the Father of the Senate.

I suppose inevitably, for us, the big thing this year was the election and the change of government. I note that there have only been seven changes of government federally since 1945. I also note that each change of government has been accompanied by high hopes on the part of the people that it will turn out to have been change for the better. I am determined to ensure that the change of government that took place earlier this year is indeed change for the better and I am determined to ensure that it is a very long time indeed before this country again has three Prime Ministers in one year—not a great record, three Prime Ministers in one year.

One thing that obviously has not changed for the better is the departure of our Clerk. I know he will find a valiant, a diligent and a capable successor, because that is what happens in this place. But the fact is that Bernard Wright has been a servant of this parliament without peer, without equal. We will miss him, we honour him and we wish him all the best for the future.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (16:25): I rise to second the Prime Minister's motion and, on behalf of the opposition, to thank Bernard Wright for more than four decades of dedicated service in this place. What must be a day of mixed emotion for Bernard and for his family is a sad day for all of us who have worked closely with him. But the fact is that Bernard Wright has been a servant of this parliament without peer, without equal. We will miss him, we honour him and we wish him all the best for the future.
always goes unheralded. However, I can assure you that, by those of us from this side—formerly from that side—that work does not go unnoticed and it is certainly appreciated.

While we engage across the dispatch boxes in the debate or the political argument of the day of parliament, Bernard and his team go about their business in a quiet, a careful and a thoroughly professional manner. On a personal note, I should add that Bernard has always gone out of his way to assist those who are less experienced than he. Bernard Wright, I suspect, is like all truly modest people—I suspect he does not realise how appreciated he is by all the rest of us. Dedicated parliamentary professionals like Bernard make our jobs easier. They are here before parliament commences and they are here after it rises.

I thank Bernard for his years of dedicated service to this place. I wish him well for the years ahead. I thank his family for lending him to this institution, the parliament of Australia. Of course, if he misses the to and fro of federal parliament, I am sure that, from all of us on both sides, he has a standing invitation to attend any question time he feels like. Bernard, thank you very much from the opposition.

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (16:28): I am delighted to join the Prime Minister and the Leader of the Opposition in extending congratulations to Bernard Wright on his career as Clerk of the parliament and to wish him good health and every happiness in his retirement.

The Parliamentary Service Act requires that a person cannot be appointed as Clerk unless the Speaker is satisfied:

… that the person has extensive knowledge of, and experience in, relevant Parliamentary law, procedure and practice.

Bernard Wright served for 37 years before he was appointed Clerk, and he clearly filled that criteria. Indeed, his service as Clerk of this parliament has demonstrated that he not only has that experience but has all of the qualities that are required to make an excellent Clerk of this parliament. He has had a remarkable period of service to the parliament—much longer than that of any member of the House. His service to the parliament has been enduring.

What has impressed us all is his never-ending courtesy, his patience and his assistance. I guess one of the first things I noticed was his attention to detail—sometimes detail that the rest of us may have considered to be trivia. Nonetheless, he had a determination that everything needed to be right. He certainly added to the dignity of the office in the way in which he conducted his duties. He held the important responsibility of leader of a team of people who served this House. He has certainly fulfilled his responsibilities with great dignity.

Bernard, thank you very much for your personal friendship and the assistance you have provided to me and my colleagues. Thanks go to your family for what they have undoubtedly given up over the years. Bernard, you have shared the unreasonable hours that are sometimes expected of those who work in this place, and we hope that you are now able to enjoy your retirement in a degree of relaxation, and to take up your hobbies. I guess you will need to learn some hobbies, because I do not know that you have had much time outside of this place in the past. We certainly wish you the best possible health and the wonderful privilege of being with your family for a long retirement.
Mr ALBANESE (Grayndler) (16:30): I am very pleased and honoured to be able to make a contribution to this debate. It is entirely appropriate that the whole House acknowledge the contribution of Bernard Wright, a true adornment to this parliament. He has a genuine love of the parliament. He has played an extraordinary role in ensuring the proper functioning of the parliament.

In order to indicate to the Clerk that I have listened to his advice, I intend quoting from *House of Representatives Practice* which is, to Bernard Wright, the bible of belief in this parliament. It indicates that the office of the Clerk of the House has its origins in the House of Commons in England. It indicates that the first appointment was in 1363. Interestingly, it says something that I did not know; you always learn something from this big green book! The word ‘clerk’ simply meant someone who could read and write. Since many members then could do neither, one of the clerk's main functions was to read out petitions and, later, bills and other documents to House. That is interesting, because you have to know where you come from to know why you are here and where you are going.

Bernard Wright's experience has come to the fore. I had the benefit of his wise counsel both in government and in opposition—in particular, I must say, during the last parliament. The last parliament was a difficult parliament. There was a lot of personal tension in the chamber and outside, due to the fact that it is unusual for Australia to have minority parliament. Throughout all of that, Bernard—no matter how difficult things might have been and how unhelpful members of parliament, myself included, might have been at particular times—kept his cool and kept his counsel. He ensured that this parliament functioned effectively and that the government functioned effectively. His eyes were only ever on one thing—not on any partisan outcome but on outcomes which resulted in the parliament being held in the high regard that it should be held in. That has always been his sole focus.

There were difficult circumstances, such as changeovers of Speaker during the last parliament. Perhaps some of the stories will remain for Bernard's book! I am sure that would make an interesting read. He indicated to me in a discussion we had in the last week that I should be writing a book. He said that he hoped that I had kept a diary of the last parliament. My diary would not be as interesting as his, because, since everyone could talk with him in a manner of trust, Bernard Wright knew everything that was going on. You could get advice about whether you were on the right path or the wrong path. Advice was put forward in such a way that you knew that experience came to the fore. There are some people in this chamber who have a bit of knowledge of the standing orders—including you, Madam Speaker. But all of us combined pale into insignificance in comparison to the knowledge that Bernard Wright has. He will be a real loss to this parliament.

I conclude by saying this. His professional conduct is one thing. Sometimes we speak about a separation of professional conduct and personal conduct. With Bernard Wright you cannot separate the two. He is a gentleman. His character comes through in the way that he does his work. If he did not have that character his work would not have been as effective, no matter how great his knowledge of the standing orders, of the history of this parliament and of the history of democracy. We have worked particularly closely over the decade when I was in the member for Sturt's and the member of Watson's position. It was a privilege to work with you, Bernard Wright. I thank you, and I acknowledge your contribution to this great Australian democracy.
Mr RUDDOCK (Berowra—Chief Government Whip) (16:36): I do not think it would be appropriate if I let this opportunity pass without recording my thanks to Bernard as a friend and as a professional officer of this parliament who has never compromised his role but is still able to work with all of us. As you would all know, I have known most of his relatively recent predecessors—that is, over 40 years—and I would not want to draw invidious comparisons because all of them have been fine, professional officers. But, to me, Bernard Wright has been unique in the way in which he has carried out that role—not just as a fearless adviser but also as a person who brings to the role a very considerable degree of intellectual leadership, as demonstrated in the many volumes of the Practice that some of us have on our shelves. I cannot say I have used the Practice as frequently as Madam Speaker, but it has been invaluable. Bernard, thank you very much for your friendship.

The SPEAKER (16:37): I am going to put the motion in a moment, which I think we should pass by acclamation and standing in our places. But, first, Bernard has passed me a note which I think I would like to convey to you all. He says, 'Thank you very much for your generous words.' He has also thanked the Prime Minister, the Leader of the Opposition, the Leader of The Nationals, the member for Grayndler and others for their most generous remarks. He says, 'It has been an honour to have worked for the House. I wish all members the very best.' How typical of Bernard to pass me a note to say thank you to people and do it in such a gracious way! Could we all stand in our places.

Question agreed to, honourable members standing in their places.

STATEMENT BY THE SPEAKER

Elder, Mr David

The SPEAKER (16:37): I inform the House that the Governor-General in Council has agreed to my recommendation and appointed David Elder to be the Clerk of the House of Representatives from 1 January 2014. As mentioned by the Leader of The Nationals and Deputy Prime Minister, the Parliamentary Service Act says a person cannot be appointed as Clerk unless the Speaker is satisfied that the person has extensive knowledge of, and experience in, relevant parliamentary law, procedure and practice'. Mr Elder certainly has that. He has had a distinguished career, to this date, in the parliamentary service and he has been appointed in accordance with that act, through a rigorous process. He joined the House of Representatives in 1981 and worked on parliamentary committees, among which was that important inquiry into the banking sector in 1990. He served as Serjeant-at-Arms, Assistant Clerk (Committees) and Assistant Clerk (Table). He has been Deputy Clerk since 2010. He has been in charge of members' interests statements for this last period. He has a Master of Arts, an Executive Master of Administration and he is a Rotarian. We have just praised our outgoing Clerk, and I have every confidence that my choice in the appointment of David Elder is going to see another person serve this parliament with great distinction.

Mr ABBOTT (Warringah—Prime Minister) (16:40): Madam Speaker, I rise to support your observations about David Elder, our incoming Clerk. We have just listened to the fine things so rightly said about the outgoing Clerk, and obviously David has big shoes to fill. But I have absolutely no doubt, David, that you will fill them and fill them well. I have absolutely no doubt that you will grow into the role to which you have just been promoted. Every Clerk of the House of Representatives has turned out to be a fine custodian of its traditions. In my
time I have known Lyn Barlin and Ian Harris well, as well as Bernard Wright, and I am pleased to have had the chance to get to know you, David, reasonably well in the two decades or so I have been associated with the House. You have been here in one capacity or another since 1981. You know this place, you know its people, you know its tempers, its moods, its rhythms. Short only of the Father of the House himself are you familiar with this chamber. I suppose the best thing I can say about David Elder is that he is very much in the image and likeness of Bernard Wright, and that is why I am confident he will serve this chamber with great distinction.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (16:42): I would like to congratulate Mr Elder on his appointment. The opposition completely supports this appointment. We have great confidence in the work that you will perform, just as we have had great confidence in you, especially in recent years when the last parliament gave rise to all sorts of circumstances and tested your mettle. The opposition has great confidence that you will continue in the very high standard of professionalism that has been set by Bernard Wright.

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (16:42): I am delighted to join in the congratulations for David Elder on becoming our new Clerk. There has been something of a tradition in the parliament that the Deputy Clerk succeeds the Clerk. In this case, I think the appointment today will be of no surprise whatsoever. While it is true that over recent years we have gone through an application process—and that is appropriate—it is very hard for anyone to come into this job, from another parliament or any other place in life, and be able to pick up the pieces and do the pressured job associated with being Clerk in the parliament, especially during question time, from day one. I think, therefore, that the tradition of people having a depth of experience within our own parliamentary organisation and succeeding into the position of Clerk is a tradition that is likely to go on. David Elder has only got 32 years experience, so he obviously has a lot of potential ahead of him! Through those 32 years he has genuinely demonstrated that he has the capabilities to do this job. We all look forward to receiving his day-to-day advice and working with him constructively to ensure that the parliament achieves its objectives and the Australian people have the respect for this place that we want them to have.

MATTERS OF PUBLIC IMPORTANCE

Employment

The SPEAKER (16:44): I have received a letter from the honourable member for Gorton proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The Government’s failure to save Australian workers from job losses.

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 BRENDAN O’CONNOR (Gorton) (16:44): Madam Speaker—

Debate interrupted.
BUSINESS

Days and Hours of Meeting

Mr PYNE (Sturt—Leader of the House and Minister for Education) (16:44): I move:

That the business of the day be called on.

For the benefit of the House I might outline the government's proposal for the rest of the evening, which I have discussed with the Manager of Opposition Business in the House. Obviously we have not been through the valedictories, which would normally occur at this time of the year, because of the special circumstances of Bernard Wright's retirement. Of course, I would like to comment on the Clerk's retirement, as would the Manager of Opposition Business in the House.

An honourable member interjecting—

Mr PYNE: You have verbal diarrhoea, don't you? You really do.

The SPEAKER: The Leader of the House will withdraw.

Mr PYNE: It is a very old expression. I withdraw, Madam Speaker, to assist the House.

Mr Albanese interjecting—

The SPEAKER: I think you are misdirected in something if that is the case.

Mr PYNE: Madam Speaker, you are one person I would not take on. The member for Grayndler, on the other hand, is easy meat. Madam Speaker, the government's proposal for the rest of the day is that we will now, with your indulgence, do valedictories as it is the end of the year. There is one bill after that, the Building and Construction Industry (Improving Productivity) Bill 2013, which the government intends to proceed with this evening. The longer the valedictories go on, of course, the longer that bill will take. That is an outline for House. I assume that we will be able to rise by about seven o'clock—and, I hope, no later than that.

Question agreed to.

PARLIAMENTARY REPRESENTATION

Valedictory

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (16:46): Madam Speaker, I start my valedictory by wishing you, personally, a lovely Merry Christmas, and I wish the same to other members who share the chair. I acknowledge the Prime Minister and, in turn, wish him and his family, the Deputy Prime Minister and other members of the government a good break. I trust the government will return refreshed in the new year. I look forward to identifying areas of bipartisanship upon which we can work together.

As this very long year winds up we pause to reflect on the 12 months past and to look forward to the year ahead. I first speak to the thousands of Holden workers and their families and also to the 1,100 workers and their families at Gove, who have also had terrible news, so recently, about their jobs. The opposition understand the distress, particularly at this time of the year, that is caused by the uncertainty that they face. We will continue to stand up for their futures every day in this place.

In our wide brown land all too often we face drought, flood and bushfires. Amidst the devastation and despair I always feel a sense of pride when I have the opportunity to meet
families who have stared these challenges in the face and pushed forward, just as I am thankful for the emergency services workers and volunteers who support them along the way. So it was this year. We began with the devastating fires in Tasmania, the worst in over 30 years, during one of the state's harshest heatwaves. The resilience of the township of Donnelly, which was one of the hardest hit, is testament to the Australian spirit that we have seen before in tough times. The Australian will was also tested in Queensland. Resilient people who too often feel the brunt of nature's ferocity once again faced serious floods. More recently I toured the devastation in the Blue Mountains after bushfires, which along with other fires in New South Wales took the homes of hundreds of families and tested the spirit of local communities. I take this moment to offer, on behalf of the opposition, our thoughts to those Australians facing these and similar challenges.

During this time of family and friends we should also pause to thank those Australians serving our nation overseas in our military forces. In late October along with the Prime Minister I had the opportunity to meet with Australians serving in Afghanistan. I wish them well this festive season; I also wish them a safe return. I thank all Australians serving overseas in our armed forces, in our diplomatic service and in our Public Service. We also thank their families for lending them to Australia in the service of our nation. As those families approach the festive season with an empty chair at the table we want you to know our gratitude for your sacrifice.

This year people were tested right around the world—from unrest in Egypt and Syria to the shock of the bombings at the Boston Marathon and the devastation across the Philippines and Vietnam caused by Typhoon Haiyan. The Prime Minister and I have recently returned from South Africa, where this week we attended the memorial service for Nelson Mandela. The world will continue to mourn the loss of this great leader, and each of us should seek inspiration from his words and actions about reconciliation and forgiveness, particularly at this time of year.

In 2013 we lost many great Australians: Chrissie Amphlett, an icon to Australian music lovers—men and women alike; Mr Yunupingu, 1992 Australian of the Year and a singer for Yothu Yindi, but more importantly a truly wonderful man who represented his people with passion and purpose. He will be a wonderful chapter in the Australian story for generations to come; Peter Harvey, a man with a four-decade-long commitment to Australian journalism; Rusty Priest, the indomitable former president of the RSL.

There were many Australians recognised at home and abroad. Del Kathryn Barton won her second Archibald Prize for her fantastic portrait of the Australian icon, Hugo Weaving. In literature Michelle de Kretser won the Miles Franklin Award for Questions of Travel. Melbourne's own Wally De Backer won three Grammy Awards including record of the year. The Socceroos qualified for the 2014 World Cup in Rio de Janeiro. Black Caviar was retired after an unprecedented run of 25 wins and no losses. We lost the Ashes, but now we are just one test win away from reclaiming them. I look forward to Mitchell Johnson continuing to tear through the English in Perth starting tomorrow and again in Melbourne on Boxing Day.

Election years are particularly demanding, and this year was no different. I personally thank, once again, the people of Maribyrnong for electing me to serve them in this place. We are a vibrant, strong, diverse and proud community. It is a privilege to represent each and every one of them. I want to acknowledge the Labor Party members and volunteers in
Maribyrnong who supported me by giving their time so freely this year. Not one of us would be in this place without our members, neighbours, friends and volunteers helping with the doorknocking, the phoning, the putting up of posters and the spending of hours handing out pamphlets and promoting our case.

I thank the members of the great Australian Labor Party who not only embraced our democratic process for the election of leader but also actively engaged and participated in it. It is a testament to our party and our movement that, in a year of election defeat, more Australians now wish to join the Labor Party. There is clearly more work to do, but we are a stronger, more representative and larger party and movement because of our members, and I thank them.

I acknowledge the ongoing contribution of small and family enterprises to creating communities and strong businesses for all of the Australian economy. I also acknowledge Australia's trade unionists, who represent the wishes and hopes of millions of Australians who go to work every day. A special acknowledgement goes to Labor's national secretary, George Wright, and his hardworking team. They have had a big and challenging year. Similarly I acknowledge all state secretaries and branches across the nation. You should take the opportunity to have a break over coming weeks, for you will be straight back to work in the new year as we face elections around the nation in coming months.

To my remarkable deputy, Tanya Plibersek, member for Sydney: Merry Christmas to you, Michael and your family. Working with you over the last few weeks and months has been a pleasure. You are a light of the Labor Party, and I look forward to working with you as we hold the government to account between now and the next election. To senators Penny Wong and Stephen Conroy and the opposition Senate team: I thank you for the work you do in the other place, and I wish you and your families well over this festive season. To the remarkable members of the Labor caucus: thank you; I am grateful to be surrounded in our task by so many Labor talents and warriors. I particularly mention welcome new Labor members of the class of 2013. We have worked hard and have endeavoured to do our best to achieve good outcomes for the future of all Australians.

It was President Lincoln who said, 'Be sure you put your feet in the right place, then stand firm.' Labor must do the same. We deserve to be proud of our legacy. I will endeavour to fight for it every day in this parliament alongside my remarkable team. Speaking of Labor's legacy, I acknowledge the members of our movement who have left this place in the course of the year. In particular I acknowledge the achievements of former Prime Ministers Rudd and Gillard. Without you both Australia would not have said sorry, we would not have got through the global financial crisis in the manner we did, and we would not have achieved the educational reforms that we created or the National Disability Insurance Scheme. These are great reforms reflecting true Labor values. You have both left your mark in this parliament, and you deserve to be acknowledged for what you achieved for the Australian people.

To Labor staff both here in parliament and out serving in electorates around the country: thank you for your commitment and dedication. It is the hard work of each and every one of you that grows into the great Labor reforms and victories, and I—and we—thank you for it. I also thank the secretary and staff of the Department of Education, Employment and Workplace Relations and the secretary and staff of the Treasury, who worked closely and cooperatively with me as minister in the course of the year.
I take this opportunity to acknowledge the work of the press gallery. We on this side value the contributions and insights you bring to the Australian polity and its politics. You play an important role in our parliament. You never hesitate to point out when we are wrong and then challenge us when we claim to be right. We hope that the festive season treats you all well and that you return next year hungry for truth once again.

We know that if it was just politicians in this place then nothing would ever get done. As I said earlier—but I wish to say it again—I acknowledge the pivotal role played by the outgoing Clerk of the House of Representatives, Bernard Wright, by David Elder, the Deputy Clerk and incoming Clerk, and by all your teams. To everyone else who manages the operation of the House—the Serjeant-at-Arms, Robyn McClelland, and everyone in the Serjeant's office, the Table Office, the Parliamentary Library, Hansard as well as all the attendants in the chamber—I say thank you. I thank the Comcar drivers here and around Australia, who manage to get us from A to B, particularly when our schedules change, when we are running late and—sometimes—when we are not sure where we are going. I say a special thank you to Steve and Bill, my drivers in Melbourne, for their good driving and better humour. I must mention and wish a Merry Christmas to the Parliament House staff from the Department of Parliamentary Services, the gym, Aussies and the dining rooms as well as the security staff and the wonderful cleaning staff—including Olga, who greets our office every day with a smile and a joke at any hour of the day or night. Surely the hill would not be such a bright place without the contributions of all those who work here.

I acknowledge my personal electorate staff, including those staff members who have moved on to bigger and better things following the election. I thank in particular my former chief of staff, Mat Tinkler, and my current chief of staff, Ken Macpherson, for their dedication and leadership. This part of my notes, which was prepared for me by my staff, tell me that my staff are all too wonderful and that it would take too long to list their qualities individually! So instead I will say that it has been a long and tough year for each of you, whether you have been with me throughout the year or have only joined my office in recent weeks. I am impressed every day by the capacity of my staff for hard work and by their good humour, dedication, collegiality and their ability to go with me for runs at odd hours and at short notice! Your capacity to give each other special names—such as Fifi, Seamie, Paps, KBJ, Fossi and Monkey—is slightly strange. But they are certainly endearing to some! In all seriousness I take this opportunity to acknowledge and thank each member of my staff; well done, team.

Lastly and most importantly, I thank my family. Chloe, Georgette, Rupert and Clementine: I love you and I thank you for your love and support. You are the most important people in the world to me. I look forward to coming home tonight, as I do at the end of every sitting week, to spend time with you. I also thank my mother and my brother, Robert, and his family. All too often the sacrifices that our families make so we can follow our paths and vocations are forgotten. We in this place are volunteers: we choose to seek the privilege of representing our electorates and participating in the important debates about the direction and future of our nation. But none of us can perform without the support of our families. Our families often get much of the downside and little of the upside.

In conclusion I say that this really has been a long year, complete with many highs and lows. I trust that, once everyone has had their fill of presents, ham and festive cheer, we will
all have the opportunity to sit down with loved ones and enjoy what is really important. This is a very special time of year, and I once again wish everyone a safe and happy festive season.

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (16:58): As today marks the last sitting day of the year—a long and somewhat tumultuous year—it is appropriate that we pause to say thank you to those who supported members of parliament in their role over this period. Among them I include people who supported us in our homes and in our offices and the people of Australia, who have entrusted us with a great responsibility of managing our nation as parliamentarians.

I am pleased to extend my very best wishes to all of those who have been mentioned previously in these valedictory remarks and to extend my Christmas wishes to all of those who help make this parliament work. Mr Deputy Speaker Scott, I hope you may convey to Madam Speaker and the rest of the Speaker's panel our thanks for the work that you do in managing the parliament and in making sure that the parliamentary process works well. There are several thousand people in this building, and to manage what is a mini city requires a lot of people to do their work well so that we can manage the affairs of state and the activities of this parliament smoothly.

There has already been mention of the Clerk and his successor today. I again express my gratitude for their service and wish them well over the Christmas period. To all of their supporting staff as well: our thanks to you. If there is some message that might come to them as a result of today's appointment, it is that you only have to wait 30 years and it might be your turn to be Clerk! We certainly appreciate the role of the whole team and the way they serve the committees and every element of the working of the parliament. That includes the attendants and the Serjeant, who courteously welcome us into this building and make sure that everything is arranged as it ought to be. We appreciate their courteous attention and patient advice and the cheerful nature with which they go about their duties no matter what time of the day or night it might be.

Particular acknowledgement needs to go: to the Hansard staff; to the 2020 staff, whom we tend to call on far too often because electronic equipment hardly ever seems to work correctly; to the Reps IT people for their constant support; to the COMCAR drivers we particularly appreciate; to the staff in the catering sections of the parliament, who do a remarkable job, often under difficult circumstances, and we appreciate their work; and to the FCM Travel Solutions people, relatively new to the task and so still in some ways learning all of our idiosyncrasies, and in their first year in the job I thank them for the work they have done. Also there are the unsung heroes of the building: the Limro cleaning staff. Maria, Anna and Luzia particularly look after our part of the building and we thank them very much for their service. So our thanks go to all those who work in the parliament for making this year's activities work smoothly.

I also acknowledge my colleagues in the chamber—and, indeed, those on the opposite side. This past year has been a tumultuous one. I do not think history will look kindly on the last parliament. It was raucous, and I do not think it reflected well on the process of our democracy. We are all anxious to make sure that the next parliament works better and achieves the kind of reform and progress that we want for our country. It has been a demanding year, and so we will very much be looking forward to this break—this Christmas period—to refresh and to move forward. It was an election year, and I acknowledge: my
Nationals colleagues; the federal secretariat; those who helped us through the election campaign; and my parliamentary colleagues. All these people worked so hard to achieve the outcome that occurred: a change of government—a rare change of government and one which I think offers hope and opportunities for the future.

I thank my party colleagues: deputy leader Barnaby Joyce and the leaders in the Senate; Nigel Scullion and Fiona Nash; the whips, who do a terrific job in arranging affairs for us; and Mark Coulton and George Christensen and their staff. I thank my frontbench colleagues as well, most of whom are learning to be ministers or parliamentary secretaries for the first time and, I am sure, enjoying the challenge. In that context I join the Leader of the Opposition in acknowledging the help that we get from our departments in putting together the business agenda and helping us to deliver on our policy platform. There is often a lot said about blue books and red books, but the reality is that they are the plans the department has already put in place when a new government comes to office to deliver on its election manifesto. For that reason the work that they do backs up and helps us to achieve our objectives but also gives us the support and the information we need to make good decisions in a timely way.

The people of Australia put their faith in a new government. They expect this to be a parliament where the government can pursue its agenda, keep its promises and deliver a positive plan for the future. I say as Leader of the Nationals that I will certainly be doing what I can to make sure that regional Australia is not forgotten in all of the big national economic discussions and all the important decisions that are made for the future of our country.

Indeed, regional Australia is more often than not in the news because of the disasters—because of the troubles that come. As I think back on this year it was in January when there were fires in Tasmania, there was successive flooding in my own electorate and neighbouring electorates had some of the most disastrous flooding we have seen in our region for 100 years. In some cases it was the worst ever. There has certainly been enormous damage and a huge rebuilding task which will go on yet for several years. Indeed, some parts of Queensland now have been in flood recovery and rebuilding for about three years and there is still quite a lot of work to be done to restore the roads and infrastructure that everyone needs; and then lately there have been extensive fires through New South Wales.

One of my great hopes for this Christmas season is that it can be a disaster-free season for all Australians. We have had some pretty unhappy Christmas times—or particularly New Year times—over recent years. We have had enough of those disasters, and I pray that this will be a Christmas season which will be safe for everyone and where we can all enjoy the spirit of Christmas and the hopes and aspirations for the New Year without being interrupted by disaster.

I wish everyone within these parliamentary walls and those in the community whom we serve a very happy and safe Christmas and best wishes for the New Year. As transport minister, I appeal to people to drive safely this Christmas. Our roads are getting better and we spend more time in more comprehensive training for drivers, but accidents spoil too many Christmases and too many families' celebrations. I urge everybody to take the extra time and allow a little bit of extra time so that they can get to their destinations safely.

I hope that everyone has the opportunity for a well-deserved break over this period and I look forward to joining everybody back in this chamber in February so that we can get on with the business of making the change that needs to be made and delivering the government
that Australians want so that there can be the confidence for our country to grow and prosper in the years ahead.

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (17:07): I take this opportunity, as is traditional at this time of year, to spend just a few minutes reflecting on the last 12 months.

The Leader of the Opposition talked a lot about the challenges that we have faced in Australia and around the world—the natural disasters and some of the acts of violence—and I will not cover those again. He also spoke about some of the notable Australians and notable leaders, such as Nelson Mandela, whom we have lost this year. Again, I will not speak of those.

What I do want to reflect on briefly is this time of year, which gives us the opportunity for gratitude, for empathy and for solidarity. Of course, we have heard in this last week about the tragic loss of the jobs of the Holden workers—2,900 people who will, I expect, be spending a very sad Christmas indeed sitting around the dining table, wondering what the future holds for them and other workers who have lost their jobs. The Holden workers have been the most prominent. We have heard about the jobs lost in Gove, the jobs lost at Qantas and a number of other companies—and, of course, there are the unspoken job losses that we hear of as well.

Mr Deputy Speaker Scott, you will know, representing as you do an electorate that was affected by flood not so long ago, that we have had the tragedies of the most recent fires in the Blue Mountains and in the Hunter area. But it is not just those who are affected by these recent natural disasters who suffer at this time of year; there are many people from January last year who still have not rebuilt their homes and whose lives are still not back to normal. There are people who have experienced all manner of difficulties and suffering and who have lost people who they love this year. I say to them that at this time of year we think of them. We feel empathy for their experiences. We stand with them in solidarity and we think with gratitude on what we still have even when we have suffered loss. We think with gratitude on what we still have.

It has been a curious year—a hung parliament and an election year—and people have seen conflict from us this year almost entirely. If you watch the television at night, you would think that that is all that politics is about—that it was all about conflict. But we do achieve things here and we achieve them, thinking about what we owe to the people who send us here—looking after their jobs during the global financial crisis, for example. As health minister, there are many things that I look back on with pride. So I do say to our constituents that we endeavour every day to deserve the faith that you have placed in us and we thank you for the faith that you have placed in us. We will try to deserve it.

Of course none of the good work that we do could be done without the people who make this place tick. We have heard so much just now about Bernard Wright and what a wonderful job he has done over so many years with his encyclopedic knowledge of parliamentary procedure. I do want to join with others in especially thanking Bernard Wright for his dedication to this place and for his dedication to the true meaning and spirit of the Westminster parliamentary system. I want to say how proud I am to have worked with him. So thank you, Bernard; I know that every single one of us wishes you and your family the very, very best for your retirement. We will miss you.
Of course you have the good sense in your workplace to be very careful about the people who will follow you, and it is wonderful to have David Elder here with us today. We know we can be absolutely confident that the same incredible level of dedication we have seen from you, Bernard, we will see also from David. I am sure that he is already training his successor for 15 or 20 years from now.

I want to start by acknowledging the dedication and professionalism of the cleaning staff. Our time in the ministerial wing was actually made so much nicer because Anna, Luzia and all of the cleaning staff were so happy to greet us as we walked in in the morning. Sometimes it actually felt like coming home. Every now and again I would also get a little cuddle and that really would make my day. We now see Olga every day in the Reps wing. I wish her and her family a merry Christmas too.

I thank everyone who manages the good operations of this House: the Serjeant-at-Arms, Robyn McClelland; everyone in the Serjeant's office and the Table Office; all of the attendants in the chamber, especially Luch—and I do not know whether he is still here—who looks after us so well and keeps us hydrated; the Hansard reporters; and the wonderful security team that we have here in Parliament House. I used to really like it as a new member when occasionally they would stop me as I was coming in and ask for my ID tag. It made me feel very young. But they do not do that any more, Mr Deputy Speaker. It is always great to get a cheery hello when it is minus six outside and it is 6 am and still dark. At least there is a cheery hello when we walk in here.

To the staff at Aussie's and the staff cafeteria, thank you. I want to particularly single out Agnes at Aussie's. I do not know how she remembers everybody's names and faces, but she does. As for the COMCAR drivers, I have made many a friend over the years with the COMCAR drivers and I want to say that I really value the friendship that they have given me.

The staff of the Parliamentary Library, the smartest people in the place, are always the best ones to get on your table if you are at a trivia night. I thank them for the work they do. And I thank everyone who physically maintains this building. As someone said earlier, it is like a small city—the tradespeople, the gardeners, the curators, and all of the people on the maintenance team; I thank them.

People have spoken about the pressures on our families of the work that we have chosen and I want to acknowledge not just my colleagues today, and not just my leader, Bill Shorten, and his wonderful wife, Chloe, but also the families of all of those on this side and on that side, and of course our staff who have really put up with a lot. I want to thank my staff in particular—my shadow ministerial staff, my ministerial staff and my electorate staff—for their support over so many months and years. We have lost a lot of colleagues this year, some of them at the election and some of them through retirement, and my thoughts at this time of year are with them also. I hope that life outside of this place is treating you well.

Finally, I want to say to all Australians that we hope that, despite the very intense year that they have had to put up with, the media that they have experienced in a hung parliament and an election campaign, we will continue to endeavour to deserve your trust. Thank you to all of those in my electorate, in particular, those who put their faith in me; thank you to Labor Party members and unionists, who have worked so hard on our campaigns; and again, to those people who experienced hardship and difficulty this year, our thoughts are especially with you.
Mr PYNE (Sturt—Leader of the House and Minister for Education) (17:16): It is a pleasure to rise at the end of 2013 and declare that this parliamentary year is over. If you looked at the photographs of the now member for Grayndler and the now Leader of the House 3½ years ago, we would have looked much younger men. During the election campaign my staff were using a photograph of me at the dispatch box for a fundraising event, and I said to the staff: ‘You can't use that photograph. That is ridiculously misrepresenting my age.’ They said, ‘What do you mean?’ I said: ‘There is no grey in that man's hair at all. You can't use that photograph. How old is that photograph?’ They said, 'Three years old.'

At the beginning of the 2010 parliament I looked a much younger man, as did the member for Grayndler, and the last parliament, from 2010 to 2013, certainly drew us closer—and I think it almost killed both of us, but we got through it. We got through an election and, happily, the coalition won it and we are sitting on the right side of the House. I think most people will say that this last parliament and the year 2013 could not end soon enough—I am sure members of parliament would like this debate tonight to end as soon as possible as well, so I will not delay the House for long.

There are a couple of things I would like to say. I would like to start by acknowledging and recognising the service of Bernard Wright as the Clerk. I have been here for 21 years, and Bernard has been here twice as long as that. Every moment that I have served in the parliament, Bernard Wright has been serving alongside us. I must say, being Clerk of the House would be one of the hardest jobs in the parliament—David Elder is now taking over and we welcome him in doing so.

The Clerk of the House, like most good zookeepers, cannot get too close to the animals in the zoo. Only three months ago I was on the other side of the chamber as the Manager of Opposition Business in the House, trying to hold the government of the day to account, and the advice that Bernard Wright would give me was as impartial, dispassionate and non-political as the advice that I am sure he is now giving the current opposition. It is a hard job because it is hard to become close friends with a particular individual in the parliament as they might be serving in a different capacity at any particular point in time. You have to maintain that impartiality, and you cannot be a good Clerk or Deputy Clerk—or any of the Clerks or Assistant Clerks—unless you have maintained that impartiality over a very long time.

In spite of that, Bernard and I have become good friends. I do try to be friends with most people in this place. While I certainly am prepared to take up my party's cudgels in any fight, I still think one can have good personal relationships with people on both sides of the House. Bernard and I have managed to establish a very warm friendship over a long period, but he has never allowed that friendship to intrude upon his impartiality as the Clerk, Deputy Clerk or Assistant Clerk.

It is always a sad day when somebody retires after 42 years. People come and go in this place. The public are always shocked when I tell them the average length of service is about 7½ years, which means there are a lot of 'oncers' in this building—people who come and go, make a contribution and then leave the place. They either retire or get defeated. Most of them get defeated in preselections or at the hands of the electorate. Very few people get to choose their time of retirement from this place. So a long period of time in this House is very rare, and 42 years in this place—since 1972—is a remarkable, remarkable achievement. I salute
Bernard and his family. I am so pleased they were here today to hear all the lovely things being said about Bernard, and he deserved every one of them.

I also, in ending this year, thank many of the new people who have taken up positions since the change of government: Annette Cronin, Suzannah Ward and Tim Moore, who are now the House parliamentary liaison officers; David Elder, who will become the Clerk from January, and I look forward to working with him; Robyn McClelland, the Serjeant-at-Arms; the government's whips team, Philip Ruddock, Nola Marino and the member for Wright, Scott Buchholz; and the opposition whips office. I thank the previous opposition whips and the previous government whips. It has been a tumultuous year. There were many different government whips over that time. We have had three prime ministers this year. The whips, of course, have quite a job keeping everybody here on the straight and narrow, and one would not underestimate how much pastoral care the whips provide in this place. I have been here over 20 years, as I said, and the whips have rarely had to provide pastoral care for me. But I do know that the whips provide a lot of support for members of parliament, especially because they are a long way from home and have familial issues. The whips find out about it all. They are very discreet and they keep a lot of people on the straight and narrow. Without the whips, the place could not work well. I would also like to thank the Table Office, including: James Rees and Sarah Fielder; Peter Quiggin from the Office of Parliamentary Counsel, who sits with me now on the Parliamentary Business Committee; and Anne Dowd, Anne O'Connor and David Belgrove, who are the legislative team in the Department of the Prime Minister and Cabinet and who will have a very busy time over summer as we prepare for our sittings next year.

I thank the Speaker and the Deputy Speaker—particularly the new Speaker, who I think is fulfilling the role with charm and elegance and a firm hand on both sides of the House which I think we look forward to when we come back in February. She will turn out to be a great Speaker. I thank you, Mr Deputy Speaker Scott, for your length of service and for your good work in that chair, and the Second Deputy Speaker, Mr Mitchell from McEwen. I hope he will turn out to be a great Second Deputy Speaker. He is very feisty, so he might need to think over the summer about how he continues to be feisty and impartial at the same time, but I am sure he will manage it. He had quite a scare at the election campaign, so no doubt he will be looking forward to the end of the year as well. I thank the Speaker's panel: the members for McMillan, Moore, Solomon, Hughes, Pearce, Bonner and Braddon. I thank my Deputy Leader of the House, the member for Cowper.

In closing, I thank all the staff who make the parliament work as well as they do. I have often given this speech, so I will not single them out again for fear of reputation, but I thank all the people who make the parliament operate. As the Deputy Leader of the Opposition said, this building is like a very small town and it operates very efficiently and effectively. I am very grateful for all the good work that the staff do, from the drivers and the cleaners right through to all the parliamentary staff and our own political staff, who do a tremendous job.

In closing this year, 2013, I note that over the last three years there have been times when I think the former Leader of the House and I saved the parliament from potentially even worse outcomes than the public saw. I look forward to working with the Manager of Opposition Business in the House, who I have now known for some time and have much in common with, both of us being republicans and Catholics. I am sure that we will be able to
successfully manage the parliament for the good of the Australian people. While we will not always agree, hopefully we will both be able to act with good faith in the way that I have previously enjoyed in my relationship with the member for Grayndler.

Mr BURKE (Watson—Manager of Opposition Business) (17:24): I will be very brief with my comments, because I am mindful that while we make long speeches about how hard it is on families, we are also determining whether or not people will see their families tonight.

First I will just refer briefly to Bernard Wright. As a new member of the parliament I was told very early on by the Clerk of the Legislative Council in New South Wales the extent to which I would be able to trust the clerks when I got to Canberra. I spent a bit of time very early on talking to Bernard, who was sitting in the chair where David Elder now sits. He was the one who would give us strategic opposition advice. I realised very quickly how correct the advice I had been given was.

Of all the different arms and agencies of government and the public service throughout Australia, I cannot think of one other than the clerks of the parliament that has always kept the confidences that were placed in it. I cannot think of another institution that has always done so, without exception. It means that members of parliament can have absolute trust in their dealings and provide complete transparency as to what they would like to achieve in the parliament with the knowledge, first, that they would be given accurate advice and, second, that what they have requested will be told to no-one. That actually means not merely that we have a properly functioning chamber, but that we are allowed to have a democratic one. The advice from the clerks is the only pathway that actually guarantees this. Bernard Wright has excelled at that. I think we often forget when we quote House of Representatives Practice that the editor of it is Bernard Wright. He will be deeply missed. David Elder, I am very pleased that one of the few parts of Australian democracy that has a logical career path is the clerks, and I am very much looking forward to you moving into that role.

I am not going to go through a list of the different people we all want to thank. It has been done many times and I am mindful of the time of the day. Christmas time for many people is not only a time of joy but is often a time of grief and a time that is very dangerous for many people in Australia. So I simply, from the opposition, wish people the best and to keep safe.

I am mindful that over recent years people have often used terms like 'greetings of the season' or 'happy holidays'. In my part of Sydney, which is one of the most diverse parts of Australia, people have always been very generous with me. If they are celebrating an eid they have wished me 'Eid Mubarak'. If they are celebrating Deepavali they have wished me 'Happy Deepavali'. I was mindful of the moment when people were being sworn into this parliament only a few weeks ago, when in the one group we had people taking an affirmation, people swearing on the Bible, someone swearing on the Koran and someone swearing on the Torah. I think we are getting closer to an Australian parliament that mirrors the diversity of Australian society.

In the same spirit that people have always wished me the best for their festivals may I as Manager of Opposition Business wish everybody the peace and joy of Christmas.
Cognate Debate.

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

That all the words after "That" be omitted with a view to substituting the following words:

"the House declines to give the bill and the related bills a second reading because it would be ill advised to continue having regard to:

(1) the negative impact of the re-establishment of the Australian Building and Construction Commission on the rights and entitlements of Australian workers; and

(2) Government plans to equip the Australian Building and Construction Commission with powers that are extreme, unnecessary, undemocratic and compromise civil liberties."

Mr PYNE (Sturt—Leader of the House and Minister for Education) (17:28): I rise to conclude the debate on this cognate legislation. In summing up the debate I wish to thank every member who has contributed to it. I would like to particularly thank the member for Bradfield, who, before the election, chaired a coalition working group to re-establish the Australian Building and Construction Commission, and the other members of that group: the members for Ryan, Forrest and Kooyong. With that I recommend the bill to the House.

The DEPUTY SPEAKER (Hon. BC Scott): The question is that the amendment be agreed to.

Question negatived.

The DEPUTY SPEAKER (Hon. BC Scott): The question is that the bill be now read a second time.

The House divided. [17:33]

(The Deputy Speaker—Hon. BC Scott)

Ayes ......................83
Noes ......................43
Majority ...............40

AYES

Alexander, JG  Andrews, KG
Andrews, KL  Baldwin, RC
Billson, BF  Bishop, JI
Briggs, JE  Broad, AJ
Broadbent, RE  Brough, MT
Buchholz, S (teller)  Chester, D
Christensen, GR  Colbo, SM
Cobb, JK  Coleman, DB
Coulton, M (teller)  Dutton, PC
Entsch, WG  Fletcher, PW

CHAMBER
## AYES

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Question agreed to.
Bill read a second time.
Message from the Governor-General recommending appropriation announced.

Third Reading

Mr PYNE (Sturt—Leader of the House and Minister for Education) (17:40): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.


Second Reading

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

Mr PYNE (Sturt—Leader of the House and Minister for Education) (17:41): I commend the bill to the House.
Question agreed to.
Bill read a second time.

Third Reading

Mr PYNE (Sturt—Leader of the House and Minister for Education) (17:41): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

PERSONAL EXPLANATIONS

Mr ALBANESE (Grayndler) (17:42): Mr Deputy Speaker, I wish to make a personal explanation.

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

Mr ALBANESE: Yes.

The DEPUTY SPEAKER: Please proceed.

Mr ALBANESE: In his ministerial statement today the Minister for Communications said:
Even just prior to the 7 September election, long after it was clear to most observers that the rollout was missing every goal, the member for Grayndler continued to assert 5.5 million households and businesses would get the NBN by 2016.

The former minister knew that was untrue as demonstrated by the draft 2013 NBN Co. Corporate Plan he had received, and accorded to a leaked minute published in The Australian presented to cabinet in July.

The facts are these: this is untrue, as 5.5 million premises has never been a target for construction by 2016. There was a number of premises for which construction was expected to be commenced or completed by 2016, based on the three-year rollout plan released in March 2013. The corporate plan provided no alternative advice.

**BILLS**

- Import Processing Charges Amendment Bill 2013
- Grape and Wine Legislation Amendment (Australian Grape and Wine Authority) Bill 2013
- Primary Industries (Customs) Charges Amendment (Australian Grape and Wine Authority) Bill 2013
- Primary Industries (Excise) Levies Amendment (Australian Grape and Wine Authority) Bill 2013
- Offshore Petroleum and Greenhouse Gas Storage Amendment (Cash Bidding) Bill 2013
- Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Bill 2013
- Rural Research and Development Legislation Amendment Bill 2013
- Primary Industries (Excise) Levies Amendment Bill 2013
- Primary Industries (Customs) Charges Amendment Bill 2013
- Customs Amendment (Anti-Dumping Commission Transfer) Bill 2013
- Australian Civilian Corps Amendment Bill 2013

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

**DOCUMENTS**

- Prime Minister's Annual Report on Closing the Gap
- Consideration of Senate Message

Mr PYNE (Sturt—Leader of the House and Minister for Education) (17:44): I move:

That consideration of the message be made an order of the day for the next sitting.

Question agreed to.

House adjourned at 17:45
NOTICES

The following notices were given:

Mr Wilkie: To present a Bill for an Act to restrict the export of live animals for slaughter pending its prohibition, and for related purposes.

Ms MacTiernan: To move:
That this House:
(1) recognises that the maintenance of safe, sustainable rates in the trucking industry is essential for ensuring community safety on our roads; and
(2) calls on the Government to retain the Road Safety Remuneration Tribunal intact, rather than capitulate to monopolistic processes.
The DEPUTY SPEAKER (Hon. BC Scott) took the chair at 09:35.

CONSTITUENCY STATEMENTS

Holt Electorate: Manufacturing

Mr BYRNE (Holt) (09:34): The summer holiday season is a wonderful time of the year, with a range of community events held in my electorate of Holt to celebrate the season. One iconic event is the Twilight Carols at the Westfield shopping centre at Max Pawsey Reserve, conducted by Larry Sebastian of the wonderful Casey City Church.

I do not think it is any secret that we are ending the year in fairly challenging circumstances, with many people in my area unsure of what the future holds for them. This is not a time to assign blame, but I remind this chamber and our people that we live in a great country and I believe our country's best days are yet to come. Our country's strength derives from its people—their sense of resilience, purpose and community. I believe we will get through this terrible set of circumstances following the announcement of GMH pulling out of Australia. I want to express my sympathies to all of the thousands of affected workers in the Casey and Dandenong regions.

I received an email today from an automotive components worker who is in despair about his future, as well as the future of his family and his 400 co-workers. We need to work together in this place. People want us to work together to fix this issue. The Senate will discuss accountability, but I state that I believe in the Australian people and that Australia is a great country. I believe manufacturing does have a future in Australia, and the Australian government needs to do what it can to strengthen manufacturing.

I heard a ridiculous argument from Paul Murray that we do not make cars that are good enough. What a load of rubbish! It made me sick to my stomach to hear someone talking about Australian products in that way. Holden and Ford cars made in Australia are great. The product is good enough, but we have a problem with our currency. Commentators should not go on TV and say Australians do not make great things. They do, but manufacturers are confronting circumstances beyond their control. Do not blame the workers for the problems, because they are making a product that is great. We stand in solidarity with all those who have lost their jobs or who are about to lose their jobs. We owe it to them to work together to make sure manufacturing has a future in this country.

Bass Electorate: Lions Club of Riverside

Bass Electorate: Porte, Mr Richard Julian

Mr NIKOLIC (Bass) (09:38): I acknowledge the wonderful efforts of the Lions Club of Riverside and a champion athlete in my home state of Tasmania. When Hawthorn play at Aurora Stadium, the Lions club mobile kitchen is there serving the best scotch fillet steak sandwich in Australia. The Lions man the gates at various local events and for over 20 year ran the biggest Carols by Candlelight event in Tasmania.

A division having been called in the House of Representatives—

Sitting suspended from 9:39 to 10:00
The DEPUTY SPEAKER (Hon. BC Scott): Just to let those in the Federation Chamber know, at approximately 10 we are going to suspend to enable the opposition to have a party meeting, so the member for Bass can continue his speech and after that we will suspend.

Mr NIKOLIC: I rise to continue to acknowledge the wonderful efforts of the Lions Club of Riverside and Tasmanian cyclist Richie Porte. When Hawthorn plays at Aurora Stadium in Launceston, the Riverside Lions mobile kitchen is there serving the best scotch fillet sandwich in Australia. They man the gates at various local events and for over 20 years ran the biggest Carols by Candlelight in northern Tasmania. They rattle the tin for cystic fibrosis, Launceston City Mission and others. The money they raise goes to so many wonderful causes, which is consistent with the Lions' prayer which is recited at every meeting. It asks the Lord to bless 'every effort that we make to build the towns in which we live and put it in our hearts to give to worthy causes'.

Under the stewardship of the club's recent presidents, Brian Connolly, David Vautin, Geoff Billett and Len Healy, over $100,000 each year is injected into my local community by this one club. One of the projects to highlight is a recent renovation of two apartments in Launceston which offer discounted accommodation to families of children having cancer treatment at the local hospital. This project was managed by a stalwart of the club, Lion John Oldenhoff. I acknowledge and thank those lions of our community, the wonderful Riverside Lions Club.

I would also like to celebrate the achievements of Tasmanian cyclist Richie Porte, who in 2013 has completed the most successful season of his career. Recently he was named 2013 Tasmanian athlete of the year, honouring a glittering array of performances on the world tour, including victory in the Paris-Nice cycling race and helping his British teammate, Chris Froome, win the Tour de France. In addition to winning the Paris-Nice, he was second in the Criterium de Dauphine. Such is his stature at the top level of world cycling that in 2014 Richie Porte will lead his team in the prestigious Giro d'Italia.

Tasmania has a proud sporting heritage, including champions like Ricky Ponting, Daniel Geale, Darryl Baldock, Roy Cazaly, David Foster, Rebecca Van Asch and Eddie Ockenden. But our cycling heritage sparkles. The magnificent Graeme Gilmour was Australia's youngest ever scratch man in 1964 at the age of 19 and the best six-day rider in the world in the mid-1970s. Other champions include Matthew Gilmore, Danny Clarke, Graeme French, Michael and Alf Grenda, Graham McVilly, Grant Rice, Michael Wilson and more recently Amy Cure and Lauren Perry—not bad for a state comprising only half a million people. Richie Porte is the latest example of a Tasmanian cycling champion. I know lovers of sport around the country will join me in congratulating Richie for adding yet another chapter to Tasmania's and Australia's proud sporting history.

The DEPUTY SPEAKER: I will call the member for Fremantle to accommodate her request, and then we will be suspending in accordance with the agreement the parties came to before.

Live Animal Exports

Ms PARKE (Fremantle) (10:03): Last Sunday morning I attended a Stop Live Exports rally in Fremantle in which people formed a human chain across Stirling Bridge to express their concern at the extreme suffering of our fellow creatures arising from the live export
industry. Most live exports from Australia take place through the port of Fremantle. The local community called again for the industry to be transitioned to an expanded chilled and frozen meat export trade, thereby adding value to the Australian economy, creating jobs and ensuring better animal welfare.

The industry and the government response to such protests is to point to the regulations that were introduced under the former Labor government in 2011 that required animals to be treated in accordance with minimum animal welfare standards under the export supply chain assurance system. They say things are improving, that revelations of cruelty are isolated incidents, and that, if Australia were not in the trade, there would be a far worse animal welfare outcome.

The problem with this argument is that the evidence coming from many parts of the world does not back this up. In the past 15 months alone the Australian community has been confronted with graphic depictions of cruelty to Australian animals in Jordan, Mauritius, Israel, Malaysia, Kuwait, Egypt, Pakistan and Qatar. This week shocking new footage has emerged of what appear from their ear tags to be Australian cattle suffering horrendously cruel deaths in Gaza. I forced myself to watch seven minutes of the most torturous, barbaric, hideously awful films taken by participants and observers who had then loaded them onto YouTube. You see and hear cattle bellowing with fear as the men in the video saw clumsily away at their necks with blunt knives, one bull suffering no less than 102 cuts to his throat. When their throats have been eventually sawn open but they are still conscious, bulls have then been kicked or had water thrown into their wounds. You see a slaughterman stabbing a bull in the eye and a bull being shot in three of his kneecaps with an assault rifle.

It is time to ensure some accountability and integrity in this process. The Australian exporter or exporters involved in these serial incidents of cruelty, including livestock-shipping services, must be held responsible and experience the appropriate consequences, namely the revocation of their export licence, otherwise the regulations are meaningless. Otherwise there is no incentive for others to behave properly.

The fact is that live export is a high risk for both animals and producers. As a WA sheep farmer told me, he does not export live animals, because, in his view, 'It's a bad business.' In fact, just seven per cent of cattle and 10 per cent of sheep raised for slaughter in Australia last year actually went into the live export trade. Live export is a small and declining industry, worth $783 million in 2012-13 compared with the cattle and sheepmeat industry, worth $16 billion annually.

The social licence to operate of the live export industry was gone a long time ago. In 1985, the Senate Select Committee on Animal Welfare concluded that there was enough evidence to stop the trade. Twenty-eight years on, it is time to acknowledge that, with the best will in the world, we cannot control what happens to animals when we export them to other countries.

Sitting suspended from 10:07 to 10:41

Hasluck Leadership Award

Mr WYATT (Hasluck) (10:40): Early next year I will once again have the opportunity to bring Hasluck's best and brightest young leaders to parliament as part of the Hasluck Leadership Award. The Hasluck Leadership Award is a leadership development program designed to foster the creative and innovative leadership skills of the young people in my
community. The award provides a once-in-a-lifetime opportunity for two young people who demonstrate exceptional leadership characteristics to travel to Canberra, tread the corridors of power and experience life in the heart of politics. During the week in Canberra, the Hasluck Leadership Award recipients will visit places that include the Australian War Memorial, the High Court of Australia and the Museum of Australian Democracy.

I would like to take this opportunity to thank the sponsors of the Hasluck Leadership Award. This program could not take place without the support of Qantas, the Swan Chamber of Commerce, Brikmakers and the Damien Cole Group. The generous support of these organisations has helped provide leadership training opportunities for the young people of Hasluck. The Hasluck Leadership Award also could not take place without the help and support of our community judges, David Turner, Joanne Pryce and Harry Rosielle. I know our judges had tough decisions to make this year as all of the applicants for the young leader award were of exceptional calibre.

I am pleased to announce that the winners of this years Hasluck leadership award are Jade Gurney and Stephen Beerkens. Jade Gurney is a young leader from Lesmurdie Senior High School whose teacher described her as 'a dedicated and committed student who always strives to do her best and is well respected by her peers and classroom teachers'. Jade aspires to study theatre and film and has a strong interest in European history and culture. Stephen is a young leader from La Salle College who aspires to study composition at WAAPA. Stephen is a passionate musician who hopes to compose music scores in the future. Stephen's principal has described him as an 'outstanding representative of the youth in the electorate of Hasluck' and 'a valued member of the La Salle community'. He is heavily involved in multiple school bands and is a mentor for the junior band members. Both Stephen and Jade consistently seek to challenge themselves for the benefit of not only their schools but also the wider community. I look forward to welcoming Stephen and Jade to Canberra in early February next year.

In addition, there was a strong field of young leaders who applied for the Hasluck Leadership Award and I would like to share their names: from Darling Range Sports College, Brooke Thompson; from Guildford Grammar School, David Gregory; from La Salle College, Bridget McKay; from Lesmurdie Senior High School, Casey Armstrong; from Rehoboth Christian College, Emily Candeloro and Ryan Suckling; from Southern River College, Christie Clark; from Saint Brigid's College, Sophie Hellemans and Claudia Salas; and from Thornlie Senior High School, David Bell and Citra Cetinich. I was impressed by the references provided by these nominees. The references all described these nominees as great mentors and leaders of their schools within their communities. We certainly have a much more positive future to look forward to due to young leaders such as Stephen and Jade in the Hasluck Leadership Award.

Live Animal Exports

Mr KELVIN THOMSON (Wills) (10:43): In response to the terrible atrocities to Australian cattle in Indonesia exposed in 2011, the Labor government introduced the exporter supply chain assurance program, known as ESCAS. Since its introduction, there have been no fewer than 24 formal complaints of cruelty in importing countries under ESCAS, most of them instigated not by the industry, not by the ESCAS auditors, but by animal welfare groups. This suggests that exporters are still having to be dragged kicking and screaming towards good practice rather than embracing it.
But in October one player within the industry stooped to a new low. During the recent Festival of Sacrifice, thousands of Australian sheep were sold outside approved supply chains in Jordan. These sheep were dragged from their pens, abused, shoved into car boots, and eventually had their throats slashed open on the streets and in private backyards. The approved supply chains that were supposed to protect these sheep from abject cruelty are controlled by Livestock Shipping Services, LSS, which is wholly owned by a Jordanian parent company. The evidence strongly indicates that LSS showed complete disregard for the rules of the ESCAS, but it gets worse.

Livestock Shipping Services is now the prime suspect in a further extremely disturbing case of on-selling involving Australian cattle exported to Palestine. I have seen footage taken in the Gaza Strip of what are almost certainly Australian cattle once again during the Festival of Sacrifice this October. It is the most horrific footage of animal cruelty I have ever seen. It is barbaric and an affront to Australian values. It is incumbent on each and every MP and everyone who wishes to comment or to be informed on animal export issues to watch this footage personally, however distressing it may be. The footage documents cattle being chased, dragged and beaten in the streets of Gaza by frenzied mobs. The cattle are repeatedly slashed, even stabbed in the eyes, before having their throats sawed open with blunt knives amid cheering crowds. No animal should be subject to this level of cruelty, anytime, anywhere.

The footage makes a mockery of the claims of the live export industry that by being in the market, we will improve animal welfare practices in importing countries. There is strong evidence linking these cattle to LSS. It is the only company listed on the departmental website with a supply chain to Palestine, and the ear tags on the cattle match those of LSS. LSS continues to carry on its business as usual, purchasing sheep and cattle from Australian farmers for export. The Maysora, an LSS ship, is currently in Fremantle awaiting loading. This government's apologetic indifference and inaction tells LSS it has nothing to lose and everything to gain if it flouts the rules. If ESCAS means anything, the export licence for LSS should be suspended while departmental investigations are undertaken with the view to revoking it, subject to the investigation's conclusion. (Time expired)

Forestry

Mr HUTCHINSON (Lyons) (10:46): During the adjournment debate on Monday this week, the member for Parramatta took it upon herself to champion the Tasmanian Forests Agreement. Perpetuating a myth is no substitute for fact. To correct the record, firstly, the Tasmanian forestry industry does not have FSC certification. Only Norske Skog and SFM Forest Products have this for plantation timber, along with Mr Peter Downie for his private native forests. Gunns Ltd has FSC controlled wood status for plantation wood being developed and delivered to woodchip mills at Bell Bay and Burnie. This relies on wood delivered having a valid forest practices plan and AFS certification.

Next, there is no requirement for certification for exporting. Some customers do demand FSC, others either FSC or AFS, and naturally, the majority of customers demand the wood come from legal sources. This is what happens in a free market. Finally, Ta Ann has no FSC wood coming into its mills in Tasmania. The majority of its wood supply comes from native forests managed by Forestry Tasmania. FT has AFS certification and is working towards full FSC certification as part of the dictated outcomes of the Tasmanian Forests Agreement.
Let us be clear: having certification does not make Australia's forests more sustainable. Tasmanians have a right to be sceptical when a Sydney based member suggests she knows what is best for the state of Tasmania—my state—and the electorate of Lyons, my electorate. Alarm bells should start ringing when the same member makes a series of inaccurate statements to the House, espousing how Tasmanians should manage their natural resources.

A key reason I stand here today is that the 7 September election was a referendum on the future of forestry in my home state. Sitting around the negotiation table for the development of the TFA were hand-picked representatives from big business, big unions and big environment. The broader forest industry was never represented. The private forest growers were never represented, let alone the scores of small communities and businesses that were dependent on the most renewable of resources. TFA negotiations were purely a political stunt to appease the Greens and allow state and federal Labor governments to abrogate their responsibility. Industry did sit at the table, but negotiated with a gun to their head. As people around the state know, these ENGOs were systematically sabotaging companies legally carrying out their day-to-day business, and finally the industry capitulated.

The TFA process was born out of a commercial decision by Gunns Ltd to exit native forest. It was meant to deliver ENGO support for a pulp mill using only plantation feedstock, and see the Triabunna woodchip mill in my electorate reopen. We got neither. Labor have shown they do not have the capacity to achieve good outcomes on forestry. Their mates, the Greens, have shown that enough will never be enough.

Automotive Industry

Mr STEPHEN JONES (Throsby) (10:49): Yesterday was the darkest of days for workers at Holden and workers in the automotive industry around the country. We learned the devastating news that Holden had decided to cease production in Australia by 2017. In Elizabeth 1,700 workers and around 2,900 workers nationally are affected. It was not an easy decision for Holden to make, I know. It was made a lot harder by the political controversies surrounding the automotive industry in this country.

This is going to have a knock-on effect to over 200,000 Australian workers whose jobs depend directly or indirectly on auto and automotive components around the country. The Australian automotive industry and the transport industry represented about eight per cent of the total domestic steel volumes last financial year, with the number expected to have risen over the next 12 months. Of course, that is not going to happen. That will have a direct impact on workers in my electorate of Throsby and in the Illawarra in New South Wales, many thousands of whom draw their employment through BlueScope and related industries.

BlueScope Steel will lose at least $33 million in revenue every single year with the shutdown in GMH. The Port Kembla company supplies around 14,000 tonnes of steel worth about $18 million directly to Holden to make cars in Australia and an additional $15 million worth of steel to the major components suppliers to Holden each year. So, Deputy Speaker, you can see that the impact of Holden's decision will stretch far beyond Elizabeth and far beyond South Australia and Victoria.

This decision was not inevitable. We were promised a government that would give us no surprises and no excuses, and yet here we are today seeing senior ministers within the government saying that they themselves were shocked. Well, if you look at what has gone on
in the chamber over the last week, nobody should be shocked by the decision that General Motors Holden have taken. You have had senior ministers in the government opening the door and daring Holden to walk through it. Is it any wonder that it was very difficult indeed for decision makers here in Australia to convince their board in another country to keep backing the industry here in Australia?

So, far from no surprises and no excuses, what we have seen is a government trying to blame the workers and blame past decisions, where the blame to the extent where the government could have had any influence on this rests fairly and squarely with the cabinet and with those who have been cheering for this change for decades.

Page Electorate: Digital Economy

Mr HOGAN (Page) (10:52): Technology has transformed all our lives enormously in recent times. Many of us in this chamber can remember the first time we brought a personal computer into our homes and the first time we logged on to the internet. The changes, the jobs and the transformation of our society from things like that have been enormous. In fact, McKinsey calculates that 20 per cent of our GDP has arisen just from the businesses now associated with the internet.

My electorate of Page is willing and happy and is embracing this new technology. The local RDA, together with business and local chambers, households and government, have developed a new digital strategy for our local economy. The digital revolution is disruptive. Businesses now often have to compete with people who are not even in their local environment. There are, however, many opportunities that arise from this type of transformation as well, and there are many industries and many businesses within Page—creative industries—that are embracing this.

One example I would like to share is from mememe productions, headed by creatives Cate McQuillan and Hewey Eustace, who have created—you may have seen it, Deputy Speaker—the famous dirtgirlworld television show, which won an international Digital Emmy in April this year. They are very creative people. In fact, in a previous life they were the singers at my wedding—known then as the 'Two Pot Screamers'! And they did a great job that night, too—it was a very enjoyable evening. And I am still married, by the way, too, so that was good money well spent on them! When asked if the show could have been developed and produced in the city, Cate replied with an emphatic no.

The Northern Rivers Digital Economy Strategy is based on seven key principles to meet the digital revolution. The first is leadership. Local leaders, and we have many, are inspiring others in the early adoption of this technology by embracing new work practices and business models. The second is openness in collaboration. Digital technology has dramatically changed how we manage our business and organisations. We no longer work in isolation. The third is communication and awareness. We need to make business and the general community aware of technologies that are available for them, the costs and how best they can use them. The fourth principle is digital inclusion. Participation of some members of our community may be at risk due to age, income, ethnicity, gender, education level, disability or where they live. The strategy is designed to ensure that all members can participate and benefit from the digital economy. Principles 5, 6 and 7 are digital knowledge transfer, innovation and creativity, access and—(Time expired)
Automotive Industry

Mr DANBY (Melbourne Ports) (10:55): I received a very intriguing email on the demise of Holden from an Australian in Queensland. He says:

Holden generated $32.7 Billion in economic activity in Australia.
They received $1.8 Billion in Government Assistance
They paid $1.4 Billion back to the Government in PAYE income tax revenue.
And paid $21 Billion to businesses in Australia for supplies and services.

So, Mr Morgan explains, the $1.8 billion that they got minus the $1.4 billion in taxes that they paid means that the total cost to government was $400 million. He argues:

… (it's an investment—not a purchase).
This $400m investment puts $21b back into the Australia economy …
So the actual cost is:

… 1.9 cents to the government for every $1 earned by Australian Companies—who will also be paying PAYE income tax revenue to the government, which far exceeds the $400m … that the government will have actually outlaid.

The other side of the coin is the cost in unemployment benefits to be paid to the Holden workers retrenched by the closure of plants, along with the countless thousands who currently work for companies that are paid the $21b and all of their suppliers who are also affected.

Let's assume the total outfall of this fiscal decision of this government results in a total unemployment of 5,000 workers …

Actually the numbers will be far higher because of all of the people who work in components and accessories. He continues:

Let's … assume that these 5,000 workers will be on Newstart … of $542 per fortnight. That's a massive impost on the Australian Taxpayers of $2,710,000.00 per fortnight that these workers— will get on Newstart, which is $70 million to the taxpayer per year. That does not factor in the recessionary factors that this will have for the Australian economy. He continues:

By not offering any fiscal support (that it seems that every other country in the world that still has a manufacturing industry) to Holden in this instance, the government is forgoing multi billion dollars in PAYE payments from Holden and its suppliers—to an expense on … $70m a year (and that assumes that only 5,000 people are placed on Newstart), add to this, the costs of providing all of the retraining that the government is now espousing …

As he says, for the want of a nail, we have lost the war.

I have been in this parliament since 1998. I have never seen a more disgraceful and gratuitous decision. Ford were not going to put any money into this country. Holden wanted to invest a billion dollars into Australia. This is a choice that this government made, an ideological choice. For the extra expenditure that the previous government was going to undertake with Holden, we could have kept Holden in Australia. The decision to drive this American company out of Australia is something that is unprecedented in Australia's economic history. (Time expired)
Ms PRICE (Durack) (10:59): Australia's ban on live exports was just one of the many policy failures by the former Labor government, but it is one that has had lasting effects on my electorate of Durack. This knee-jerk reaction from Labor has not only strained Australia’s relationship with many of our export markets but has also had serious financial and emotional effects on our cattle producers and their families. The preservation of live exports is vital to Australia. With so few markets available, it is important for all Australians to fight for our farmers and for this vital export industry.

Make no mistake, nobody, including our hardworking cattle producers, wants to see cruelty to animals. It is, however, the human welfare side of the live export debate that is of concern to me and my constituents. It is something that I believe needs to be brought to the forefront of all Australians’ minds. In many anti-live export campaigners' haste to criticise this industry and in their minds stand up for the welfare of animals, they seem to have forgotten their own humanity and the welfare of their fellow man and woman. These cattle producers are not all big corporations; they are hardworking families who have been victimised by people who seem to have lost their way.

Anti-live export campaigners are now resorting to threats and intimidation tactics to send a message. They are threatening not only the lives of these producers, but their children as well. One of my constituents from Wannamal in Western Australia’s wheat belt region has been sickened by the threats that his family and others have personally endured. Social media has been the weapon of choice to relay these threats and intimidations. Their ability to remain relatively anonymous and troll through various Facebook pages simply reinforces the term ‘keyboard warrior’, and is utterly appalling. On a 'save live export' Facebook page, a threat was recently made against my constituent's children and their primary school. A report has been made by both the school principal and my constituent to the police, and Facebook has been contacted. Unfortunately, these people have yet to be removed from Facebook. Months of multiple phone calls per day to this house and family have also been reported to police.

These farmers do not deserve to have their livelihood taken from them, and are fearful that what may have been idle threats so far will turn into something less peaceful. In the words of this constituent: ‘How far are these extremists allowed to go? How much must we as producers take and how long will this constant bombardment of attacks toward producers, our families and our businesses be allowed to continue? I dread to think of the possibilities.’

The DEPUTY SPEAKER (Mr Craig Kelly): In accordance with standing order 193, the time for members constituency statements has concluded.

ADJOURNMENT

Bendigo Electorate: Volunteers

Mr WILSON (O’Connor) (11:02): I move:
That the Federation Chamber do now adjourn.

Ms CHESTERS (Bendigo) (11:02): I rise today to highlight some of the fantastic volunteers in the Bendigo electorate. Last Friday in celebration of International Volunteer Day we held several ceremonies across the electorate, recognising the hard work of these local heroes. International Volunteer Day, as members know, is celebrated on 5 December,
the day before, but knowing that we would be here in Canberra we organised to recognise our local heroes and volunteers on the Friday.

Volunteers and their organisations quite often do not do this work for recognition. They do it for their community, for their neighbours, for their organisations. They do it in many cases because it is a passion. Without our volunteers, I believe our communities would fall down, particularly in central Victoria. I want to highlight a couple of the organisations and individuals that we recognised last Friday in our ceremonies.

Friends of Kyneton Community Park volunteer Katrina, the vice-president, has been actively involved in working with the president, Amy, in making sure that the community understands the purpose of the project. Friends of Kyneton Community Park recently secured a government grant to be able to continue to develop the children's park.

I would also like to acknowledge the Kyneton Uniting Church Op Shop. Flo Watson there is amazing. She is a volunteer herself and she coordinates rosters of up to 80 volunteers. I have spoken to Flo about whether she would join my campaign team for the next election, given her ability to organise volunteers.

There were people in this program nominated by their children. I would like to highlight Maryanne Murdoch of the Campbells Creek Fire Brigade, nominated by her son and daughter. They know how much Maryanne cares for the local community and how she stepped in when nobody else would. She has currently completed her rigging licence so that she can now drive the fire truck. She attended the Black Saturday fires in 2009. She had just returned from assisting with the New South Wales bushfires, where she and her fellow members took five days away from our own state, our own community, to assist in New South Wales.

I must also mention the 70 City of Greater Bendigo volunteers that staff the visitors' centres, the Elmore senior citizens, the Bendigo Special Olympics team and, lastly, the Laanecoorie Mechanics Institute hall—in particular their secretary, Geoff, who has been a secretary or the president for 39 years. Before Geoff, it was his father, and before his father it was his grandfather. So as long as there has been the Laanecoorie Mechanics Institute, somebody from this family has been involved in this committee. This hall, of course, was a favourite host of the Young Farmers' Balls for decades and decades. Today, whilst they do not host the Young Farmers' Balls, they are quickly becoming the museum for the region, making sure that they continue to preserve the history and the culture of the region.

All of us recognise that our local heroes are our volunteers. Our volunteers are the people who ensure that our communities remain strong and remain connected. They do this work not for recognition, but they do this work because it is their passion and because there is a job that needs to be done. We have decided to make this an annual event to recognise the Bendigo electorate hard-working volunteers on or around International Volunteer Day.

I seek leave to table a list of the recipients of the Bendigo International Volunteer Day awards for 2013.

Leave granted.

**Higgins Electorate: Volunteers**

Ms O'DWYER (Higgins) (11:06): I rise today to speak about an issue that is of great importance to us all: the value of community organisations and volunteers.
One of the great joys in being the federal member for Higgins is being able to meet with inspirational people who donate their time for the benefit of others. These remarkable people recognise the importance of community spirit and know that government is not the font of all knowledge nor the answer to every question, concern or difficulty. They recognise that on many occasions the best solutions lie with local communities banding together to provide the support, services or facilities that are required.

Over the past few weeks, I have had the opportunity to visit some of these wonderful organisations. The first I would like to mention is Very Special Kids. On 23 November, Very Special Kids held their annual fair. VSK provides support and services to families with terminally ill children, free of charge. I can think of no greater tragedy in life than having to deal with the death of a child. Very Special Kids, led by Chairman, Peter Polson, and CEO, Sarah Hosking, and their wonderful team, provide much-needed relief and respite to families going through their own personal agony. Being a free community service VSK relies heavily on donations from the community, and I urge everyone to donate what they can to the VSK Piggy Bank Appeal.

I recently also had the great pleasure of enjoying the festivities of the Carnegie Street fair, as a guest of the Carnegie Traders Association. Traders associations play an important part in local business districts. Most of these associations are made up of small business operators who donate their time, above and beyond their regular business activities, in order to better the local shopping strip and improve the local business environment. I would like to acknowledge the immense work of outgoing president, Gerald Galatis, and wish him every success for his future endeavours.

Finally, I would like to recognise the hard work of the Ashburton Support Services. Ashburton Support Services provide much-needed assistance to the elderly and people with disabilities in the local Ashburton area, as well as operate the meals-on-wheels program. The ASS is a not-for-profit volunteer based organisation. In order to raise the much-needed funds the ASS operates the op shop on High Street, also known as the 'Ashy'. Last month I was honoured to be included in the opening of the new and improved 'Ashy' after a $300,000 renovation. I would also like to praise the Ashburton Support Services' president, Brian Bergin, for the tireless work that he engages in, and wish him all the best for the future of the 'Ashy' and the entire Ashburton Support Services.

However, sometimes organisations face difficulties of their own, and not of their own making. Recently, a small but very significant kindergarten in my electorate, the Ewing Memorial Kindergarten, faced a real challenge to secure its future. This kindergarten first opened its doors to the young residents of Higgins in 1954, some 68 years ago, and has been providing pivotal early learning experiences ever since. It has been the setting of many games of tag and several hundred adventures through the dangerous jungles, and the cubby house was the place du jour for many a prince and princess. The kindergarten is also an important place within the community for mothers and fathers to catch up, as they walk to school with their older children who attend one of the three local primary schools that fall within a one-kilometre radius of Ewing Memorial Kindergarten.

My constituents, though, had to rally together to mount a strong campaign when they learnt that the Uniting Church synod planned to sell the land on which the kindergarten was situated. I must praise the Uniting Church synod, because today it announced that it would not be
selling that land. I praise it for listening to the community campaign that was raised in the local area, for listening to people's concerns about the importance of this kindergarten to the local residents in the area and for listening to the demands that were made by those parents about the need to have in close proximity to their home a kindergarten that would provide educational opportunities for their children.

It is great news that the synod has listened to our local community and, in doing so, has secured the future of this kindergarten that educates at least 65 children each year, providing excellent, affordable, local care to children that exceeds in all areas the standards set under the federal government's national quality standards scheme that was announced just this year. I congratulate Suzie Rogers and Rachelle Nicholas, the president and vice-president of Ewing kinder, for achieving such an outstanding result.

In working together, communities can achieve such amazing things. Today I have listed just a couple of examples of the great work that is done in my electorate of Higgins.

**Indi Electorate: Telecommunications**

**Indi Electorate: Bushfires**

Ms McGOWAN (Indi) (11:11): I rise to speak about the areas of my electorate that are prone to natural disasters, particularly to bushfires. In particular, I will talk about the shire of Murrindindi. Many of the 3,000 people who live in the shire continue to lack the basic communications infrastructure that most Australians take for granted. This is not an isolated area of Victoria; many of these towns are in view of Melbourne's skyscrapers. Murrindindi was seriously affected by the 2009 Black Saturday bushfires. Almost five years later, Murrindindi continues to experience a real shortage of mobile, TV and radio coverage. Additionally, many people cannot access ADSL connections due to the ageing copper-wire network and in many cases they cannot access 3G.

The small community of Narbethong has been receiving analogue television for many years. It has been told that this was an accident caused by a tower's signal drifting to them. While digital TV is switched on there, many residents are not eligible for a satellite that would allow TV coverage. Narbethong is similar to many small communities that now have no analogue TV and either poor or non-existent digital TV. Other communities experiencing similar problems are Eildon, Piries and Goughs Bay. People from across the region have written to my office telling my staff and me that they do not have TV, radio or mobile phone reception. These people live within two hours of Melbourne CBD, yet they are cut off from digital communications.

Rural Victorians have been told that we will have to wait 18 months to access the new NBN satellite, because the NBN interim satellite is now full. I suspect that might be the case for other rural electorates. This means that for 18 months—until at least mid-2015 when the new satellite becomes available—hundreds of people will be without internet access to their home. If we are to have regional growth to boost our manufacturing and agriculture industries we must have access to modern communications technology. Businesses need to know what is happening in the world around them to be able to communicate with customers, to place orders and to be part of the global economy. There is another real, more urgent concern, and that is, as summer comes upon us, these communities in this area will not be able to
communicate with emergency services and families in the event of fires. No-one should have to live the fear they are unable to contact their families in the event of disasters.

I sincerely want this parliament to realise the importance of reliable telecommunications infrastructure in Australia across all mediums. I want to see us pay attention to small communities who should not be left behind when planning the way for our country communities. In my electorate of Indi, we are working to identify the areas of top priority for mobile phone black spots and we urgently need more satellite capacity. In the meantime, I would be delighted to hear from my colleagues to know innovative and effective ways that you are working to ensure that rural communities are able to access telecommunications infrastructure in the short term. I am pleased to support this motion.

**Goods and Services Tax**

Ms SUDMALIS (Gilmore) (11:15): I take this opportunity to bring to the notice of the House the issue surrounding the ATO draft ruling on the GST treatment of the relocatable homes industry. The problem was brought to my attention by a number of Gilmore residents living in these homes. Since first learning of this matter, I have investigated how the draft ruling was initiated. In 2011, it appears that the ATO was asked by key tax and accounting bodies in an external submission to clarify how the GST was to be applied to caravan parks and moveable home estates. Then, in December 2012, the ATO made the decision to review how the GST was applied specifically to these moveable home estates. The announcement of the draft ruling was delayed. It is unlikely we will resolve the reason for that delay. However, this information was not given to the public until recently.

At this point it is important to keep in mind that the ATO are independent of the government, but they must communicate all rulings and draft proposals. With this background information, I worked with the Assistant Treasurer to establish how best to help my Gilmore residents who might be effected by the introduction of this ruling. People in Gilmore who have chosen to live in mobile home estates do so for many reasons, but the one that has the greatest bearing in this entire situation is the one relating to cost. In an area of very limited availability of affordable housing, the mobile home parks have provided a safe, manageable, cost-effective haven for many who are economically challenged. They are on fixed and limited incomes and must watch every dollar they spend.

I wrote to all my local Gilmore mobile home residents letting them know the background and the way to make an individual submission to the ATO. The Taxation Commissioner needs to know just how this ruling, if made substantive, could impact on their cost of living and budget survival. My office has been inundated by letters and calls on this matter. We have received well over 200. Their stories are worth repeating. Eileen Dyson of Ulladulla is a widow. She is an aged pensioner and is also partly responsible for the upbringing of her 15-year-old granddaughter. The park owner where she lives has indicated that her rent will be going up by $21 a fortnight. She can barely make ends meet now and the extra burden will stretch her budgeting ability to breaking point. Leone Piggott of Bomaderry is horrified about this potential extra cost. During the last three years she has dealt with two forms of cancer, melanoma and breast cancer. We can only imagine how high her medical bills are. Over the recent past with the huge increases in electricity prices, her cost of living has increased drastically. As an aside, we can see yet another impost from the carbon tax and how it has
impacted on everyday living for everyday Australians. The extra cost of GST on her site rental is appalling.

Mrs Burke explains that after paying the nursing home care for her husband, as well as her site fees at her current level, her cost is $860 per fortnight, leaving her with less than $400 to pay for her power, house insurance and upkeep, as well as run a car so she can visit her husband of 48 years. There is no public transport for her. In her words, ‘any increase would be a great hardship’. Mr William London, a widower also of Bomaderry, makes a great point in his letter. He chooses to live in this location because it is affordable and if he sought public housing instead of purchasing a mobile home, he would be an additional cost to the government. He is concerned that he will no longer be able to afford the healthy food options and be forced to choose less healthy options.

Mr and Mrs Krieken-Beek live in a manufactured home in Ulladulla, also because of the affordability factor. Mrs Krieken-Beek has undergone two operations for cancer, followed by radiation therapy. Mr Krieken-Beek has been diagnosed with vascular dementia. He recently had a fall and needed respite accommodation, and because he fell on Mrs Krieken-Beek she now has broken bones to mend. Their cost of living is already compromised by having to pay for lengthy respite and many medications. They are both on age pensions and limit fixed income.

Roy and Elizabeth Allman of Bomaderry are deservedly proud of the fact that they pay for the complete upkeep of their relocatable home, their power, gas, water and phone. Roy is now blind due to macular degeneration and his prostate cancer has spread to all his bones. They have significant medical costs and require catheters and mobility aids. They too cannot use public transport — there is none — so they must drive their 1999 Ford.

I stand here to support these residents to state for the benefit of the House that the ATO should not follow through on this draft ruling. Gilmore has 28 mobile home parks; some have less than 10 sites and some more than 400. They are located across the entire electorate from Merry Beach in the south to Surfrider in the north. It is clear from the stories told here that this potential GST impost will really affect the quality of life for so many. Gilmore residents who live in these locations because very often it is their only choice. Residents renting in more traditional locations are not paying GST and, in the words of so many, it is unfair. (Time expired)

Goods and Services Tax

Ms HALL (Shortland—Opposition Whip) (11:20): I rise to speak on exactly the same issue as the member for Gilmore. I stand in this place on behalf of in excess of 5,000 residents in Shortland who are set to be hit by this GST on the rental if it is introduced. I urge all members on the other side of this House to take a lead from the member for Gilmore and stand up for the residents whom they represent who live in residential parks. In 2000 when the GST was introduced, quite a battle took place here in relation to imposing a GST on the rental people pay who live in residential parks. At that time, those advising the government did not understand that these were quality homes that people lived in and that the only rental they paid was on the sites where their homes were located. It seems to me that those same bureaucrats are once again showing that they do not understand the issue for people who live in residential parks. They do not understand what an impost this will be on those residents.
In the remaining time I have in this debate, I want to share with the House some of the comments I have received from residents whom I represent who live in relocatable homes. Firstly, Mrs Elizabeth Wenham is most upset by the draft ruling and sees that this will be a major change for her if this introduced. She is very upset that what was decided in 2000 is in danger of being changed. This is a form of affordable housing, and a GST is going to make it much less affordable, and it is treating people who live in residential parks differently to others.

These letters I am referring to are all from residents of Bevington Shores at Halekulani. Edward Quinton says that he is an age pensioner and pays rent on his site, that he will not find the GST on top of his medical bills, and that he will find 'extreme hardship to live and maybe that is what they want'. Len Shaw says: 'I am on a pension and cannot afford a 10 per cent GST on my site. Please, I would be grateful if the office does not go ahead with this. As an age pensioner, no to this 10 per cent GST.' Another resident of the park, S Sharp, says: 'I also want the classification of GST changed so pensioners will not miss out on vital rental assistance. As an age pensioner and TPI pensioner, I find the increase of 10 per cent unacceptable.' Gail Green says: 'As a pensioner, I already find it difficult to pay my rent. A 10 per cent increase on top will make it almost impossible.' Maree Crockett says she pays enough out of her pension without having to pay an extra 10 per cent. Another resident says a GST will impact on the standard of living. Ann Daley says the proposed 10 per cent increase in the cost of living will be 'an unfair burden on pensioners'.

I have here about 500 letters that I will forward to the ATO. In addition, I have a number of other letters written to me. The core of this issue is that these are pensioners, older people and people on fixed incomes who cannot afford the GST. I call on the government to talk to the ATO and ensure that this cruel 10 per cent GST increase on their rents is not implemented.

Swan Electorate: West Coast Eagles

Mr IRONS (Swan) (11:25): I rise to update the House on some exciting developments in my electorate of Swan in relation to my local campaign for the West Coast Eagles AFL club to move to Lathlain Oval. Members will be aware that in 2010 I started a local campaign for the West Coast Eagles AFL club to relocate their training base to Lathlain Oval in my electorate of Swan. I announced this on 10 June in an edition of my electorate newsletter and received a great amount of encouragement from many constituents.

I saw at that time a great opportunity for my electorate resulting from the Barnett Liberal-National government's decision to build a new sports stadium at Burswood, the suburb to the north-west of Lathlain. The Eagles currently train and are based at Subiaco in the western suburbs, where the current stadium is located. I calculated the new stadium would provide an opportunity for the West Coast Eagles to look to re-establish and improve their training base facilities and this would potentially provide a great opportunity for a community somewhere in Perth. I wanted to make sure that this was my community in the electorate of Swan.

The Lathlain Oval site I proposed was ideal in many respects. It is very close to the new stadium site in Burswood of course, but is also currently the home of the West Australian Football League club, the Perth Demons, where I served as Director of Junior Development on the board and am still one of the patrons. My son also plays there after coming back from Port Adelaide. However, the club holds the site on a lease fairly and squarely and has always
resisted development for non-sporting purposes. This has meant that there is enough space for the AFL training standard of two ovals required for a training base. The site is also close to public transport and the major roads that lead to Perth Airport, such as the Great Eastern Highway.

The community and economic benefits of having the Eagles and the accompanying development of a world-class sporting infrastructure in the heart of the Lathlain Oval precinct will be substantial. It was for these reasons that I publicly proposed in 2010 that the Eagles move to Lathlain. This certainly put the option at the forefront of people's minds but plenty of work and careful negotiation still had to be done. During the past three years I have had numerous meetings and discussions with the West Coast Eagles, including with their CEO Trevor Nisbett. In the intervening timeframe we have gone from an option to a preferred option and careful negotiations have been going on between those potentially to be involved.

One of the major threats to the project proceeding was confusion at the state election in March this year when the Labor Party announced they would not support the new stadium being built at Burswood if they were elected. This however was resolved by the resounding election result in WA in March, but it was a challenge that had to be overcome. I am pleased to say that the day before the election, 6 September, the Eagles announced a heads of agreement with the local council to take this further, at the same time announcing publicly their vision for the Lathlain Park project.

This vision is twofold: to create a high performance training and administration facility that will enable the club to remain a competitive force within the AFL competition; and to incorporate dedicated community facilities, creating a dynamic environment that will bring the club and community closer together and deliver greater capacity to implement community programs in partnership with local government and community organisations.

These community facilities were outlined on 6 September, including a David Wirripunda Foundation, the West Coast Eagles community program facilities, a community hub including cafes, barbecues, playgrounds and landscaping as well as a running track. The plans include aquatic rehabilitation and recovery facilities, indoor football training facilities, sports science facilities, administration and of course the two ovals—one the size of the new stadium pitch and the other the size of the MCG, for obvious reasons.

The community have certainly reacted favourably to this announcement. Indeed, I have been told by many constituents that they have noticed the value of their houses go up considerably since the announcement, reflecting not only the economic benefits of the development of a world-class sporting infrastructure but also the desire of people to live in these exciting areas. I understand that the local council is also hoping for economic development to follow and will embrace and support that.

Since being elected on 7 September, I have been holding further meetings with the West Coast Eagles and the AFL, both in my electorate and here in Canberra. I see the member for O'Connor is here, and he met with the West Coast Eagles when they were here last week as well. There is also a FedCats dinner held annually in Canberra, which I attend on a regular basis but did not make it to this year. Just to let the FedCats know, the West Coast Eagles will now be holding a West Coast Eagles dinner in Canberra as well—and I see the member for Wakefield is here; he is more than welcome to come along. I will continue to do everything possible to bring this concept to fruition for the benefit of my electorate.
The DEPUTY SPEAKER (Mr Mitchell): I thank the member for Swan. But as a Carlton supporter I have to say it is the No. 1 side, mate!

Wakefield Electorate: Automotive Industry

Wakefield Electorate: Australian Defence Force

Mr CHAMPION (Wakefield) (11:31): Obviously, the events of the last 24 hours with regard to Holden have been pretty traumatic to my electorate, and I was full of fury and anger yesterday. You wake up the next day and you are gutted by the consequences of these decisions. I am not seeking to have an argument with government members in this chamber; I have said all I think I need to say. But this morning I received an email from Martin—I will not say his last name—who works for Holden. The email reads:

Nick, from myself and my family, I would like to thank you and the Labor team for your hard work to help trying to keep the automotive industry going. It’s been a very hard road recently and there’ll be rocky roads ahead. I’d appreciate it if you could forward my thanks to Mr Weatherill also, please, as I share his frustration but all along noticed his immense efforts.

When you are feeling gutted and when you are looking down the barrel, having to look people in the eye who have lost their jobs, emails like that do make a difference, a great difference, to the morale of all concerned. Certainly, it makes a big difference to me. I just wanted to mention that and record in Hansard for Martin and all those other workers down there that my thoughts are with them and I will be there for those rocky roads ahead once the media parade has passed us by. And that is all I will say about that matter.

There are some other electorate matters I want to mention that are very dear to my heart. The other day, I attended the battalion officers and partners dinner for 7RAR in my electorate. This was dear to my heart because I had seen these soldiers train for Afghanistan and I had spoken at their farewell parade, representing the then Prime Minister, Prime Minister Gillard, and Stephen Smith, the then defence minister. I formed a very strong affection for 7RAR and was lucky enough to visit them in Afghanistan while they were on operations. I consider that I have made some good friends in the regiment. So I was very pleased to attend the dinner the other night with Lieutenant Colonel Malcolm Wells; Major Beck; Major Levon Lambert, who has been promoted recently, I am pleased to say; Captain Oowan Davies; Captain Scott Minion; RSM Warrant Officer Michael Landy; and many, many others who have served this nation, the state of South Australia and the regiment with such distinction. They were very welcoming, and I look forward to attending many more dinners with them.

They were kind enough, in the past, to have given me an Australian flag which had flown over the headquarters in Tarin Kot. It is a flag that sits in my office, and it reminds me of their service and the service of all of our armed forces personnel and the great risks they take.

I was also lucky enough to attend, the other day, the handover of command parade and unit open day of the A Squadron of the 3rd/9th Light Horse, South Australian Mounted Rifles, which is a reserve regiment but one with a very distinctive history, from the Boer War through to Palestine, Gallipoli and the Western Front. It was a great parade, and I congratulate Lieutenant Colonel Jake Kearsley and Major Michael Harris, who has just recently taken over the regiment.

Finally, I would like to mention Reg Swanborough, who was recently awarded the Arctic Star Medal for his service to the Royal Navy. That is an important acknowledgement of the
great risks that are taken by those who work in logistics. We all know that those Arctic
convoys kept the Allied effort going during the dark days of World War II, and we know the
great risks they took in that. So it is great to see Reg, who is a mate of mine, appropriately
acknowledged. As I said, though it has been a very sad day for my electorate in the last 24
hours— (Time expired)

Petrie Electorate: Goods and Services Tax

Mr HOWARTH (Petrie) (11:36): I rise today to speak about the concerns raised in my
electorate regarding the Australian Taxation Office's draft ruling on charging GST for mobile
home sites. I want to make it clear in this place that I do not support this draft ruling; I do not
support it at all. Two months ago, the ATO issued this draft ruling that, if implemented,
would mean that suddenly mobile home park residents would be potentially charged an
additional $15 per week on top of their usual rental costs. This is based on them currently
paying about $150 a week in rent, or $300 a fortnight. By charging GST that will throw an
extra $15 a week on top of this, or approximately $780 a year.

The ruling has caused great distress, I might say, to people in my area. The preliminary
view in this draft ruling of the ATO is that operators of moveable home estates should pay
GST when the operator leases a site to a resident. As I mentioned a moment ago, this ruling
has caused great distress. I have a concern that if it comes into law, it will place
enormous strain on the weekly budgets of the people I represent. We all know that the cost of living
continues to rise, partly due to the implementation of the carbon tax, a tax that before the
2013 election Labor promised to abolish. In my electorate the Labor candidate had brochures
put out saying 'Carbon tax abolished'. We are still waiting for that. With continued price hikes
for electricity, fuel, water, rates, insurance premiums and other essential items, an additional
$15 per week is just going to strain budgets further for the residents, and particularly for the
elderly. These people are on pensions, they are also self-managed retirees with limited funds.
There are several mobile home sites in my electorate with thousands of residents.

Recently I was contacted by Palm Lakes Resort at Deception Bay about the impact there on
the 400 residents that live there. So I got my office to contact them and I went out there to
meet them and had them show me around and to speak about this issue. I got there and there
were 250 to 300 residents angry about this draft ruling. One of the people there made the
point that an extra $15 a week, or $780 a year, multiplied by 400 residents is money that is
not going to be spent in the local economy in Deception Bay. It is less cash in that local
economy. I agree. These residents do not see a difference between the government and the
ATO. It is not government policy, it is an ATO ruling, but they do not see that. I understand
that. Since that meeting I have had a petition from Palm Lakes Resort with 403 signatures
opposed to this change. I have also been contacted by Golden Bounds, another area in my
electorate down in Fitzgibbon, with a further 260 signatures from residents there opposed to
the change as well. Kurrajong Sanctuary at Burpengary and other places in Burpengary have
written letters and phoned my office. Really, it has caused great distress.

I have read each of the letters and I can see the struggle this draft ruling would have on
each and every one if this ruling was to be adopted. With parliament sitting, I immediately
contacted the office of the Assistant Treasurer, Senator Sinodinos, and I thank him and his
staff for rearranging his diary so I could meet with him personally to explain the impacts on
the electorate of Petrie. I understand that the ATO is an independent statutory body. However,
I believe that we as a government should be doing everything we can to ensure that this draft ruling does not become law. I stand here today to inform the House that action needs to be taken to put a stop to this draft ruling and I will continue to fight to ensure that this draft ruling does not become law.

**Rio Tinto**

Mr SNOWDON (Lingiari) (11:41): I say to the House that I am not happy about speaking here today, because what I am speaking about is about tearing the heart out of a community in a region of Australia. On 29 November past, Rio Tinto took a decision to curtail its refinery at Gove. The curtailment of the refinery at Gove effectively means mothballing the refinery over a period of eight months to commence in February of next year. So, just prior to Christmas, we now know that this announcement will mean around 1,200 job losses, with a community of 4,000 people estimated to shrink to a community of 1,500 people. The impact of this on the population of Nhulunbuy and on the services being provided within the region out of Nhulunbuy will be tremendous. This is not just about closing a refinery; this is about closing down a region. And we have not heard one word, one single word, from the federal government. No minister, let alone the senator for the Northern Territory who is a cabinet minister, has bothered to visit or phone the community to discuss their concerns about the redundancies of 1,200 people over a period of some months. We are not talking about 2017 here; we are talking about today. We hear nothing from this government—the Prime Minister, silent; Minister Macfarlane, silent; the Deputy Prime Minister, silent; all of them, silent.

Small businesses will suffer. We know that already, I was in Gove on Monday. Service providers will leave the town. We know that already because I was there on Monday and spoke to service providers who say their life is up. Businesses are being mothballed. On Monday, we were told of a tourism operation which will, effectively, mothball its operation as of April because of this decision. We do not blame the government for the decision. What I blame the government for is lack of action—no mechanism to talk to the community about the impact on them or their families, or the region. Each one of the Aboriginal communities right throughout north-east Arnhem Land will be affected. There has been no consideration by this government or an attempt to sit down and discuss with the community what the impacts will be and what a sustainable future might look like under new arrangements. There has been no discussion from this government with this community around what a socioeconomic impact assessment might look like and what the outcome of that assessment might mean in terms of a structural adjustment package—nothing. It is shameful. And we saw the Prime Minister and his ministers yesterday defending the decision they took over BHP. Here is an opportunity for them to be proactive, but they are entirely absent from the field. Of course, this decision goes back, in a sense, not just to Rio making commercial decision about the viability of this refinery but to a decision by the current Northern Territory Chief Minister not to live up to a deal done by his predecessor around the delivery of gas to Gove.

When he became the chief minister of the Northern Territory, Adam Giles said he would not live up to this deal which involved the Commonwealth, the Northern Territory government and Rio. Had they lived up to the deal, there would have been gas coming to Gove almost certainly by today. They did not do it. We had Minister Macfarlane in Gove on 30 September saying to people they were going deliver 300 petajoules of gas. They called it Adam's gas: no gas, no pipeline and now no refinery.
The impact on this community is absolutely horrendous. We are not talking about Adelaide; we are not talking about Melbourne; we are talking about a community of 4,000 people in north-east Arnhem Land. No interest has been shown by this government on the plight of those people or their families or the services that are provided in the region, not one word from this government. What will the lives of those people look like over Christmas? What are they planning for? I say to this government: 'You should be ashamed of yourselves. Why are you not up there? Why is the Prime Minister not up there? Why are the relevant ministers not up there?' They just do not care and cannot be bothered.

**O'Connor Electorate: Grain Harvest**

Mr WILSON (O'Connor) (11:46): I rise today to commend the outstanding efforts of my rural neighbours, friends and colleagues who are celebrating a record-breaking harvest throughout the electorate of O'Connor. Many of my constituents are celebrating yields as high as 2.5 tonnes to the hectare of canola, four tonnes to the hectare of wheat and up to five tonnes per hectare of barley. These figures are testimony to their determination through the hard times, their physical toil throughout the season and their embrace of innovative technologies as they aim to maximise their productivity regardless of what Mother Nature throws their way.

Such is the production in my electorate, the segregations have closed with grain storages filled to capacity. Emergency grain holding facilities have been hurriedly built in Dumbleyung, Broomhill, Cranbrook and Newdegate to cope with the overflow. The Esperance Port zone to date has handled 2.25 million tonnes of grain; Albany, 2.6 million tonnes; and Kwinana 6.1 million tonnes. Total receivals across the state reached 13 million tonnes this week. I commend Co-operative Bulk Handling, CBH, on the efficient management of this record harvest.

The deep water port of Esperance recently clocked another record when the biggest barley shipment ever to load in Western Australia departed on 18 November. The 230-metre floating behemoth, the *Minoan Falcon*, conveying 77,000 tonnes of barley with an estimated value of $19 million, left our shores destined for Saudi Arabia, Australia's biggest export market for feed barley. The *Minoan Falcon* was able to dispatch the equivalent of three days harvest receivals, creating big efficiencies in grain storage times and infrastructure use in the Esperance Port zone. Being able to use these mega vessels to ship grain to distant markets such as the Middle East and Africa also creates competitive freight costs and subsequent grain price advantage for our farmers. When talking grain price, our farmers are also reaping the financial benefits from strong international competition for quality Australian product with wheat prices fetching up to $300 per tonne this season.

A good season always seems to bring out the innate generosity in our local farming communities, with farmers donating excess grain to be sold by CBH to raise cash for the Philippines relief effort in the wake of Typhoon Haiyan. Recognising that most farms in the Philippines are barely larger than a backyard garden, many of the farm tools that helped build Esperance's great rural economy are now getting a second life rebuilding a shattered nation, a world removed from bumper harvests.

In a gesture typical of regional communities, hearts and pockets have been opened to the plight of those less fortunate, with the people of Esperance and surrounds mobilising in support of their Filipino friends. The Rotary Club of Esperance Bay has just filled a shipping
container with donations of food, tools and building equipment to be sent to an area where members of Esperance's hard-working and vibrant Filipino community have family directly affected by this humanitarian crisis. Local businesses have also rallied to the cause with Esperance Freight Lines generously donating a sea container and transporting it to Perth. Merchant Shipping has provided sea transport free of charge as far as Singapore. Esperance Solar has donated solar power equipment and is acting as a collection point for goods. Peter Murray Communications have donated essential communications equipment. The Supa IGA and Pink Lake IGA are matching public donations of 10-kilo bags of rice and are encouraging donations of other long-life food.

The local Mitre 10 hardware store has chipped in, donating tools and has been a collection point for tarpaulins, tents, blankets, eskies and household goods, which will be distributed to some of the estimated four million displaced people. As Christmas approaches, the Rotary club has secured another sea container and this weekend at the Esperance Christmas pageant many of the 14,000 residents will bring donations of toys, clothes and books to be sent to children affected by the crisis. Esperance children will paint messages of hope and friendship on the outside of the sea container for their Filipino friends to read.

I would like to take this opportunity to extend my heartfelt gratitude to a community I feel very proud to represent and wish all of my electorate a merry Christmas and the gift of health and happiness in the new year.

Scullin Electorate: Election Campaign

Mr GILES (Scullin) (11:50): In my first speech, I was able to thank those who supported the Labor campaign in Scullin and whose efforts, much more than mine, made it a successful one. I take this opportunity in this place to thank those who made particularly significant contributions to the Labor cause in the recent election in addition to those I have already thanked. I start with the Jenkins family, most especially Michele and Amanda, for their kindness, advice and hard work. I hope they are enjoying seeing more of Harry.

As I said in my first speech, I was very fortunate to have an extraordinary campaign committee to work with and for. I thank Ellen and Brian Smiddy. When I think of our party at its very best, of its soul really, I think of Ellen and of Brian. I thank Sam Spadafora, who showed extraordinary leadership and particularly looked after me on election day, better than I could have hoped for. I thank my good mate and comrade Greg Bulliff. I extend my best wishes to Greg and his wife-to-be, Shani. I thank Trish Makin. I thank Barbara Breaks, John Pathinathan and Ray Rosales, three people who, despite personal challenges, put in an extraordinary contribution to the Labor cause. I thank Vince and Sandra O'Grady, who did everything and more for my campaign and who inspire me every day. I thank Armen Emirizan; Arthur Yong; Philip Kerr; Pam McLeod, a giant of the community of Melbourne's north, as you well know, Mr Deputy Speaker Mitchell; Sofia Kotanidis; Kim Travers; and Cassandra Kemp. I thank Yogi Thurairatnam and his extra extended family, who did so much around Epping North, and, rounding out the campaign committee, a wonderful group of young activists: Alahna Desiato, Samil Demir, Matthew Rossi, Adam Bullock, Matthew O'Keefe, Dominique Ottobre, Berna Doksatli, Varnan Garnash and Jason McDonald. I enjoyed working for all these people and I enjoy being guided by them as I go about my work.
Beyond this formal campaign committee, many others did so much in shaping and supporting Labor's campaign in Scullin. I take this opportunity to acknowledge in particular the efforts of Jenny Mikakos MLC; Mick and Steve Dimos, life members of our party; Neil and Jenny Delaney, who did everything; great friends and advisers Lidia Argondizzo and Demi Tsiogris; Chris Piper and Virginia Wellard, who are often lent to me, and I appreciate all their work; my old friend and cricketing colleague Shaun Thomas, who took time off work to assist me doing unglamorous but important work; Councillors Kris Pavlidis, Adrian Spinelli and Sam Alessi and former Councillors John Fry and Frank Merlino; Nora Rocca and Angela Pettrucci; George Tsiogris; Steve Williams; Tom Vlahos; and my good friend Succetin Unal.

When I think back to the recent election campaign, I think of early mornings at train stations, of stuffing envelopes, of doorknocking and letterboxing—unglamorous but vital work. I think of the efforts of the many booth captains—too many people to thank even now, but there are many who went beyond the call of duty. I mention now Elinor Summers, Nathan Roberts and all the members of the La Trobe ALP Club, people who tell me that our movement and politics have a bright future. I mention also Chris Curtis, Rick Norwood, David Kinder, Justin Boyd, Rod Currie, Anna Parle, Lisa Calabria, Sarah Broadbent, Barbara Sturmfels, Adrian McMillan, Chris McDermott, Christina Dickinson, Rosario Miamo, Gursharan Mann, Sukraj Singh, Rebecca Kiage, Liam McColl and Amanda Kardos.

Last but not least I think of some old friends who helped out, many of whom do not have the depth of commitment to the Labor Party of those I have mentioned earlier: Dave Owen, Reggie Ewing, Toby Hemming, Lara Johnston, Sam Robson, Sophie Hill, Luke Brown, Lisa Knott, Andrew Wear, Claire Hockley, Cain Jackson, Martha Zakharakis, Jonathan Gurry, Jane Fennessy, Eric Locke, Sally Maddison and Dean Tighe. You gave me extraordinary support in the recent election campaign, but more importantly you have shaped my life in getting me to this point. It is my great privilege to have known you and to have enjoyed your support. All of those who made a contribution to Labor's campaign in Scullin are people whose debt I am in and will remain in. It has been my privilege to work with you all and all constituents of Scullin. I look forward to continuing to do so and I commit to not letting you down.

Josef Chromy Chardonnay

Mr NIKOLIC (Bass) (11:54): I am delighted to inform the House that at the 2013 Decanter World Wine Awards held in September, the Josef Chromy 2011 chardonnay was judged the world's best chardonnay. Northern Tasmania is now at the very top of the world chardonnay rankings, with the judges choosing the Chromy chardonnay over other fine wines from the United Kingdom, France, South Africa and New Zealand. The award is an enormous tribute to Josef Chromy OAM, who is the founder and principal of Josef Chromy Wines, and his chief winemaker, Jeremy Dineen.

Joe Chromy is a remarkable Australian who fled Czechoslovakia in 1950 for a new life in Australia. He has not only prospered but has had, at last count, three very successful careers. Joe was a master butcher and established Blue Ribbon Meat Products, which he built into a quality small-goods manufacturer in northern Tasmania. When Blue Ribbon floated on the ASX in 1993, Joe used the proceeds to invest in winemaking. In 2007, aged 76, he launched Josef Chromy wines, and this trophy is one indication of his extraordinary Midas touch. His
third career is in parallel. He has been at the forefront of urban renewal, transforming the old Launceston General Hospital via a creative development that created significant employment in the city and with a new tourism venture recently announced.

I pay tribute to Joe Chromy not only for his success as a Tasmanian winemaker but also for the wonderful example he provides of migrant contributions to our Australian identity, economy and culture. Joe Chromy was also involved in the establishment of Jansz Winery at Pipers Brook. This part of north-east Tasmania has established a strong reputation over the last 40 years or so for fine wines. Vineyards such as Delamere, Dalrymple, Sinapius and Pipers Brook are well known and their wines have won many awards. There are other successful wineries closer to Launceston, such as Brook Eden at Lebrina and Goaty Hill Winery at Kayena.

The only surprising thing about the success of northern Tasmanian wines is that the industry was not established earlier, given that the latitude of around 41 degrees south directly mirrors the latitude of some of the centuries-old vineyards in southern France and northern Portugal. Both climates are similarly temperate. But you cannot have wine without cheese, and Bass is well served in that department as well. Pyengana Dairy has been operating for more than 100 years and produces wonderful aromatic cheeses. A more newly established cheesery is Yondover Farm House Cheeses, which concentrates on a range of cheeses made from goats milk. I commend both to all honourable members. The cheeses they produce are as good as any you would get in Europe.

My electorate is also fortunate to have one of the most picturesque farms anywhere in Australia. I speak here of Bridestowe Lavender Estate, which has been producing lavender since 1922 at Nabowla and which is a huge tourist draw card with rolling purple hills at this time of the year. Not only is lavender itself produced for harvesting but also a range of by-products, including lavender oil and the lavender scones—and lavender ice cream are to die for. Another successful niche industry in the Tamar Valley is berry production. The Hillwood Berry Farm produces not only strawberries of the highest quality but also loganberries, raspberries and black and red currants and quince. Not only can you pick your own berries but the farm produces jams, currant liqueurs and fruit vinegars.

I cannot finish this contribution about just a small number of the fine gourmet produce of the electorate I am privileged to represent in this House without a reference to Gourlay's. Gourlay's was established in 1896 in Launceston by William Gourlay and has produced its own sweets for more than 100 years—by the Gourlay family until 1970 and since then by the Woods family. I was delighted, as part of the shop's small promotion championed by the Minister for Small Business, to stand behind the counter in their wonderful shop only two weeks ago as part of encouraging Australians to support small business in their communities. The only danger for me in undertaking this task is that for years our family has made a habit of buying Gourlay's sweets for Christmas gifts, so I had to be very disciplined not to succumb to the wide variety of traditional confectionary available.

It is great to be able to remind this House of some of the fine produce in my electorate, but in doing so it is also important that we all remember the serious side. In our modern Australian economy there are changes and stresses, but one thing is constant—small business is the lifeblood of our economy. If we all keep that in mind and give our local shops and
services our support, we will retain a diverse and prosperous economy and local jobs for local

people.

Automotive Industry

Ms KING (Ballarat) (11:59): Yesterday workers and all Australians across the country received the devastating news that Holden would cease manufacturing vehicles in this country. In 1948, Holden made history by manufacturing the first all-Australian car at Fishermans Bend. Finally Australians had a car that was built by Australians, for Australians—a car that was as tough as its surroundings, a car that stood proud on the road. It was the beginning of an icon, a new industry, and our love affair with the motor car. The Holden FX was the first all-Australian mass-produced car. It was a huge hit, with 18,000 people paying a deposit without even having seen it. Australian families have embraced their Holden cars ever since—new Holdens have opened the door to our vast and magnificent country and inspired pride on the race track. It has been part of many families' history. I know that my first car as an 18-year-old was a cyan blue HQ Holden. My brother did his apprenticeship at Fishermans Bend as a fitter and turner. Holden has been very much part of our own family story and our own family history.

For 65 years Holden has proudly been a key driver of employment, research and development, skills and productivity in Victoria. Manufacturing is a critical part of the Victorian economy and Holden sits at the heart of Victoria's automotive manufacturing industry. Australia's car makers directly employ thousands of people, and with around 70 per cent of Australia's automotive industry's component manufacturers based in Victoria indirect employment through their supply chains results in many more thousands of jobs, many of which are in regional Victoria, many of which are in small businesses. Local businesses in the Ballarat region make metal pressings and assemblies, disc brake pads, seatbelts, exhausts, and automotive electrical harnesses. The jobs, design expertise, manufacturing skills and investment provided by our automotive industry flow through the economy and into other sectors. Our automotive industry is vital for our economic future and it is vital for Australia to stay at the forefront of innovation.

Labor supports a strong car industry. The fact is that government co-investment in the automotive industry delivers a solid return—a solid return on jobs, a solid return on the multiplier for local economies and a solid return for design and innovation across the entire manufacturing sector. The $2.7 billion Labor invested in the industry had seen $26 billion in new investment. Holden wanted to stay in Australia and wanted to invest in this country. The reality is that it will cost taxpayers many times more to let this industry fail than it will to support it.

The Abbott government had been warned of the consequences of their $500 million cut in assistance for the industry and what effect that would have on the automotive manufacturing industry and our economy. They were warned before the election when they announce that this was a policy. They try to pretend otherwise but they were warned before the election. They can have been in no doubt at all what the consequences of that policy were to have for the ongoing viability of Holden, and now questions surround the ongoing viability of Toyota in this country.

By bringing the automotive industry to a halt the Abbott government will cut $7.3 billion from Australia's GDP by 2018 and the economy will be $21.5 billion smaller as a result of a
policy decision of this government. The decision will have a huge impact on the Victorian and South Australian economies. Without the car industry, gross regional product in Melbourne and Adelaide is expected not to recover for almost two decades until 2031. While the Treasurer in the parliament this week was daring Holden to leave, the government should have been doing all it could to protect local jobs and support the future of our car industry.

My most immediate thoughts are with those employees directly affected. It will be in the many months and years to come with the many more employees who are not directly employed by Holden but employed through the many small businesses, small to medium enterprises, in this sector right the way across the Victorian economy. I call on the government to work with Holden, the workers and the unions to ensure that they are supported, but equally to work with our regional economies which are going to take a massive hit from this disastrous decision of the government.

The Junction Works

Mr LAURIE FERGUSON (Werriwa) (12:04): This year, community based organisation The Junction Works celebrates 25 years of service to south-west Sydney. During that time it has made various steps, various moves up the ladder. In 1992 it had its first grant, in 1995 it started a disability day program and in 1999 it started a children's service. In late November I was pleased to attend, with my colleague the state member Dr Andrew McDonald and the New South Wales minister John Ajaka, the establishment of a modern service hub in Thirteenth Avenue, Austral. It is a great accomplishment that The Junction Works has managed to reach this stage, with this building, and it is on the verge of further construction next year, with a community garden.

I want to particularly recognise some of the drivers of this organisation: Chris Campbell, the chief executive; and Helen Lyons, a person with 25 years experience in the New South Wales public service in strategic and operational leadership. Jean Kittson is the patron of the organisation. Typical of the culture there is that the accountant, although she now lives in Queensland, still fulfils the role of treasurer for this organisation and comes down for meetings. I was also impressed with the effort of Michael Pangallo, who is one of the clients of this disability organisation, who spoke on the day. He has had 13 years of connection with the organisation. That he, his mother and the local priest were there for the day meant so much to their family and was a recognition of the commitment of this organisation.

In recent years the organisation have diversified with regard to their funding and organisational effort. Last year, the revenue was $6.8 million, comprising $6 million in government funding and grants, $400,000-plus in attendance and fees, and interest and investment income amounting to $262,000. They run a variety of programs. The main area in which I have interface with them is the catering service that disability clients there operate in our area. We have had a number of open days with regard to NBN and Telstra delivery in our region, and each day we have used them as the catering service. We have also used them as the catering service for various awards that we have run in the community. I am not just saying this—it is not a matter of kindness or condescension—but they deliver a service that is very good. They have new kitchens and the way in which they deliver the service is very commendable.

The organisation are very much client based. They have the concept My Journey, My Way, which enables the people they support in the community day care program to realise their
own goals, work towards greater independence and develop their own interests. It was clear in Michael’s speech that this is very much central to the way this organisation in south-west Sydney runs. It is not only in my electorate. Russell Matheson and Chris Hayes's electorates are amongst other areas that are served. We are talking about 365 clients. We are talking about support for 10,000 local residents. We are talking about eight home based projects and a plethora of operations in teaching, training, performance and catering. Amongst the programs they run is Well Being, a holistic health and wellbeing initiative for adults and young people with disability in the south-west. WorkOut, which is funded under the Well Being program, is an exercise and fitness package for adults with disability. Junk Free June is a fundraising measure that they operate. They have also engaged Holsworthy High School, which I think is in Craig Kelly's electorate, to help out with their SPARK Creative Arts Festival for people with a disability. It is over three days, and three enthusiastic 15- and 16-year-olds assist festival participants to maximise their festival experience.

The catering crew—going back to that for the moment—have catered for the Fields Community Lunches, another good operation for the community in my electorate, where people who are not connected with others or may be a bit lonely or financially deprived can come in and have lunch. The Charity Golf Challenge and International Women's Day events are other things that this organisation undertakes. I want to recognise Chris and Helen. I want to recognise the committee, the workers, the volunteers and the significant number of volunteering days that go into this group. They are a lead organisation in disability service delivery in south-west Sydney and they are to be commended on opening their new offices.

Agriculture White Paper

Mr TEHAN (Wannon) (12:09): I rise today to speak on the agriculture white paper which was launched by Minister Joyce earlier this week and to commend the white paper process to all Australians, particularly those Australians from rural and regional Australia. This is going to be a very important document because it is going to set the framework for what we do in agriculture in the next 10, 20 and 30 years. It is going to home in on the thing which is most crucial, and that is making sure that our farmers are profitable at the farm gate. It will deal with other issues as well: improving market returns, better managing drought, access to investment finance, farm debt levels and debt sustainability, and the competitiveness of the Australian agricultural sector and its relationship to food and fibre processing and related value chains, including achieving fair returns. It will also look at the efficiency and competitiveness of inputs to the agriculture value chain, such as skills training, education, human capital, research and development, critical infrastructure, and opportunities for enhancing agricultural exports and new markets.

Research, development and innovation are going to be vital for our agricultural sector in the next decade. If we did not have the research, development and innovation in the last 40 years, our agricultural sector would be worth $12 billion instead of $40 billion today. That is what research, development and innovation can do for this sector. It is why the coalition committed at the election $100 million to research and development. We are going to deliver on that election commitment because it is a way forward for that sector.

Market access is also going to be a way forward. In the first nearly 100 days of the Abbott government we have already made achievements in this area. A free trade agreement with South Korea has been negotiated, finalised and done. Importantly, that free trade agreement
will mean greater access for our dairy producers, grain producers and meat producers. It is a first-class document. I commend the Minister for Trade and Investment on what he has negotiated. But it must not stop there. There is more to be done.

We have free trade agreement negotiations going on with Japan at the moment. I am looking forward to that being completed in the first six months of next year, because, once again, it will be incredibly important. Japan is our largest dairy export market. If we can get access to that market, it will help our dairy farmers. It is also a large market for our beef and lamb exports. So, once again, if we can get access to that market, it will be great for our farmers. When it comes to seafood, Japan is potentially a very good market for us. These are the sorts of things that we can achieve. If we can do that with Japan, it will be sensational for our farming sector.

Then there is the big one: China. We have already commenced negotiations there as well. Once again, if we can achieve access to the Chinese markets, our agricultural sector will be set up for the years to come. They are big negotiations with Japan and China but, because of the way we have started with getting a deal done with South Korea, I am strongly of the view that we can get these agreements and our farmers will benefit from them.

I commend the white paper process. I say once again that rural and regional Australia and those Australians in the cities need to get involved in the process. There will be a green paper and then there will be a white paper. We hope to have it concluded by the end of next year. It will be an important document. I say to those interested in gaining access to overseas markets, 'Make sure you get behind our free trade agreement process as well.' I am sure that the free trade agreement with Japan will happen next year. We are very keen to see the one with China finalised as well. These are exciting times for our agriculture sector. The government wants to assist our farmers. It is going to and it is going to deliver for them.

**Victorian Bushfires**

**Mr TONY SMITH** (Casey) (12:14): I rise today, on this last day of sitting, to mention the Yarra Glen Bushfire Memorial, which I know Mr Deputy Speaker Mitchell will be familiar with. The memorial to commemorate the Black Saturday bushfires of February 2009 was unveiled on 25 November. I note on this last day of sitting that the fifth anniversary of that shocking day will have arrived when we next meet. It was a very moving time on 25 November to see the unveiling of what is a very touching memorial, created by local artist Ernst Fries. As the 110 or so people at the event saw, it depicts the tragedy and the recovery. Indeed, it has three large screen panels constructed from coloured transparent glass, firstly depicting the ferocity of the fires, then the recovery and finally the hope for the future following that disaster.

The memorial is in McKenzie Reserve in the heart of Yarra Glen and there are plans to place lights around it. Of course, it will be there not just for the residents of Yarra Glen and, particularly nearby Steels Creek and some other areas in the Yarra Valley which were so badly affected, but also for all Victorians who pass through that town, as so many do on weekends.

I was joined at the event on Monday 25 November by local councillor Maria McCarthy and the state member for Seymour Cindy McLeish, who both spoke in a reflective way of those terrible events nearly five years ago. We also heard from Dale Ahern whose parents were
killed in the fire at Steels Creek. The local Yarra Glen primary school students sang on the day and performed magnificently. It was truly a community event when people could look back and reflect but, importantly, look forward with optimism.

As the fifth anniversary comes around it will be a very difficult time for those who were affected. Whilst some of the houses have been rebuilt and some are in the process of being rebuilt, as the Deputy Speaker knows as someone from that part of the world, there are lives that can never be fully rebuilt. And while it was five long years ago, for those who were affected it is just like yesterday.

As we wrap up our proceedings here for this parliamentary year, next year with Australia Day we will reflect on all of the wonderful opportunities of being Australian. Particularly for those in the Yarra Valley and other communities that were so badly affected, the fifth anniversary will be another time to reflect, to remember, and to rededicate themselves to those who lost their lives.

Live Animal Exports

Ms KATE ELLIS (Adelaide) (12:19): We meet here today on yet another occasion when we are seeing shocking pictures of Australian cattle being mistreated in a brutal fashion. Stomachs have been turned by seeing the footage that has now come out of Gaza, where we see, once again on our watch, the sort of brutality, the sort of cruelty that is occurring under this system, under this parliament and now under this government. We know that there have been far too many of these instances which we have seen. We have been told it is a one-off. We have been told time and time again that this is not happening on a regular basis, but I tell you the Australian community, and certainly the Adelaide community that I represent, have had more than enough. I have said in this place on previous occasions that this suffering needs to end. We cannot allow this to continue. I know when in government there were a group of our MPs who worked really hard internally behind the scenes to bring about a system that could end this sort of suffering. But unfortunately we have seen that not only has there not been the progress that the people I represent would like to see, there have been huge and massive backward steps which have occurred in this sector.

It started, of course, when we saw the Abbott government come in and scrap the Australian Animal Welfare Strategy Advisory Committee, a committee that had been put in place to oversee, a committee that had been put in place to bring together representatives from livestock industries and welfare groups as well as research organisations and government. This was a committee whose job it was to find a way through this so that we do not see these kinds of pictures on the all-too-regular basis that we are. But no, this government decided to throw that out the window, to abolish the committee. The agriculture minister, Barnaby Joyce, in fact defended the government's decision to axe the committee, saying: 'People can suggest another group they would want to disband in its favour. I am not being trite but someone could say "Oh well, we will cut funding to the ABC and we will make the money up there".' That is the response from the minister.

The residents of Adelaide raise this issue with me time and time again and I have told them that I will keep representing their views in this parliament. But, sadly, that is a battle that is getting harder and harder. We now have a Prime Minister who has stood up and said, 'I have to say that we are satisfied with the rules as they stand and we do not intend to toughen them further.' Well, Prime Minister, I challenge you to sit down and watch this footage, know that
this is footage that is happening to Australian cattle, that is happening under our system, and then tell me that you are satisfied with the rules. But worse, we have seen the agriculture minister actually come before the parliament on 13 November and say, 'In this quarter we will more than double the number of cattle going to Indonesia. We will stand by this industry, in fact we hope it grows. We hope it increases.' He went on to say, 'We will be a government that is not guided by Four Corners.' Well, Four Corners is putting out the facts and they are facts that the Australian public do not want to see continue.

In my electorate, as I said, I have been contacted by hundreds on this particular issue. I might take a moment just to share some of their thoughts in some of their words. Rachel, from Croydon Park, says:

No animal deserves to be tortured and until we can guarantee control over this industry and that there are zero instances of abuse and torture, it is not a good industry. By turning a blind eye to this behaviour and ignoring this appalling abuse, we are supporting the treatment these animals endure.

Winston says:

Whilst I appreciate that this trade is central to the exporters' livelihoods, I am concerned that animal welfare has been overlooked and will continue to be so without sufficient regulation.

We call on this government to stop coming out and bragging about how they do not intend to toughen the rules any further, to actually recognise that the Australian people do not want this done in their name, under this government, under this parliament, on their watch, that the Australian community is horrified by seeing these ongoing instances. This needs to stop, and it is up to us, it is up to this parliament and it is up to this government to make sure that it does. Ultimately, we can stop this suffering, but it needs political will. I urge the government to actually step up to the mark, listen to the Australian community and do something about this appalling abuse.

Petition: GST on Residential Home Rental

Ms HALL (Shortland—Opposition Whip) (12:24): I seek leave to table some petitions from the contribution that I made to the adjournment debate a little earlier, relating to the ATO ruling to apply 10 per cent GST to the rental of people living in residential homes.

Leave granted.

Infrastructure Australia Amendment Bill

Ms CLAYDON (Newcastle) (12:25): Following the gagging of the debate the other night on Infrastructure Australia, I want to take this opportunity to raise some of the issues that I was due to speak on during that debate. These issues are really important to the people of Newcastle. There is nothing more important to driving employment, economic growth and productivity in Australia than wise planning and investment in infrastructure, which is why the introduction of the Infrastructure Australia Amendment Bill was most concerning. We will be heading back to the bad old days of regional rorts that became the focus of the Australian National Audit Office's most complex audit process ever. Ironically, these powers of greater intervention have been dressed up by the government as stronger governance.

Projects in my area like the Tourle Street bridge and the duplication of Cormorant Drive are still waiting to happen. This was a project that was agreed as being the number one priority for our region—a decision made through a very structured committee at arm's length from government processes. My region said it was the key piece of infrastructure required for
that area. The upgrade would ease the traffic congestion between the City of Newcastle and our major industrial centres, the Newcastle airport and, most importantly, our RAAF base at Williamtown.

The Tourle Street bridge upgrade was due to receive $52 million of Federal funding under Labor's nation-building project. That funding was fully allocated in the 2013-14 budget but it still sits in the budget waiting to be spent by this new government. The Labor government understood the need for the upgrade and made those funds available. This self-proclaimed 'infrastructure government' led by a self-proclaimed 'infrastructure Prime Minister' is stalling on that infrastructure development. The only infrastructure that this coalition government is committed to progressing—and I assume it is progressing, although we are still waiting to hear—is the second-rate, inadequate and already out-of-date proposal for broadband.

Infrastructure Australia has already affirmed that the most urgent challenge for the Australian communications sector is the relative disparity in access to high-speed broadband. This is evident throughout many urban areas, but it is especially a huge issue for regional Australia and it is an issue for Newcastle, our largest regional city. I still have residents in suburbs like Thornton and Stockton who have no access to broadband. Others are equally disadvantaged, like the 2,800 residents of Mayfield, who saw the construction of the National Broadband Network begin in their streets. That construction has now come to a halt and those residents are in limbo. The copper wire, fibre-to-the-node broadband proposed by this government will disadvantage these Novocastrians and disadvantage businesses waiting to participate in new global markets and the new digital economy.

Contrary to John Howard's declaration that, 'We don't do infrastructure; that is the job of states,' federal Labor had a clear plan for infrastructure in Australia. That is why we installed the first ever minister for infrastructure and created Infrastructure Australia. That is why we had the first plan for infrastructure in Australia. We committed to taking a coordinated approach to the development of the nation and did so in partnership with the independent and professional body of Infrastructure Australia, in genuine pursuit of a national interest. We removed the politics from infrastructure development, ensuring projects proceeded on merit.

The coalition has never had a plan for infrastructure or for Newcastle. Not a single project has been pledged or delivered to Newcastle by this coalition government—not one. This neglect of Newcastle is surprising given the significant contribution Newcastle makes to the Nation's economy. I call on this coalition government and this self-proclaimed 'infrastructure government' to stop stalling and commit to infrastructure in Newcastle, to release the budgeted funds for the Tourle Street bridge and Cormorant Drive upgrades and to develop a plan for the economic hub that is Newcastle.

There are many other projects on hold in my electorate. The government could begin negotiations with the state to look at diversification of the port with a view to allowing a container terminal to be put there. We could do with a quality rail link to our airport. But we are not hearing anything from this government despite our needs. The idea of putting the politics back into decision-making about infrastructure is a disaster for this nation and I do hope that the government will reconsider their current bill.

Question agreed to.
The DEPUTY SPEAKER (Mr Mitchell): The Federation Chamber stands adjourned until 09:30 am on Wednesday, 12 February 2014. I hope everyone has a very safe, happy Christmas and New Year.

Federation Chamber adjourned at 12:30