House of Representatives

Official Hansard

No. 4, 2013
Monday, 18 March 2013

FORTY-THIRD PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

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FORTY-THIRD PARLIAMENT
FIRST SESSION—EIGHT PERIOD

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

House of Representatives Office holders

Speaker—Ms Anna Elizabeth Burke MP
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Steven Georganas MP

Members of the Speaker's Panel—Hon. Dick Godfrey Harry Adams MP, Mr Darren Cheeseman MP, MP, Ms Sharon Joy Grierson MP, Dr Andrew Keith Leigh MP, Ms Kirsten Fiona Livermore MP, Mr Geoffrey Raymond Lyons MP, Mr Robert George Mitchell MP, Mr John Paul Murphy MP, Mr Robert James Murray Oakeshott MP, Ms Deborah Mary O'Neill MP, Ms Amanda Louise Rishworth MP, Mr Michael Stuart Symon MP, Ms Maria Vamvakoumpou MP, Mr Anthony Harold Curties Windsor MP

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

Party Leaders and Whips

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

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

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

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

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Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—C Mills
Secretary, Parliamentary Budget Office—P Bowen
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The Hon Chris Bowen MP

Minister for Small Business
The Hon Chris Bowen MP

Minister for Industry and Innovation
The Hon Greg Combet AM MP

Minister Assisting for Industry and Innovation
Senator the Hon Kate Lundy

Parliamentary Secretary for Higher Education and Skills
The Hon Sharon Bird MP

Minister for Finance and Deregulation
Senator the Hon Penny Wong

Minister Assisting for Deregulation
The Hon David Bradbury MP

Minister for School Education, Early Childhood and Youth
The Hon Peter Garrett AM MP

Minister for Employment and Workplace Relations
The Hon Bill Shorten MP

Minister for Early Childhood and Childcare
The Hon Kate Ellis MP

Minister for Employment Participation
The Hon Julie Collins MP

Minister for Indigenous Employment and Economic Development
Senator the Hon Jacinta Collins

Parliamentary Secretary for School Education and Workplace Relations

(Manager of Government Business in the Senate)
Senator the Hon Joe Ludwig

Minister for Agriculture, Fisheries and Forestry
The Hon Sid Sidebottom MP

Parliamentary Secretary for Agriculture, Fisheries and Forestry
The Hon Martin Ferguson AM MP

Minister for Resources and Energy
The Hon Martin Ferguson AM MP

Minister for Tourism
The Hon Greg Combet AM MP

Minister for Climate Change and Energy Efficiency
The Hon Yvette D’Ath MP

Parliamentary Secretary for Climate Change and Energy Efficiency
The Hon Tanya Plibersek MP

Minister for Health
The Hon Mark Butler MP

Minister for Indigenous Health
The Hon Warren Snowdon MP

Parliamentary Secretary for Health and Ageing
The Hon Catherine King MP

Parliamentary Secretary for Mental Health
The Hon Melissa Parke MP

Minister for Immigration and Citizenship
The Hon Brendan O’Connor MP

Minister for Multicultural Affairs
Senator the Hon Kate Lundy

Attorney-General
The Hon Mark Dreyfus QC MP

Minister for Emergency Management
Senator the Hon Joe Ludwig

Minister Assisting on Queensland Floods Recovery
The Hon Jason Clare MP

Minister for Home Affairs
The Hon Jason Clare MP

Minister for Justice
Senator the Hon Kim Carr

Minister for Human Services

Each box represents a portfolio. Cabinet Ministers are shown in bold type. As a general rule, there is one department in each portfolio. However, there is a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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<td>Senator Arthur Sinodinos</td>
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<tr>
<td><strong>Shadow Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td><strong>Shadow Minister for Trade</strong></td>
<td>The Hon Julie Bishop MP</td>
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<td><em>(Deputy Leader of the Opposition)</em></td>
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<tr>
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<td>The Hon Teresa Gambaro MP</td>
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<tr>
<td><strong>Shadow Minister for Infrastructure and Transport</strong></td>
<td>The Hon Warren Truss MP</td>
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<tr>
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<tr>
<td><strong>Shadow Parliamentary Secretary for Roads and Regional Transport</strong></td>
<td>Mr Darren Chester MP</td>
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<tr>
<td><strong>Shadow Minister for Employment and Workplace Relations</strong></td>
<td>Senator the Hon Eric Abetz</td>
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<tr>
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<td>The Hon Sussan Ley MP</td>
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<tr>
<td><strong>Shadow Attorney-General</strong></td>
<td>Senator the Hon George Brandis SC</td>
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<tr>
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<td>Mr Michael Keenan MP</td>
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<tr>
<td><strong>Shadow Parliamentary Secretary to the Shadow Attorney-General</strong></td>
<td>Senator Gary Humphries</td>
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<tr>
<td><strong>Shadow Treasurer</strong></td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td><strong>Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation</strong></td>
<td>Senator Mathias Cormann</td>
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<td>The Hon Tony Smith MP</td>
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<tr>
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<td>The Hon Christopher Pyne MP</td>
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<tr>
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Monday, 18 March 2013

The SPEAKER (Ms Anna Burke) took the chair at 10:00, made an acknowledgement of country and read prayers.

PRIVATE MEMBERS' BUSINESS

Private Members' Motions

Reference to Federation Chamber

The SPEAKER (10:01): In accordance with standing order 41(g), and the recommendations of the Selection Committee, I present copies of the terms of motions for which notice has been given by the members for Fraser, Lyne, Throsby, Fowler and Chifley. These items will be considered in the Federation Chamber later today.

BILLS

Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013

Fair Work Amendment (Tackling Job Insecurity) Bill 2012

Reference to Federation Chamber

Mr FITZGIBBON (Hunter—Chief Government Whip) (10:01): by leave—I move:

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

Question agreed to.

PETITIONS

Mr MURPHY (Reid) (10:02): On behalf of the Standing Committee on Petitions, and in accordance with standing order 207, I present the following petitions:

Falun Gong

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

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 to 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 7,933 citizens.

Medical Research Funding

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

This is a petition of Australians who are concerned about the significant lack of funding for research for Myalgic Encephalomyelitis (ME/CFS) and its accompanying illness Multi Chemical Sensitivities (MCS).

ME/CFS has been classified as a neurological disorder in the World Health Organisation's International Classification of Diseases since 1969 (ICD 10 G93.3).

ME/CFS and MCS are severe, complex, acquired illnesses with numerous symptoms related mainly to the dysfunction of the brain, gastrointestinal, immune, endocrine and cardiac systems. The petition draws to the attention of the House the following:

Despite recognition by the WHO, there are no universally recognized treatment protocols. Currently, over 180,000 people are affected by ME/CFS and MCS (R.A.C.P 2004). Sufferers
diagnosed since the 1980’s, are alarmed at the lack of knowledge and understanding amongst the medical profession, Government institutions and the wider community about these debilitating illnesses, which cause rapid deterioration of health and may result in death — sometimes, by suicide.

Thousands of sufferers are still undiagnosed, or misdiagnosed. Due to belated diagnosis, many have been permanently damaged. Living with these severely disabling illnesses, impacting on all areas of their lives, is extremely stressful, isolating and frustrating. Sufferers spend from $5000 - $25000 on alternative medicine tests/treatments (with limited success), forcing many families into financial ruin and dependency.

We therefore ask the House to urgently invest into funding for research and support services for ME/CFS and MCS. If there is no research, no cure can be found.

from 16 citizens.

Asylum Seekers
To the Honourable The Speaker and Members of the House of Representatives
This petition of the students and the community of St. Michaels Catholic School Nowra draws to the attention of the House that we are disappointed that our country keeps children under the age of 18 in detention centres.

We therefore ask the House that all children and their family members travelling with them (if any) to be placed into the community. We know that you have already granted this to many children and we would like it to happen to all children in detention centres.

from 103 citizens.

Age Pension
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 continuing loss of life and serious injury on the Barton Highway which runs between Canberra (ACT) and Yass (NSW) and which also forms part of the main connecting route between Canberra and Melbourne and is a designated federal highway. The Barton Highway is estimated to carry in excess of 10,000 vehicle movements per day, more than double the number of estimated vehicle movements on the Federal Highway between Canberra and Goulburn, which has been duplicated for many years and which has shown a marked improvement in accident reduction since its duplication. The NSW Roads and Traffic Authority statistics show that between 1999 and 2009 (the most recent statistics available) there were 280 accidents reported on the Barton Highway in which 13 people lost their lives and 156 were injured. Since that time there have been regular media reports of further accidents, injuries and, sadly, deaths, on the Barton Highway.

We therefore ask the House to move immediately to complete the full duplication of the Barton Highway in order to avoid further loss of life and injury to citizens.

from 236 citizens.

Hume Electorate: Barton Highway
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 failure of measures adopted in Th 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.

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 48 citizens.

Petitions received.
Responses

Mr MURPHY (Reid) (10:03):
Ministerial responses to petitions previously presented to the House have been received as follows:

Asylum Seekers

Dear Mr Murphy

Thank you for your letter of 10 September 2012 concerning a petition from the parishioners of Holy Saviour Catholic Parish, Glen Waverley North in Victoria, asking that three persons with adverse security assessments (ASAs) be released from immigration detention and be accorded natural justice. I apologise for the delay in responding.

Due to privacy laws, I am unable to discuss specific details of any case. I can assure you, however, that the Australian Government is committed to providing protection consistent with the values and principles of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and other human rights treaties to which it is a party.

The Australian Security Intelligence Organisation (ASIO) issues an adverse security assessment when it assesses an individual to be directly or indirectly a risk to security within the meaning of section 4 of the ASIO Act 1979. It is the Government's view that it is not appropriate for individuals with adverse security assessments to be released into the Australian community. The Government accords a very high priority to national security concerns and any indication of a national security risk is taken seriously. These are very complex cases and decisions are not taken lightly. I am advised that they make up less than one per cent of all irregular maritime arrival visa security assessments undertaken since January 2010.

My Department works closely with ASIO, which maintains direct responsibility for managing the security checking process, to implement an improved and more streamlined arrangement for security assessments for irregular maritime arrivals, delivering risk-based, thorough and effective checks. Individuals are advised in writing by officers of the Department of the outcome of their security assessment.

I would like to draw to your attention the recent statement by the Attorney-General, the Hon Nicola Roxon MP, on 16 October 2012, regarding the establishment of an independent review of adverse security assessments.

The Government's position regarding people who receive an adverse security assessment is that they should be removed from Australia, either to their country of origin or a safe third country, where this is consistent with Australia's international obligations. Australia continues to have contact with officials from a number of resettlement countries to explore options for resettlement of refugees with adverse security assessments.

The Government has determined that individuals who have been assessed by ASIO to be directly or indirectly a risk to security should remain in held detention, rather than live in the community, until such time as resettlement in a third country or removal is practicable.

Of course, we ensure appropriate arrangements are in place for the care and support of people detained due to an adverse security assessment. Accommodation placement decisions are made on a case-by-case basis, taking into account the person's individual level of security risk and their care needs. Where appropriate, placement options within the immigration detention network include the least restrictive facilities, such as Immigration Residential Housing and Immigration Transit Accommodation.

Accommodation placement decisions are subject to regular reviews to ensure that the placement remains appropriate, including Departmental senior officer and Commonwealth Ombudsman reviews.

I trust this information is of assistance.

from the Minister for Immigration and Citizenship, Mr Bowen
Telecommunications: Burnett Regions

Dear Mr Murphy

703/1134-Telecommunication services in Boondooma, Durong and Monogorilby

Thank you for your letter dated 17 September 2012 concerning a petition submitted for the Committee's consideration regarding telecommunication services in Boondooma, Durong and Monogorilby. Please accept my apologies for the delay in responding.

Mobile phone coverage

The Australian Government understands the importance of mobile telephony to Australians. However, for the most part, the extension of mobile coverage across Australia has been based on commercial decisions by carriers. Since the sale of Telstra, the government is no longer able to direct telecommunications companies to expand the coverage of their networks.

In making a decision to extend coverage to a particular area, a mobile phone carrier will consider a range of factors, including site availability, cost structures, likely levels of demand from users and overall economic viability of the service.

The residents of Boondooma, Durong and Monogorilby may wish to contact Telstra, Optus and Vodafone Hutchison Australia to make their needs known. I have enclosed the contact details of the carriers for reference.

Local governments can assist in identifying potential demand for mobile services in the area. Information such as projections of population growth, visitors to the region and records of traffic volumes can be helpful in assisting carriers to make informed decisions about whether to extend coverage to certain areas.

There are a number of factors that can interfere with mobile reception and, therefore, affect a user's ability to obtain or maintain a mobile phone signal at any given time or in any particular place. While not all potential sources of interference can be overcome, service providers should be able to advise of ways to minimise interference.

One effective way to increase coverage is to use an in-car kit or an external antenna. The most appropriate antenna may vary between networks, and prices vary according to the quality. These accessories can be readily obtained from mobile phone shops and dealers.

The particular handset used can also affect mobile reception. Each of the mobile phone providers are able to provide advice on the best handsets for local conditions. For example, Telstra uses a 'blue tick' label on the phones it recommends for use in poor coverage areas.

In areas that are sparsely populated or have little passing traffic, often the only commercially viable option for mobile phone services is via satellite. Unlike terrestrial mobile coverage, satellite mobile phone services cover the entire Australian landmass and population, and are available from a number of providers.

Satellite Phone Subsidy Scheme

The residents of Boondooma, Durong and Monogorilby may be eligible to apply for a subsidy under the Satellite Phone Subsidy Scheme. The scheme improves the affordability of mobile communications for people living and working in areas without terrestrial mobile coverage, by providing subsidies for the purchase of satellite phone handsets.

The scheme provides up to $1000 for eligible applicants who live in areas without terrestrial mobile coverage or up to $700 for eligible applicants who live in areas that have coverage, but spend more than 180 days across a two year period in non-coverage areas.

Under the scheme's rules, those eligible to apply include individuals, small businesses, community groups, not-for-profit organisations, Indigenous corporations, emergency service organisations, health organisations and educational institutions.

The application form for the scheme is available from the Department of Broadband, Communications and the Digital Economy. Visit www.dbcede.gov.au/satphone for further information. An information kit can be obtained by contacting the scheme administrator on 1800 674 058 or via email at satphone@dbcede.gov.au

Telecommunications legislation

Under the legislated Universal Service Obligation (USO), all people in Australia are entitled to have reasonable and equitable access
to a standard telephone service and payphones on request wherever they reside or carry on business. Telstra, as the primary universal service provider, is required to deliver the USO. Generally, under the USO Telstra provides a basic fixed line telephone service which allows for access to local, national and international calls, the emergency call service, operator assisted services and directory assistance.

The USO does not require Telstra to provide mobile services, broadband or other enhanced telecommunications services. Subsequently, there is no current legislation requiring any carrier to provide mobile services on request.

National Broadband Network

The government is committed to high-speed broadband for all Australians, not just people who live in the capital cities. On 7 September 2010, Prime Minister Julia Gillard announced that regional Australia will be given priority in the National Broadband Network (NBN) rollout. NBN Co Limited (NBN Co) has brought forward the introduction of wireless and satellite services so that people in regional Australia can get access to better broadband as soon as possible.

On 22 June 2012, NBN Co announced a list of local government areas in Queensland that will be connected to the NBN fixed wireless network – this included the South Burnett and North Burnett Regional Councils.

The next-generation NBN fixed wireless and satellite networks are being engineered specifically to deliver high-speed broadband to regional and remote communities, with higher speeds to become available as technologies improve. These services will be the equivalent of, or better than, what many people experience with ADSL today.

The residents of Boondooma, Durong and Monogorilby can visit www.nbnco.com.au/rollout/ for more details about the NBN rollout in their area. This website includes an interactive map and information on how to connect to the NBN once it is available.

The NBN will ensure that every community in regional Australia gets fair access to affordable high-speed broadband. The government's commitment to a uniform national wholesale price for NBN services means that, for the first time in Australia, people will pay the same wholesale price for the same basic service, whether they live in the city, in regional Australia or in more remote parts of the country.

The NBN is the single largest infrastructure investment ever made by an Australian Government and is accompanied by historic reforms to the telecommunications sector. The NBN is about more than just having a faster internet connection—it will produce significant economic and productivity benefits for Australia, for decades after the rollout ends.

Thank you for bringing the petition from the citizens of Boondooma, Durong and Monogorilby to my attention. I trust this information will be of assistance.

from the Minister for Broadband, Communications and the Digital Economy, Senator Conroy

Overseas Aid and Illegal Immigration

Dear Mr Murphy

Thank you for your letter of September 17, 2012 regarding a petition on reducing overseas aid and stopping illegal immigrants (reference number 706/1141). I regret the delay in responding. I understand that the Minister for Immigration and Citizenship will write to you separately on the topic of illegal immigrants.

Australia’s aid program is directed towards helping people overcome poverty. As well as assisting nations and individuals in need, our aid program advances our own national interests — it promotes security and stability in our region. This is important for Australia given that 22 of our 24 nearest neighbours are developing countries.

Australia’s current level of overseas aid is 0.35 per cent of our Gross National Income (GNI). This equates to 35 cents for every $100 the Government spends. Australia is committed to an aid program that is focused on achieving results for poor people and on delivering value for money for Australian taxpayers.

Through our aid program, Australia is helping to build more stable governments. We are improving law and order in Solomon Islands by building correctional facilities and supporting law enforcement.
and justice in rural areas. We are providing electoral assistance in Afghanistan to support free and fair elections. We are also improving access to justice systems in East Asia and the Pacific.

We also have a regional and global responsibility to help those in greatest need. There are around 1.4 billion people living in extreme poverty globally. Since 2003, AusAID has helped to reduce cases of malaria by 80 per cent in Vanuatu and by more than half in the Solomon Islands. In Papua New Guinea, 900,000 children have been immunised against measles and other diseases since 2009. Australia's support has also seen an extra 330,000 new school places in some of Indonesia's poorest areas.

Thank you for raising this matter and I trust this information is of assistance.

from the Minister for Foreign Affairs,
Senator Bob Carr

Cost of Living

Dear Mr Murphy

Thank you for your letter of 29 November 2012 regarding the petition to the House of Representatives raising the issues of pension eligibility for extended absence from Australia, cost of living pressures and waiting times for medical services.

As the Minister for Health, I would like to directly address the third element of the petition:

"We therefore ask the House to request the Government to:

3. Examine the factors contributing to the time residents wait for medical procedures in the public health sector."

Waiting times for public health services is a very important issue to the Australian Government. To this end, the Australian Government has implemented a series of reforms to ensure states and territories are accountable for measurable improvements in public hospital waiting times.

The National Partnership Agreement on Improving Public Hospital Services provides funding and incentives to states and territories to improve public hospital waiting times through the National Emergency Access Target (NEAT) and the National Elective Surgery Target (NEST).

The NEAT commenced on 1 January 2012 to increase the proportion of emergency department patients who are admitted, transferred or discharged within four hours. The final target for the NEAT is 90 per cent by 2015, with up to $200 million in reward funding available to states and territories who achieve performance targets for emergency departments between 2012 and 2016 calendar years.

The NEST also commenced on 1 January 2012 and aims to increase the proportion of patients treated within the clinically recommended time, and reduce the number of patients who are overdue for surgery. Up to $200 million in reward funding is available to states and territories who achieve performance targets for elective surgery between 2012 and 2016 calendar years.

The National Partnership Agreement also provides states and territories with funding to deliver and operate over 1,300 new subacute beds and equivalent services by 2013-14. These services will increase capacity in the public hospital system and allow patients to be treated in the most appropriate setting.

The Performance and Accountability Framework further holds the states and territories accountable for managing and addressing public hospital waiting times. The states and territories are required to report against 17 indicators, including five indicators that directly relate to access and waiting times, namely:

1. Access to services by type of service compared to need;
2. Emergency department waiting times by urgency category;
3. Percentage of emergency department patients transferred to a ward or discharged within four hours, by triage category;
4. Elective surgery patient waiting times by urgency category; and

The Australian Government is also doing its part to improve access to health services through its primary care reforms, including the establishment of Medicare locals. These organisations are also held accountable through the Performance and Accountability Framework,
which includes 15 indicators relating to the accessibility of primary care services.

The National Hospital Performance Authority will publish regular reports on the performance of Australian and state and territory governments against the Framework.

**Research and information**

There are a number of Australian Government sources of information that track public health waiting times and the factors that cause extended waiting times. For example,

- The MyHospitals website www.myhospitals.gov.au publishes waiting times for elective surgery and emergency department presentations for most hospitals across Australia.
- The National Health Performance Authority will publish the Hospital Performance and Health Communities reports http://www.nhpa.gov.au to report against performance indicators in the Performance and Accountability Framework, including those relating to access and waiting times.
- The Australian Bureau of Statistics released findings from the Patient Experience Survey, 2011-12 http://www.abs.gov.au/ausstats/abs@.nsf/mf/4839.0 in December 2012. Findings on waiting times for general practitioners, medical specialists and dental practitioners are reported by demographic and socioeconomic factors, such as the age and remoteness of patients.

I thank the petitioners for bringing their concerns to the attention of the House of Representatives. I trust that this information is useful and assures petitioners that the Australian Government shares their concerns and is working hard to address them.

from the Minister for Health, Ms Plibersek

**Cost of Living**

Dear Mr Murphy

Thank you for your letter of 29 November 2012 to the Minister for Human Services, Senator the Hon Kim Carr, on behalf of the Standing Committee on Petitions about portability of the Disability Support Pension (DSP) and Age Pension. Your letter was referred to me as this matter falls within my portfolio responsibilities. I apologise for the lengthy delay in responding.

The Australian Government recognises a person is able to choose a place to live for personal, family, medical or lifestyle reasons. In general, the Age Pension is payable indefinitely and the DSP is payable overseas (except in limited and specific circumstances) for temporary absences up to six weeks.

In relation to the DSP, the portability period is designed to allow recipients who permanently reside in Australia sufficient time to deal with personal matters that may arise from time to time overseas. This is consistent with the purpose of the DSP, which is to assist people with the cost of living in Australia and is designed to engage people of workforce age in activities in Australia that will lead to increased levels of economic and social participation.

The Government also recognises that the DSP is an essential safety net for those who cannot work and that highly vulnerable people may need to travel to be with their family overseas for care and support. That is why the Government recently introduced indefinite portability for recipients with a severe and permanent disability and no future work capacity.

In addition to the indefinite portability measure above, there are other limited circumstances where a DSP recipient may be granted indefinite portability. These are where a disability support pensioner has been grandfathered from changes introduced in 2001 or 2004, or is entitled to portability because they are severely disabled and terminally ill and overseas to be cared for by a family member.

DSP recipients may also receive extended portability if their overseas travel is for the purpose of undertaking overseas study as a part of a full-time Australian course or they are accompanying a family member who has been posted overseas for work by their Australian employer.

The Age Pension can be paid overseas indefinitely. In line with the residence-based nature of Australia's social security system,
however, a person's rate of Age Pension may change after an absence from Australia of more than 26 weeks. After 26 weeks, their rate of pension reflects their past links to Australia during their Australian Working Life Residence. Australian residents with 25 years' residence between the ages of 16 and Age Pension age are entitled to the full rate of Age Pension if they leave Australia permanently. Australian residents with less than 25 years' Australian Working Life Residence are paid a proportional rate. For example, a person with 17 years of Australian Working Life Residence will receive 17/25th of the full rate paid in Australia.

The Government has announced that from 1 January 2014, subject to the passage of legislation, the Australian Working Life Residence requirement will be increased from 25 to 35 years. From that date, age pensioners will need to have spent 35 years of their working life in Australia to be eligible to receive their full means-tested pension if they choose to retire or travel overseas for longer than 26 weeks. The change to 35 years brings Australia in line with most other OECD countries which require 35 to 45 years of contributions or working life residency to receive a full pension.

In addition, both the DSP (for recipients who meet the severely disabled criteria) and the Age Pension can be paid indefinitely overseas under International Agreements. Australia currently has 29 bilateral social security agreements in force with a number of agreements under negotiation. All of these Agreements include Age Pension and 19 include DSP.

The development of Australia's social security agreements has been largely reflective of historic migration patterns and, as a result, the majority of our current agreements are with European countries. However, the Government is always open to consider new areas for discussion, such as with countries that have provided many of Australia's more recent migrants.

It is a pre-requisite for commencing negotiations that the other country has a compatible social security system and that a social security agreement is likely to be mutually beneficial. The Minister for Foreign Affairs must also authorise the commencement of negotiations.

Other relevant factors include people-to-people links, the level of business activity, broader bilateral relations and cost to the Budget.

Thank you for forwarding the Standing Committee on Petitions' suggestion about extending the amount of time DSP and Age Pension recipients can be paid while overseas.

The Government welcomes input to the policy process and values the information provided. Such input forms an important component of policy design. The suggestion has been noted for future consideration.

Thank you again for writing on behalf of the Standing Committee on Petitions.

from the Minister for Families, Community Services and Indigenous Affairs, Ms Macklin Cowan Electorate: Wanneroo Post Office

Dear Mr Murphy

Thank you for your letter dated 29 November 2012, concerning a petition submitted for the consideration of the Standing Committee on Petitions regarding the relocation of the Wanneroo Post Office.

Under the Australian Postal Corporation Act 1989, Australia Post is responsible for the day-to-day running of the organisation, including all decisions relating to its operational network. As a Government Business Enterprise, Australia Post does not receive any funding from taxpayers and, as far as practicable, it is required to perform its functions in a manner consistent with sound commercial practice.

Australia Post has noted the concerns of the community and provided the following advice in response to the petition.

Australia Post has advised that the post office building and car park have been constructed in line with building codes and the Disability Discrimination Act (DDA) standards. While Australia Post is not aware of any current safety or traffic issues it would be prepared to discuss any issues with the landlord and Council and work to address them.
Australia Post has also advised that it is currently working with the landlord to upgrade the exterior of the building which includes repainting all external surfaces and line markings in the car park. In addition, the bitumen surface in the car park will either be repaired or replaced and existing bollards will be repainted and straightened. A number of trees will be removed within the car park which will be regularly cleaned.

It is confirmed that the store has been designed to meet requirements of the DDA thus ensuring Australia Post’s customers have appropriate access to enter and move around the outlet. Parking is available adjacent to the post office and in the nearby shopping centre and surrounding area, and a disabled access path leads to the post office. A street posting box is located approximately 10 metres from the door of the outlet, providing easy access both during and outside normal trading hours.

Australia Post has advised that in the lead up to Christmas, from 5 November 2012, the Wanneroo Post Office extended its operating hours from 9am to 6pm Monday to Friday, and 9am to 12.30pm on Saturday.

I trust this information will be of assistance.

from the Minister for Broadband, Communications and the Digital Economy, Senator Conroy

Disability Services

Dear Mr Murphy

Thank you for your letter of 29 October 2012 to the Hon Bill Shorten MP, Minister for Employment and Workplace Relations regarding the petition concerning Employment Support Services that was submitted to the Standing Committee on Petitions. As the matter you have raised falls within my portfolio responsibilities as Minister for Employment Participation, your letter was referred to me for a reply. I apologise for the delay in responding.

The Australian Government believes that all Australians deserve to be included in the economic and social life of the community and one of the best ways of achieving this is through employment. Everyone who can work should have the opportunity to do so and those who are unable to work should be adequately supported.

I note the concerns raised in the petition about people with disability and their access to Employment Support Services. As you may be aware, Disability Employment Services play a key role in assisting people with disability, injury or health condition to secure and maintain sustainable employment. Specialist Disability Employment Service providers deliver services to participants in a wide range of specialty areas. Since its implementation in March 2010, Disability Employment Services have successfully placed over 140,000 Australians in jobs.

To be eligible to commence in Disability Employment Services, most job seekers are required to have an Employment Services Assessment or a Job Capacity Assessment. An Employment Services Assessment is used to identify a job seeker's vocational and non-vocational barriers to finding and maintaining employment, their work capacity, the nature of a person's disability, injury or health condition and their need for ongoing support. An Employment Services Assessment determines which program a job seeker is referred to, and job seekers can be re-assessed when their circumstances change to ensure they are receiving the appropriate level of services.

Assessors use available information about the job seeker, including current and past medical and disability status, and prior participation and employment history to assess work capacity and barriers. Assessors liaise with treating doctors and other relevant health professionals as required to determine work capacity and the most appropriate service for each person.

To be eligible for Disability Employment Services, a participant must have a capacity for work within 2 years, with intervention, of at least 8 hours per week. This reflects the essential purpose of Disability Employment Services, which is to secure and maintain sustainable employment for job seekers in the open employment market.

If a person is assessed, at a certain point in time, as having a work capacity of less than 8 hours per week in the open employment market,
alternative job opportunities are available through Australian Disability Enterprises.

Australian Disability Enterprises are commercial operations enabling people with disability to engage in a wide variety of work such as packaging, assembly, production, recycling, screen printing, plant nursery, garden maintenance and landscaping, cleaning services, laundry services, and food services. Employees of Australian Disability Enterprises enjoy the same working conditions as those in the general workforce.

Section 8 of the Disability Services Act 1986 (Cth) defines the target group for Australian Disability Enterprises as people with a disability which:

- is attributable to an intellectual, psychiatric, sensory or physical impairment or a combination of such impairments;
- is permanent or likely to be permanent; and
- results in a substantially reduced capacity for communication, learning or mobility and therefore the person needs ongoing support services.

There are 325 Australian Disability Enterprise outlets across Australia, providing supported employment assistance to approximately 20,000 people with moderate to severe disability who need substantial ongoing support to maintain their employment.

The Government has worked hard to raise awareness of the contributions people with disability make to our economy and community. The National Disability Strategy sets out a ten year plan from 2010, with six priority areas for improving life for Australians with disability, their families and carers. It represents a commitment by all levels of government, industry and the community to a unified, national approach to policy and program development.

Labor is absolutely committed to improving services and opportunities for people with a disability. In addition to the life-changing National Disability Insurance Scheme, we have made revolutionary changes to employment services for people with a disability. Within Disability Employment Services, we have removed the cruel caps on services that existed under the Howard Government, resulting in a 43 per cent increase in the number of people receiving services and a 100 per cent increase in the number of people securing jobs. In addition, we are investing a record $3.2 billion over 4 years on helping people with a disability to secure work. The decision to conduct the first full competitive tender for Disability Employment Services was a continuation of the Government's commitment to improving services for people with a disability.

As a result of the Disability Employment Services tender, job seekers with a disability will benefit from a 50 per cent increase in the number of service sites across the country; bringing the total number of sites to more than 1650. In addition, new specialist providers and an increased number of mental health specialists will more closely meet the needs of the community. From March, Job seekers will have access to better services than ever before, through greater access to high performing employment service providers. On average, a job seeker moving from a 1 star to a 5 star provider will be more than twice as likely to get a job and around seven times as likely to have kept that job after 26 weeks.

Labor has also committed $1 billion to support the first stage of a National Disability Insurance Scheme. The National Disability Insurance Scheme is aimed at those who are most in need, providing long term, high quality support people who have a permanent disability that significantly affects their communication, mobility, self-care or self-management. It is a lifetime approach that gives people choice and control over how they get support and when, where and how they receive it. The National Disability Insurance Scheme supports people with disability to live a life in their community to their full potential. The first stage of the National Disability Insurance Scheme starts from July in South Australia, Tasmania, the Australian Capital Territory, the Hunter in New South Wales and the Barwon area of Victoria.

I hope this information is of assistance.

from the **Minister for Employment Participation, Ms Kate Ellis**
Mr MURPHY (Reid) (10:04): As I have noted in the past, and reiterated at the beginning of this year, the House Petitions Committee's primary role is as a certifier and conduit for the tabling of in-order petitions and their ministerial responses. It also plays an important role in communicating tabling milestones to principal petitioners and in educating the Australian public about the petitioning process.

The committee's role is a neutral one. It does not certify petitions on the basis of subject matter bias. Similarly, it does not investigate or promote individual petitions, nor does it have the power to pursue ministerial responses. What it can do, however, is facilitate further discussions on selected petitioning matters through the committee's roundtable public meetings.

Periodically, the Petitions Committee holds roundtable hearings with principal petitioners to enable discourse and examination of selected petitions that have been presented to this House. The committee may also discuss some petitions and the responses to them via hearings it holds with relevant public servants. Neither style of hearing is an investigation or scrutiny exercise.

In this regard, the committee will be meeting with officials from the Department of Health and Ageing and the Department of Sustainability, Environment, Water, Population and Communities this Wednesday to discuss a range of petitions falling under the respective portfolio areas.

As much as it would be rewarding for petitioners to see a nice, neat resolution to their concern outlined in the ministerial response to their petition, in a well-functioning democracy this a rarity. Therefore, the executive's response to a petition which is anticipated to be received by the committee within a few months of referral does not represent a granting or a denial of a wish—and most petitioners would understand this.

The formulation of new government policy and administrative processes may take many months of research, consideration and testing before being implemented or, indeed, rejected. And legislative changes, which must also progress through our robust parliamentary process, may take longer. This means that a ministerial response, in an entirely practical sense, cannot be expected to convey a solution to the vast majority of petition matters. Rather, it will outline, at a particular point in time, why a circumstance may exist, and why the government acts, or does not act, in a particular way. Moreover, a ministerial response represents the formal acknowledgment that the petition matter has been considered by the minister.

Given this, there is benefit in the committee conducting public meetings with petitioners or public servants on some petitions to draw out more about the background of the matter, the petitioner's suggested resolution and to discuss the ministerial response. This is particularly worthwhile when ministerial responses point to continuing inquiry work, pending legislation or reviews underway on the matter raised.

The 'snapshot in time' nature of ministerial responses means that some petitions may receive a response just prior to change, which, if prepared only six or 12 months later, may have resulted in quite a different response. As the committee does not re-refer petitions to the ministry for updates, the roundtable hearings held with departmental officials provides a one-off opportunity for an up-to-date briefing.

The committee last conducted public hearings in the Perth region in August 2012.
These hearings were with principal petitioners of selected petitions generated from that region. The hearings provided the advocates of petitions with an opportunity to discuss the petition matter with the committee members and elaborate on the background to their petition. Discussions covered the genesis of the matter, the impacts and the action the petitioners wished the government to take. It afforded the committee the opportunity to learn more about the issue raised and for the principal petitioners to see their issue with fresh eyes—something petitioners are often confronted with when gathering signatures. The transcripts of these meetings are published in Hansard and are available on the committee's website for everybody to see. This enables many people to access the dialogue about the petitioners' concern and the government's standpoint—and that is a good thing.

Petitioners participating in roundtable hearings with the expectation that the committee will resolve their issue, advocate on the matter or report to the House with recommendations to government will be disappointed. This type of activity is beyond the scope of the committee's role.

Past hearings have also provided the added opportunity for the committee to learn of the reasons why petitioners utilised the House's petitioning process to air their concerns rather than other mechanisms and what they thought of the process.

Finally, the committee will be undertaking further roundtable hearings with principal petitioners in mid-April. I will update the House on these hearings in May.

COMMITTEES

Treaties Committee

Report


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

Mrs PRENTICE: This report considers several important treaty actions for which the committee has supported and recommended that binding treaty action be taken. Firstly, the agreement establishing the African Development Fund and the agreement establishing the African Development Bank.

Joining these agreements will see Australia engage with and contribute to the African Development Bank and its subsidiary the African Development Fund, organisations which provide financial support and professional advice for economic and social improvement for developing countries in Africa. The ultimate objective is to reduce poverty and improve living conditions.

The Australian Agency for International Development, AusAID, has said that becoming a member would increase Australia's ability to participate in and influence Africa's development through these respected and credible institutions, increasing access to new networks in Africa. It will also allow Australia to contribute to the bank's governance and any ongoing reforms and improvements in their operational and developmental performance.

Secondly, the report covers the loan agreement between Australia and the International Monetary Fund, IMF, tabled on 30 October 2012. Australia has been a member of the IMF since 1947 and has
assisted the IMF in its aim to promote growth and prosperity across the globe through activities including international monetary cooperation and trade expansion, among others.

This specific agreement's purpose is to put in place a temporary, voluntary credit arrangement allowing the IMF to borrow from Australia, enhancing the IMF's available resources for crisis prevention. Any drawings by the IMF under this agreement would be repayable in full and with interest.

The committee has investigated the likelihood of extra funding from Australia being required, which Treasury has indicated is 'not very high' given that extra funding would only be required if all other resources had been exhausted. The committee has noted that the IMF in the past has failed to either properly assess or properly respond to certain crises, including the Asian economic crisis of 1997-98, Argentina in 2001 and the global financial crisis in 2008-09. As such, the committee has expressed its disappointment with the IMF's previous failings and has requested that Treasury monitor the effectiveness and implementation of likely reforms to the IMF's governance.

Thirdly, the report covers the agreement between the government of Australia and the government of Japan on the security of information. This forms part of the broader Australia-Japan relationship, particularly the security relationship which has grown since 2007. This agreement facilitates further cooperation on political and security related issues of relevance to both countries. The agreement will be implemented under the more recent Protective Security Policy Framework, which requires agencies to adhere to provisions of any international security-of-information agreements; however, the PSPF reforms will not affect Australia's ability to fulfil our obligations under this agreement.

The Treaties Committee has also approved a series of other treaties, including:

- the 2012 Amendments to Annex I of the International Convention Against Doping in Sport of 19 October 2005;
- and the amendment, adopted on 1 October 1999, to Article XIV.A of the Statute of the International Atomic Energy Agency, IAEA.

This last minor treaty action allows the IAEA to move from annual budgeting to biennial budgeting, consistent with biennial programming throughout the United Nations system, which has proved to be more effective than annual budgeting. This move will not affect Australia's contributions to the IAEA, nor will it impose an additional financial burden on Australia. The committee has noted the fact that very few countries have adopted this proposal, a fact which has arisen not out of any particular concern from a particular country but rather is indicative of the administrative nature of the proposed amendment.

The committee concludes that all the treaties covered in report 132 should be supported with binding action. On behalf of the committee, I commend the report to the House.
Mr CHEESEMAN: (Corangamite) (10:15): On behalf of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, I present the committee's report entitled *Examination of the annual report of the Integrity Commissioner 2011-12.*

In accordance with standing order 39(f) the report was made a Parliamentary Paper.

Mr CHEESEMAN: The Law Enforcement Integrity Commissioner Act 2006 requires the committee to examine each annual report and each special report prepared by the Integrity Commissioner and report to the parliament. As ACLEI did not prepare any special reports over the review period, the committee focused its examination on ACLEI's expanded jurisdiction and its workload.

In a 2010 report, the ACLEI committee recommended an expansion of ACLEI's jurisdiction to include the law enforcement aspects of the Australian Customs and Border Protection Service. This recommendation was realised when Customs and Border Protection came under ACLEI's purview in January 2011. During the examination of the 2011-12 annual report, the committee considered ACLEI's work in relation to the Border Protection Service and the impact of ACLEI's widened jurisdiction on its prioritised workload.

During the year in review, ACLEI's focus and the greater part of its resources were concentrated on the Customs and Border Protection Service and the corruption issues notified or referred to ACLEI in relation to that agency. Initiatives such as Taskforce Natio, which examines the influences of organised crime and corruption risk at Australia's border as well as ACLEI's ongoing investigative work, are fully engaging the agency's resources and capabilities. This reality is reflected in ACLEI's expanded corruption assessment and investigation workload, which amounted to 185 corruption issues in 2011-12.

To meet these new challenges and expanding workload, ACLEI is implementing the recommendations of the 2012 review of the capabilities, operating arrangements and resources of the Australian Commission for Law Enforcement Integrity conducted by Mr Peter Hamburger PSM. Focused on the extension of ACLEI's jurisdiction to include Border Protection and Customs, this was the second review conducted by Mr Hamburger into ACLEI's capabilities and resourcing. The Hamburger review recommendations are directed at enabling ACLEI to operate with greater flexibility and effectiveness. As part of implementing the recommendations, a restructure was undertaken to support ACLEI's strategic orientation including the creation of a new strategic and secretariat branch. At the same time, systems to improve timeliness in assessments and reporting in investigations are under consideration.

The committee recognises that ACLEI's investigations and corruption initiatives are producing results and contributing to wider efforts to strengthen the integrity arrangements at Australia's borders. Further expansion of its jurisdiction to include three additional agencies in July 2013 will provide a further opportunity for ACLEI to widen the integrity framework and its influence.

At the same time, it poses a challenge for ACLEI in terms of managing its workload. For these reasons, the committee expects to continue monitoring the initiatives to make sure that we address the growing workload that comes from the expanded jurisdiction.
On behalf of the committee, I would like to congratulate the Integrity Commissioner, Mr Philip Moss, on the extension of his appointment for a further two years. This extension will provide the commissioner with further opportunities to consolidate and enhance the work of ACLEI at a time when its jurisdiction and capabilities are expanding significantly.

Finally, the committee commends the Integrity Commissioner and his staff for the quality and readability of the 2011-12 annual report. The report reflects the fact that ACLEI is not only strongly embedded within the integrity landscape but that it is a sphere of influence within the Commonwealth integrity and law enforcement environment and that it continues to grow. I commend the report to the House.

Mr HAYES (Fowler) (10:20): Being a member of the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity, I too have some comments on the committee’s report, *Examination of the annual report of the Integrity Commissioner 2011-12*. The report shows exemplary performance by the Integrity Commissioner and his staff. I think the organisation has been incredibly effective in addressing the new and expanded areas of responsibility which have been allocated to it by this parliament.

Since I have been on this committee, we have extended ACLEI’s coverage from the Australian Federal Police and the ACC to include AUSTRAC, the Australian Transaction Reports and Analysis Centre; CrimTrac, which does much of the database work for crime management; the biosecurity staff of the Department of Agriculture, Fisheries and Forestry; and, as the chair of the committee just spoke about, the Australian Customs and Border Protection Service. We understand that the role of ACLEI is expanding. As a consequence, the committee has recommended additional funding of $1.3 million over the next two years, starting from 2013-14.

As we move to target areas of potential security risk and crime risk in organs of government, it is clear to me that we are moving down a path towards the future formation of an independent commission against corruption covering all government agencies. I do not think that is a bad thing. I think we have a responsibility in this parliament to protect all organs of government—departments and statutory authorities that operate under federal guidance—against the intrusion of crime, particularly serious and organised crime. Much has been said about the recent issues involving the Australian Customs and Border Protection Service, but that is an area which was considered high risk—and that is why the commission's role was extended to cover it.

When we look at the issue of corruption and at the various Commonwealth databases which can be used in crime management, it seems to me that fighting corruption does not start and stop with police, designated law enforcement agencies and border and security services. All government enterprises are exposed to the actions of those who aim to engage profitably in corrupt conduct. Regrettably, we are seeing that played out on quite a large scale in New South Wales at the moment.

I compliment Philip Moss, the commissioner, and his team. It is not a very large team but they have worked very effectively with the powers given to them by this parliament to monitor, to investigate and, where necessary, to run controlled operations to detect and disrupt corruption in government enterprises and departments. It is a very hard job. As I have said, it is not a
very large team, but they have shown their dedication and commitment to duty. I think they have served this parliament with distinction.

I too would like to congratulate the Integrity Commissioner, Philip Moss, on the extension of his appointment for a further two years. I think that is warranted. He has taken ACLEI from the position where it was first established in respect of the Crime Commission and the Australian Federal Police into a new and expanding role. We do need to have a degree of stability while that develops. I am sure that members of this parliament would also have confidence in what he has been able to bring to bear in the last few years of his appointment. I support the report. Could I also congratulate the former chair of the committee, the member for Fremantle, Ms Park, for the good work she has done in her time as head of the ACLEI committee. (Time expired)

DELEGATION REPORTS

Parliamentary Delegation to the Kingdom of Morocco and the People's Democratic Republic of Algeria

Dr STONE (Murray) (10:25): I wish to give a report on the parliamentary delegation to the Kingdom of Morocco and the People's Democratic Republic of Algeria. This parliamentary delegation, following the first ever visits to Morocco and Algeria by an Australian foreign minister, was highly successful. During his June 2012 visit, Foreign Minister Carr signed MOUs with both Morocco and Algeria committing to further regular policy consultations. Following this, the Australian delegation travelled to Morocco and Algeria from 7 to 14 November 2012 and met with senior government members, officials and representatives of their key institutions. We were warmly welcomed in the two countries—both renowned for their traditional and generous hospitality.

In Algeria, we were privileged to be present at the establishment of the first Algeria-Australia Parliamentary Friendship Group. Both Algeria and Morocco have embassies in Australia. The embassies have been in operation since 2004. Senior government representatives in both countries stressed the desirability of having embassies from Australia opened in their countries, and as soon as possible. Australia is represented in Morocco by a locally engaged Austrade officer who reports to the Austrade office in Dubai.

Bilateral relations between Australia and either country have been historically limited, and trading between Algeria and Morocco and Australia has also been of limited value and volume, with phosphate fertiliser being a key export from Morocco to Australia and crude petroleum being the main export from Algeria to Australia in 2010-2011.

The delegation was advised, however, that there are significant opportunities for the further development of trade in services and technology as Algeria and Morocco seek to develop their mineral resources. Several Australian companies in particular have been active in gold and tin mining, although not without experiencing some real challenges. Australia's mineral exploration and resource development was acknowledged and welcomed as having a real potential benefit to the two countries. Morocco and Algeria also both wished to further develop their agricultural productivity and acknowledged the experience and expertise in Australia in farming arid zones and in the use of water-conserving technologies.

We were able to gain insights into the current political and economic situation, in particular the outcomes of the Arab Spring and how that influenced protests in both
countries in 2010-11. Both Algeria and Morocco have peacefully further democratised their countries in response to the protests from their citizenry at the time. In particular, both countries have sought to have their women further participate in their country's governments and economies. We were also able to have quite frank discussions about the issues concerning the Western Sahara as well as the bilateral relations between the two countries, with both Moroccan and Algerian officials. Since our visit, the situation in neighbouring Mali has obviously deteriorated.

The role of women in politics and society was of particular interest to our delegation, and we found that our interest was shared by those we had the privilege to meet with. Exploring the role of women in Morocco was, as I said, one of our key objectives. Mr Karim Ghellab, Speaker of the Moroccan House of Representatives, spoke with the delegation about the role of women in the new constitutional environment. Under the new constitution, 60 seats in the House of Representatives are reserved for women, who are elected from a separate national list. Women can be elected to parliament as part of this national list only once. Elected women must subsequently stand as regular candidates. The aim of this manoeuvre is, as Speaker Ghellab told us, so that the 'negative aspects of positive discrimination' will be removed over time. The development is clearly in its very early stages, and it is noted that only seven non-reserved seats were won by women out of a total of 395 seats in their new parliament. It is also unfortunate, as Speaker Ghellab told us, that in the current government there is just one female minister, which is fewer than in the previous 2007-11 government.

In relation to Algeria, one aspect of their May 2012 election was the relatively high number of women elected to the National Assembly. Of the 462 seats in the lower house, 146 are now occupied by women. That is 32 per cent of their seats—the highest in the Arab world and a greater proportion of women than in Australia's House of Representatives. In January 2012, Algeria adopted a new law requiring that 30 per cent of parliamentarians be female—a move endorsed by the UN.

In conclusion, there is a real sense of warmth and cooperation between Algeria and Australia and Morocco and Australia. I believe that we can further enhance our relationships, our trade and our exchanges through delegations like the one we were lucky to experience. (Time expired)

BILLS

Tax Laws Amendment (Disclosure of MRRT Information) Bill 2013
First Reading

Bill and explanatory memorandum presented by Mr Hockey.

Mr HOCKEY (North Sydney) (10:31): The coalition is seeking to amend the Tax Administration Act 1953. These amendments are intended to remove any doubt that taxation officers may disclose to the minister information about instalments of minerals resource rent tax paid in an instalment year in any MRRT year or the total amount of MRRT paid in that year where the information is provided for the purpose of the minister making the information publicly available.

The amendments will protect taxpayer confidentiality. The amendments will not require disclosure of information about the tax affairs of a particular entity. Instead, the amendments will permit taxation officers to disclose information to the minister that relates only to the total amount of minerals resource rent tax instalments paid whether in a quarter or quarters or in that year. It is
intended that the amendments will permit taxation officers to disclose such information without committing an offence should the disclosure have the effect of inadvertently identifying a taxpayer.

The bill also compels the minister to table a report updating the houses of the parliament within six sitting days of receiving information from the ATO of proceeds received under the act. Information about the amounts of instalments paid for particular quarters or the total amount paid for a year is information that should be available to the parliament and to the public. Revenue cannot be raised and money cannot be spent without the approval of this parliament. In turn, the parliament is entitled to the information it requires to scrutinise both revenue and expenditure proposals and performance. Any argument to the contrary is insupportable in a representative democracy. This government will now have no excuse when it comes to disclosing the total revenue that is being raised by their failed mining tax.

My private member's bill should not be necessary. The government was quite happy to promise full monthly updates on the mining tax when it did a deal with the Greens to ensure the passage of the legislation through the Senate. But then it seemed to have no qualms about breaking that deal when it became clear that the mining tax was not going to raise anything near the expected revenue.

The government has published seven monthly financial statements since the mining tax commenced on 1 July last year. Not one of the statements has separately identified the MRRT. The best the government can do is to amalgamate the mining tax revenue with the petroleum resource rent tax. We know the mining tax raised $126 million in its first two quarters, because we dragged the Treasurer, Wayne Swan, kicking and screaming to a press conference. You could see him being dragged along with his nails scratching the ground. He was dragged along to the press conference and he disclosed, 'Good news, Australia: the mining tax has raised $126 million in the first six months.' He only did that because we announced that we were introducing this bill; it just happened to coincide with the timing of our announcement of this bill. We thought there would have been continued disclosure going forward; but, no, the January financial statements once again amalgamated the mining tax with the PRRT revenues, so the period of transparency was brief. It was, to use John Howard's great term in a different context, 'five minutes of sunshine'.

To be fair to the Treasurer—and this is a rare moment, I know, so I want everyone to pay attention—I can understand why he does not want to reveal the proceeds of the mining tax. It is because it has had five different structures with seven sets of revenue estimates, and he is a little embarrassed. He is hoping that no-one will notice that only he could introduce a tax that raises hardly any revenue. Not even the Greeks are capable of that. And, by the way, it not only brought down one Prime Minister, but, gee, if events go the way they might this week, it might bring down two. The man is a genius; that is why they describe him as the world's best Treasurer. He introduces taxes that do not get money. That is a gift. In fact, it would not surprise me if he were the pin-up boy of a number of magazines other than Euromoney, given that he is introducing taxes that hardly raise any money.

The original resource superprofits tax was estimated to raise $12 billion in its first two years. The revenue estimates have been progressively reduced. The latest version was meant to raise $4.4 billion over two
years. As I said, it has raised $126 million in its first six months. It was meant to raise $2 billion this year. The excuse being used for nondisclosure is that the Australian Taxation Office will not tell the Treasurer how much tax has been raised for fear of breaching division 355 of the Taxation Administration Act, which forbids disclosure of an individual entity's affairs.

I have got no problem with the ATO maintaining confidentiality of taxpayers' affairs. We all want that; I think that is perfectly reasonable. No-one is asking how much mining tax individual companies have paid. We are not asking that. We are simply wanting to find out how much money the tax has raised—that is all. And we want to know whether the government is going to keep its agreement with the Greens. I am sure the member for Melbourne would want to know that as well, because I think it has followed a lot of Green policy in other areas. He was given a written commitment from the Prime Minister that there would be monthly updates, even though this tax is paid quarterly. It is rather confronting that the government would agree to give monthly updates on a quarterly tax, but that just shows how it is not across its own tax.

What concerns us is that the government linked expenditure of $15 billion over the forward estimates to mining tax revenue. When they announced the mining tax, not only did they keep revising down the revenue but they maintained the original expenditure against it—$15 billion. They wonder they have a black hole. As has been revealed today by Bank of America Merrill Lynch, there is an expectation that the deficit this year could be $20 billion—$20 billion after old buggerlugs, the Treasurer, promised a $1.5 billion surplus.

The DEPUTY SPEAKER (Ms Grierson): The member knows he should refer to people by their correct titles.

Mr HOCKEY: I am sorry; I should not use such flattering terms. The Treasurer promised a $1.5 billion surplus and he is delivering what looks to be a $20 billion deficit. Now we know why the Treasurer refused to rule out increasing the cap on government debt, which he said would not exceed $250 billion at the end of any one year—because, in the view of Bank of America Merrill Lynch, the gross debt could be $294 billion this year, perilously close to the $300 billion that the Treasurer said last time would never be reached. Here we have a Treasurer that has introduced a mining tax and, as the member for Griffith has so helpfully reminded us on numerous occasions, it was all the member for Lilley's work. The member for Griffith was the one that paid the price, but it was the member for Lilley's work introducing this mining tax package. Five versions of the mining tax, seven sets of revenue estimates and now they will not tell us how much it has actually raised.

This is a test for the crossbenchers as much as anyone else. This is about basic transparency on a particular tax. All we are asking is that the government disclose how much tax is being collected. That is all. The mining tax is a contentious tax and the issue is: how much is being raised? In their monthly statements they should disclose that in the same way they do for every other individual tax. Instead, they wrap it up with the PRRT and it means that the parliament is being snowed under by red tape and obfuscation. This bill will change that. (Time expired)

The DEPUTY SPEAKER: In accordance with standing order 41(d), the
second reading will be made an order of the day for the next sitting.

**Marine Engineers Qualifications Bill 2013**

**First Reading**

Bill and explanatory memorandum presented by Mr Wilkie.

Mr WILKIE (Denison) (10:42): It is with some satisfaction that I introduce today the Marine Engineers Qualifications Bill 2013 which addresses the reduction in maritime safety standards that flowed from the government's 2012 shipping reforms that, regrettably, left sections of the Australian maritime industry underregulated. In 2012 parliament passed the Marine Safety (Domestic Commercial Vessel) National Law Bill, also known as the 'national law', but that bill, while achieving positive results in other areas, had the unfortunate effect of reducing the requisite qualification standards for engineers working on marine vessels. I have no doubt that this is an unintended consequence of the national law but a consequence it is nonetheless and one that has negatively impacted upon a significant proportion of Australia's trading fleet. Such vessels include the oil tankers Tandara Spirit, Hooghly Spirit and Alexander Spirit, which were all previously regulated by the Navigation Act 1912 when trading in Australian waters but which under the national law are now subject to a significantly lower regulatory standard.

I have raised Bass Strait freight issues in this place on many occasions. In light of that I would point out that this bill would improve the working standards and conditions for those mariners crossing Bass Strait on commercial vessels and in particular for those crewing the two Spirit of Tasmania ferries as well as the Tasmanian Achiever, the Victorian Reliance, the Searoad Mersey and the Searoad Tamar, all of which trade between Melbourne and Tasmania. In essence, the problem here is that the maritime safety standards governing how these ships operate are lowered by the national law, and these vessels are just the start of it, because the reduction in appropriate safety standards as a consequence of the national law applies to numerous other vessels around Australia, including the entire offshore oil and gas industry, as well as every commercial harbour tug in every port in Australia.

We are a rich country with a strong tradition of appropriate wages and working conditions. It is simply not acceptable, not in the 21st century, that we would have any government reform resulting in reduced safety at work. But Australia's maritime industry is immense, and the unintended consequential reduction in regulatory standards resulting from the government's 2012 shipping reforms will have an immense impact unless we correct it.

Regardless of the type of vessel a marine engineer works on, the expectation should be the same—that they are qualified and verifiably working to an appropriate standard. And this standard should be as high as we can sensibly make it. Anything less is simply not good enough, especially given the importance of the role marine engineers play in maintaining a safe working environment for all maritime workers.

This bill is also about honouring a promise. Back in October 2009, the Australian Institute of Marine and Power Engineers met with the Australian Maritime Safety Authority, or AMSA, and agreed on a number of positive engineering initiatives to safeguard marine engineers and their profession. The engineers institute was particularly in favour of the initiatives relating to qualifications, as guaranteeing a minimum standard of knowledge and skill is...
essential to ensuring maritime work remains safe. But, three years later, AMSA used the review of Marine Orders part 3, which relates to seagoing qualifications, to water down the training standards and remove AMSA's college audit and examination function, even though the majority of submissions from across the maritime sector opposed these changes. Subsequently, AMSA did suspend the process and put the proposed changes on hold. However, I am told that the process may be resumed and the changed standards rolled out as soon as this year, despite ongoing opposition from the industry and from the engineers themselves. This bill is necessary to safeguard in legislation those positive engineering initiatives agreed to in 2009 between the marine engineers institute and AMSA. It is even more necessary in light of the uncertainty about AMSA's intentions right now.

I now turn to some of the main aspects of the bill, which in essence would establish the minimum standards for the various positions held by engineers on Australian vessels. The key area that has come most under attack in recent years is the amount of time engineers are required to spend on operational vessels to assure their competency with machinery of different types and scales, and the standard for which AMSA proposed the most severe reduction relates to the position of engineer watchkeeper. In fact, it is proposed that the current standard of 36 months education and training be replaced with the far lesser requirement of just 12 months, even though it is clear that the same safety standards cannot be achieved with just one-third of the training. This bill would, crucially, remedy that problem by enshrining the longer training requirement.

The bill will also establish a standardised method for examinations that would ensure consistency across certifying educational institutions, including a best-practice model for testing competency, the value of which is self-evident, I suggest. The background to this is the stalled 2012 review of Marine Orders, where AMSA proposed to delete the current requirement for an oral examination conducted by an AMSA examiner prior to the certification of an applicant as competent and safe. This would have potentially had serious safety consequences, as the oral examination provides AMSA examiners with a valuable qualitative insight into the relative competencies of applicants and complements the information gleaned from the extant written tests.

This bill also serves to further increase the auditing requirements for colleges and registered training authorities to ensure that regulators have adequate and accurate, up-to-date information about compliance best-practice methods for providing education and training for marine engineers. In fact, the bill requires that AMSA's principal examiner undertake an annual audit of colleges and training facilities approved to provide marine engineering training, and, in the event that the principal examiner is not satisfied that the college or approved training provider is operating to an appropriate standard, that the training provider's approval to provide marine engineering training then be revoked.

The final point I want to make is that the bill serves to consolidate all relevant standards into one document. We hear much in this place about the reduction of red tape and compliance burden for business and workers. This bill actually does so by ensuring that all relevant standards for marine engineers are located in one document where they will be easily accessed and understood. Furthermore, due to the sometimes complex regulatory framework surrounding maritime operations in general, this bill ensures that where other legislation or regulation is inconsistent with this bill the
standards contained in the bill shall be accepted and replace the inconsistency. Frankly, no-one should need to spend an excessive amount of time, money and effort determining exactly which standards in which legislation or regulatory instrument apply in which circumstances. So this bill affords marine engineers and those working in the sector the certainty that the standards established in this bill are the standards they will be held to.

All these provisions in the bill that I have described are important individually, but even more important, I suggest, is the fundamental function of the bill as a whole, which is to help ensure every worker's right to a safe workplace. Yes, all people who work or travel on a vessel in Australia deserve the peace of mind that it has been built, serviced and operated with skill and expertise. By guaranteeing a minimum standard for knowledge and training, this bill helps create that peace of mind.

In closing, I would like to thank Michael Bakhaazi and Henning Christiansen, who are in the gallery as I speak, from the Australian Institute of Marine and Power Engineers for their help with the preparation of this bill. They and their colleagues in the institute are to be commended for the work they do to support their members and I think that should be recognised.

I encourage all members in this place to support this bill. Every day that there are engineers working on Australian vessels there is the possibility, through a fault in the system and no fault of their own, that their qualifications are inadequate for their work. Quite simply, this puts people in danger, and that is entirely unacceptable. I commend the bill to the House.

Bill read a first time.

The DEPUTY SPEAKER (Ms Grierson): In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

BUSINESS

Rearrangement

Mr WILKIE (Denison) (10:53): At the request of the member for Kennedy, I fix the next sitting Monday as the day for presenting the Imported Food Warning Labels Bill 2013.

BILLS

Customs Amendment (Prohibition of Certain Coal Exports) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Craig Thomson.

Mr CRAIG THOMSON (Dobell) (10:53): This is a private member's bill that is quite specific in its intent. It is about protecting the water supply of the Central Coast. There is the real prospect that there will be a mine built under the water catchment area on the Central Coast. The clauses of this private member's bill prohibit the exportation of coal or a coal licence for any mines that are in the catchment area defined by the Wyong Shire Council as the water catchment, valleys and district as at 18 March 2013. The water catchment area is a major water resource, as you would probably know, Madam Deputy Speaker, because we did rely on the Hunter water supply, for many years, being piped down to the Central Coast, as our water supply reached levels of just less than 10 per cent. Out water catchment area is the resource for over 300,000 people who live on the Central Coast.

The Wallarah 2 mine will be directly beneath the flood plain at the junction of both main river systems where the major flow-through of the aquifers is. The river systems are primarily aquifer fed, and damage to the aquifers from subsidence will
result in a loss of water catchment. The mine's own data on their new application states—and there is a good deal of debate about whether these figures are understated—that there will be a loss of 79 million litres of water a day, which far exceeds the annual rainfall and capability to recharge the aquifers.

During the time that there has been this exploration lease, the mining company has never got its hands dirty with on-ground exploration. In its previous application, the water information was based on an extrapolation of data from the Hunter region, in the southern coalfields, of models to fit what it believes would be the scenario for the Wyong water catchment district.

The Keneally government commissioned a water study to be done by Sinclair Knight Mertz. The hydrogeologist Ray Evans determined in his report that a minimum study of two years should be carried out in the water catchment area, and further recommendations were that all old bores—more than 200 of them—be reactivated to accurately quantify data for a proper baseline before any consideration of mining be approved. This has not been done.

Wyong Shire Council and Gosford council engaged groundwater expert Professor Pells to undertake a study of the proposed mine impact on the water catchment district with the previous application. Professor Pells teaches mine-water management at the University of New South Wales and to the mining industry, and has BHP and Xstrata as clients. He said that the data provided by the proponent of this mine was able to prove that the aquifers would drop 200 metres due to depressurisation from introducing atmospheric pressure into the underground workings. Professor Pells was further able to prove that it would take at least 200 years for the aquifers to recover, if at all, leaving the Central Coast without its major water catchment area.

There is a long history to this mine. After years of campaigning—particularly by the anti-coal Australian Coal Alliance headed by Alan Hayes of the Central Coast—the previous planning minister, Tony Kelly, eventually and finally, in the dying days of the previous Labor government, rejected the application for the mine based on 'uncertainty around the ability of the project to meet acceptable water quality outcomes'. He also said:

… the project is not consistent with the principles of ecological sustainable development, including the precautionary principle, and as a consequence is not considered to be in the public interest.

That is what the community thought was the end of this matter. The government had had its reports, had made a decision and had said it was not going ahead with the mine.

What made us even more sure that the mine was not going ahead were the words of the then opposition leader, Barry O'Farrell. He made it absolutely clear that if his government were elected there would be no coalmine. In fact, he attended a large rally and signed documents. He said, 'No coalmine in the water catchment district.' The Liberal Party ran an election campaign based on this promise. Barry O'Farrell, along with other Liberal candidates, donned the community's 'Water not coal' T-shirts and waved the 'Water not coal' placards to gain votes.

The minister for energy, Chris Hartcher, said on the ABC that no Liberal candidate would have been elected if they had not opposed the Wallarah 2 mine. He was absolutely specific about what he said and his commitment to the people of the Central Coast—one that they relied on when they went to the ballot box and one that they have
been relying on for the last two years in relation to that commitment. He said, 'No ifs, no buts'—a guarantee that there will not be a mine under the water catchment area of the Central Coast.

It is with some concern then that I had to bring this bill to this place, because quite simply it appears that the bucket of money that is associated with coalmining has had its effects on the O'Farrell government. The links are not pretty. Liberal Party lobbyist Nick di Girolamo has connections with the Obeid family, which we learnt about at ICAC; in fact, he was lent $3 million to buy shares in Australian Water Holdings. His only client is the proponent for this mine, and he has been having meetings with the Liberal Party government. What have we found? We have found that there has been a change of heart. It seems that the state Liberal government is happy to line up with mining interests, happy to go back and betray the people of the Central Coast for the royalties that may come from this particular mine. It is a shocking state of affairs. What we had at the last election was both the Liberal Party and the Labor Party saying, 'There will be no mine.' The current government and the incoming government both committed that there would be no mine. Here we are, two years after the last election—almost 2½ years after the previous government said there would be no mine—and the current state government is entertaining the prospect of there being a mine that will affect the water catchment area of the Central Coast.

The Central Coast's water supply got down to 10 per cent. It is now up to 57 per cent, which is fantastic news; it has not been that high in 20 years. One of the reasons it is that high is that the Rudd-Gillard government built a water pipe which funnelled water from the low catchment dam up to the high storage dam, and that has been extremely successful. This dam also goes through the valleys where this proposed mine is to be. It would be subject to subsidence. Not only would we see water being drained away because of the mine; the very infrastructure that the Labor government put in place to ensure that the Central Coast was drought-proofed would also be damaged.

This is not an issue about jobs. The business community on the Central Coast are united with the rest of the community on the Central Coast. They say that there will be more jobs lost through building this coalmine in urban areas, going underneath the water catchment area of the Central Coast, than jobs created by this mine. This bill is about making sure that the Central Coast community get what was promised to them. This bill is to make sure that Central Coast people do not have the insecurity of having the most basic thing—their water supply—jeopardised, threatened, put at risk because of greedy mining companies. This is an opportunity for all members in this place to say who they line up with. Do they choose the community that is universally opposed to this mine or do they choose the friends of Eddie Obeid, the friends of Liberal Party fundraisers and the mining interests over the community? That is the choice that this bill puts before this place. I urge all members here to support this bill and to support the people of the Central Coast. (Time expired)

Bill read a first time.

The DEPUTY SPEAKER (Ms Grierson): In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

PRIVATE MEMBERS' BUSINESS

Superannuation

Ms ROWLAND (Greenway) (11:04): I move:
That this House:
(1) commends the historic achievement of the previous Labor Government in establishing universal superannuation through the Superannuation Guarantee;
(2) notes:
   (a) that Australia's total superannuation savings are projected to be $500 billion higher by June 2037 as a result of the Government's superannuation policies;
   (b) that Australia now has the fourth largest pool of retirement fund assets among OECD states;
   (c) the key findings in the report prepared by the Allen Consulting Group for the Association of Superannuation Funds of Australia, Enhancing Financial Stability and Economic Growth: The Contribution of Superannuation, that the:
      (i) superannuation sector assisted Australia in avoiding some of the worst consequences of the Global Financial Crisis;
      (ii) increase in the Superannuation Guarantee from nine to twelve per cent will benefit 8.4 million Australians; and
      (iii) superannuation sector plays an increasingly important role helping to fund Australia's investment needs;
   (d) data from the Australian Bureau of Statistics that whilst the mean superannuation balance for women almost doubled in the period between 2000 and 2007, there remains considerable disparity in the mean superannuation balances in the accumulation phase for females compared to males; and
   (e) that the Government's Low Income Superannuation Contribution will boost the superannuation savings of 23,400 people in Greenway and 25,200 in Canberra; and
(3) supports the need to preserve the Low Income Superannuation Contribution which benefits 3.6 million Australians, of whom 2.1 million are working women.
I am pleased to move this motion on superannuation and to remind the House that it is this Labor government that is delivering a superannuation system that is the envy of the world. As my motion states, it was indeed an historical achievement by a Labor government to implement one of the most innovative public policy initiatives of the 20th century in Australia, the benefits of which accrue every day for millions of Australians who would otherwise not have the means to support themselves in a decent retirement. In bringing forward this motion I would like to focus on three key issues, including recent independent reports on Australia's superannuation system; how our superannuation system benefits working people and, in particular, working women; and the obstacles to realising the full benefits of superannuation for all Australians now and into the future.

I began by stating that this Labor government is delivering a superannuation that is the envy of the world. By every objective measure it remains an outstanding success, from its contribution to assisting Australia avoid some of the worst consequences of the global financial crisis to its strategic role in funding many aspects of investment. In the 2012 Melbourne Mercer Global Pension Index results, Australia ranks third after Denmark and the Netherlands in terms of adequacy, sustainability and integrity in its retirement income system. In the report produced by Mercer, Australia is described as having a superannuation system that has a sound structure with many good features. Our neighbours in the Asia-Pacific region who participate in the Mercer index—namely, China, India, Japan and South Korea—actually feature at the bottom of the Mercer table, with a D-grading. Each is described as having a retirement income system that has some desirable features but also major weaknesses and/or omissions that need to be addressed. Without these improvements, the report states, the efficacy and sustainability of these superannuation systems are in doubt.
It is therefore no surprise that the peak industry body, the Association of Superannuation Funds of Australia, has organised an annual forum for the past two years called the Asia-Pacific Pensions Forum, designed to showcase to our neighbours in the region how the retirement income system which has been devised in Australia, together with the product innovation and skills developed by service providers in the industry, can all be successfully packaged and delivered to other parts of the region. It is a theme which also features prominently as part of this government's Australia in the Asian century white paper.

While those opposite would contend that our superannuation system is plagued by uncertainty, the evidence is clear: industry leaders are putting the system on a regional pedestal. If there were any truth in the opposition's claims, independent assessments such as those by Mercer would not produce the results they have, highlighting our retirement income system as a model of best practice relative to others in the region and globally.

On this side of the chamber we have never been complacent when it comes to continuously improving Australia's retirement savings system. It was a Labor government that introduced superannuation in this country, and as a Labor government we have continued to build on and improve the scheme implemented by our predecessors. Our recent Stronger Super reform initiatives are part of a broader reform agenda for superannuation which has been initiated by the government. The Stronger Super response, following the extensive Cooper review, is one of three limbs to the overall superannuation reform agenda in recent years. The other two limbs have been the Future of Financial Advice reforms, and the government's Stronger and Fairer Superannuation reforms, including an increase in the superannuation guarantee charge from nine per cent to 12 per cent by 1 July 2019—all of which have been passed by this parliament. On this side of the chamber we have set the benchmark on superannuation, while those opposite have been carping from the sidelines with plans to undermine the retirement savings of working Australians, particularly working women.

Labor's reforms will boost the retirement savings of working people and improve equity in the superannuation system. According to the ASFA, nearly 90 per cent of Australian women do not have enough superannuation, and that is why this government, through its reform package, has moved to increase super from nine to 12 per cent and introduced the low-income superannuation contribution, or LISC. As outlined by the Australian Institute of Superannuation Trustees and the Women in Super advocacy group, the low-income super contribution will deliver a much-needed annual super boost of up to $500 to around 3.5 million Australian workers who earn less than $37,000 per year, many of whom are working women. There are 23,400 of these workers living in my electorate, and this will be a welcome boost to their retirement savings.

Of course, those opposite want to scrap this important reform, ripping away the extra retirement savings from the low-income workers in my electorate—and why? Because they do not support superannuation and they never have. The earliest speeches by members in this place say a lot about what they really believe. The Leader of Opposition in one of his earliest speeches to the parliament, on 25 September 1995, gave us his considered view when he said:

Compulsory superannuation is one of the biggest con jobs ever foisted by government on the Australian people. If the Prime Minister (Mr
Keating) was a private businessman, chances are that he would be before the courts for false and misleading advertising. The basic objective of compulsory superannuation is that the government is taking our money now so that it does not have to pay us a pension when we retire. The government is making us worse off now so that it will be better off in the future.

To this day, throughout the parliamentary debate on these critical reforms, there has been no shortage of grossly exaggerated and just plain wrong claims by those opposite about the likely impact of the reforms on our retirement income system in Australia. I am reminded of the shadow Treasurer's response to the government's Mid-Year Economic and Fiscal Outlook last year, in which he made a number of ridiculous statements suggesting that Australians with superannuation accounts that were dormant for 12 months would have their superannuation transferred to the ATO as lost accounts. He said on 2GB on 23 October 2012:

If your kids go overseas for 12 months or you're unemployed for 12 months and you don't access your superannuation account, then it's going to the tax office.

He made the same misrepresentations again and again. The statements by the shadow Treasurer were a total fabrication and a complete misrepresentation of the government's MYEFO measure in this area. It was ridiculous for the shadow Treasurer to repeatedly misrepresent the truth of this very important government measure. The member for North Sydney forgets that lost superannuation accounts can be claimed at any time through the ATO's SuperSeeker website. Furthermore, the relatively small number of Australians who will be impacted by this change will be better off in many instances. That is because they will not have their retirement savings chewed away by the fees and costs charged by superannuation funds.

How hypocritical it is for those opposite to claim that this government is creating uncertainty because of its commitment to improving the superannuation system in Australia and to providing a system which ensures Australians have the opportunity to enjoy a dignified retirement. When the Howard government turned the taxation of superannuation on its head and embarked on what it called the Simpler Super tax reforms, not a single figure from the coalition uttered a word about the potential economic costs of tax policy uncertainty. Despite creating major headaches for the industry and the Australian public at the time, the Howard government hammered away at the tax treatment of superannuation until the industry simply gave up. The real uncertainty felt by Australians and the superannuation industry at the time was obviously lost on the coalition.

Mind you, someone must have finally woken up to the mess the coalition had created and realised the label of 'simplified superannuation' used in the Simply Super initiative was a misnomer. Writing for Thomson Legal and Regulatory publications at the time, Stuart Jones, a senior tax writer, commented:

While the reforms trumpeting tax-free superannuation benefits from age 60 have delivered welcome simplification to certain facets of superannuation, a closer analysis of the new laws reveals that considerable complexity remains in several areas.

The coalition's so-called Plan for Real Action on Superannuation produced as part of the 2010 election campaign contained a grand total of four bullet points—a grand total of four bullet points for an industry which APRA data tells us was worth approximately $1.4 trillion as at 30 June 2012. Today, in their 'real solutions' prop, they have not improved, managing to muster
only seven sentences of slogans and no policy.

But we do know at least one superannuation policy which the opposition leader has contributed himself. He wants to abolish the low-income super contribution and disenfranchise 3.6 million low-income Australians, 2.1 million of whom are women, and some 23,400 residents in my electorate who currently benefit from this government's low-income superannuation contribution. Let it be clear to each and every one of those residents: this would constitute a superannuation tax increase of up to $500 for every Australian worker earning below $37,000.

The DEPUTY SPEAKER (Ms Grierson): Is the motion seconded?

Mr Fitzgibbon: I second the motion.

Mr HAWKE (Mitchell) (11:14): You know when you hear the word 'historic' in relation to one of these motions that you are in trouble. The 'historic' keyword is code for bad policy today that one day the member for Greenway hopes will be regarded with a rosy haze in a similar way to the Whitlam government in relation to superannuation. I listened very carefully to her presentation on why the government should be lauded for its superannuation reforms, and I challenge the member for Greenway to walk down any street of her electorate and talk to a self-funded retiree about whether they think this government has been good for superannuation. Certainly the member for Greenway does need to read the government's own legislation, because it is a fact that since this government has been in office it has imposed more than $8 billion in increased taxes, targeting people saving for their retirement.

The challenge of a superannuation and retirement system is that you have to have a platform for people to make their own contributions to fund their own retirement. It is not a scare campaign or a fear campaign to say that compulsory superannuation will not sustain a person in retirement. It is a fact, and I challenge the member for Greenway to live off her compulsory superannuation if she thinks she could do so. Clearly, of course, in Australia we have to have a system that welcomes and encourages voluntary contributions to people's own superannuation. That is where this government with its policy uncertainty and chaos has produced a retrograde step for superannuation in Australia today. Over the past five years we have seen the cuts to super co-contribution benefits for low-income earners. That was more than $3.3 billion in total, but what it did was reduce the government's super co-contribution for lower-income earners from $1,500 under the Howard government to just $500—something that the member for Greenway did not mention and certainly not something that is lauded in this motion before us.

What is the best way to take advantage of human nature? It depends on your approach to government. Do you believe in the carrot or the stick approach to government? I have said this in this place before and I will say it again: carrot incentives are the best way to take advantage of human nature. A co-contribution scheme allows for people to make their own contributions and for the government to say, 'We're going to offer you an incentive to sacrifice that money that you can spend now on your current standard of living or on your current family needs and put it aside for the future by matching it.' In fact, in this case it was $1,500 cut to $500 by the government—a three-times reduction. This government is big on penalties and big on using the stick instead of the carrot.

Amid a series of options to increase taxes on super savings, the government even contemplated breaking another election
promise—and the fact that it did not is remarkable. It was promised in 2010 that the government would never—never!—remove tax-free superannuation payments for the over-60s, but the desperate times of budget deficits and the chaos in economic policy have meant this government is desperate for money. It is looking at superannuation as some sort of automatic teller machine for the government—'We need money; we've got to go get it.' We saw that with the lost super and unclaimed money bill that came through this House recently, where the government was looking at lost super supposedly in active bank accounts as a source of revenue, because it was so desperate for cash. It is crazy for the member for Greenway to say that was some fear campaign whipped up by the opposition; the government put in a bill to sweep up people's private accounts if they were lying dormant, even if they were lying dormant for legitimate reasons. It introduced a bill to say all the lost super would be swept up by the government. Why? Was it a good public policy measure? Was it a historic reform? No, this was a government desperate to sweep up any cash out of the economy that it could to fund its flagrant expenditure.

The member for Greenway spoke about raising the compulsory contribution from nine to 12 per cent and how great this would be for low-income earners. Of course, the coalition supported that and will not rescind it in government, but I would make the point that the Henry review actually recommended against raising compulsory superannuation from nine to 12 per cent. The reason the Henry review recommended against raising the compulsory barrier was because it was not needed by those on higher incomes and would disadvantage low-income earners. The review also suggested that contributions be taxed as income at the recipient's current tax rate to create both better equity and net additional government tax income by reducing use of this form of tax avoidance and providing extra income for equity needs. That was the government's own Henry review that said that. So, again, I ask: is that a historic reform advantaging low-income earners? The member for Greenway's argument is not supported by the Henry tax review.

The member for Greenway also bemoaned a series of things. In particular, many of the things that she was saying were purely partisan and not in the interest of good superannuation policy, especially when she comes from a government that has increased taxes on voluntary savings by reducing concessional contribution caps from $50,000 and $100,000 down to $25,000. They are significant reductions; I think any member of this place would agree. Anyone who wants to save more than $25,000 a year, which includes their compulsory superannuation contribution, now has to pay more tax as only super contributions of up to $25,000 per annum attract the lower 15 per cent rate of tax. It goes back to the point I made earlier about $8 billion in increased taxes targeting people saving for their retirement.

Here we have a motion lauding the government's performance on superannuation when they are increasing the tax take out of this absolutely vital area of government policy where we do want to see more people contributing to their own retirement. We do want more self-funded retirees and less drag on the state. How is that going to happen when we have $8 billion of increased taxes targeting people saving for their retirement? It is hard to see.

We, the coalition, think that the concessional contribution caps are too low and most certainly should not be lowered any further, given at present anyone saving more than $25,000 a year has to pay the top marginal rate of tax of 46.5 per cent already.
These are people putting aside money for their retirement to take the burden of the government in the future. Probably of the biggest drains on the Commonwealth in terms of welfare expenditure the single largest is pensions. So these people are doing the right thing by our society and the right thing by themselves in their retirement and we are taxing them at 46.5 per cent for just $25,000. I ask the member for Greenway to come back in here and say that she agrees with taxing at 46.5 per cent the contribution of $25,000 a year and that that is an historic reform that has been introduced into this place by her government.

Of course, this is on top of all of those lost and raided accounts that I have spoken about. Over the six months from 31 December 2012 to 30 June 2013, the government expects that the tax measure of 46.5 per cent will raise $760 million in additional revenue. This is something that is hard to understand.

This is a very partisan motion, lauding Labor for establishing the superannuation guarantee in the first place. However, the premises of most of the arguments of the member for Greenway really do not stack up when you look at them—the increase in compulsory superannuation is not supported by her own government's Henry taxation review, the things that this government has done in raising $8 billion in extra taxes off people saving for our own retirement and the removal of the system of incentives. The only system of government policy that has any chance of working is incentivising people to make their own voluntary contributions for their retirement. Every other measure—taxing them, penalising them and pushing them down for putting money aside for their own retirement—has no chance of delivering a viable amount of money for people to retire on. That is really why this motion has a very poor element to it.

The coalition have made it clear that in government we would not make any detrimental, unexpected changes to superannuation. That is exactly what the superannuation industry is calling for—no detrimental changes that are unexpected. The member for Greenway says that the policy chaos and all this uncertainty is just a furphy. The uncertainty that is created by constant change to the taxation of superannuation means that people vote with their feet. They will not make those contributions while they are being taxed so heavily and while the current policy environment is constantly changing. The uncertainty that this government produces in every sector has been replicated in superannuation and retirement savings, to the detriment of Australia's future.

Ms BRODTMANN (Canberra) (11:24): Superannuation is a Labor Party policy through and through. The Labor Party is the party that introduced universal superannuation and it is the party that will protect superannuation. It was a Labor government that introduced the compulsory superannuation guarantee and it is a Labor government that is now reforming super to ensure the retirement savings of Australian workers are better protected. Labor's commitment has always been to make sure that all Australians have a fair, regulated superannuation industry. Labor has always been a champion of compulsory superannuation because it provides a significant source of savings that is untouched and will continue to grow until needed.

Australians want a superannuation industry that they can have faith in as they work hard to save for retirement. It is in our national interest to encourage more
Australians to save more for their retirement and to understand how their superannuation works. That is particularly important: Australians need to understand how superannuation works.

This motion highlights the importance of Labor’s increase to the superannuation guarantee from nine per cent to 12 per cent, an increase that will benefit 8.4 million Australians. Overall, Labor’s historic super reforms will lift retirement savings by $85 billion over 10 years—$500 billion by 2035. These are major reforms. These are Labor reforms that reflect Labor values.

This motion also brings to light data from the ABS that shows the imbalance between men and women when it comes to super, which is something I am particularly concerned about. As the member for Greenway pointed out, although the mean superannuation balance for women almost doubled in the period 2002 to 2007, there remains considerable gender disparity. When it comes to super, one of my biggest concerns is what is happening when women come face-to-face with their superannuation needs, because there is a gender gap when it comes to their superannuation. Data from 2009-10 shows that Australian women do not always have enough super to allow them to be comfortable in their retirement. Statistically, women earn 17 per cent less than men and the average super account balance for women is just over $40,000, while for men it is about $71,000. The average payout for women aged 60 to 64 is around $112,000, while for men it is closer to $200,000. Another critical difference is that men hold an estimated 63 per cent of super accounts, while women hold only 37 per cent.

I have seen figures showing that a single woman aged 65 who is wanting to retire will need over $500,000 to create an annual income of just over $40,000. As women live longer than men, they actually need more super, but the statistical evidence is clear: there is a discrepancy between what men can access compared to what women can access.

I have seen this all too often in my own electorate. I have seen the reality of what this means for women and super. I gave a speech last week on International Women’s Day, in which I focused on housing for older women. When I told the stories about what I had experienced in my electorate a number of women came up saying: ‘They are the same things I’m experiencing: I’m staring down the barrel of retirement in five or 10 years time, I don’t have enough super, I’m in the private rental market and I’m working just to make ends meet.’ It is very tough for these women. I know that they are very concerned about their super. I know this from my own experience, from my mum, who retired with about $5,000 in super and is now on the pension. Fortunately, she has her own home. It is tough for women, particularly when they just do not have enough super for a comfortable retirement. That is why I am so adamant that women, particularly young women, get across their superannuation needs, not just what they need for their retirement but also how they are going to plan to make sure that they can reach those goals for their retirement, so they can plan for the gaps in their career when they take time out to have babies and so they can plan for when, possibly, they want to do part-time work in their 50s while ensuring that they can cover their superannuation needs to ensure a comfortable retirement.

I commend the member for Greenway for putting forward this motion. It is good to bring to everyone’s attention the superannuation achievements of the Labor government but also the superannuation needs of women for the future to ensure that they have a comfortable retirement, to ensure
their quality of life when they retire and to ensure they are not fearful as they age. 

Mrs PRENTICE (Ryan) (11:29): I rise to speak on the member for Greenway's motion on superannuation policy. The Australian people do not deserve this government. They do not deserve a government that has increased taxes on superannuation by $8 billion. They do not deserve a government that has attacked the voluntary savings of low-income earners by drastically cutting the super co-contribution scheme. Nor do they deserve a government that continually ignores self-funded retirees, who are facing the prospect of their hard-earned money being stripped away from them because this government cannot manage the economy. 

What this motion does not mention is what this incompetent Labor government has done since it got into power. True to Labor form, it has increased taxes on superannuation time and time again, reducing the ability for Australians to save for their retirement. Quite simply, this government cannot be trusted on superannuation. After years of reckless spending and racking up $172 billion in debt, the Treasurer has come to the point where he has increased taxes so much on current income that he has run out of ideas on how to extend the ATM of Australian workers that he treats as his own personal cash cow. Not content with slugging the Australian economy with more than 25 new taxes, hurting industry in Australia and damaging the hip-pocket of Australian households, and so incompetent is this Treasurer that he is looking to further tax the savings of Australians. The Treasurer has not ruled out that the Labor government will increase income tax rates, nor has he ruled out that the Labor government will increase tax rates on legitimate withdrawals from superannuation funds. The Treasurer is now turning towards the money which people have already earned, on which they have already paid tax and, quite legitimately, thought would be there to serve them in their retirement. 

Furthermore, this government has increased taxes on voluntary savings by slashing concessional contribution caps from $50,000 and $100,000 down to $25,000. We in the coalition believe that Australians who are saving for their retirement and putting up to $25,000 into their superannuation per year at a 15 per cent tax rate are not rich. They represent the families playing catch-up with their retirement savings after their children have grown up and they have paid off most or all of their mortgage. Added to this, anyone contributing more than $25,000 per year in pre-tax income to superannuation is already taxed at the top marginal tax rate of 46.5 per cent. Given that people are required to lock up their super savings until retirement, if the tax rate on contributions or earnings is not more attractive than that on take-home pay we will see people start to minimise their superannuation savings. 

This motion also mentions the importance of the low-income superannuation co-contribution—a very important policy implemented by the Howard government. Again, this motion does not mention that, since 2007, Labor has cut the government's super co-contribution benefits for lower income earners by more than $3.3 billion by reducing the government's super co-contribution for lower income earners from $1,500 under the Howard government to just $500. 

Should the Coalition form government at the next election, we will revisit concessional superannuation caps and super co-contribution benefits when the budget is in a strong enough position. The Leader of the Opposition has already announced that there
will be no more unexpected detrimental changes to superannuation. This is because we support all Australians who want to make responsible savings for their retirement. We do this not just because it makes sense for every Australian but because it makes perfect sense for the future affordability of serving older Australians in the years ahead. It is absolutely crucial that we get every aspect of our retirement income system functioning as efficiently and sustainably as possible. Encouraging voluntary savings is an integral part of that.

We must make ensure that the system of compulsory contributions to superannuation that employers pay—not government, employers—is as straightforward as possible. We must also ensure that there is sufficient incentive for workers to donate above and beyond the compulsory contributions. The coalition is committed to the most efficient, transparent and competitive superannuation system, and that is what we will keep working towards in government. We will restore hope, reward and opportunity to Australians who are saving for their retirement, because Australians deserve a government that will protect the future of all Australians.

Ms O'NEILL (Robertson) (11:34): I am very pleased to rise to speak on the private member's motion of my colleague the member for Greenway. For those who might be listening outside the chamber, I put on record that, when we hear the confected outrage of those opposite, complaining about efficiency, transparency and competitiveness, we have to remember what their effective model was when superannuation came in. It was to have no superannuation.

What was their model of transparency? There was no transparency, because there were not any superannuation funds, except for the very, very wealthy and those who were born into lives of privilege, with education from their own parents in-house about how to look after their retirement. Where I grew up, in the western suburbs of Sydney in the seat of Greenway, I can tell you that superannuation conversations around the table were not too common. It took a Labor government to come in and create a superannuation sector and to deliver it for the Australian people, because we believe every Australian has a right to a dignified retirement, not just some Australians, as those opposite would have allowed to continue to be the case.

Much of the activity that happens in this very important place, in this chamber of this parliament, can seem very removed from the Australian people, who are moving around the economy and in the community outside here. Much of what we do does not get the attention or the coverage that it warrants. But this policy, our superannuation policy, has made the lives of millions of Australians better. Indeed, it will go on to support generations of future Australians in living in retirement with dignity and comfort.

Compulsory superannuation is a keystone Labor policy. When it was brought in it was a historic achievement for all working Australians. Let us hark back to the language that those opposite used at the time. At the time they said no. They continue to say no to innovation that looks after most Australians. At the time they said, 'We can't afford it.' It concerns me greatly as I move around in my community at this time that that is a catchcry of those opposite: 'We can't afford it.' If they had had their day back then, all the people who are rightly very interested in their superannuation right now would not ever have had any superannuation to be able to discuss or to think about. It was only a Labor government that delivered that significant,
historic outcome of which we are reaping the current benefits.

Since the days of Hawke and Keating, the Australian superannuation industry has expanded to such a level that it is now the fourth largest pool of retirement fund assets in the OECD. That is a great savings achievement by Australian people, led by government innovation that could see long term into the future rather than just the short term, where those opposite continue to be focused. These funds have also helped to safeguard our economy from some of the worst aspects of the GFC that have afflicted nations around the world and they play an increasingly important role in funding our investment needs. Of course, the growth of this market also means that there has been an explosion of products available for customers, and the pros and cons of each are not always clear, particularly to people who might not have the advantage of having learned that at their mother's or father's knee in home conversations.

I commend this government for the work they have done to streamline superannuation products and services for all Australians. It is very helpful when selecting a product to be able to go out and make comparisons. That has not been the case until the reform that we have introduced. The MySuper legislation has created a new default superannuation account with low fees and more transparency, which will mean more Australians will get their fair share of their retirement funds and not have them siphoned off in unclear and excessive fees and charges, which was the case—not for all companies but certainly enough to make a difference to average Aussies.

While many Australians will start earning super when they get their first job at 15, we do not give serious consideration to our retirement until we are a little older. In the intervening time, people have the right to know that their money is working for them, not for somebody else's advantage. Bringing in legislation about conflicted remuneration, making sure it is in the best interests of owners of superannuation and that that is at the forefront of consideration are vital, and that is what this government has achieved. We have a cheaper and more accessible, transparent and understandable form of superannuation management as a result of our reforms.

We on this side of the House should also be proud of increasing the superannuation guarantee from nine to 12 per cent. Of course, the catchcry from those opposite, once again, is, 'But we can't afford it.' We have to remember, every time they say that, that that is a plan to take something away from ordinary Australians in seats like mine of Robertson. (Time expired)

Mr FLETCHER (Bradfield) (11:39): I am very pleased to rise to speak on this motion moved by the member for Greenway, which commends the historic achievement of the previous Labor government in establishing universal superannuation. Once again, we see the spectacle of members of this present Rudd-Gillard government harking back to the glory days of what was—it must be acknowledged—a much more substantial government in terms of its policy achievements. The present government, sadly, is nothing of the scale or capability of the Hawke-Keating government.

This motion, however, is conspicuous for what it does not say about features of the superannuation system that need significant improvement and what it does not say about areas of reform, including those recommended by the Cooper review, which have been ignored by this present government—largely because they are...
changes that are unappealing to the union officials who call the tune in the Rudd-Gillard government. The equal representation system is part of the superannuation arrangements established by the Hawke-Keating government. This had the effect of entrenching the friends of that government in the union movement at the centre of the governance system of industry and public sector superannuation funds. Those entrenchment arrangements are very much still in place some 20 years later.

Last year I looked at the arrangements across 64 public sector and industry funds, with a total of more than $300 billion under management. I counted over 150 directors appointed by the unions, with a significant number of funds where the unions appoint at least half the directors. It is easy to see how these arrangements serve the interest of the unions. It means a large number of well-paid directorships are allocated amongst union mates and in, some cases, the fees paid to the directors of industry super funds are pocketed by the individual. In other cases, the fees are paid to the union. Regardless, it is an arrangement which very much suits union officials.

The problem though, as the Cooper review acknowledged, is that the interest of a union is not the same as the interest of a member of a superannuation fund, and that creates a very significant conflict of interest. There is a very good example right now. The Victorian branch of the CFMEU is attempting to put pressure on building industry superannuation fund Cbus in relation to property developments pursued by Cbus following a major industrial dispute, last year, between the CFMEU and construction company Grocon.

According to media reports recently, CFMEU's Victorian secretary, John Setka, said his members were angry that Cbus had awarded Grocon a $430-million project in Sydney. He said, 'I reckon it's a slap in the face for the union, what Cbus has done. As a consequence, CFMEU has been seeking expressions of interest from other super funds to become the default fund for CFMEU members and presumably it intends to use the award system to have Cbus removed as a default fund and a new one put in.

Let us be clear. This is nothing less than an attempt by a union to use the economic resources of a large superannuation fund over which it has substantial influence—including appointing three directors—to secure industrial or political outcomes, in this case to advance the industrial dispute of the CFMEU with Grocon. The interests of the 655,000 members of Cbus, the superannuation fund, are being put second to the industrial agenda of the CFMEU. That reflects a structural problem in the superannuation system, a problem that reflects the design of that system, as set up by the Hawke-Keating government, to entrench the position of union officials.

We could look at plenty of other examples. There was a $30-million investment in building company Austcorp by the Meat Industry Employees' Superannuation Fund, almost all of which was lost following Austcorp's collapse in 2009. The Australian has reported that Mr Wally Curran, a long-time secretary of the Meatworkers Union and a long serving director on the board of the fund, was paid significant consultancy fees by Austcorp. There appears here to have been a clear conflict of interest in duty—yet another consequence of the systematic problem in the governance of industry and public sector superannuation funds. Let us understand the full picture. Yes, the superannuation system is something to celebrate, but the governance arrangements and the equal representation
system are seriously flawed—this government has done nothing about that.

The DEPUTY SPEAKER (Ms Vamvakinou): The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

BILLS

Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Ms OWENS (Parramatta) (11:45): The Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012 has been proposed by the member for Melbourne. I would say upfront that there are many things that the government and the proposer of the bill agree on, to such an extent that a number of the things that he is asking for are already in the existing legislation—such as the level of agreement. We would agree, for example, that local workers and Australian workers must come first in any enterprise migration agreement. We would agree that there should be training for Australians, for local workers. We would agree, in general, that skilled migration has contributed significantly to this country—that permanent skilled migration has been wonderful for Australia—but that we also, from time to time, need shorter-term contracts to fill peaks in demand for skills.

Enterprise migration agreements are really about the latter need. They are about times in our history where there is a need for a large increase in workers for relatively short periods of time—as you find, for example, in the construction phase of a large mining project. Those elements are already in the existing legislation. The member for Melbourne has asked that there be a requirement for employers to train and prioritise employment of locals, recently retrenched workers and other groups with high unemployment rates. That, of course, is already in the legislation. There is already a requirement that an EMA should be tabled in parliament, although I would say that currently only limited information is published relating to each EMA. This is because tabling the full agreement in parliament may actively discourage companies from seeking an EMA on the basis that commercially sensitive information would become publicly available.

We do have a number of disagreements with the member for Melbourne on the other elements of the bill, about how one might achieve the objectives of ensuring that Australian workers get the first go, and that local workers—Australian workers—be trained. That disagreement really relates to the kinds of circumstances in which enterprise migration agreements are entered into. We already have in Australia a form of agreement called a labour agreement, which relates to projects that are already underway and jobs that already exist. In cases like that, things like advertising jobs locally before you can go overseas make a great deal of sense because the jobs already actually exist.

In the case of enterprise migration agreements, we are talking about a particular kind of project—very large projects that are still in planning. In order to be eligible to request an EMA-resourced project, the company must be an Australian legal entity and have a capital expenditure of more than $2 billion and a peak workforce of more than 1,500 workers. These enterprise migration agreements are developed and entered into well before the large-scale project takes place. With these large projects, with enormous amounts of capital involved, the
planning process is long and rigorous in order to reduce the period between the time the money first starts flowing out and the time the money first starts flowing back in again.

Central to the EMA program is that it mandates the recruitment and training of Australian workers. Companies wishing to request an EMA must include detailed requirements to satisfy their claimed need, in relation to labour market analysis, skills assessment, training expenditure and stakeholder consultation. An incredible amount of work and planning goes initially into determining what the skills available in Australia are, what training would be required, the number of workers that can be trained and the number of workers that will be brought in from overseas. That is all done well in advance, long before it would be possible to advertise those jobs. At the time of applying for an EMA, the jobs do not exist—they are in the future.

The enterprise migration agreements process is a rigorous one which balances the need for long-term projects to be able to proceed with the need to train Australian workers. It is already quite a balanced approach. I understand the reasons the member for Melbourne would want these changes to require the advertising of jobs, for example, but I say again: because the enterprise migration agreements are prospective and are entered into so far in advance, it would simply make the process unworkable. The bill should be opposed for those reasons. The enterprise migration agreement is already quite a balanced approach to a difficult problem. (Time expired)

Debate adjourned.

Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013
Broadcasting Legislation Amendment (News Media Diversity) Bill 2013
News Media (Self-regulation) (Consequential Amendments) Bill 2013
News Media (Self-regulation) Bill 2013
Public Interest Media Advocate Bill 2013
Television Licence Fees Amendment Bill 2013

Report from Committee
Mr CHAMPION (Wakefield) (11:50): On behalf of the Standing Committee on Infrastructure and Communications, I seek leave to make a statement on the broadcast and media bills referred to the committee by the Selection Committee on 14 March 2013, in discharge of the committee’s requirement to provide an advisory report on the bill and to present a copy of my statement.

Leave granted.

Mr CHAMPION: The statement relates to the Broadcasting Legislation Amendment (Convergence Review and Other Measures) Bill 2013, the Television Licence Fees Amendment Bill 2013, Broadcasting Legislation Amendment (News Media Diversity) Bill 2013, News Media (Self-regulation) Bill 2013, News Media (Self-regulation) (Consequential Amendments) Bill 2013 and the Public Interest Media Advocate Bill 2013. The committee this morning endorsed the content of this statement.

The bills were introduced into the House on 14 March 2013. The same day, following the recommendation of the House Selection Committee, the bills were referred to the
Standing Committee on Infrastructure and Communications for consideration. The bills are a substantial package of legislation which would have a significant impact on Australia’s media environment. The committee expects that the bills will be the subject of considerable discussion and debate in this chamber, in the Senate and in the community more broadly.

On 14 March, the bills were also referred to the Senate Environment and Communications Legislation Committee for inquiry. In its referral, the Senate Selection of Bills Committee suggested 10 specific and one general source of evidence for an inquiry into the bill, as well as listing two months for a possible hearing. The committee also noted the appointment of the Joint Select Committee on Broadcasting Legislation to inquire into issues around the legislation. Both the Senate committee and the joint select committee are holding hearings today, televised on A-PAC and Sky. The Senate will hold another hearing tomorrow, and both committees may hold hearings in the immediate future.

Two inquiries being held concurrently can cause confusion with stakeholders, let alone members who are serving on more than one committee. A third inquiry is unlikely to add any further information to the two ongoing processes. In the meantime, a third inquiry would only treble—rather than double—which is already happening—the demands on the time and resources of experts, witnesses, government agencies and stakeholders.

On previous occasions, committees of the House have declined to inquire into bills where an inquiry was not felt to be warranted. On this occasion, given the comprehensive inquiry program put forward by the Senate Selection of Bills Committee, the likely resources that a single inquiry would demand and the triplication that would result from a parallel third inquiry, the committee has determined that a further inquiry is not necessary, and the committee therefore recommends that the House continue debating the legislation.

Broadcasting Legislation Amendment (Digital Dividend) Bill 2013

Report from Committee

Mr CHAMPION (Wakefield) (11:54): On behalf of the Standing Committee on Infrastructure and Communications, I present the committee’s advisory report into the Broadcast Legislation Amendment (Digital Dividend) Bill 2013.

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

Mr CHAMPION: by leave—On 13 March 2013, the committee met and resolved to adopt an inquiry into the bill, which was referred to the committee by the Minister for Infrastructure and Transport for report by today. The bill was also referred to the committee by the House Selection Committee. In its referral the selection committee provided the reason for the referral:

There is concern about bandwidth issues arising from the bill, particularly as it might affect community groups.

The committee held a hearing on 14 March 2013 with the Department of Broadband, Communications and the Digital Economy and the Australian Media and Communications Authority, and accepted three submissions to the inquiry.

The bill would make a technical amendment to the Broadcasting Services Act 1992 and the Radiocommunications Act 1992, and was described by one witness as a housekeeping bill. The bill fits into a broader digital dividend policy which will make use of radio frequencies freed up by the
switching off of old analog television broadcasts. The bill will make it possible for a telecommunications company to make use of space vacated by analog television broadcasts before the final switch-off of analog television at the end of 2014, without being subject to the same regulation that applies to broadcasters.

Concerns about the broader digital dividend policy were raised with the committee, particularly in relation to the so-called white spaces that are being used by wireless audio technology. This technology is used by many companies and community groups around Australia and the committee will keep a watching brief on the progress of policy to address the concerns of the Australian Wireless Audio Group, which made a submission to the inquiry about this concerns.

I would like to thank my fellow committee members for their work on this inquiry, particularly given the short time frame. I would also like to thank the groups that made submissions to the inquiry at very short notice. I would certainly like to thank the secretariat for their prompt attention to this issue as well. The committee has recommended that the House now pass this bill.

COMMITTEES
Economics Committee
Report
Ms OWENS (Parramatta) (11:57): On behalf of the Standing Committee on Economics I present the committee's report entitled Review of the Reserve Bank of Australia annual report 2012 (first report), together with the minutes of proceedings.

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

Ms OWENS: by leave—Last year the global economy faced some serious downside risks. These included the US fiscal cliff, China's slowdown and instability in the Eurozone. These risks were not fully realised and as the governor noted 'a truly disastrous outcome was avoided'.

The governor was generally optimistic about the global economic outlook. World GDP is forecast to grow at 3½ per cent in 2013 before picking up to four per cent in 2014. If managed satisfactorily, the US economy has a good chance of delivering an upside surprise. The slowdown in China's economy has ended and the medium-term outlook is for a steady pace of growth.

On the downside, the governor cautioned that Europe still faces immense economic challenges. In the longer term the governor noted that it was unclear how the global economy would react when countries like Japan and the United States tighten monetary policy.

Domestically the economy is slightly weaker than was forecast by the RBA in November 2012. The downwards revision reflects the impact of fiscal consolidation, the high level of the Australian dollar, the expectation that mining investment will peak and weakness in non-mining business investment. However, growth is expected to pick up in 2014.

There will be some tough structural adjustments in the Australian economy over the years ahead. However, as businesses and governments adapt to the new conditions, productivity in Australia will be further strengthened.

Forecasts continue to embody a gradual recovery in dwelling investment and non-mining business investment. The sentiments of households have improved and consumer demand is expected to increase. Over the next few quarters underlying inflation is expected to remain at an annual rate of 2½ per cent.
The cash rate has been reduced six times over the last 16 months, for a decline of 175 basis points. As a result, lending rates have fallen to near-historic lows. The governor indicated that the effects of monetary policy are flowing through the economy, with share prices increasing and ‘safe assets’, such as bonds and bank deposits, decreasing. The governor confirmed that at present the board has ‘a bias to ease’ on rates.

Finally, on behalf of the committee I would like to thank the governor of the Reserve Bank, Mr Glenn Stevens, and other representatives of the RBA for attending the hearing on 22 February 2013. Once again, I thank the other committee members and the secretariat for their work on this report. I commend the report to the House.

Mr CIOBO (Moncrieff) (12:00): by leave—On behalf of the coalition I am pleased to rise to speak to the review of the Reserve Bank of Australia annual report 2012. Like the chair of the committee, coalition members are exceedingly grateful to the committee secretariat for their support but, most importantly, to the governor of the Reserve Bank and his senior executives for making themselves available twice annually to appear before the House of Representatives Standing Committee on Economics.

This committee represents in many respects the interface between the parliament and, through the parliament, the Australian people when it comes to monetary policy. There is no doubt considerable concern—not only in Australia, but we of course are most focused on Australia—about what is happening with respect to monetary policy and, generally, the fiscal and monetary outlook globally. The committee had the opportunity to touch upon a number of these aspects in the testimony provided by the Reserve Bank governor. In particular, questions were put to the governor about a range of matters. For coalition members, our concern about the acute levels of debt and deficit that the federal Labor government has accrued in a short period of time remains central to our questioning. We remain concerned about whether or not fiscal policy is sustainable. We remain concerned about the context in which that is happening and, therefore, the forecasts and projections put forward by the Reserve Bank with respect to the global economy.

Of particular concern to me is forecasts, and this formed part of my questioning to the Reserve Bank governor, because we have seen such significant swings in forecasting. For example, we had this year the Treasurer of Australia, the member for Lilley, indicate that he would deliver a $1.2 billion budget surplus, which we now understand is on track to be yet another $15 billion or $16 billion deficit. In addition to that, last year the Treasurer announced that there would be a $22 billion deficit, which ended up in fact being a $44 billion deficit—a 100 per cent blow-out in the size of the debt that the Labor government accrued. Our concern as members of the coalition was the extent to which these projections on the fiscal policy impacted on the development of monetary policy. We know that the federal government is crowding out the private sector when it is borrowing over $110 million every single day to feed its reckless spending.

I would highlight that the member for Higgins made some very important inroads with respect to the Reserve Bank’s reserve fund and questioned the appropriateness of the Treasurer calling in a $500 million dividend from the Reserve Bank at a time when the Reserve Bank governor indicated that it was his preference to retain these funds within the Reserve Bank to make sure it had an adequate arsenal for any future challenges it would face. One concern that
was very deftly put forward by the member for Higgins was the impact of the Treasurer reaching into the Reserve Bank's pocket and ripping out $500 million that this government clearly needs to help backstop its largesse when it comes to the amount of money it is spending.

So, these were two particular points that the coalition members questioned the Reserve Bank governor on. We are grateful that he once again proved himself to be a man of deft talent when it came to answering or not answering questions. That notwithstanding, we are always exceptionally grateful for his support of the role and the accountability of the Reserve Bank back to the parliament, and in that respect I certainly commend the report.

Ms OWENS (Parramatta) (12:04): I move:

That the House take note of the report.

The DEPUTY SPEAKER (Ms K Livermore): In accordance with standing order 39, the debate is adjourned. The resumption of the debate will be made an order of the day for a later hour.

Report and Reference to Federation Chamber

Ms OWENS (Parramatta) (12:04): by leave—I move:

That the order of the day be referred to the Federation Chamber for debate.

Question agreed to.

Migration Committee Report

Ms VAMVAKINOU (Calwell) (12:04): On behalf of the Joint Standing Committee on Migration I present the committee's report, incorporating a dissenting report, on the inquiry into migration and multiculturalism in Australia, and I ask leave of the House to make a short statement in connection with the report.

Leave granted.

Ms VAMVAKINOU: In Australian politics the topics of migration and multiculturalism can often inspire heated controversy. In fact, our political narrative over the years has weathered many debates that too often have sought to raise alarm about people or groups of people coming to Australia, the circumstances under which they come here and the possible impact they may have on the cohesion of the Australian community.

So today I am especially pleased to present this report, which is the result of two years of work.

I want to begin by thanking the deputy chair and all our colleagues on the Joint Standing Committee on Migration for their collaboration, dedication and commitment to this inquiry.

The terms of reference were broad, and the inquiry has covered a lot of ground. We have received over 500 submissions, held 27 hearings in city and regional areas and have made 32 recommendations, which essentially, broadly speaking, have bipartisan support. The committee worked in a collaborative manner, and we have produced a report that responds to the evidence that was put before us.

The history of Australia is a story that begins with the ancient custodians of our land, our Indigenous people, and continues through from early white settlement to today.

So, from ancient beginnings to settlement and ultimately to modern nation building, the building of modern Australia is also a migrant story.

Our challenge as a nation has always been the continued struggle to reconcile our Indigenous identity with that of our modern identity.
Australia is one of the most diverse nations on earth. We are, as I said, a country with an ancient Indigenous inheritance and a contemporary multicultural society. Unlike in Europe, immigration into Australia has always been a nation building exercise. We also live in a changing world. Like every society, we are open to the influences of globalisation, wars and economic crises.

Migration and people movement is a characteristic of the world that we live in.

History tells us that forced assimilation does not work, and respect for differences within a unifying system of government, based on democracy and human rights, is a far better model.

Within that framework multiculturalism is a policy that values and respects diversity and promotes inclusiveness within the framework of Australian laws.

It was on this basis that, in the seventies, we saw the official adoption of multiculturalism as a bipartisan public policy. I am pleased this committee has wholeheartedly endorsed multiculturalism as the framework through which to respond to the diversity of our community.

I want to spend some time highlighting a few of the major findings and recommendations in this report, and I understand that the deputy chair will also be making some comments on this report today.

Achieving settlement, integration and participation is a long-term and, in some cases, intergenerational process that requires a whole-of-government approach. Better coordination across all three tiers of government, including local government, would ensure better outcomes.

Rebuilding research capacity in immigration and multiculturalism is a priority to ensure policy and programming is well informed, tailored and effective. I am referring here to qualitative and not just quantitative research and the importance of growing a new generation of researchers with expertise in this field. I feel this will stand us in good stead, as we add our voice and our experience to the emerging global narrative around multiculturalism, as a way of promoting peace and democracy.

At the practical level we have recommended greater flexibility in the provision of English language training, and support for micro enterprises, especially for women, to enable them to realise their full potential. There is ample evidence that migrants, including refugees, are entrepreneurial and, with a small amount of support, there is huge potential to change people's lives. Flexibility is the key, especially for refugees, young people and women caring for children, or men who are also trying to work.

The committee received evidence that the job services network is not catering as well as it could to people of diverse backgrounds. This is an important publically funded front-line service and we believe this issue warrants further investigation.

The skilled migrant program is very important, but the recognition of overseas qualifications and work experience remains an issue. There are also many highly educated and skilled people who come through the humanitarian program. No-one should be left behind, and Australia can ill afford to waste such expertise.

On a more positive note, there were several examples of diaspora communities facilitating international trade, and local collaborations to create new social enterprises and work placement initiatives. The committee was impressed by the enthusiasm and success of initiatives that included cross-cultural awareness and
mentoring, and led to permanent employment or the start of a new business.

Australia is a positive and forward-looking country that benefits from the hope, aspirations and skills of migrants, including refugees. We have much to be proud of but we cannot afford to be complacent and need to continue to foster integration and social cohesion.

There are many challenges along the way. Some of the more recent challenges include the heightened concern about terrorism, which has impacted, often adversely, on Australians of Islamic faith.

The intense focus on boat arrivals, many of whom are, in recent times, fleeing conflict in the broader Middle East and Sri Lanka, has become a matter of public concern and debate. The migration program has changed, and temporary skilled labour and international students are also a large part of the overall mix.

The picture is complex, but Australian society is resilient and can meet the challenge and retain its record as an open, stable, cohesive society.

This has been a very rewarding inquiry. While there will be debate about the migration program, wise political leadership is vital to this debate, because we all recognise that migration has enriched our country.

It is our responsibility to enable all Australians, including new migrants and refugees, to enjoy equal opportunity.

I present a document to this parliament, which members of the committee and I are very proud of, more so because it is a document that has reached consensus, notwithstanding the concerns that will be noted in the clarifying statement. It is a document that will stand as an important source of reference and, hopefully, guidance as to how we can continue to shape the success and cohesion of Australian society and, indeed, the global community.

On a personal note, September this year marks 50 years since my father and late mother brought my sister and I to Australia. We are one family amongst millions of others who were called Arthur Calwell's 'New Australians'.

I want to pay tribute to Arthur Calwell, Australia's first immigration minister, and I thank his daughter Mary Elizabeth Calwell, my friend, who has helped me understand better the bold and visionary thinking that drove Australia's biggest migration program yet—the post World War II migration program.

I want to thank the secretariat staff for their professionalism and hard work. Their competency has brought this work together into the document before the House today. Committee members and I share their jubilation that, yes, we have finally finished.

And finally, I want to thank the Honourable Chris Bowen, the then Minister for Immigration and Citizenship, for referring this topic for inquiry, and commend the recommendations to the government and to the parliament.

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

Mrs Markus (Macquarie) (12:13): by leave—I rise to speak on the inquiry into multiculturalism in Australia, and I join with the chair in commending this report to the House. I acknowledge all members who attended the inquiry and the hearings and who also laboured over the deliberations that brought about the final report. I thank them all. I also want to acknowledge the secretariat for their hard work, patience and diligence in bringing this report to its final conclusion.
As the member for Calwell has already acknowledged, this has been a lengthy inquiry indeed. The terms of reference were first accepted by the committee from the minister on 9 February 2011. Since then, we have received 513 submissions and 22 supplementary submissions and conducted 27 public hearings around the nation, not just in capital cities but also in regional Australia. The views presented in response to the terms of reference were vast and varied, often strongly felt and often presented with passion and debate.

This inquiry focused on the economic, social and cultural impacts of migration in Australia. The committee aimed to ensure wherever possible that recommendations maximised the positive impacts of migration. The first and second terms of reference addressed the issue of multiculturalism. It is a term that is often misunderstood and misinterpreted. It has been known to contribute to division and hearty debate. But it is important to highlight that while we are indeed a migrant nation, apart from the first Australians, our focus ought to be on what communities share in common as Australians, on what our future direction ought to be, on how our nation benefits and on the ways in which it is unique within a global context. As in the famous song, we are one yet we are many. This was reflected in the personal stances and histories of the committee members. Many of us either married or were born into a family with a migrant heritage or were migrants.

The second and third terms of reference dealt with settlement and participation. The questions were about challenges that require solutions, what is working and where the gaps are for our new migrants—including refugees—that should be filled to facilitate and enable them to participate and integrate into all aspects of society. The fifth, sixth and seventh terms of reference told the story of how migration has helped to build this great nation, particularly in the area of long-term productivity and our capacity to improve productivity in the decades ahead. Other terms of reference also examined the profile of skilled migration in this nation and how the entrepreneurial and business acumen of migrants have enhanced Australia and will continue to be significant. Coming to an agreement on the 32 recommendations required much discussion and debate among those of us who attended not just the hearings but also the final drafting. The report is largely collaborative.

For all but our first Australians, current and past generations of migrants have chosen to come to this land and to call this land their home. While undoubtedly our ethnic background is important, our choice to call Australia home determines our future direction and where our responsibilities and our loyalties lie. Scott Morrison, in a speech, delivered to the Menzies Centre for Australian Studies at Kings College in London described our successful and uniquely Australian story. I will quote from his speech:

You all know the story I'm sure—more than 770,000 refugees have been resettled since the Second World War and we have welcomed more than 7.2 million migrants from around the globe. Each generation has their own unique story; from those who came from old England to seek a better life in the colony; or from Asia to seek their fortune on the goldfields to those who came from Europe and New Zealand to fight alongside us, shedding their blood in defence of their Australia and to those who came from a war-wardened world to build the Snowy Mountain Hydro Scheme and modern Australia.

That tradition continues to this day; one in four Australians were born overseas.

However, this success story is no accident. It is the result of a carefully planned, merits based, non-discriminatory and orderly immigration program that has, by and large, received the
overwhelming support of the Australian community.

Supporting that migration program has been a settlement policy that is supposed to be about enabling people to adopt their new society by embracing our values, learning English, getting a job and getting involved in Australian life.

For the past four decades multiculturalism has dominated the policy orthodoxy on social cohesion in Australia. The primary focus of multiculturalism has been to build an appreciation of ethnic and cultural diversity to combat intolerance and discrimination that was denying Australians the opportunity to fully participate in Australian life. It has had success in this regard.

The Howard Government's policy statement, A New Agenda for Multicultural Australia, sought to shift this emphasis of multicultural policy and adopted the term 'Australian multiculturalism' to bring a greater focus on what communities had in common as Australians.

The policy deliberately set out to explicitly recognize the supremacy of Australian values, the primacy of the English language, respect for existing institutions and adherence to the rule of law.

Further on in his speech, Mr Morrison says:

We should acknowledge in the debate, as I do, that a consensus has emerged on the existence and benefits of ethnic, racial and religious diversity in our society. Having affirmed this consensus we must then ask what practical policies are needed to remove the new barriers that are emerging.

That is certainly the question we endeavoured to answer throughout the inquiry.

While the concept of multiculturalism has been subject to debate and review over time, a commitment to multiculturalism to manage the diversity within the framework of Australian values and law has had the broad support of Australian governments for over 30 years. Chapter 2 of the report provides a brief history of Australia's multiculturalism and migration trends. It is important to note that in 2011-12 the total number of people who took out Australian citizenship was 95,776, up from 85,916 in 2010-11. Australia now has one of the highest take-up rates of citizenship among OECD countries, with nearly 80 per cent of the Australian population being citizens. This reminds us of, and is a reason for, our success. The more than 200 pages of the report and the 32 recommendations show the breadth and complexity of the issues that we endeavoured to address throughout the inquiry.

There is not enough time to talk to all of the issues or the recommendations in the chamber today. I would like to focus briefly on the clarifying statement that the coalition members made. The current fiscal environment is of great concern to coalition members and senators. We therefore felt that there was a need to qualify under what conditions some of the recommendations could be implemented.

I would like to highlight and make some comments on some of the issues and recommendations. Firstly, the lack of research was very evident throughout the inquiry. Many of the questions that we asked could not answered because of the lack of data that was available. It is vital as we move forward and develop policy into the future that it is based on evidence.

The question of Islam was raised throughout the report and, of course, in a number of our public hearings. As the report notes, the government and the coalition have consistently stated that the implementation of Sharia law is not being contemplated. While religious diversity is to be respected, the final arbiter is compliance with the Australian law. Recommendation 6 highlights this, where the committee has agreed not to support legal pluralism.
The committee noted that in order to integrate and secure employment in Australia it is beneficial for migrants to have a command of the English language. Chapter 9, on settlement and participation, investigates particularly the issues of English language training and cultural competency. A number of submissions identified the need for greater flexibility in the delivery of English programs, particularly for new migrants. Recommendations 18 and 19 deal with this.

I would finally like to comment particularly on the fact that migrants have high-profile business success in Australia. In 2011, three out of the top 10 of Australia's richest people were migrants. Their determination, hard work and commitment to overcome barriers and challenges has not only ensured their own success but also has created jobs for other Australians and built wealth in this nation. The NEIS, as has been noted in the report, could further promote and develop growth, particularly for new migrants and businesses.

I would like to acknowledge, again, the member for Calwell's contribution in leading this inquiry. Her willingness to accommodate all views on the committee to come to a collaborative report has been appreciated by all members of the committee. Again, I acknowledge the work of the secretariat. Their commitment, dedication and diligence to encapsulate all the views of all members' of the committee, all submissions and evidence that was provided and the various views of the Australian people is well reflected in the report. I again thank them. I commend the report to the House.

Ms VAMVAKINOU (Calwell) (12:25): I move:

That the House take note of the report.

Debate adjourned.
There are a few matters I would like to highlight. The committee takes very seriously its obligation to consider and report on each work as quickly as possible. In 2012, the average time from the referral of a work to tabling the report was around 17 weeks. However, time frames varied considerably between individual projects, from 10 to 30 weeks. Time frames are dependent on the parliamentary sitting pattern. However, in some cases, further delays were due to insufficient or unclear evidence provided by the proponent agency. Generally speaking, however, the committee was pleased by the quality of evidence provided during inquiries. Similarly, most medium works notifications provided adequate detail for the committee to consider the proposal. However, in some instances, further information was requested and provided before approval was granted.

Accurate cost estimates for public works projects are essential if the committee is to effectively exercise its legislative responsibility. During 2012, the committee was notified of several instances of significant cost increases to both medium works proposals—thereby leading to full referrals—and major works previously approved by the committee.

While estimating project costs is not an exact science, the committee is concerned that there appears to be a tendency to underestimate risk and therefore the level of contingency needed. The committee is concerned about cost overruns, particularly when these relate to prevailing market conditions which should have been accounted for. The committee reminds agencies that robust assessment of risks and appropriate contingency allowances should be incorporated into cost estimates to reduce the risk of cost overruns.

With regard to the proposed regional processing facilities on Nauru and Manus Island, Papua New Guinea, urgency motions were passed by the House in November 2012. These motions allowed for the commencement of preliminary capital works at both sites, with the remainder of the works to be referred to the committee for full inquiry. This approach allows a balance between urgency and scrutiny.

I would like to give special thanks to officers of the Special Claims and Land Policy Branch of the Department of Finance and Deregulation who assist agencies in preparing their proposals for committee consideration. I thank members and senators, past and present, for their work throughout 2012. I particularly thank the previous chair of the committee, the Member for Page. I would also like to thank the hardworking secretariat that supports the committee so well.

I commend the report to the House.

Public Works Committee Report


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

Ms LIVERMORE: This report deals with four referrals, with a total estimated total cost of $405.22 million. It also reports on a change to budget and time line for a CSIRO project that was originally considered by the committee in 2008. The CSIRO's Australian Square Kilometre Array Pathfinder, or ASKAP, radio telescope project was originally referred to the committee in 2008. The budget was $111 million and the scope was for up to 36
parabolic antennas, each with phased array feed receivers, or PAFs. The cost of the project is now $188 million. This is partially due to cost overruns but also allows CSIRO to fulfil the full scope of the project.

CSIRO accepted that its original costings had significant deficiencies, including the absence of any contingency for the research and development of the PAFs, and inadequate estimates of the costs of delivering complex infrastructure in a remote location. CSIRO stated that it has addressed these issues by implementing new internal risk and cost assessment processes. The committee acknowledges and approves the extension to budget and time line, and expects CSIRO to provide updates throughout the remainder of the project.

The first inquiry I will address examined the Australian Nuclear Science and Technology Organisation, or ANSTO, Nuclear Medicine Project. The purpose of the project is to process Molybdenum-99, called Mo-99, for Australian hospitals and to process waste by-products into a synthetic rock material called Synroc. The overall project cost is $168.8 million. The project will allow Australia to increase its production of Mo-99 as global production decreases and to treat waste from nuclear medicine production. The committee's visit to Lucas Heights provided insight into Australia's innovation and production of nuclear medicine. The committee acknowledges ANSTO's commitment to ongoing consultation with the local council, the Sutherland Shire Council. The committee is satisfied with this project and recommends that it proceed.

The second inquiry examined the Australian Federal Police, or the AFP, proposed new forensic facility at Majura, ACT. The purpose of the facility is to provide the AFP with forensic and technical intelligence operations capabilities for the next 20 years. The overall project cost is $106 million. The AFP's current forensic science and technical intelligence facility at Weston has many constraints. The new facility will enable more efficient business processes and increase the capabilities of the AFP. The committee commends the AFP for its clear, comprehensive, accurate and succinct presentation of information throughout the inquiry. The AFP set a high standard for future proponent agencies. The committee is satisfied with this project and recommends that it proceed.

The third inquiry I will address examined the Australian War Memorial redevelopment of the First World War galleries. The redevelopment will be completed before the Anzac centenary from 2014 to 2018. The overall project cost is $32.52 million. The redevelopment will address deficiencies in the current facilities to enhance visitors' experience of the galleries and understanding of the First World War. The memorial has consulted with the appropriate stakeholders for the project. The committee is satisfied with the project and recommends that it proceed.

The last inquiry I will address today concerns the proposed work at the new National Archives Preservation Facility for the National Archives of Australia, or the NAA, at Mitchell in the ACT. The committee reported on this inquiry in November 2012 and declined to recommend expediency. The committee reopened the inquiry and held a third public hearing on 15 February this year with the NAA and the Department of Finance and Deregulation. Given that this project has been in development for many years, the committee is unimpressed that the NAA was not able to adequately explain the precommitment lease, or PCL, funding model and did not provide comparative figures until asked. The
provision of this information at the beginning of the inquiry would have allowed the committee to make a determination on whether paying for the fit-out component up-front would provide better value for money than the PCL option.

Ultimately, the NAA relied on the Department of Finance and Deregulation to substantiate the claims that the decision to pursue a PCL funding model was a decision of the Australian government, that the PCL model was a valid project delivery model and that the comparative costs were the same. While the NAA did include this information, it was not sufficiently emphasised or explained. This is the responsibility of the proponent agency.

Given that the Australian government has declined to provide upfront funding for the fit-out, the Department of Finance and Deregulation and the NAA have reassured the committee that the comparative costs are the same. The committee has reconsidered the proposed funding model. The committee is now of the view that value for money has been demonstrated. As the need for the project has already been established, the committee is now in a position to recommend expediency.

This report contained examples of proponent agencies acquitting their responsibilities to an exceptional standard. I particularly praise the Australian Federal Police and the Australian War Memorial for their provision of clear and comprehensive written and oral evidence. The committee encourages future proponent agencies to aim to meet a similar standard throughout inquiries. I would like to thank members and senators for their work in relation to these inquiries, along with, of course, the secretariat. I commend the report to the House.

Climate Change, Environment and the Arts Committee
Report

Mr ZAPPIA (Makin) (12:37): by leave—On behalf of the Standing Committee on Climate Change, Environment and the Arts I make a statement on the Environment Protection and Biodiversity Conservation Amendment Bill 2013, in discharge of the committee's requirements to provide an advisory report on the bill, and to present a copy of my statement.

From the outset I should say the committee has endorsed the content of this statement. The Environment Protection and Biodiversity Conservation Amendment Bill 2013 was introduced in the House on 13 March 2013. The following day, following the recommendation of the House Selection Committee, the bill was referred to the Climate Change, Environment and the Arts Committee for consideration. The bill seeks to amend the Environment Protection and Biodiversity Conservation Act by inserting a new matter of national environmental significance. The new matter would be raised where a coal seam gas development or large coalmining development has, or is likely to have, significant impacts on a water resource. The bill would create an environment assessment process to assess projects that trigger this new matter of environmental significance and put in place penalties if projects proceed without approval or exemption. The bill also contains transitional provisions to minimise disruption to existing projects.

Further information on the bill's development and consultation and efficiencies of the current arrangements were canvassed by the minister in his second reading speech, and I do not propose to take more time of the House in repeating statements already made. In short, the bill
proposes amendments which aim to strengthen the protection of Australia's valuable water resources in circumstances where they will, or could, be affected by certain mining projects.

In his second reading speech, the minister noted that the government has already taken significant steps to improve the regulation of coal-seam gas and large coalmining projects. This has included the establishment of an independent expert scientific committee which provides governments with expert advice in this area. The bill would ensure that this advice can be used by the minister by requiring an approval or exemption for projects that trigger the new matter of national environmental significance.

The bill has also been referred to the Senate Environment and Communications Legislation Committee. In its referral, the Senate Selection of Bills Committee suggested six specific and two general sources of evidence for an inquiry into the bill, as well as listing five possible hearing dates. In short, a comprehensive inquiry is foreshadowed. While the bill is not necessarily substantial in its reach, the subjects it considers are certainly of broad interest and worthy of examination. It is clear that any inquiry will draw significantly on the time and resources of the parliament, government agencies, stakeholders and witnesses. The time and resources required would be doubled if two inquiries were conducted into the same bill at the same time. It is unlikely that such duplication would serve the parliament or stakeholders. On several previous occasions, this committee and others in the House have declined to inquire into bills where an inquiry is considered to duplicate the work of a Senate committee. On this occasion, given the comprehensive inquiry program put forward by the Senate Selection of Bills Committee, the resources that a single inquiry would likely demand and the duplication that would result from a parallel inquiry, the committee has determined that further inquiry is not warranted. The committee therefore recommends that the bill continue to be debated in the House.

BUSINESS

Rearrangement

Ms KATE ELLIS (Adelaide—Minister for Employment Participation and Minister for Early Childhood and Childcare) (12:41): I move:

That order of the day No. 1, government business, be postponed until a later hour this day.

Question agreed to.

BILLS

Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr JOHN COBB (Calare) (12:42): I rise to speak on the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012. Let me start by saying that I support, in fact the whole coalition supports, the stated objectives of the Minister for Finance and Deregulation, Senator Wong, on the agricultural and veterinary chemicals reform to reduce regulatory compliance costs for businesses and to improve competitiveness. On the Department of Agricultural, Fisheries and Forestry website it says the reform aims are to improve efficiency and effectiveness. Again, these are goals the coalition and I support. But—and it is a big but—that is not what this alleged ag vet chemical reform is all about. This reform is a smokescreen for the Labor government to deliver an election promise made to the Greens that will further cripple agricultural
communities and farmers and those who work, need and live around them. This promise was made as far away from farming communities as possible by the then minister for agriculture, one week before the 2010 election, but not explained in Labor's pre-election statement on agriculture, so as to hide its impact on the agriculture industry.

This bill is a hoax. It is completely about winning favour with the Greens by making it cost-prohibitive to register chemicals and more costly to conduct agriculture. Who was the minister who announced this one week prior to the election without explaining the true motive behind it? It is the man who is now the Minister for Sustainability, Environment, Water, Population and Communities and who is charged with responsibility for agriculture in this House. Or should I say charged with the job of making far harder and more expensive to conduct. He will respond by, in his relaxed manner, laughing it off as a joke. But this, make no mistake, is the smiling assassin to agriculture. Let there be no doubt that this government, via the Greens, is intent on putting our agricultural business if not out of business then damn close to it.

I was the first minister or shadow minister in Australia to have 'Food Security' in my title. It was to highlight the damage to our industries and our long-term food security from irresponsible policies like this. There is a huge risk for our long-term food security, a huge risk for the standard we set not just for Australia but for the world on how to produce good food from having ambitious politicians using the agricultural sector as a sacrificial lamb to feed a ravenous green lobby. Myths are perpetuated and balanced reporting is ignored as ambitious politicians see this as an easy way to win favour with their electorate without having to solve the real issues of government in health, education, jobs, economic development and helping farmers make a quid. There are classic examples like Labor using the 457 visa issue to placate unions while towns and industries in rural and remote Australia are in genuine need of workers. It is a bit like doctors: in regional New South Wales—and I suspect probably in Western Australia as well—half the doctors out in the bush are foreign doctors who have had to come in, not because we do not have doctors but because it is very hard to get city based doctors out where they are needed. It is the same issue when it comes to agriculture and mining.

So this bill is not about reform for the chemical registration process to improve efficiency. This bill is about Labor's promise to the Greens or—now that the coalition is all over between the Greens and Labor—about competing with the Greens to feed the green lobby. This bill is seen as an easy way to win favour without causing any major distress to Labor electorates—where they have very few prospects, I would suggest to the House, in the coming election.

I did speak earlier about how the finance minister said this bill was about efficiencies and improvements. I can see this bill does fiddle around the edges to improve efficiency but this is a side-effect, not the purpose of the bill. Let me tell you: industry and chemical retailers—the people who spend millions of dollars registering new products—are far more concerned about the changes to data protection that make the re-registration so expensive.

Changes make the initial registration of chemicals somewhat more economical with the ability of the APVMA to recognise similar international health and safety systems and data, so the APVMA will not have to start from scratch with lengthy, excessive, expensive assessments paid for by industry when they have already been done. There are countries like Canada and the
USA, which have damn good systems. They do not actually want to kill their populations with bad chemicals either. This will allow the APVMA to use their work. It does not say they have to or they should. I think that is not the way we should go. We should tell them that, where it is obvious the work has already been done by countries like Canada or the USA, they should use it.

However, the bill is designed to first and foremost implement a re-registration system to raise the cost of chemical registration and make the registration of many chemicals economic. It is to give the green lobby designated time frames to concentrate on campaigns to have chemicals removed. For example, the campaigners will run a campaign on a chemical because of a tenuous link with a disease that is unscientific and force the APVMA to withdraw registration because of political pressure, not because of scientific fact. The re-registration system does not introduce—and this is a big point—any new triggers; it just forces the APVMA to run a costly recheck of existing triggers. In the same way they had the super-trawler ban, they will wear down industry and make it too difficult to continue instead of using science based reviews triggered by genuine issues.

The coalition will not support this bill in its current form and will be moving amendments in the third reading stage. Let us look at the issues. The current system is not efficient—that is a given. These views were widely expressed in submissions to the bill development, in submissions to the Senate and House inquiries and hearings. For example, CropLife stated during the House Standing Committee on Agriculture, Resources, Fisheries and Forestry hearing:

We would agree with the WWF that a greater responsiveness from the regulator in this space would be a very good thing, and something that is supported by our members.

This is further supported by the Australian National Audit Office's inquiry into the APVMA, which demonstrated that it is not as efficient in the way that it conducts its work as it could be. The APVMA is also not meeting its obligation to finalise all applications within statutory time frames and this obviously increases the cost of regulation for both the APVMA and applicants, and impacts on users' access to pesticides and veterinary medicines. It amazes me that you can have statutory time frames and then not meet them. While all stakeholders, both industry and environmental lobby groups, involved in the process agreed that reform was needed to improve efficiency and to speed up the review of high-risk chemicals, this bill does very little to address them. In fact, the bill actually increases regulatory burden on industry and ties up resources which will detract from the authority's ability to process high-risk chemical reviews.

When you talk about safeguards—and certainly they are needed—the ANAO's inquiry into the APVMA confirmed that we have a reliable and scientific regulatory system for effective management of risk. In other words, the ANAO said the current safeguards are adequate and work well. The ANAO report found it was not the triggers for the review that was the issue; it was the time taken for the process of a review once chemicals were identified.

I was perplexed that Minister Ludwig, who has long been campaigning on the need for reforms to increase efficiency on the chemical registration system, has now changed his tune. At the recent ABARES conference the minister proclaimed the reform to ensure the health and safety of the farmer and consumer. It is apparently not about efficiency at all anymore, despite this claim being made endlessly for the last
coup of years, almost since the last election.

The truth is that the minister was sold a pup by the former minister—the current Minister for Sustainability, Environment, Water, Population and Communities—the member for Watson. This is the same minister who put in place the rules to manage the fisheries that invited the supertrawler to Australia, and then backflipped as minister for the environment to undermine the agriculture minister's authority. The major flaw in the argument that the re-registration system is for health and safety is that the retract check of the triggers under the re-registration process will actually reduce resources available to the APVMA, reducing their ability to process the reviews of high-risk chemicals in a timely manner.

The department have acknowledged that there will be at least $2 million in increased costs, while industry have calculated that the cost—and they did not do this on the back of a postage stamp; they paid Deloittes to do an in-depth costing of what this means to industry—will be more likely in the vicinity of $8 million annually, a massive increase of 30 per cent. This is extra red tape—in this case it is probably green tape—of 30 per cent to the system each year. The department acknowledged during Senate estimates that they did not take into account the cost to the chemical companies and others who would have to produce the data for the re-registration. They obviously did pretty much a 'back of a postage stamp' costing on the general costing of having to process some 9,000 products. This is despite Finance and Deregulation minister Penny Wong listing ag and vet chem reform as the second key area where the government would reduce regulatory compliance costs for businesses and improve competitiveness. Internationally, our registration process is already struggling to compete, and that is one of the key reasons the industry and the coalition supported reform to make it more efficient. Increasing the cost will further reduce our competitiveness and force international companies to evaluate whether costs and returns will justify the expense. In the last 30 or 40 years Australia has gone from being the place where every company around the world wanted to come and test their chemicals and go through an initial registration process to the last place they want to do it. Now the Greens support the re-registration process as they claim it will help new products, as getting rid of the old products will encourage new products onto the market. Let's just have a look at that for a second. The government has deregistered dimethoate and is trying to get rid of the last fruit fly control chemical on the market. Is there any sign of a new product? Deputy Speaker Adams, as a member representing agriculture, you would know there is not.

There is the time and the cost. There is a sheep drench that was developed in Australia for Australian conditions which is still not available for Australian farmers, despite New Zealand having registered and having access to that same chemical for over two years. It was developed here, has been used in New Zealand for two years, but has still not got through the registration process here in Australia. Does this new efficiency, this new compliance the government wants to bring upon agriculture do anything to help this drench get registered? No, it does not.

There is a third example I have as to how it does not help the process, and that is the new sheep dip based on tea tree oil. Last week we went with some tea tree growers in Tweed Heads at the invitation of the Nationals candidate, and what a candidate Matthew Frazer is. You can never have enough successful small business people in
this parliament, and he is certainly one of those and will add to the skills if he is successful, as I am sure we all hope he is.

Getting back to the tea tree grower, he has been using his initiative and has come up with an innovative way to use natural tea tree oil as a basis for a sheep drench. However, it is going to cost about $3 million to generate the data, such as toxicity tests. But, with very limited data protection for such a product, there would be no way that the company could get a return on investment in a small market such as Australia. Will the legislation make it more attractive to get this registered? No, it will not.

This legislation does nothing to improve the ability for these products to be transitioned to market more cost effectively, and if they are brought to market they will now have expensive seven to 15 year reviews on their products, adding to the costs and making them even less viable. It is clear that the re-registration system is being used to force products off the market by making them too costly. The agricultural department has acknowledged that the European re-registration system has led to products being lost because it is not viable for companies to re-register—not because the products are dangerous; simply because the costs of re-registration to a competent, safe product are too high. Well, here we go in Australia.

The department claim that our system is less expensive than the European system. However, they have admitted that it does add costs—and, as industry has pointed out, there are already products in Australia that are uneconomic to register and the increase in costs can only further exacerbate that situation. The department have played down the extra costs and, in the House committee hearing, pushed the WWF line that the maximum was $100 a year. That is so far from what the actual cost is, and does not even begin to account for the fact that the chemical companies—those who are responsible for the chemicals—will have to come up with the data. It has been estimated by Deloittes that each one could be as much as $300,000. However, as the industry explained in the same hearing, there are many more costs than that on industry from this re-registration process.

The APVMA's own documentation indicates that we are looking at an increase in the cost of the system for the proposed legislation. In fact, the 30 per cent number is the interim. Equally, the costs that DAFF were referring to are the straight-up application fees, and that does not even approach the issue of the cost to the industry to provide the regulator with the data they will require.

Aside from that, the administrative processes, while simple, come at a cost. If you have the regulator about to have hundreds upon hundreds of re-registrations—that is what it is, and I will come to that shortly—just to manage, file and respond to those re-registrations costs money and it takes resources and time away from the core inputs. The bill in its current form will, however, deliver a net loss in efficiency and cannot be said in any way to address the system's failure to function within statutory time frames. It will exacerbate the situation.

Surprisingly the department also conceded that the regulatory impact statement failed to quantify the financial costs and financial impacts on industry. Instead it based its decision on:

... benefits outweighed the costs of the system. But it was done in a qualitative sense and not a financial sense.

So surprise, surprise: no cost-benefit analysis was done on the system.

Just like the carbon tax, like the mining tax, like the ban on live exports and like the
super-trawler ban, this government has shown their disregard for the primary industry sector on which this nation was built. The coalition will stand up and be counted for agriculture and will stop the burdensome regulation designed to drive our industries out of business. We will move amendments to the bill to remove the mandatory registration system, to ensure this bill has a net increase in efficiency as initially outlined by the government itself. We will do the job of government and not allow them just to change the spin to suit their agenda to remove large numbers of chemicals from the market irrespective of whether they can be used safely. The re-registration system adds no triggers but just another expensive recheck of the triggers funded by industry.

These are the facts: the seven to 15 year timeframe is unrealistic for re-registration of the 1,900 active constituents—of which 780 are unique and each one would have to be treated totally separately—of the 9,900 currently registered agvet chemicals. This process will tie up staff and resources in APVMA and cause an economic burden on registrants, and parent companies, of active constituents. Will these costs be taken up by the government? Will they be passed on to end users, such as land managers and producers? Yes, of course they will—once again, 'Ah, they'll be right.'

Contrary to the government's claims that the re-registration process will increase the scrutiny on suspect chemistries, the increase in the administrative workload of the APVMA staff will reduce regulatory body resources available to deal with critical registrations and permits.

We will move amendments that delay commencement by 12 months. Commencement of the bill is 1 July 2013. There are only 17 evaluators and some 9,000 products that may be up for the re-registration process; a CEO who has only just come on board; and nothing from the APVMA on how it will manage the changes and the increased workload. The APVMA needs time to establish its processes and time to consult with industry on how they will manage the new legislative requirements. Currently it takes up to 15 years to review some chemicals, so it is important that we give them time to adjust or the whole organisation will just go into meltdown.

The delay in commencement will allow time to develop a risk-management framework clearly detailing the application requirements, which is essential to support other efficiency measures such as 'shut the gate' and 'elapsed time frame' reforms. Registrants agreed to work with the APVMA to road test the risk framework to ensure that it operated as intended. This has not occurred to date. No consultation on the risk framework has occurred. The current manual of requirements and guidelines is insufficient, with significant gaps that need to be addressed. Without a comprehensive risk framework to deliver high-quality applications to the APVMA, it may struggle with applications that do not have all the information required, resulting in more applications being denied, longer time frames for decisions and a higher refusal rate.

The consequence of a poorly handled transition will be to amplify the problems identified by farmers and industry—that is, that fewer safe products will remain on the market, diminishing the competitiveness of the Australian industry. This will increase costs for farmers as the price of pesticides increases. Some generic products will be lost from the market. Products are also less likely to be introduced as regulatory risks and regulatory costs increases.
We need to be leaders in sustainable health, environmental and animal welfare standards, and not absent from the field because of the overreach of lobby groups. Our support for this bill will be contingent on the government supporting our amendments. This will show whether the government is genuine in wanting to introduce reforms that do improve efficiency and reduce costs to industry or is just trying to spin their way through another promise to the Greens and the green lobby.

I urge the government to support these sensible amendments to show that they understand the industry and to show that the split with the Greens, which most government members seem to be happy with, is real and not just talk. But we know that these alleged jilted lovers will be back together to sacrifice agriculture once again.

Mr PERRETT (Moreton) (13:07): I rise to speak on the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2013. The electorate of Moreton does not have a lot of agriculture, but I do have the Brisbane markets in my electorate, so a lot of produce, especially from Queensland, comes through my electorate. Having grown up in a rural area and having been a member of the committee you chaired in the 42nd Parliament, Mr Deputy Speaker Adams, I have a particular interest in this area. Our approach to chemicals is certainly a topic that people in my electorate have spoken to me about, raising concerns around the possible effects on the health of their children.

The proposed regulations include amendments to refine the scope of agricultural chemical products and veterinary chemical products regulated by the Australian Pesticides and Veterinary Medicines Authority, or the APVMA, and to implement Council of Australian Governments reforms; to amend the manufacturers license conditions to align with conditions that are currently and routinely applied to licenses; and to address other minor issues that have been identified with the regulations, including removing redundant or unnecessary provisions and addressing a few errors. The Gillard Labor government is committed to reform of agriculture and veterinary chemical products so that the efficiency and effectiveness of current measures can be improved and, in turn, better protection can be provided to human health and the environment.

It was the foresight of the Hawke and Keating governments, working in partnership with their state and territory counterparts, that put in place Australia's first national regulator for ag-vet chemicals. It is now almost 20 years since this system began and it has served the Australian community well over this period. But all legislated systems can fall behind best practice. The amendments in the bill enhance the consistency and transparency of assessments of agricultural chemicals and veterinary medicines. Legislative amendments enable the APVMA to align regulatory effort with chemical risk to farmers—very, very important. The reforms implemented by this bill will result in a more straightforward assessment process that is easier to understand and more cost-effective to administer and provide greater certainty to the community that agricultural and veterinary chemicals used in Australia are safe—and, more importantly, that the dangers associated with such chemicals are understood.

Unfortunately, those on the opposite side of the House—and I note the contribution by the member for Calare, the opposition spokesperson in this area—are making false claims about Australian farmers, claiming that they are all against this legislation.
is patently a false claim. Cotton Australia's submission to the committee inquiry into this bill is worth noting. I come from St George and my sister was a cotton farmer. Debbie and Phillip Boland had a cotton farm there for years. My first big job in the school holidays was working on that cotton farm. For years and years, in grades 9, 10, 11 and 12 and beyond, I spent all my summer holidays out on the cotton farm. I do not know how many times I was sprayed in that job or when working with sheep, which was another holiday job I had. But I return to Cotton Australia's submission:

Cotton Australia supports the Bill to amend the current Agricultural and Veterinary Chemicals (Administration) Act 1992; the Agricultural and Veterinary Chemicals Code Act 1994; and the Agricultural and Veterinary Chemical Products (Collection of Levy) Act 1994.

I repeat: Cotton Australia supports the bill. The submission continues:

Cotton Australia continues to work with the Department of Forestry and Fisheries and the Australian Pesticides and Veterinary Medicines Authority to address the challenges associated with implementing the reforms and welcomes further opportunities for ongoing consultation and involvement.

The Gillard Labor government is determined to ensure that effective chemicals which are safe for health and the environment are available for Australian farmers while minimising the cost of regulation. The safety of these pesticides is a significant factor when negotiating the terms of the bill. Parkinson's Australia released information about the concern over the relationship between the occupation of farming and the risk of Parkinson's disease due to exposure to pesticides. Repeated low-level chemical exposure over a long period of time in susceptible people is difficult to argue on as Parkinson's is hard to measure in people. Animal models give a clearer picture of the relationship between paraquat and specific neurological damage as occurs in Parkinson's disease. Recent papers have shown that dosages similar to the current no-adverse-effect level are actually resulting in specific damage. At four days after the administration, the concentration of radioactivity was still high in pigmented nerve cells.

This is scary information. How can the member for Calare and his colleagues on the opposite side oppose a bill that aims to resolve the damaging effects of pesticides? It is sad when the National Party is forgetting about the farmers. Chemicals are a necessary requirement for modern intensive farming. We accept that and we know that Australia will play an important role in providing food for the rest of Asia, but there is enough evidence in the literature to implicate specific chemicals in the development of Parkinson's disease and probably many other conditions. More research is needed.

My home state of Queensland has the largest area of agricultural land of any Australian state and the highest proportion of land area of the Australian states dedicated to agriculture. About 30,500 businesses carry out agricultural activity in Queensland. Agricultural industries are important. They contribute more than $10 billion to the state's economy each year and, as I said in my introductory comments, much of their produce goes through the Brisbane markets in Moreton. The practices and regulation affecting these 30,500 businesses are important to me. I am sick and tired of seeing the state Liberal Premier, Campbell Newman, make cuts to the services that are actually helping these Queensland farmers.

To mention just a few cuts he has made: he cancelled the plan to build a biosecurity facility worth $17 million in Townsville and instead moved it to that heart of agriculture,
Brisbane. So there will be no access for North Queenslanders to a local biosecurity facility, despite all the risks associated with sugarcane smut and some of the banana diseases and the like. They have cut funding to the fire-ant task force, a Brisbane enterprise, and the crazy-ant task force from Cairns. Premier Newman has cancelled funding for the farm financial counsellors, the very counsellors who assist farmers with business and help them on the road back to profitability after disasters such as floods and cyclones, which we have more than enough of in Queensland.

Overall, the bill before the chamber will increase community confidence in the regulation of chemicals used in Australian agricultural practices, while reducing the unnecessary impost on business, and it will boost confidence at the checkout.

I was playing a bit of word bingo with the member for Calare's presentation, waiting for him to talk about green tape, and it did not take very long. Whilst he recognised that the current arrangements are not efficient, he then went on to talk about green tape. In Queensland we are very familiar with green tape. The day after the state election last year, the Deputy Premier stood up and said that there was too much green tape and that effectively we should make the Great Barrier Reef Marine Park smaller. That was the first announcement from the new Deputy Premier. Obviously we are yet to see the rollout of the agenda in terms of shooting in national parks—as can occur in New South Wales—and other dangerous activities associated with national parks. The Liberal and National parties have demonstrated a completely lackadaisical approach to national parks.

This legislation before the chamber is sensible reform. It will improve the health and safety of farm workers and farmers, people who already have particular dangers associated with their livelihood. The reforms to the chemicals legislation in this bill will ensure that agricultural productivity can continue to improve and keep Australia at the forefront of innovative food and fibre production. I commend the bill to the House.

Mr BALDWIN (Paterson) (13:16): I rise today to speak on the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012. As my colleague the shadow minister for agriculture and food security has indicated, the coalition will move amendments to this bill: firstly, to remove the re-registration processes to ensure there is a net gain in efficiency; and, secondly, to delay commencement for 12 months to allow proper consultation processes and to minimise the disruption and cost to industry. A key point is that the coalition will engage and consult with industry to better understand the needs of industry, as opposed to those who sit behind a desk and just deliver ultimatums to the government. I remind this government that consultation means working with the industry, not against the industry.

One of the reasons we will be moving our amendments is that this is absolutely in line with the coalition's commitment to cut unnecessary red tape, something this Labor government promised to do prior to the election; instead, it has thrived on delivering more regulation rather than cutting regulation. Businesses are drowning in it.

The bill before the House today was supposed to improve the efficiency and effectiveness of the current regulatory arrangements and provide for greater certainty for the wider community that chemicals approved for use in Australia are safe. But from the outset let me say it has failed in most of its measures. This bill was designed to enhance the consistency,
efficiency and transparency of agvet chemical approvals, registrations and reconsiderations through development, publication and implementation of a risk framework the APVMA must have regard to, and to introduce legislative amendments to align regulatory effort with chemical risk. It was designed to ensure the ongoing safety of agvet chemicals and improve the efficiency and effectiveness of current agvet chemical reconsideration arrangements by implementing a mandatory re-approval and re-registration regime designed to identify any potentially problematic chemicals while minimising negative impacts on affected businesses. It was supposed to have been designed to improve the efficiency and effectiveness of the assessment process for agvet chemical applications for approval, registration and variation and improve the timeliness of agvet chemical approvals, registration and reconsiderations. It was supposed to be designed to improve the ability of APVMA to enforce compliance with its regulatory decisions by providing the APVMA with a graduated range of compliance enforcement powers and introducing a power to apply statutory conditions to registrations and approval. This bill was supposed to be designed to improve consistency in data protection provisions and remove disincentives for industry to provide data in support of ongoing registrations of agricultural and veterinary chemicals. It was supposed to have addressed perceptions of a conflict of interest by providing for an agency other than APVMA to collect the chemical products levy should it be cost effective to do so. The bill also includes other amendments to remove redundant provisions and amend out-of-date provisions.

It is clear to me, clear to the coalition and clear to the industry that this bill in its current form will not deliver the efficiencies that are needed for industry. I have real dialogue with the industry—as well as representing an agricultural base I have people who are in the business of producing veterinary products and chemicals. In making a contribution to this debate, I reflect on the experiences of my constituents John and Gwen O’Brien, whose business premises are currently in the electorate of the member for Hunter at Rutherford but when the business was first established it was in the electorate of Paterson.

I want to reflect on the risks taken and the investment made by people like John and Gwen O’Brien. They purchased the little business Jurox, which was a small business at Riverstone employing two people with an annualised turnover of around half a million dollars. That was back in 1992. This family-owned business has developed great product, spent money on research and development—it has made the investment—and, today, it is a company that has sales of $36 million per annum and employs 120 people in Australia. John and Gwen are what you call people with skin in the game. They have to live by the regulations and the anticompetitive nature of those regulations in an international market.

I said that this company has grown from two to 120 employees. Originally when they came to the seat of Paterson, when Rutherford was in Paterson, they invested $3 million in a new complex. Currently they are spending another $12 million to grow the business even further. This is a state-of-the-art, world-class facility that focuses on research and development as much as it does on marketing. These are people who understand that they need to spend about 13 per cent of their sales on research to make sure their products are first and foremost in the market.

Three-quarters of their product range of over 70 products are sold to the veterinary
profession. Their No. 1 product, Alfaxan, is a cat and dog anaesthetic. Their No. 2 product is Q-drench, a worming product for sheep. These are leading products in the industry—products which they are working to get approval for overseas so they can move into US markets, for example, dealing with all the regulations required. These are people who understand how red tape reduces business efficiency and the competitive nature of businesses. In the bill being proposed by the government we see an increase in red tape and bureaucratic burden.

If the government gets the regulation of this industry wrong, all businesses will be directly impacted. I want to see businesses—particularly small, home-grown businesses like Jurox—grow and succeed, not just in the Australian market but on an international basis. This is a family business that could easily have sold out to a multinational but has made the decision to keep things in-house, in-family, and invest their own money and grow the business not only for their benefit but for the benefit of all Australians.

Local enterprises do not have the massive internal departments that multinationals do—they cannot afford the burden of Labor’s red tape and massive bureaucracies. Nor should they have to. If it comes to me as a member of this House to stand up and fight against bad regulation to ensure the jobs at thriving enterprises such as Jurox are protected, I am prepared to do so. The government should be focused on supporting and driving industry forward—not drowning them in red tape.

I have been advised that throughout the industry there is a view that the APVMA should be split: animal health should be separate from pesticides and herbicides, as the Veterinary Medicines Directorate or VMD does in the UK, or as it is done in the US and Canada, where animal health products are monitored by the human health regulator. This is seen in the cooperative relationship between the Food and Drug Administration and the Therapeutic Goods Administration. Veterinary products have more in common with human medical products than they do with pesticides. It is my understanding that no other major regulator, except New Zealand, tries to manage pesticides and veterinary products under the same model.

Australian-owned companies like Jurox, who are looking to export to markets in North America and Europe, face regulatory disjoins between those countries’ regulators and the APVMA, which creates inefficiencies, delays and multiple assessment and accreditation. Even though compliance is granted in Australia by the APVMA, Europe and Canada do not accept inspections by non-government inspectors such as the APVMA, so products have to be tested yet again by the TGA and by the FDA in the United States.

Similar legislation was enacted in Europe in the 1990s requiring re-registration. Many agricultural chemicals were never re-registered because their market share was too small and the cost burden too high. As a result, those markets lost the efficiencies and effectiveness of certain chemicals for their agricultural pursuits. The effect on agricultural production was enormous, with fewer options available to growers, which led to resistance issues with pests and products not reaching market.

Australia’s agricultural sectors are largely concerned about the re-registration and re-approval process surrounding different treatments. If treatments are not registered, farmers cannot use them. The legislation will create higher levels of uncertainty in a sector that has already suffered at the hands of this government, with unwarranted over-regulation and short-sighted reactionary
policy. At every corner this government demonstrates its ineptitude and lack of understanding of what the agricultural industries need. There is a distinct difference in dealing with those who have skin in the game and those who simply sit behind a desk and drive bureaucracy.

The agricultural industry has suffered enough from this government, including, most spectacularly—and I remind the House—from Labor's handling of the live cattle trade debacle. Safe and effective chemicals, which are not widely used in industry, are under threat of being withdrawn from the market due to the net loss they will face directly under this bill because of the volumes. In fact, the Deloitte Access Economics report commissioned by CropLife stated that there would be an increase of some $8 million per year to product registrants that will be passed on to users. According to industry peak bodies like Ausveg, a similar expectation is expected here in Australia, particularly to the horticultural industry. Under the new legislation, agricultural chemicals will be required to be re-registered every seven to 15 years. The mandatory registration of 1,900 active constituents from the 9,900 currently registered agvet chemicals is simply unrealistic. The financial and resource impost for both regulatory bodies, manufacturers and end-users will be damaging.

The increases in administrative workload on APVMA staff will reduce their ability to deal with priority registrations and permits. This bill will simply lead to a net loss in the efficiency of the regulator and, contrary to the stated aims, it will reduce its ability to identify and review suspect chemistries. This is despite Finance and Deregulation Minister Penny Wong listing agvet chemical reform as the second key example of where the government would reduce regulatory compliance costs for businesses and improve competitiveness.

In evidence to the parliamentary inquiry, Mathew Cossey, the CEO of CropLife Australia, said:

In its current form, this bill will only serve to hinder agricultural productivity.

According to the coalition senators' dissenting report there has not been adequate cost-benefit analysis of mandatory re-registration processes and there are big jumps in the expected cost of the re-registration process from between $2 million and $8 million that could turn into $20 million. Those costs will, of course, come back to the farming and agribusiness community and ultimately to the consumer.

What this government does not understand is that a lot of people in the agriculture business are not price setters; they are price takers. That cost will end up being absorbed by those businesses because of international competition coming into this marketplace. Understand that some people are not price setters; they are price takers.

Low-risk agvet chemicals with multiple uses have had no consideration under this bill. I say to the government: go back, rethink and re-engage with the industry. You need to deliver an outcome that is for the benefit of the industry and the community alike. Clearly, you have failed in that. Your government is addicted to over-regulation, and that over-regulation will be to the detriment of our agricultural community, not just to the individual businesses like Jurox but all the way through, as the processes continue.

How can the industry cope? One stakeholder told me there are only 17 evaluators and some 9,000 products that will need to be re-registered, if this bill is passed, by 1 July 2013. That sort of workload is simply unrealistic. Not enough thought has
been given to the process, so it will deliver negative outcomes for all of Australia.

I cannot support the bill in its current form. I look forward to the amendments that will be moved by my colleague John Cobb. We need to make sure that we put industry, outcomes and people before the bureaucratic madness of this government.

Mr ADAMS (Lyons) (13:31): One of the problems that rural Australia have is that when somebody says that there has to be some reform which might cost farmers something, ag corporations wind up someone on the other side and all of a sudden you have a great body of argument that says: 'Don't make any change. Keep putting things at risk. Don't modernise. Keep falling behind.' The main thrust of the previous speaker was, basically: don't do anything that would cost anybody anything; don't modernise; don't bring things into today's world.

As I noted in my tabling speech for the report of the inquiry into this bill, the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 was referred to the Standing Committee on Agriculture, Resources, Fisheries and Forestry by the Selection Committee of the House of Representatives because it was thought that stakeholder concerns had been ignored in the formulation of the amendments, as it was believed that it added costs and another layer of red tape. This was despite the listing of chemical reform by the Minister for Finance and Deregulation in the 2012 update on the Australian government deregulation agenda as a way of reducing compliance costs and improving competitiveness for businesses as well as providing industry with timely access to the best and safest crop and animal protectants and speeding up the review of chemicals identified as having potential environmental and safety hazards. I thought these were pretty good aims and were what we should be doing. They are what the bill does. I would not think there was anything wrong with going down that track.

The bill seeks to make reforms to the approval, registration and reconsideration of agricultural and veterinary chemicals, while improving the efficiency and effectiveness of the national registration scheme for agvet chemicals and products overseen by the Australian Pesticides and Veterinary Medicines Authority. From the inquiry, I believe that most stakeholders support the need to modernise the regulation of the sector and provide regulatory efficiency and effectiveness. The proposed preliminary assessment process has been designed to increase the quality of applications provided to the APVMA. There will probably be a cost to companies that have to do that, because the old system is well out of date.

Australia must maintain an internationally competitive agricultural export sector, and this must be balanced against Australia's obligations to its international trading partners and their respective regulatory systems as well as ensuring our agribusinesses and communities are safeguarded. For example, a country receiving a shipment of Australian agricultural products may reject it on the basis that a chemical banned by regulators in that country has been used during production.

During the inquiry, it was found that some agvet chemicals and products had been in use in the Australia for well over 40 years; many of these chemicals and products had not been tested against contemporary standards for human, animal and plant health and safety. By the same token, within these known chemicals there would be some that are banned in Australia but used overseas
because they have now been found to be benign and may well be useful for a different purpose than was originally designed. Australia needs to have a robust, systematic and effective system, but it also needs to be affordable and able to get the new scientific findings into the marketplace as soon as practicable. I believe this bill seeks to do this.

Some of my colleagues have raised some concerns during the inquiry into this bill that it will add expense and time to the re-registration of some chemicals. But making the regulation clearer and simpler, and ensuring all the information about a product is carefully described, should eliminate the time factor. While it might at times prove to add some costs, surely this would be worth it if we were to remain competitive in a world market sense? Overall the process would allow the APVMA to concentrate its resources on providing more timely assessment of applications and reducing delays in evaluating deficient applications.

There can be several thousand applications being processed at any one time and there is a register of nearly 10,000 chemical products, so it is important that there are transitional measures to allow processing to continue for those in the system. However, by streamlining this system and making it more transparent, the speed at which these products can become available to farmers should improve considerably.

Obviously the APVMA must have a transition time to undertake the changes required to assess the backlog under the previous arrangements, but I hope it will be no more than 12 months. Australian agriculture needs to tackle the harder issues and not buckle to agribusiness because it might increase costs slightly to farmers. Not acting could have a major impact on Australian trade if we do not have world's best practice in place.

It is important to find a balance, and the process of reform is one of continuous improvement. Science is continually updating its knowledge and processes and we should be aware of the changes. The community expects rigorous assessment, but it also expects that these assessments will be reviewed on a regular basis so that they can be updated. The bill includes a requirement for a review to be conducted of its measures in five years and for all Commonwealth legislation for agricultural chemicals and veterinary medicines every 10 years. I believe that these amendments will improve efficiency and modernise the processes.

When this package of bills was developed in the early nineties—so it has been around a while and people have failed to take it up and get on with it—it was for the whole of the nation to be covered by a single code and a single standard for agricultural and veterinary chemicals. It showed a deep understanding of the need of the Commonwealth government to legislate in this way. This is legislation of integrity which has enormous potential for the future. It brought together piecemeal sets of legislation across the states and united them under one regulatory body so all chemical use could be monitored.

The world sees Australia as a provider of agricultural products that are different from those of the rest of the world because of their clean nature. The preservation and enhancement of that observation by other countries is extremely important. If we can produce agricultural products that are known throughout Asia and the rest of the world as cleaner and better, and if we can show them to be that way through testing procedures, national agreements and national standards such as these, other countries will not only
demand our products but also pay a premium for them.

But, like all legislation, it needs to be reviewed and refined. This legislation was originally proposed to speed up the release of products which would have benefited many of our important primary industries. But over time there have been some shortfalls and pressures not foreseen by our predecessors. Thus this bill will increase the community's confidence while reducing the imposts on the chemical users and will ensure that agricultural productivity will improve at a time when Australia is at the forefront of innovative food and fibre production.

Tasmania, including my own electorate of Lyons, is working on becoming a new food bowl of Australia, and by harnessing our natural asset of water—Tasmania has 10 per cent of the water that falls on Australia but only 1.5 per cent of the land mass—with a renewed regime of registering chemicals I believe there will be huge advantages for our farmers. I commend this bill and the findings of the majority report to the House.

Dr STONE (Murray) (13:41): The Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 is of critical importance if we are to remain at least somewhat competitive in this era, when the value of the dollar makes it so difficult to export and when we have, as an impost on our agricultural industry, the carbon tax, inflexible labour relations and a whole raft of other government-imposed policy failures.

The amendments in this bill claim to enhance the consistency, efficiency and transparency of agriculture and veterinary chemical approvals, registrations and reconsiderations. They aim to do this through the development of a risk framework which the Australian Pesticides and Veterinary Medicines Authority must have regard to. These amendments are supposed to ensure the ongoing safety of agvet chemicals and improve the effectiveness and efficiency of current agvet chemical considerations by implementing a mandatory re-approval and re-registration regime. This is designed to identify any potentially problematic chemicals while minimising any negative impacts on affected businesses.

This all sounds wonderful. We all need to be quite sure that the chemicals we use in agribusiness, especially in food production in Australia, whether for domestic or export consumption, are used consistent with world's best practice. The problem with this legislation, as in so many other cases of legislation brought forward by the Gillard government and, before that, the Rudd government, is that it has been poorly consulted on. It in fact adds to the compliance burden of the sector without any benefits being identifiable in the short term, or even in the longer term. There is a serious problem with costs to the industry. Of course, as we all know when you are talking about agribusiness, these costs are passed on ultimately to the farm producer. Those costs cannot be passed along the chain to the retail sector or to those who buy our exported product.

So we have a serious problem with this bill. The coalition is aiming to amend it to bring about a better agvet chemicals regime, one which actually supports the industry, helps it grow and, indeed, keeps us at the forefront in international reputation. This bill would do quite the opposite. There was in fact an Australian National Audit Office inquiry into the APVMA recently and it confirmed that there is already a reliable technical and scientific regulatory system for effective management of risk. You would think the ANAO's inquiry would have been taken into consideration. But, no, we have this bill, which we can only suspect has been generated by the once happy marriage
between the Greens and the Labor government. The Greens perhaps said, 'Let's get nasty about farm chemicals. They do not sound good in the consumer's mind. Let's try to make it harder for chemicals to be accessed and used in Australia.' The problem is that farm and agricultural chemicals are used in Australia in one of the internationally regarded tightest regimes. We can argue that our compliance with—  

The DEPUTY SPEAKER (Mr S Georganas): Order. The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour. The member for Murray will have leave to continue speaking when the debate is resumed.

Debate interrupted.

STATEMENTS BY MEMBERS

Budget

Mrs GRIGGS (Solomon) (13:45): I rise to expose once again the hypocrisy of the Gillard Labor government. Last week, they mendaciously accused the coalition of reducing GST revenue in South Australia and Tasmania. The truth is, under the Gillard Labor government the Northern Territory in 2013-14 will be worse off by $109 million lost in GST revenue. The Grants Commission, in its draft recommendation, said that the Territory share should be reduced from 5.5 per cent to 5.3 per cent.

I want to know whether my fellow Territorian, the member for Lingiari, Minister Snowdon, agrees with the statements made to Treasurer Wayne Swan by the Northern Territory Treasurer that 'The decline of the Territory share of GST revenue in 2013-14 will have a crippling impact on the Territory's fiscal position,' and, 'This will ultimately impact on the Territory's ability to provide services to all Territorians.' What is the minister going to do? Will he make representations to the Grants Commission to fight for the Territory to retain its current GST revenue levels or will he continue to be missing in action when it comes to standing up for the Territory?

Health and Hospitals

Ms BRODTMANN (Canberra) (13:46): I recently visited the very impressive Isabella Plains Medical Centre in my electorate of Canberra. I was there to sign myself up for my own personally controlled electronic health record. It is pretty easy: you just need your drivers licence and Medicare card. An e-health record is a secure electronic summary of your health information which you access online and which can be accessed by your healthcare professional too.

By signing up for an e-health record, you have an electronic summary of your health information. This means that when you travel or are away from your family doctor or regular health professional, information such as allergies or your prescribed medication can be accessed. This can be vital in saving your life or helping you in difficult circumstances.

I am very impressed with the way that Medicare Local ACT is promoting e-health and providing the community with information on how to sign up. I urge everyone to consider signing up for an e-health record by visiting www.ehealth.gov.au. I would like to thank Dr Rashmi Sharma, the ACT Medicare Local chair, and Leanne Wells, the CEO, for organising my visit. A big thank you, too, to the wonderful and dedicated doctors and nurses at the Isabella Plains Medical Centre, and the home-grown ANU GP registrars I met at the clinic. It was great to see Labor's investments and reforms in health making such a difference.
Macarthur Electorate: Camden Show

Mr MATHESON (Macarthur) (13:48): Today I rise to congratulate the Camden Show Society on a fantastic show last week. Crowd numbers were at an all-time record, with more than 42,000 people attending the 127th annual show on Friday and Saturday. The crowds were treated to a wide range of events and exhibitions, which showcased the fantastic people and produce we have in the Macarthur region. These included the grand parade, the Camden Show Farmer of the Year, our Camden Showgirls, the Battle of the Schools Talent Quest, carnival rides, show bags, stalls, animal farms, a rodeo, fireworks, wood chopping, pole climbing, chainsaw duelling and much, much more.

The Camden Show prides itself on being a country show and attracts thousands of locals and tourists to Macarthur each year. Local residents are very proud of the show and the atmosphere that it creates across Camden and the surrounding suburbs. On Friday, I took the shadow minister for communications and broadband, Malcolm Turnbull, the member for Wentworth, to the show to meet the locals and see some of the fantastic local produce and talent we have in Macarthur. We were given a tour of the show, which included a walk through the show pavilion, where we saw some of the fantastic cooking, arts and crafts, needlework, floristry and photography.

It was great to see so many local entries in this year’s pavilion and we were very lucky to meet some of the entrants personally and see some of their fantastic work. I would like to congratulate show president David Head, secretary Lyndy Cornwell and the Camden Show Society on another fantastic show this year. I wish them all the very best as they start planning for an even bigger and better show next year. It is with great pride that I wear the Show Society tie in this chamber today.

Health

Ms BRODTMANN (Canberra) (13:49): I have just returned from a lunchbox briefing organised by the Parliamentary Friends End-of-Life-Care Group. It was held to discuss advanced care planning, as part of encouraging people to take control of the last years and days of their life and to die with dignity. The guest speaker was Dr Robyn Brogan from North West Area Health Service and she discussed with the participants advanced-care planning. It is a message I really want to send to all Canberrans—and all Australians—about the need to have a conversation with your families on advanced-care planning and how you want to spend those last years of your life.

In the discussion, Dr Brogan talked about the need for dignity and how you need to have a conversation about what it means to you, and that the family ensures you are spending those last days of your life with dignity. We also discussed how important it was to have values of freedom and autonomy—to have a say in security, safety, certainty, routine and preferences, in terms of your diagnosis and your current situation, and in your prognosis, deterioration and concept of dying.

I do encourage all Australians—and all Canberrans—to have the conversation with their families about how they want to spend those last days of their lives or those last years of their lives—to discuss dying with dignity.

Wesley Hospital

Mrs PRENTICE (Ryan) (13:51): I rise to speak about some extraordinary work being carried out by the Wesley Hospital in Brisbane. It is leading Australia in pioneering an extremely complex surgery
using the state-of-the-art da Vinci surgical system, a robotic platform for operating on the human body in the most minimally invasive way. Dr Geoff Coughlan, a urologist, and Dr Nigel Dunglison are using the da Vinci system to perform radical cystectomy. This is a process that can be utilised in the removal of the bladder, pelvic lymph nodes, and prostates in men and in the reconstruction of the bladder in cancer victims. This robotic system, using several keyhole incisions, makes surgery safer for patients, is less intensive, significantly reduces blood loss and speeds up the post-operative recovery process, thereby saving patients' lives.

Dr Coughlan joined the Wesley Hospital in 2010 to develop the hospital's robotic surgery program, which has today operated on over 1,000 patients. While this technique is relatively new in Australia, there are centres in Europe and the United States that have standardised this platform for advanced and aggressive cancer. It gives me great pleasure to speak of the Wesley Hospital's achievement today and to continue to highlight the outstanding work of various medical institutions in the electorate of Ryan.

Diabetes

Mr LYONS (Bass) (13:52): I am pleased to talk today about diabetes. I am concerned about the epidemic of diabetes that exists in Australia and particularly in my electorate of Bass. It is unbelievable that 65 per cent of Tasmanians aged 18 and over are overweight or obese which, as we all know, is a precursor to type 2 diabetes and all that that involves: blindness, circulation problems and a great burden on the health system of our nation.

In Launceston, Dr Kilov recently told the Examiner newspaper that there are about 500,000 to 700,000 Australians with undiagnosed type 2 diabetes. He believes the problem is worse in Tasmania. He said that there are those diagnosed but there are also many who are undertreated, meaning that they could do more to manage their condition. I am amazed at the Seaport medical centre in Launceston, which has a genuine interest in preventative health. It is particularly working on lifestyles, to reduce the risk of diabetes in my state and electorate of Bass.

Hughes Electorate: Menai Swim Academy

Mr CRAIG KELLY (Hughes) (13:54): More than 50 Australian children under the age of 17 drown in Australia. It highlights the importance of swimming and water safety education for all our kids. While many children are learning these important skills, it is alarming that thousands of Australian children are missing out. The Royal Life Saving Society said that cost appears to be a key factor in preventing people from giving their children vital swimming lessons.

This brings me to the Menai Swim Academy in my electorate of Hughes. It is a small business that teaches children to swim. They have a 25-metre indoor pool at Menai. In the first year they will pay $10,000 in carbon tax charges. They simply have no way to reduce their electricity consumption, as the health regulations require them to run their filter virtually all day. If they stay in business, the continuation of Labor's carbon tax will see them pay close to $100,000 in carbon tax charges by 2020. With Labor's carbon tax increasing the cost of swimming lessons for children, this will simply result in fewer children being able to attend swimming lessons, undermining the Australian Water Safety Council's target of reducing deaths by drowning. It is time for Labor to stop denying the damage that the carbon tax is doing to our economy. (Time expired)
Mr LYONS (Bass) (13:55): I rise to inform the House of a wonderful event I attended in Launceston on Saturday. It was at the opening of the Launceston Church Grammar School's new oval and change room facility. This has been done in a very efficient way, with lots of volunteers helping. To my unbelievable surprise, the oval and change rooms were named after Brian Faulkner, who is a great benefactor of the Launceston Church Grammar School. In fact, he has contributed more to that school than any other benefactor. He was there on Saturday, along with his wife and son, enjoying the day. This magnificent facility took the silt from the Tamar River to form playing fields and, although it may seem a little strange to have a Labor person up here espousing the benefits of a private school, it is great community facility. Launceston Church Grammar School is creating great educational opportunities and great sporting facilities for the broader community of northern Tasmania. I congratulate the grammar school in naming this after the Faulkner family. (Time expired)

Mrs MIRABELLA: where he utterly misrepresents a quote from Mr Abbott and he is absolutely wrong. We have always supported funding through the ATS of a billion dollars up to 2015 and still another billion post that. The member for Corangamite needs to apologise to the people of Corangamite for misleading them, probably with taxpayer funded information, and apologise for Labor's $1.4 billion of broken promises to the car industry and for the carbon tax. There is one thing that the member for Corangamite can be heard on and that it is that he does not trust this Prime Minister. No wonder we have lost one job every 23 minutes under her regime and it is time that he stand up and apologise. (Time expired)

Mr HUSIC (Chifley—Government Whip) (13:58): I do not know how to follow that, Speaker; I still have lava all over me! I wanted to mention to the House that yesterday I took the opportunity of meeting about a hundred local residents concerned about a big issue in our council area: the draft local environmental plan that is affecting our area. Residents are worried the proposals would see their homes rezoned and used for recreational space. Literally hundreds of residents across the City of Blacktown, who are represented by me and the member for Greenway, are concerned about the lack of information about what will happen to their homes and, importantly, the value of their homes in the years to come. These residents say the information provided to them has been scarce, scant. They are also concerned that, when they have turned to local government for advice, they have not been able to get it. I have urged the Mayor of Blacktown, one of the largest local government areas in the state, to attend to the
concerns of residents and to provide public meetings to resolve their issues.

The SPEAKER: Order! In accordance with standing order 43, the time for members' statements has concluded.

**QUESTIONS WITHOUT NOTICE**

**Economy**

Mr ABBOTT (Warringah—Leader of the Opposition) (14:00): My question is to the Prime Minister. I remind the Prime Minister of data released this month that shows 900 Australian firms are currently being placed in administration each month, a level 12 per cent higher than during the global financial crisis. Does this not prove, in the words of the AMP's chief economist, that the carbon tax is clearly 'taking its toll'?

Ms GILLARD (Lalor—Prime Minister) (14:00): For the Leader of the Opposition, who continues to pursue this mendacious campaign, the facts are these. In the last 12 months 186,583 new companies were registered, according to ASIC figures. That is an average of over 14,000 new companies created each and every month. The fact is that, since the introduction of carbon pricing, the number of companies going into administration went down, not up—a fact that the Leader of the Opposition should focus on. The fact is that since the start of carbon pricing on 1 July more than 130,000 extra jobs have been created. That is more than 20 jobs every hour since carbon pricing started. Australia has maintained one of the lowest unemployment rates in the developed world, at 5.4 per cent. The economy grew at an annual rate of 3.1 per cent in the year to December. Average weekly earnings are up by 4.6 per cent. Business investment has continued at very high levels, with almost $270 billion in confirmed investment into Australia's resources industry alone.

The Leader of the Opposition is once again back on his carbon pricing fear campaign, prepared to do or say anything. What they will never do is acknowledge a fact. This claim today is exactly the same as the claims we have heard in the past: Whyalla being wiped off the map, $100 roasts, jobs being smashed, a wrecking ball through the economy—all of the ridiculous rhetoric the Leader of the Opposition has engaged in. Each and every claim made by the Leader of the Opposition about carbon pricing has been proved wrong, and, once again, he is wrong today.

Mr Abbott: I understand the Prime Minister's vitriol against me, but is the Prime Minister maintaining that the chief economist of the AMP is wrong when he says that the carbon tax is clearly having a toll?

Ms GILLARD: I know the facts weary the Leader of the Opposition, but my point is simply this: he is wrong now, as he has been wrong always, with his false claims about carbon pricing.

**Carbon Pricing**

Mr SYMON (Deakin) (14:03): My question is to the Minister for Climate Change, Energy Efficiency, Industry and Innovation. What are the facts about the actual impact of the carbon price? How do the facts compare with the claims that have been made and can the minister remind the House exactly what is at risk if we do not tackle dangerous climate change?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (14:04): I thank the member for Deakin for his important question. As we have just heard in the first question in question time, over the last couple of days the Leader of the Opposition, the New South Wales government and the *Daily Telegraph* have
been misleading the public yet again about the impact of carbon pricing. Yesterday it was a false claim about electricity prices in New South Wales. Today the Daily Telegraph is back with ridiculous claims about economic catastrophe, repeated here today in the very first question by the Leader of the Opposition—there seems to be some commonality of approach that we are witnessing. The Telegraph story today takes the misuse of statistics, hysterical headlines and distortion of facts to levels that would have done Pravda proud during the height of the Cold War. That is the fact of the matter. The Telegraph says a record number of companies are going into collapse since carbon pricing. But, as the Prime Minister accurately and validly talked about a moment ago, that number is actually lower than for the previous 12 months when there was no carbon pricing in place.

Indeed, when you look at the economic facts, which is helpful to do from time to time, we have seen nothing but a very strong economic performance since carbon pricing began on 1 July last year. We have seen 134,000 jobs created. As the Prime Minister indicated, that is more 20 every hour since carbon pricing started. We have seen 118,500 new companies started up since carbon pricing came into effect. And the stock market has increased by no less than 25 per cent. Compare that to the terrible doom and gloom that was forecast by the investment adviser sitting in the Leader of the Opposition's chair whose investment advice is accepted by no-one on the opposite side. What a catastrophe all of that represents: GDP growing by two per cent since 1 July; unemployment at 5.4 per cent—one of the lowest levels among the advanced economies; real wages up by 1½ per cent; and consumer sentiment up to a 38-month record high. This is not evidence of the catastrophe prophesied by the Daily Telegraph, or the wrecking ball prophesied by the Leader of the Opposition, or the cobra strike, or the python squeeze or any of the other wrecking balls that were prophesied by those opposite. The fact is that the carbon price is working; emissions are falling and the economy is growing. It is our responsibility to future generations to deal with climate change, and that is what this important reform is doing. Those opposite should recognise the facts.

Budget

Mr HOCKEY (North Sydney) (14:07): My question is to the Treasurer. I remind the Treasurer that he forecast for this year a budget surplus of $1.5 billion—but he abandoned that promise in December. I refer the Treasurer to the government's January Monthly Financial Statements, released at 5 pm last Friday, which show the current government deficit so far this year to be $26.8 billion. Treasurer, will you now come clean with the Australian people and tell us what the deficit is going to be?

Opposition members interjecting—

The SPEAKER: Order! If people are interested in hearing, they need to listen. The Treasurer has the call.

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:08): As I think I indicated in the House last week, we will be updating all of our budget forecasts in the normal way, and we will do that in the May budget. But I do want to make a couple of points about the budget and about economic growth.

I want to make some points about jobs, because we on this side of the House make no apology for putting jobs and growth first. And of course, this is a matter of choice. Back during the global financial crisis, as a matter of choice, we chose growth and jobs. Those opposite would have left it all to chance, if they had been in power, and we
would have seen a recession in Australia. As a consequence of the choice that this government made, there are 900,000 additional jobs in Australia today—as a result of our government making that choice to support jobs and growth. And just as we did back during the global financial crisis, we made a choice again at the end of last year—in the face of very big revenue write-downs which are flowing through our economy from a range of unique circumstances, which have been chronicled—

Mr Pyne: Madam Speaker, I rise on a point of order. The Treasurer was asked a very straightforward question about what the deficit will be this financial year and he has not even made an attempt to answer that question. I would ask—

The SPEAKER: The Manager of Opposition Business will resume his seat. The Treasurer has the call.

Mr SWAN: The fact is that the financial statements which were published last Friday show that there has been a whack to revenues of around $6 billion in the first seven months of this year. Those opposite want to put their heads in the sand and pretend that nothing has changed. What changed at the end of last year was something very fundamental in our economy: we saw that the terms of trade went down and the dollar stayed up, and the consequence to our economy of that change is a huge whack to government revenues. It is unprecedented in our history to have a situation where the terms of trade go down and the dollar stays up. What that has done is put an enormous squeeze on profits and on incomes right across our economy. In the face of that we have opted to support jobs and growth. But those opposite would make a different choice—just like they did during the global financial crisis. The choice they took then was for recession; the choice we take now is for growth and jobs. The approach that they would follow is the approach we have seen overseas—we have seen it in Europe: slash and burn, cut jobs when revenue goes down, and debt goes higher and deficits go higher. We reject that approach. This is the approach of those opposite; it is the approach of the IPA, their favourite think tank—the IPA is in bed with them because they have a program to slash jobs and growth in our economy. We on this side of the House stand proudly behind jobs.

Mr Pyne interjecting—

The SPEAKER: The Manager for Opposition Business is warned.

Mr HOCKEY (North Sydney) (14:11): My supplementary question is to the Treasurer. I refer the Treasurer to a Bank of America Merrill Lynch report released today which identified that revenue in fact had not fallen on last year but is 7.7 per cent higher than last year and, given that, it also predicts a deficit of over $20 billion this year, and debt to go to $294 billion. Why doesn't the Treasurer come clean with the Australian people? (Time expired)

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:12): There are two points I will make about that report. First and foremost, it does put in place the revenue write-downs that we have experienced and the consequence for our budget over the forward estimates. There is no doubt that the challenge in the Australian budget is weaker revenues. The challenge in the Australian budget is not, as those opposite claim and as is mentioned in this report, that somehow we are spending too much. I absolutely reject that. It flies in the face of all of the available facts. Let us just go through them: real spending growth averages 1.1 per cent a year over the forward estimates of our budget—

Mr Hockey interjecting—
The SPEAKER: Order! The member for North Sydney!

Mr SWAN: compared to 3.6 per cent in the last four years of the Howard government. We are keeping spending at 23.8 per cent of GDP, and below 24 per cent across the forward estimates. The challenge in our budget is with the revenue write-downs. We have a very clear indication of what those opposite are saying and what they are putting to the Australian people: in the face of these revenue write-downs, they would slash spending in health and education. What that would do is push up unemployment, push up deficit and push up debt. There is a very clear contrast here. Everyone on this side of the House is for jobs; those on that side of the House want to slash and burn.

Employment

Ms O’NEILL (Robertson) (14:13): My question is to the Prime Minister. Will the Prime Minister update the House on the efforts the government is making to ensure that Australian working people are put first when it comes to jobs?

Ms GILLARD (Lalor—Prime Minister) (14:14): I thank the member for Robertson for her question and I thank her for her focus for her electorate on jobs, and the ability that that gives families in her electorate to build a life. My policy is always to see Australian workers in the front of the line when it comes to getting Australian jobs.

Today the government has announced that the role of the Fair Work Ombudsman will now be expanded to monitor key 457 visa conditions. That is because we want to put Australian jobs first. That means the ombudsman will now ensure that 457 visa holders are being paid at the market rate specified in their visa. Secondly, and importantly, the ombudsman will also be able to check that the job being done by a 457 visa holder matches the job title and description approved in their visa.

These changes are about two things: making sure that 457 visas are not being used to undercut pay and conditions in our workplaces and, very importantly, making sure that we protect the jobs of Australians by ensuring that 457 visas are used only for a job that an Australian worker cannot fill. Today’s announcement means that the 300 staff of the Fair Work Ombudsman will now also be able to check on these matters as part of their day-to-day work. This is all part of the government’s policy, of my policy, to put Australian workers first. If there is an Australian worker who can do that job, then they should get that chance.

There are now over 100,000 holders of 457 visas in Australia—over 20 per cent more than last year—and the number of applications was up by 38 per cent. Year-on-year growth in applications in the hospitality sector is up 100 per cent and in retail it is up 80 per cent, while in mining it is actually down 18 per cent. I believe there are many jobs that Australians should not be missing out on. For example, there are many 457 visa holders working in the health sector because of the failure of the Howard government to adequately train doctors and nurses for the future. We will never believe that 457s should be a mainstay of our visa program. We will always believe that we should do everything to make sure that Australians are first in line for Australian jobs.

Carbon Pricing

Mr TRUSS (Wide Bay—Leader of The Nationals) (14:16): My question is to the Treasurer. I remind the Treasurer that the government expects to collect $10.5 billion from the carbon tax in 2015 based on a price of $29 a tonne. With the European carbon price now trading at less than $5 a tonne, does he stand by that forecast?
Mr Albanese interjecting—

The SPEAKER: The Leader of the House is warned.

Mr Swan (Lilley—Deputy Prime Minister and Treasurer) (14:17): I thank the member for his question. My answer is very clear: we will update all these forecasts in the forthcoming budget. But I am only too happy to talk about the Australian economy and the forthcoming budget. When you listen to those opposite, all you hear is them talking down the economy. And now we have this new fear campaign starting—

Mr Pyne: Madam Speaker, a point of order: the Treasurer was asked a very straightforward question. If his answer is 'We'll update our figures in the budget forecast', he does not now need to go into an attack on the opposition. If he has answered the question he can sit down.

The SPEAKER: That was an abuse of a point of order. The Treasurer has the call.

Mr Swan: Indeed it is. We do believe in responsible budgeting, unlike those opposite.

Mr Hockey interjecting—

The SPEAKER: The member for North Sydney has previously been warned. He probably did not get to hear me over the noise.

Mr Swan: I was about to make a very important point. This government has been accountable for every week of every year for the last five years. We have always presided over updates, we have always put our budgets out on time. In that five-year period we have not had one set of accounts from those opposite that pass the credibility test—not once. After the last election they were found to have had an $11 billion hole in their budget bottom line. So, over five years, there was one attempt to put forward an alternative budget, which had an $11 billion hole in it. I think that speaks volumes for the competence of those opposite. As we go forward they will seek to talk down our economy every day.

Mr Dutton interjecting—

The SPEAKER: The member for Dickson is warned.

Mr Swan: We on this side of the House will get on with putting in place responsible budgets that secure growth in our economy and that secure jobs—900,000 jobs over five years. Had they been in charge, what would we have seen? We would have seen an Australian economy that would have gone into recession; we would not have seen 900,000 jobs in our economy. We would not have seen an economy with solid growth, strong job growth, contained inflation, high investment and strong public finances. We had all those things because this government takes economic management seriously. Those on the other side of the House, if they aspire to be taken seriously, should start putting some properly costed policies on the table. The last time they put them on the table there was an $11 billion hole in those costings. That shows that if you support jobs, if you support growth and if you support strong public finances then you support those on this side of the House, not the rabble on the other side.

Natural Disaster Relief

Mr Oakeshott (Lyne) (14:20): My question is to the Prime Minister. Following eight weeks of floods and damaging seas in my mid-North Coast communities—the third summer floods in just three years—and with our community now dealing for the third time with incredibly frustrating category A to D natural disaster paperwork and all the oddities of the emergency management triggers for specific disaster relief payment, will you now urgently agree to work with state and local governments to overhaul what
is a dog's breakfast of relief and recovery processes in Australia?

Ms GILLARD (Lalor—Prime Minister) (14:21): I thank the member for his question. I certainly do understand the circumstances he is reflecting into this parliament on behalf of his community. Quite a number of communities have had to suffer over the past few summers on more than one occasion, facing floods and then seeing the devastation come a second time. And of course in this land of ours, at the same time that some of our communities are facing floods, others can be facing the devastation of bushfires. We have seen all of that play out across the nation and it has been very tough for people.

I think we need to be clear about what has been achieved through natural disaster assistance, what more we can do and what we can do better. We do have a system now where the state and federal governments do work quickly together in circumstances of natural disasters. Indeed, we do not actually wait for a natural disaster to occur. When it is becoming apparent that there will be extreme weather conditions, we have federal officials embed at that point with state officials, who are always the ones managing the disaster in the first instance. We do that so we can seamlessly do what we need to do to get assets, such as ADF assets, available for local communities. Then, in the days immediately after a natural disaster, hardship payments are made available. Sometimes that is done through the Natural Disaster Relief and Recovery Arrangements between us and state governments, sometimes through the federal-government-triggered Australian government disaster recovery payment and sometimes through both.

Concerns tend more to come in when we get to the recovery and reconstruction phase. The member is right that there are various categories of assistance, as agreed between the federal and state governments. There is category B assistance, category C assistance and what is referred to as category D assistance, which is the exceptional circumstances assistance. The rules surrounding the circumstances in which those relief programs are triggered do, I think, cause community concern. We have worked through and will continue to work through the ministerial council dealing with emergency management. We are always in the business of talking to our state colleagues and counterparts and to local communities about what can be done better—not only what can be done better in the teeth of a natural disaster but also what can be done to ensure more resilience, more ability to withstand extreme weather events, the next time around.

The member has a genuine concern and I know he is not alone in this parliament in that regard. Many members representing natural disaster affected constituencies have the same concerns. We are always open to that local community feedback as we work with our state and territory counterparts.

Mr OAKESHOTT (Lyne) (14:24): Madam Speaker, I ask a supplementary question. In light of the answer, I will ask the question a slightly different way. Prime Minister, are you satisfied with the current processes—not only for relief and recovery but for mitigation and insurance—and the lack of a national natural disaster fund? If you are not, what can you, the Attorney-General and other members of the executive do to fix it?

Ms GILLARD (Lalor—Prime Minister) (14:25): I think there is always more we can do in considering questions of resilience and in building resilience for communities. Minister Shorten and I actually made some announcements about that a few weeks ago.
There is always more we can do, in working with local communities, to consider resilience questions.

The member who asked the question would be aware that there was an inquiry following our worst summer of natural disasters—the summer in which we saw unbelievably extensive flooding across Queensland, which was the summer between 2010 and 2011. There were inquiries following those disasters which looked at different models for financing natural disaster responses. I know there are a variety of views but I am not persuaded of those models. But I think there is always more we can do, working with communities, on building resilience. Our emergency services and our community structures are very sophisticated on these questions now, but they too would reflect that they learn from every natural disaster and event. There is always something more you can learn for next time around. Certainly we—and on this I am confident I can speak on behalf of my state and territory colleagues—are always open to learning those lessons and to working through what can be done better next time.

Migration

Mr LAURIE FERGUSON (Werriwa)  
(14:26): My question is to the Minister for Immigration and Citizenship. What are the next steps the government is taking to make the 457 visa system fairer and to prevent abuse and exploitation in the workforce?

Mrs Mirabella interjecting—

The SPEAKER: The member for Indi is warned!

Mr BRENDAN O’CONNOR (Gorton—Minister for Immigration and Citizenship)  
(14:27): I thank the member for Werriwa for his question and his ongoing interest in ensuring that we do the right thing by workers in this country. The government believes you can have a strong and growing economy but also a fair society. It is for that reason we abolished Work Choices. Work Choices was about taking the low road. It did not encourage productivity and was not about enabling workers to participate in the workplace. That belief is also why we responded the way we did during the global financial crisis to support hundreds of thousands of jobs. That response is one of the reasons we are a growing economy—one of the fastest growing economies in the developed world—with about 900,000 new jobs being created since that time.

Today the Minister for Employment and Workplace Relations and I announced that the Fair Work Ombudsman will be empowered to investigate employers who sponsor visa holders to ensure they are complying with the law. This is important too. It is important for ensuring that local workers get the first opportunity in the absence of genuine skill shortages in the marketplace, it is important for ensuring that employers who do the right thing are not disadvantaged by rogue employers who do the wrong thing and it is important for 457 visa applicants themselves.

It is absolutely vital that we have the capacity to enforce the provisions which are in place now and the provisions and reforms I announced on 23 February this year. The Department of Immigration and Citizenship currently has 34 inspectors. They will now be combined with the more than 300 inspectors who work for the Fair Work Ombudsman. That will provide us with greater capacity to find breaches in the existing system. That is absolutely critical.

Indeed, we do not want to see so-called human resources managers making pizzas; we do not want to see so-called project managers working as scaffolders on construction sites; we do not want to see an
abuse of those people who are applicants or of those employers who do the right thing. Most importantly, we do not want to see those workers who have the skills and deserve the opportunities before anybody else miss out. That is very important indeed. This reform, this announcement, is very important because it will enforce the provisions that this government is going to put in place.

By way of contrast, the opposition have said that they will not support these reforms and that they do not support more oversight over the 457 scheme. Indeed, the opposition leader has suggested that the 457 scheme be the mainstay of immigration. That is not the right approach. We would urge the opposition to support these reforms.

DISTINGUISHED VISITORS

The SPEAKER (14:30): I would like to welcome in the gallery today His Excellency Ovidiu Dranga, State Secretary of Global Affairs of the Ministry of Foreign Affairs of Romania.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Media Reform

Mr Turnbull (Wentworth) (14:30): My question is to the Prime Minister. If this week she is unable to persuade the parliament to establish a public interest media advocate to regulate the content of newspapers for the first time in our peacetime history, will she have the courage of her convictions and commit today to take that policy to the next election and pledge to legislate it if she were to win government again?

The SPEAKER: The difficulty with the question is that it is slightly hypothetical.

Opposition members interjecting—

Ms Gillard (Lalor—Prime Minister) (14:30): In answer to the question from the member for Wentworth, the government does not have before this parliament and does not have as its policy a proposal to have a public interest media advocate that regulates newspaper coverage. That is not the case. That is a distortion of the reform proposition. I said it last week and I will say it again: I understand why the member for Wentworth is seeking to curry a bit of favour with those who run media outlets in the hope of some good publicity—presumably for himself; maybe for the opposition—in the future. I understand that craven attempt at political advantage. But on more than one occasion—

Mrs Mirabella: That is the pot calling the kettle black.

The SPEAKER: The member for Indi then left the chamber.

Mrs Bronwyn Bishop: Madam Speaker, I rise on a point of order. The imputation from the Prime Minister concerning the member for Wentworth was unparliamentary and I ask that she withdraw it. It was absolutely outrageous.

The SPEAKER: The Prime Minister has the call and will refer to the question before the chair.

Ms Gillard: I was referring to the question before the chair and the distortion that appeared in the question of what the government's intentions are. There is
legislation before the parliament this week. The government will continue—

Mr Pyne: Speaker, I rise on a point of order. Madam Speaker, I am wondering whether you heard exactly what the Prime Minister said. She accused the member for Wentworth of improper motives for the position that the coalition has taken on the media reforms. We have asked her to withdraw that accusation.

The SPEAKER: I probably did not hear, actually, given the level of noise that continues to flow around the chamber. I did not think that the issue warranted a withdrawal. But I ask the Prime Minister to withdraw in order to assist the parliament.

Ms GILLARD: I withdraw. In answer to the question from the member for Wentworth, firstly, his question misconstrues the proposition that is before the parliament. Secondly, the parliament is yet to have a debate on these various pieces of legislation and the government obviously in that debate will be putting forward what is in the public interest in our nation. I am not going to speculate on the outcome in this parliament. We will work, as we always do, in good faith with those parliamentary members who are prepared to deal with reform propositions on their merits and on their facts.

When it comes to reform propositions on their merits and on their facts, the member for Wentworth has characterised this reform proposition one way in his question. I would refer him to the following: according to the international and well-respected organisation Reporters Without Borders, Australia currently sits 26th in the world when it comes to a free press. The country in first place, Finland, has specific laws that dictate to media organisations that they must provide a right of reply and correct factual errors. We are not proposing to do that. In Finland, the press council gets 30 per cent of its funding from the government. We are not proposing to do that. Denmark, which is sixth on the list, has a press council that was established by legislation in 1991. We are not proposing to do that. What the government has put forward are some propositions clearly in the public interest. They are propositions about freedom of the press, about diversity of voices and about self-regulation by our media. We believe that they are propositions of merit to be pursued this week in parliament. We will join in that debate well and truly.

Workplace Relations

Ms OWENS (Parramatta) (14:35): My question is to the Minister for Employment and Workplace Relations and Minister for Financial Services and Superannuation. Will the minister outline what the government is doing to make sure that all workers in Australian workplaces are treated fairly and humanely?

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (14:36): I thank the member for Parramatta for her question and her ongoing interest in what is fair for Australian workers. Labor stands up every day for people who go to work. Labor believes in cooperative, profitable, productive, flexible and fair workplaces. Labor believes that you always need a strong safety net at work. We reject the idea that a person, regardless of where that person comes from, should be allowed to be exploited at work.

I am pleased to report to the House the hard work of the Fair Work Ombudsman last year. In 2012, 12,000 workers submitted complaints of underpayment of a total of $33 million of wages. That was fixed. In other words, despite the conservative myth-making
opposite, people go to work and get ripped off.

In particular, what may be of interest to the member for Parramatta is that in 2011-12 there were 994 complaints from people working on temporary visas about exploitation at work. In fact, I can update the House that in the first half of 2012-13 there have been 900 complaints already. Indeed, I can inform the member for Parramatta that some of the complaints—some of the examples—include Fijian workers, marine labourers, working on barge refitting in the Port of Adelaide working seven days a week and not getting paid; and an Indian restaurant worker in Perth, who was in Australia on a temporary visa, working for four months, not being paid, and having to make an adverse action for unfair dismissal, as well as being subject to workplace bullying.

I know that no-one in the House would condone any of those examples, but today what our Prime Minister has said, what the Minister for Immigration has said and what I have said is that we want to give the Fair Work Ombudsman more jurisdiction to deal with the real problems that are occurring rather than allowing the loopholes to occur. That is what we will do. We will stand up for Australians who go to work and ensure that they get fairness wherever they are. That is why we voted for the Road Safety Remuneration Tribunal. That is why we voted for a system to give equal pay to women in the community services sector. That is why we voted to increase superannuation from nine per cent to 12 per cent. That is why we voted to ensure the Fair Entitlements Guarantee. Every time there is a debate about fairness at work, the government votes in favour of fairness and those opposite vote against it.

I also happen to think it is not fair for people who go to work when the opposition play small-target politics because they are too scared to talk about workplace relations. Their suggestion for workplace relations is to refer it off to the Productivity Commission for report in 2016. That is not fair and there are no medals for policy bravery for the small-target opposition.

Prime Minister

Mr ABBOTT (Warringah—Leader of the Opposition) (14:39): I have a question for the Prime Minister. I remind her that she has presided over the live cattle export fiasco, announced and abandoned the East Timor solution, promised a surplus and then delivered deficits, introduced a carbon tax she promised not to introduce, created a mining tax that collects no revenue, praised and then demonised foreign workers, and now she proposes the most draconian regulation of the media ever. How can people ever expect better judgement from this Prime Minister?

Ms GILLARD (Lalor—Prime Minister) (14:39): Once again, the Leader of the Opposition finds himself absolutely incapable of dealing with the facts, even when they have been provided in the answer to the question before from the opposition. So, let’s go through it again for the Leader of the Opposition, who most clearly was not listening to what I said before.

Dr Southcott: Why would he? Your word is not your bond.

Ms GILLARD: I refer him to the respected international organisation Reporters Without Borders.

The SPEAKER: The member for Boothby will leave the chamber under standing order 94(a)

The member for Boothby then left the chamber.

Ms GILLARD: I am dealing with a Leader of the Opposition who, of course,
dismisses the work of climate change scientists, who brushes aside the work of senior public servants, and who never listens to an expert because he might be confronted with the facts. But I refer him to Reporters Without Borders and I presume that the Leader of the Opposition is not going to describe that international organisation as anything but genuinely dedicated to freedom of the press around the world.

I refer him to the fact that the country in first place in their list as best on freedom of the press is Finland, which has specific laws which dictate to media organisations that they must provide a right of reply and correct factual errors. What the government is proposing is far, far, far less interventionist than that. Finland has a press council which is 30 per cent funded. We are not proposing that the Press Council be anything other than funded by media organisations themselves.

Mr Pyne: I rise on a point of order. The Prime Minister was asked about her own judgement, or her failure of judgement over 2½ years. She should try to answer that question.

The SPEAKER: That is not a point of order.

Mr Hawke: She is demonstrating it!

The SPEAKER: The member for Mitchell will leave the chamber under standing order 94(a). I am quite happy to have many friends follow him.

The member for Mitchell then left the chamber.

Ms GILLARD: I am addressing the question because the Leader of the Opposition made an assertion about the government's proposed changes for media reform. If he did not want me to respond to that then he ought not to have asked it. His having asked it, I am going to respond to it. The Leader of the Opposition is deliberately—perhaps I will withdraw 'deliberately' and say 'misleading'—this parliament on the nature of these laws. I direct the Leader of the Opposition to international comparisons so he no longer goes around making absurd, false claims about these laws.

What these laws are about is more Australian content on Australian TV. I think that is a good thing. What these laws are about is enabling our great public broadcasters like the ABC and the SBS to be out there providing news and information in more ways in the modern age. I think that is a good thing. What these laws are about is, in one of the most concentrated media markets in the world, if there are further consolidations in media organisations—

Mrs Bronwyn Bishop: I rise on a point of order.

The SPEAKER: A point of order, which I assume was on relevance, from the Manager of Opposition Business, has already been made. The member for Mackellar has risen on a different point of order.

Mrs Bronwyn Bishop: Madam Speaker, you said that the Manager of Opposition Business had no point of order, so I presumed that the question of relevance had—

The SPEAKER: He had attempted to make a point of order, I assumed on relevance. I was being kind; otherwise he would not be with us still. The member for Mackellar has the call.

Mrs Bronwyn Bishop: I interpreted your answer as being that we had not a question on point of order—

The SPEAKER: You have interpreted it wrongly. The member for Mackellar can resume her seat. The Prime Minister has the call.
Ms GILLARD: In one of the most concentrated media markets in the world, we are ensuring, if there is further consolidation, that there is an independent view taken about diversity of voices in our democracy. Finally, we are ensuring that Australians who have a legitimate claim have a press council to go to. *(Time expired)*

**MOTIONS**

**Prime Minister**

Mr ABBOTT (Warringah—Leader of the Opposition) (14:44): I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from moving the following motion forthwith—That this House condemns the Prime Minister for yet another display of poor judgment by attempting to ram wide-reaching media reform legislation through the parliament without proper consideration and at the risk of damaging Australia's reputation as a nation that regards freedom of speech, and freedom of the press, as a cornerstone of our democracy.

Standing orders must be suspended because freedom of speech is at the heart of our democracy, yet that is not what the Prime Minister of this country thinks. The Prime Minister of this country stood up in this parliament not more than five minutes ago and said that a respected organisation regarded us as ranking not first, not second, not fourth, not 10th, not 20th but 26th in the world for freedom of speech, and this government now wants to drive our ranking down even further.

The Prime Minister exposed what she really thinks about freedom of speech in this parliament last week. This phrase should echo around this chamber; this is a phrase that should come to characterise this prime ministership every bit as much as the fateful phrase: 'There will be no carbon tax under the government I lead.' The phrase that Prime Minister uttered in this chamber last week, the phrase that exposes the truth about her, her standards and her judgment, is: 'Let's have no more'—wait for it—'sacred nonsense about freedom of speech.' The Prime Minister thinks that freedom of speech and talk of freedom of speech is 'sanctimonious nonsense'. What an appalling indictment of this government.

This is a government and a Prime Minister who do not like scrutiny and are now trying to close it down. That is why standing orders need to be suspended. This is a government that cannot cope with criticism, and when it is criticised it reveals its authoritarian streak. That is why standing orders need to be suspended. This is about the Prime Minister's standards and the Prime Minister's judgment. That is why standing orders need to be suspended. We all know the Prime Minister's standards. She said in this parliament some years ago: 'Labor is the party of truth-telling'—but do not tell the truth about the Labor Party, particularly if you are in the media, because if you try to tell the truth about the Labor Party you will be subject to all the bullying force that an incumbent government can command. That is why standing orders must be suspended.

Remember, this is a Prime Minister who said that News Ltd had hard questions to answer and was then unable to specify what those questions might be—not a single one. This is a Prime Minister who had a screaming match with her then boss of News Ltd in Australia because one of his papers had dared to talk about the Australian Workers Union slush fund of the 1990s. This is a government that has a communications minister who declared that the *Daily Telegraph* was engaged in a deliberate campaign to bring down the government, without any evidence whatsoever. This is a government with a communications minister who claims that media proprietors will wear
red underpants on their heads if he says so, and now he brings in this kind of legislation to try to make that true. This is a government typified by Senator Cameron, who not so long ago accused the hate media, again News Ltd, of fabricating stories about a leadership challenge. The same guy who accused the papers of fabricating stories was in fact counting the numbers for a leadership challenge, and maybe he is doing it again right now. Maybe right now, much the same thing is happening.

The job of the media is not to run advertising for the government of the day; the job of the media is to speak truth to power. That is the job of the media. I know that because I have worked as a journalist. The shadow minister for communications knows that because he, too, has worked as a journalist—perhaps as a more distinguished journalist, indeed, than I was. But we both know what the job of the media is. The job of the media is to speak truth to power, and thank God that thus far at least, is what most of the media in this country have been prepared to do. The media is not an arm of government, and no government should ever try to make it one. The media is an arm of our democracy, and that is the way it should always stay.

It is funny just who the friends of this government are these days. When it comes to 457 visas, who is their only friend? Pauline Hanson. When it comes to regulation of the media, who is their great international supporter? Frank Bainimarama: 'Great! Fantastic! We've finally got a few friends. We've lost the clubs and the pubs, we've lost most of the decent, honest workers of this country, we've lost the migrant communities of this country, and we've lost the western suburbs of Sydney. But it's okay: Pauline Hanson and Frank Bainimarama are with us.' Is it any wonder that this Prime Minister's support in the caucus is ebbing away day by day, hour by hour?

Let's briefly, because standing orders must be suspended, look at the problems with the legislation that this Prime Minister and this government is pursuing. It includes an entirely subjective public-interest test on mergers and acquisitions in the media, when we already have the ACCC, a perfectly reputable body, to do exactly that. This is why standing orders must be suspended.

But the most sinister element in what the government is trying to do right now, the reason why standing orders must be suspended to condemn this Prime Minister, is as follows. Not since the days of the Committee of Public Safety have we seen an attempt by a government to introduce something as Orwellian as the Public Interest Media Advocate. The Public Interest Media Advocate, this government's version of the Ministry of Truth, will be vetting every aspect of the media in this country for fairness, accuracy and the professional conduct of the journalist. They will be judged not by the High Court, the Supreme Court or the parliament as a whole but by a hand-picked representative of this government.

Speaker, does anyone think for a second that, if this Public Interest Media Advocate—this media tsar hand-picked by a desperate government in desperate trouble—had its way, there would have been coverage of the appointment of your predecessor as Speaker? Would there have been coverage of the travails of the member for Dobell? Would there have been coverage of what happened in the Australian Workers Union in the mid-1990s, notwithstanding the interest of the member for Barton in seeing the truth exposed on this subject? Would there have been coverage of the activities of the former minister for fisheries in New
South Wales? Of course there would not. This is a government which wants to hide the truth to protect itself. It does not want to protect the national interest; it wants to damage the national interest. It wants to hide the truth to protect itself. Does anyone think this is anything other than a disgrace? That is why standing orders— *(Time expired)*

**The Speaker:** Is the motion seconded?

**Mr Turnbull (Wentworth)** (14:54): I second the motion. Last week we gave the Prime Minister the opportunity to give us one example of the problem she is seeking to solve with this legislation. She could not give us one. She is going to introduce, so she tells us, the first effort in our peacetime history by a federal government, or indeed any government, to regulate the content of newspapers and that this has to be debated, considered by committees, discussed by the parliament in every way and concluded by Thursday afternoon. This holds the parliament and the people we represent, the people of Australia, in the utmost contempt.

The Prime Minister says this is all about the concentration in the media. She says it is all about diversity. She says our media is more concentrated than it is just about anywhere else in the world. But the reason there is a high level of concentration in our media is that in 1986 it was their predecessors, the Labor government, the Hawke and Keating government, that gave the FIRB approval to allow Rupert Murdoch's News Ltd to buy the Herald and Weekly Times. That is what created the concentration in the daily newspaper market. And to hear the Labor Party saying that they are champions of diversity, that they are losing sleep over concentration, is so much hypocrisy. They have no commitment to diversity. They allowed that transaction to go through because they thought it suited their purposes. They thought they would get favourable coverage as a result.

I do not recall whether they did or not, but I tell you: any public-interest test administered by a government official will be, as this one is proposed, nothing more than a political-interest test. The test will be what is in the interest of the party in power. We say that, if, by some mischance, this power is given to a government by this parliament, if this parliament does not, as we hope it will, reject this outrageous proposal, then if we are elected to government we will repeal it. We will not take advantage of powers that the Labor Party gives a future government to meddle further and interfere with the content of newspapers.

On the subject of diversity, we have every reason to be optimistic about diversity in our media. I look up at the press gallery here. I saw Mike Bowers there. He works for the Global Mail, a new digital newspaper. I certainly cannot remember a new print newspaper in my lifetime. Katharine Murphy and Lenore Taylor are going to work for the Australian edition of the *Guardian*. That is launching in a few weeks—a new newspaper. Michelle Grattan has gone to work for the Conversation, which is a remarkable new effort headed by Andrew Jaspan. These are just three new sources of news and information. The truth is this: Rupert Murdoch's share of the daily newspaper market is as big now as it was in 1986, when Hawke and Keating gave them the keys to the Herald and Weekly Times. But the slice of the overall news and media information pie represented by daily newspapers gets smaller every day, because we are getting our news from so many different sources: new digital outlets, international publications and new social media. All of that is making it a much more contestable and diverse universe.
The complaint from the Labor Party that we have a problem with diversity and overconcentration is seen for what it is. We have more diversity and less concentration now than we have had for many years, and diversity is increasing. So their concern is not about diversity; their concern is about opinion. They do not like getting a shellacking in the press. But they get it on air, they get it in the pubs, they get it in the clubs and they get it in the streets—they get it all around the country—and they get it because they so richly deserve it. This government gets the press it deserves. Its attempt to bully the press, to bully the media into submission is one which is a disgrace and which this parliament must reject.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:59): I am very pleased to respond to the member for Wentworth on this question. This is the guy who stood up here and just lectured us about relationships with the media and free speech, the same person who sued the Sydney Morning Herald over a piece involving allegations about an ex-girlfriend's cat, the same person who settled with the Australian Financial Review in court because of an article calling him 'part polymath, part sociopath'. And he even tried to stop his political opponents questioning whether he was fit for public office.

We will not be lectured by the member for Wentworth, who fits into a fine Tory tradition. When this political mob was in government, Peter Costello put in a gag order on charities. As a condition of funding he tried to shut up the representatives of some of the poorest people in this country. This is the same mob that cut the Environmental Defenders Office funding to try and shut down its ability to take on government. This is the same mob who limited through Work Choices the ability to have freedom of association of working people. John Howard used conclusive certificates to prevent FOI releases—something that this government changed. Look at what this same mob did in Victoria: Ted Baillieu and the denial of public access to large government contracts done in secret. This is the same Tory political tradition that had Jo Bjelke-Petersen throwing people in jail for demonstrating on the streets of Queensland, and that tradition has been brought back by Premier Newman.

Opposition members interjecting—

The SPEAKER: Standing orders still apply and 94(a) can still be issued.

Mr ALBANESE: Premier Newman has placed a gag order on community organisations once again in order to stop them speaking out on government policy—and it is little wonder, given what his member Mr Driscoll is going through, that he does not want community organisations talking about the performance of government. So we will not be lectured by that mob over there who represent not just years but decades of tradition of trying to shut down voices in our community, whether they be community organisations or whether they be the trade union movement.

Today the Leader of the Opposition could not resist going back to his roots, going back to just saying no to everything, going back to negative Tony, back to nasty Tony. He has been sitting there stewing away. Every day we have seen the 'Mark Riley moments', where he sits there trying to keep control of his temper, trying to calm down the anger every day, and it has boiled to the surface. What we see with this motion to suspend standing orders moved here today is an attempt to release that pressure valve. We understand it must be difficult for a bloke with his character to keep it in control for so long, because we know what his character is.
about. Today it fitted in with his general attitude to life, because this is a bloke that has never seen a billionaire he did not want to embrace. This is a bloke who can be always relied upon to back-in the big end of town. We have here this legislation that will be debated later in the week, but they did not wait to look at the legislation before they said they would oppose it. I reckon it was two words that turned them off: public interest. As soon as they saw that, they said, 'Well, we know we are against that. We do not have to look at the detail. We do not have to wait for the committee processes. We know that we are against it.' They are against action on climate change, they are against the NBN, they are against taking action against the big miners, they are against national hospital reform, they are against assisting the steel and car industries, they are against parliamentary reform and they are against the Parliamentary Budget Office.

The SPEAKER: The Leader of the House must display where standing orders need to be suspended.

Mr ALBANESE: I certainly will, Speaker. Because of this ridiculous motion, we are not actually debating what we should be debating before this parliament. Once again, they have shut question time down because they have no issues of substance to go to. We have the hypocrisy of the person who employed David Oldfield standing up here. This bloke, when asked: do you welcome Pauline Hanson's endorsement said, 'Look, I am happy to take votes where I find them.' That is what he said on Sunrise, but he comes in here and attempts to lecture us about these issues.

The fact is that this side of the parliament wants to discuss the real issues of our plan for a stronger, fairer and smarter Australia; our plan for the economy, for manufacturing and for protecting Australian jobs; our plan for education through the Gonski reforms; our plan for the National Disability Insurance Scheme; and our plans that are being rolled through this parliament on issue after issue, day after day. Those opposite do not have a plan for the future. It is no wonder that his own colleagues see the Leader of the Opposition as a policy lightweight who cannot talk about issues because he starts off with a $70-billion black hole. All they offer are cuts and relentless negativity. We do not have to project into the future what they would stand for were they to succeed in September. We can see it with what state Tory governments are doing right around the country: sacking nurses, sacking teachers, cutting back on community services. We see their selfish position.

But today, they also don't want a debate. We could have had some debate about the economy, but of course taxes, interest rates, unemployment and inflation are all lower today than they were when they were in office.

I was looking forward to question time continuing, because I predicted that I might have got a question. I could not get one from across there and, if I had got a question, I would have been able to talk about the member for North Sydney's little trip down the Bruce Highway last week, where he was asked—

Honourable members interjecting—

The SPEAKER: Order!

Mr ALBANESE: 'You were talking about your drive north, and you would have spent a lot of time on the Bruce Highway'. This is what he said: 'Well, it is improving. I mean, there was a lot of work happening on the Bruce Highway.' He went on and said: 'Well, between Townsville and Cairns there was lot of work'. Indeed there was—
Mr Pyne interjecting—

The SPEAKER: The Manager of Opposition Business is on thin ice, and he knows it.

Mr ALBANESE: and indeed there is. That is consistent with what the member for Herbert said: 'I'll give Labor a pat on the back and say they've spent more in their four or five years on the Bruce Highway than we did before.' It is no wonder I can't get a question on infrastructure and transport: because those opposite are endorsing us. On the issues of substance, on the real policy debates that we should be dealing with in question time, we are quite happy to get questions. But what we do not get are questions of substance on policy from those opposite. What we get are personal attacks. What we get is relentless negativity. It is no wonder, increasingly, as you go round the country, as people take a closer look at the Leader of the Opposition, they say to themselves—

Mr Briggs interjecting—

The SPEAKER: Order! The member for Mayo!

Mr ALBANESE: As was said about another political candidate one time: 'In your guts, you know he's nuts.' That is what they say, because they know that he is so negative, so relentlessly negative, that he just says 'no'. Well, if you want to run the country, you have to put forward an alternative vision, and that has to consist of more than just slogans.

Mr Pyne: Speaker, the Leader of the House has been required to withdraw that phrase that he used towards the end of his speech before. It reflects on the mental health of a member of the chamber. It is completely outrageous, and I would ask him to withdraw it.

The SPEAKER: The Manager of Opposition Business will resume his seat. Time for the debate has expired. Regarding the issue of the withdrawal, I am struggling to recall that it has been asked to be withdrawn. The issue was in context of a quote into other matters but, given the level of intensity in the debate, I am going to ask the Leader of the House to withdraw.

Mr Albanese: I withdraw.

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

The House divided. [15:14]

(The Speaker—Anna Burke)

Ayes ......................69
Noes ......................73
Majority ...............4

AYES
Abbott, AJ
Andrews, KJ
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Christensen, GR
Cobb, JK
Crook, AJ
Entsch, WG
Frydenberg, JA
Gash, J
Haase, BW
Hockey, JB
Irons, SJ
Jones, ET
Kelly, C
Ley, SP
Marino, NB
Matheson, RG
Morrison, SJ
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Somlyay, AM

Alexander, JG
Andrews, KL
Billson, BF
Bishop, JI
Broadbent, RE
Chester, D
Ciobo, SM
Coulton, M (teller)
Dutton, PC
Fletcher, PW
Gambaro, T
Griggs, NL
Hartsuyker, L
Hunt, GA
Jensen, DG
Keenan, M
Laming, A
Macfarlane, IE
Markus, LE
McCormack, MF
Moylan, JE
O'Dowd, KD
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Seeker, PD (teller)
Smith, ADH
Stone, SN
Ms GILLARD (Lalor—Prime Minister) (15:19): I ask that further questions be placed on the Notice Paper.

**DOCUMENTS**

Presentation

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:19): Documents are presented as listed in the schedule circulated to honourable members earlier today. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:

- Australian Communications and Media Authority—National Relay Service—Report for 2011-12.
- Australian Fisheries Management Authority—Report for 2011-12.

Debate adjourned.

**MINISTERIAL STATEMENTS**

57th Session of the United Nations Commission on the Status of Women

Ms COLLINS (Franklin—Minister for Community Services, Minister for the Status of Women and Minister for Indigenous Employment and Economic Development) (15:20): Far too many Australian women today are experiencing violence—one in three will have experienced physical violence from the time they are 15 and one in five will have experienced sexual violence.

Globally, sadly the situation is much worse.

Earlier this month, I led the Australian delegation to the 57th Session of the United Nations Commission on the Status of Women (CSW) in New York, alongside the
Global Ambassador for Women and Girls, Ms Penny Williams, and Sex Discrimination Commissioner, Elizabeth Broderick.

Officers from the Office for Women and four exceptional NGO delegates also joined me on the Australian Delegation:

- Rebecca Vassarotti, as a community sector delegate
- Michelle Deshong, as an Indigenous delegate
- Karin Swift, representing women with disabilities
- Zita Ngor, representing women from culturally and linguistically diverse backgrounds

The theme for this year's CSW was the elimination and prevention of all forms of violence against women and girls.

I delivered Australia's Country Statement to CSW and our message to the world was simple: violence, in all its forms—physical, sexual or psychological—is unacceptable. Australia has no tolerance for violence against women and girls in Australia, or internationally.

We know that violence is a universal issue and it affects women from all over the world, of all backgrounds, races, cultures and economic circumstances.

As one speaker at CSW said, if violence against women and girls was viewed in terms of a disease or a virus, then we would have a worldwide pandemic on our hands.

The Australian Government is committed to working with our international counterparts to ensure the safety and wellbeing of women and girls across the world.

During my time in New York, I ensured I met with relevant ministers from many countries who are responsible for women's affairs. These included those from Samoa, New Zealand, South Africa, Canada, Laos, Afghanistan, the United Kingdom and Liberia, who is the current Chair of the Commission on the Status of Women.

In these meetings, I urged the ministers to stand with Australia during the negotiations and to push for a strong, global response to ending violence against women, in all its forms.

Australia was very disappointed that there were no agreed conclusions at last year's Commission on the Status of Women.

So, today, I am extremely pleased to report that after some quite difficult negotiations, the United Nations Commission on the Status of Women has ended in a landmark agreement on this vital issue.

All United Nations member countries have signed up to historic firsts in committing to drive global action to eliminate and prevent all forms of violence against women and girls.

One of the most significant breakthroughs was the recognition that custom, tradition or religious consideration should play no part in denying women equality or justifying violence against them.

I cannot stress enough this achievement.

The agreed conclusions faced strong opposition during the negotiations and Australia and its delegates worked hard to bring about this result.

During my time in New York, I also met with Michelle Bachelet, head of UN Women, the Special Representative of the UN Secretary-General on Sexual Violence in Conflict, Zainab Bangura, the United Nations Under-Secretary-General for the Department of Peacekeeping Operations, Herve Ladsous, and other senior United Nations representatives. I took the opportunity to promote Australia's work on
the women, peace and security agenda, which is a priority for Australia during our term on the United Nations Security Council.

As part of this agenda, Australia is pushing for three critical elements:

- Incorporating a gender perspective in all UN mission mandates authorised by the UN Security Council;
- Promoting women's full participation in conflict resolution, peace-building and post-conflict political transitions; and
- Ensuring regular briefings to the council on women, peace and security issues, including through country-reports.

I shared with my international counterparts Australia’s National Action Plan on Women, Peace and Security, under which Australia is promoting efforts to protect women's rights and increase their participation in conflict resolution and in peace efforts.

I could see at the Commission on the Status of Women that Australia is actively contributing to a world where women and girls can thrive and where their safety is guaranteed.

Here at home, we are implementing the National Plan to Reduce Violence against Women and their Children—internationally recognised as best practice. Central to the 12-year national plan is a strong emphasis on primary prevention and community engagement, as well as recognition of the critical role that men and boys play in reducing violence against women. The government has committed $86 million to actions under this national plan.

One initiative I am particularly proud of is The Line—a $17 million social marketing campaign. It encourages respectful relationships amongst young people, with research indicating the campaign changes young people's attitudes. I was able to share our experiences at the Australian hosted side event at the commission on using new technology and social media to address violence against women and girls.

I also had the opportunity to promote some of Australia’s world-leading work at the Equal Futures Partnership event. Australia has partnered with the United States and other nations to expand economic opportunities for women and to increase women's participation in politics and civil society. As part of this partnership, Australia has committed to:

- achieve a minimum of forty per cent women on Australian government boards by 2015;
- create a National Centre of Excellence to Reduce Violence Against Women; and
- strengthen the pipeline of female talent in traditionally male dominated industries.

Internationally, Australia is also committed to preventing violence and improving gender equality, which are key pillars of Australia’s aid and development program. In responding to and preventing violence against women, our aid program centres on ensuring women have access to support services and to justice.

Australia is working to improve the stability, security and sustainable development of the Pacific islands region. We work closely with our Pacific island neighbours to assist them achieve their development objectives. At the Pacific Islands Forum last August we saw the historic Pacific leaders gender equality declaration—a strong commitment to empowering women in the region.

Australia supports this declaration through the Pacific Women Shaping Pacific Development initiative and the Australian government is providing $320 million in funding over three years to this initiative. It
will work to increase women's participation in leadership and political roles, to improve economic opportunities for women through better access to finance and markets, and to improve their safety through prevention of violence and access to justice.

It is essential that the Pacific region is represented strongly at international forums, in particular those relating to gender equality, so that issues facing women across our region are raised at the highest levels internationally. Australia provided $50,000 in funding to support members of the Pacific delegation to attend the United Nations Commission on the Status of Women, to ensure that there was a strong voice for women across this region.

I was fortunate to meet with a number of heads of delegations from the Pacific, including the Prime Minister of Tuvalu and Vice-President of Kiribati, to discuss our shared vision for the region. Australia also co-hosted a side event with New Zealand, chaired by Ambassador Williams, where panellists discussed the progress and challenges relating to gender equality in the Pacific context.

Australia and this government are deeply committed to realising the goal of a world that is safe for women and girls, a place where each can achieve her full potential.

This requires us all to work together in a spirit of cooperation, with purpose and resolve.

The agreement at this year's Commission on the Status of Women at the United Nations is a significant step forward.

I present a copy of my ministerial statement and ask leave of the House to move a motion to enable the member for Farrer to speak for seven minutes.

Leave granted.

Ms COLLINS: I move:

That so much of the standing orders be suspended as would prevent the member for Farrer speaking in reply to my statement for a period not exceeding seven minutes.

Question agreed to.

Ms LEY (Farrer) (15:29): I welcome the opportunity to speak on this ministerial statement on the 57th session of the United Nations Commission on the Status of Women. Across this country and across the world, women and girls are the victims of violence every day. Certainly the media has highlighted a number of recent truly evil events, such as the attempted murder of Malala Yousufzai, the young Afghan girl who was shot in the head on the way home from school for the crime of criticising the Taliban's strict rules against education.

No-one could remain unmoved by the documentary that was made featuring Malala before she was shot. I remember the look on her face when she came back into her bedroom, after an event where she was excluded from school, and looked at her school bag and said, 'Thank goodness, all of my school books are still here!' And how can we not forget the recent rapes in India, those atrocious scandals. However, too often, many of the victims of violence have no voice. They may cry out, but too often their stories go unreported and they are forced to suffer in silence.

The latest government statistics outlined in the National Plan to Reduce Violence Against Women and their Children 2010-2022 indicate that around one in three Australian victims has experienced physical violence and almost one in five has experienced sexual violence since the age of 15. Recognising that most violence perpetrated against women occurs in the home, the former Howard government campaigned vigorously to reduce domestic violence. We introduced the Partnerships against Domestic Violence and a host of
women's safety agenda programs specifically aimed to help stem this abuse.

We have to recognise also that this abuse leaves not only physical scars but also emotional ones. It is devastating to hear constituents reliving the traumas they have endured, and it does reiterate just how vulnerable and alone some people feel in the face of violence. I have heard stories of women who are beaten for spending the family budget on food or new shoes for the children, instead of buying a carton of beer or cigarettes with a partner, or who may not have the dinner on the table at exactly 6:30 pm and are caught on the telephone to a friend.

In my own electorate of Farrer, in Broken Hill alone I have the Family Violence Prevention, Legal Service and Women's Domestic Violence Advocacy Service and Lifeline, Centacare and other not-for-profit services. In a town that has approximately 19,000 residents, this gives a small indication of the vast need. This is not a speech in which one would choose to be political, but, unfortunately, the Attorney-General's Department has recently seen fit not to fund this critical domestic violence advocacy service and allocate what I assume are surplus funds to other services around the country. Nobody looking at the demographic in Broken Hill, including the large Indigenous demographic, could possibly consider that other services were more worthwhile—equally worthwhile maybe, but not more worthwhile.

So many cases of domestic violence go unreported. We know that sexual violence is one of the most underreported forms of violence against women. For many women, there is a very real element of fear or possible repercussions, or just sheer embarrassment—the very thought of reporting the abuse to local police is too great a trauma for some women to endure. In rural Australia and in small towns the telephone counselling that is available for women in this position is absolutely vital—because at the services, if they are there, it is just not possible to show your face.

I think it is important that I make the following point. It is all well and good for us to send delegations off to New York to lobby the commission's delegates and share their views, but this is little more than window dressing. The only thing that really counts is what we do in practice and how we as decision makers and authors of policy really make a change in these women's lives. We have to acknowledge the problems in our own backyard. We have to allocate the large sums of money that I know go towards international meetings such as the UN meetings that the minister has talked about. I do not criticise either the meeting or the minister's attendance at it, but we are talking about $320 million allocated to a region. I do recognise the importance of the Pacific, and I commend the government for that, but I also realise that there is a great shortage of real dollars on the ground making a difference in the lives of the poor and the dispossessed, and the people in our own country, particularly our Indigenous women, for whom there is just nowhere to turn.

The government, I believe, have dropped the ball. They are yet to establish the promised centre for excellence for data collection for domestic violence, despite this being a core promise. The Be Safe pilot commenced by the coalition in 2007 was not re-funded by those opposite. This program helped to provide protection for women who have a restraining order against a violent partner by provision of a personal alarm they could activate when threatened. This pilot program empowered the women involved, enabling them to once again feel safe in the communities in which they live, avoiding the
need for many women to hide out in crisis accommodation, which throws their own lives and those of their children into sheer disarray.

The Howard government's strong commitment to policies aimed at reducing violence against women will be carried forward by any future coalition government. Government does have a vital role to play in fostering a society that has a culture of respect and harmony. A framework of stringent deterrence helps enforce the understanding of what is and is not acceptable behaviour. We have to ensure that our courts administer the appropriate penalties, ensuring that protection orders, apprehended violence orders, family violence orders and the other state-imposed orders are enforced and that those covered by these orders are given every support to reclaim their lives. This is what government has to do. As we all know, actions speak far louder than words—far louder than UN conferences and the non-binding resolutions, however grand and exciting they may seem. So I call on this government to fight the good fight against violence against women. I commend them for what they have done. I do say that we can also do more on violence against men, girls and boys. We must not condone violence, in whatever form we find it, irrespective of who the victim is.

Question agreed to.

BILLS

Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Dr STONE (Murray) (15:36): In continuation: this bill adds no new triggers; it is just a cumbersome and expensive re-check of the triggers already funded by industry. This legislation simply adds another layer of red tape through an automatic seven- to 15-year review for all chemicals, with the extra cost ultimately passed on to the farm or other chemical users. As I have already said in my remarks, our farmers in particular are price takers; they cannot pass these costs on.

The seven- to 15-year time frame for registration of chemicals will tie up staff and resources in the APVMA—and I will conclude my remarks in a minute by referring to some of the problems that can happen when we are distracted, tie up resources and turn a blind eye to some of the chemical contamination occurring in our food imports. This time frame will reduce the APVMA's resources available to deal with critical registrations and permits. It will cause an economic burden on registrants and parent companies of active constituents, given that there are 1,900 active constituents—of which 780 are unique—from the 9,900 currently registered agvet chemicals.

Currently there are only 17 APVMA evaluators to work on these 9,900 products that may be up for the re-registration process. Quite obviously, the APVMA will be significantly under-resourced—under this current government in particular—and retraining evaluators or putting more evaluators into the system will be very difficult to do quickly. Why would we want to put so many more evaluators into the system quickly? Because this bill claims that the commencement date of the new regime will be 1 July 2013—in just four months' time. This would mean that there would be no time for adjustment to the changes and no time for upskilling the additional evaluators—which would have to be put into place. This puts the APVMA under enormous strain and calls into question the efficacy of the new regime. This is not about
reducing red tape for the industry or about improving outcomes. Since 2008, the Rudd and Gillard governments have introduced over 20,000 additional regulations while repealing fewer than 100 regulations. Quite clearly, this is just more red tape gone mad.

I have to say that the coalition will aim to amend this bill. I certainly do not support the bill in its current form. We will aim to delay the commencement by 12 months to allow for a proper consultation process and to give time to develop new protocols and processes for the APVMA, which will minimise the distraction to and cost to industry and, in fact, produce a better regime and a better outcome at the end of the day. Registrants have agreed to work with the APVMA to 'road-test' the risk framework to ensure that it operates as intended. In other words, we will have a better outcome if the government agrees to our amendments. This will be in line with the coalition's commitment to cut unnecessary red tape by at least one billion dollars. The government has failed to do any cost-benefit analysis of mandatory re-registration processes for low-risk agvet chemicals which are used by a wide range of groups; for example, glyphosate and iodine.

A major concern was expressed by the key stakeholders in their evidence to the senate inquiry into this bill: in particular, they identified the economic cost to re-register in a small market like Australia. This could lead to a net loss of chemical products, directly impacting on farm productivity. Industry supports the streamlining of the existing process for identifying and reviewing suspect chemicals but opposes a re-registration process which simply adds another layer of regulation and does not speed up the removal of unsafe chemicals. We have already seen innovative products being delayed in their introduction to Australia—for example, a sheep drench was developed by Australians for Australian conditions; while the product has been on the market and in use in New Zealand for two years, it still awaits approval for use in Australia.

The Victorian Farmers Federation 'supports reforms that deliver more effective and efficient agricultural and veterinary chemical regulations'. The VFF goes on to say:

However the Federal Government's draft Agricultural and Veterinary Chemical Regulation Bill falls well short of the mark on achieving these goals.

The draft bill will increase regulatory costs and potentially reduce the availability of chemicals crucial to Australia's food producers. The major flaw in the bill is its imposition of a mandatory re-registration process for all chemicals, every seven to 15 years (Schedule 2). The merits cited for this change are it will align Australia with similar US and EU standards, but this argument fails to recognise the high cost of re-registration on a much smaller Australian market.

The National Farmers' Federation, similarly, argues:

The NFF has confidence in the current system used by the Australian Pesticides and Veterinary Medicines Authority (APVMA) for the assessment and regulation of chemicals for agricultural and veterinary uses.

At the Senate committee hearing, the NFF said:

In the absence of the government undertaking a clear analysis of the cost and benefits of the proposed measures within the better regulation process, the NFF continues to hold concerns that the proposed changes will impact on the cost of chemicals and the availability of chemicals in the Australian market.

Surely this government hears what its major farmer advocates have to say, so you have to wonder whether it is turning a blind eye, has its hands over its ears or does not care—or perhaps it is just incompetent.
I want to draw the House's attention to some of the real problems with chemical detection and assessment that are occurring in Australia every day. I want to quote from the *Age* on 30 May 2012:

AUSTRALIAN medical experts have raised the alarm over a rising number of Asian fish imports containing banned antibiotics.

Five consignments of fish from Vietnam - including base fillets, catfish, tilapia and frozen fish cutlets - have been stopped by biosecurity officials this year because they contained enrofloxacin, an antibiotic banned in Australia. Last year three loads of Vietnamese fish failed tests for banned antibiotics.

An analysis by the *Age* of failed food results since 2010 showed:

…1,050 imported foods, or an average of one consignment a day, have not met Australian standards. Almost 400 foods were stopped at entry because of micro-organisms such as E. coli, 246 failed because they contained banned additives or substances, 228 contained contaminants and 138 failed chemical analysis.

Chinese food failed the most tests, 13 per cent, followed by food from India, Italy, Japan, South Korea and France. The failed food results included 66 instances of Listeria monocytogenes, which can cause pregnant women to miscarry, and eight consignments with Vibrio cholerae bacteria, strains of which can cause cholera.

I quote again from the article in the *Age*:

Professor Collignon has criticised the federal department for its low levels of testing for dangerous chemicals. The department's figures show that in the last six months of 2011, it conducted just 209 tests for fluoroquinolones (types of antibiotic) and two for chloramphenicol, which in rare cases can trigger fatal disease.

Professor Collignon said the department was not testing enough and the failure rate of the antibiotics tests—about 4 per cent—was too high. 'I think that sort of failure rate is atrocious,' he said. 'They are hardly doing any tests. How many tonnes of seafood do we import, for god's sake? When you look at the tonnes of stuff we import and the 4 per cent failure rate, there's a problem.'

He added that 24 tests in six months for E. coli in Chinese food was not enough.

I mention all this because it is about the chemical testing regime in Australia for imported foods. It is a burden on another area of departmental work, which is testing chemicals in Australia. Surely we must have a more balanced response to the whole issue of potential food contamination, or chemicals in the food chain. We have an extraordinary situation in Australia now whereby we test less and less for chemicals and other disease-causing substances—indeed, fatal-disease-causing substances in imports—while we stand here in this parliament debating whether to substantially add to the cost, regulation and red tape burden to the Australian ag and vet industry when they need best practice. We need to be doing a lot more to ensure that the high standards of safety of our domestic food can be matched by the safety of our imported products.

New importers of high-risk foods face testing for all consignments until they pass five tests. They are then tested at a rate of 25 per cent until they pass 20 consecutive tests. The rate then falls to just five per cent, matching all other imported foods. So clearly we have to do a lot more work in this area.

The article in the *Age* also reported:

A spokesman for Victoria's Department of Health, Bram Alexander, said the federal department had not advised it of any negative assessments this year—and here he is talking about 2012—

He said a handful of assessments were passed on last year, but the state took no action on the matters. It had been found that either the importer was still holding the failed food or that cooking would make it safe.

I suggest that this government has quite clearly lost the plot. It is distracted from the real issues in relation to chemical contamination in this country. We have to do
more. We have to do better when it comes to safety from chemical contamination in Australia. This bill will not address the real problems in front of us. It will simply be another means of distraction—a smokescreen—while a whole range of other problems arise in containers on our shores each day. We certainly will not be supporting the bill in its current form.

Mr McCormack (Riverina) (15:47): I rise to speak on the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012. I do so following on from my colleague and good friend the member for Murray, and I note with interest that the member for Groom, the shadow minister for energy and resources, is at the table. They and yourself, Mr Deputy Speaker Scott, are people who are passionate about the interests of regional Australia, passionate about the interests of farmers in this country. This particular bill does nothing to help the farmers of our land or the producers of our food, and certainly nothing to help regional Australia.

This bill seeks to implement changes to the approval, registration and reconsideration of the agricultural and veterinary, or agvet, chemicals to improve—supposedly—the efficiency and effectiveness of the current regulatory arrangements and provide greater certainty to the community—so Labor would think—that chemicals approved for use in Australia are safe. The reforms in the bill are aimed at enhancing the consistency, efficiency and transparency of agvet chemical approvals, registrations and reconsiderations through the development, publication and implementation of a risk framework, which the Australian Pesticides and Veterinary Medicines Authority—the APVMA—must have regard to and legislative amendments to align regulatory effort with chemical risk.

The bill is also intended to improve the ability of the APVMA to enforce compliance with its regulatory decisions by providing the APVMA with a graduated range of compliance enforcement powers and introducing a power to apply statutory conditions to registrations and approvals. It also seeks to ensure the ongoing safety of agvet chemicals and improve the effectiveness and efficiency of current agvet chemical reconsideration arrangements by putting in place a mandatory re-approval and reregistration regime designed to identify any potentially problematic chemicals whilst minimising any negative impacts on affected businesses. The reforms are aimed at improving the efficiency and effectiveness of assessment processes for agvet chemical applications for approval, registration and variation and improving the timeliness of agvet chemical approvals, registrations and reconsiderations. Additionally, the government hopes to improve consistency in data protection provisions and remove disincentives for industry to provide data in support of ongoing registration of agricultural and veterinary chemicals.

This is all long-winded stuff. Is it necessary? We think not. In both the Senate and the House inquiries into this bill the coalition presented dissenting reports due to the additional layers of red tape—and I could almost add ‘onerous green tape’—that will be imposed on the industry, which will bring with it additional costs and further complicate the workings of business and industry. And if there is one thing we do not need in this nation it is further complication of the workings of business and industry. The dissenting report from coalition members on the House committee recommended that the reregistration process be removed from the bill and that there be a troika task force of industry, the department and the APVMA to urgently evaluate and
improve the internal systems within the APVMA to increase the regulator's efficiency and effectiveness as well as the speed of review of at-risk chemistries.

The Nationals and Liberals support reforms that reduce cumbersome assessment and registration processes, reforms that are more cost-efficient for farmers and reforms that provide industry with timely access to the best and safest crop and animal protectants. Surely that would be enough. The bill makes a number of incremental changes to arrangements to manage agvet chemical registration and improvements to compliance and enforcement arrangements, most of which try to improve the efficiency and are supported by the industry. Those on this side of the House support a streamlining of the existing process for focusing on suspect chemistries rather than the addition of new—and high—hoops for the industry to jump through.

The most significant change, however, is the reregistration process, a process which contradicts the objectives set out in the bill and which will instead entrench yet another layer of red tape—an automatic seven- to 15-year review process for all chemicals—with the extra costs ultimately being passed on to the chemical users. Who are these users? They are of course the farmers, the crop growers, the food producers of this land. We have the world's best farmers—I am sure the member for Groom would agree with me—and they are being subjected all the time to red tape and green tape. They are being subjected to onerous, burdensome bureaucracy levelled at them by this government.

Whilst the government claims the reregistration process will increase the scrutiny of suspect chemistries, the reality is that the increase in administrative workload for APVMA staff will reduce the resources available to deal with critical registrations and permits. Farmer groups have noted that the current proposal appears to betray the fact that APVMA does not have appropriate internal systems in place to maintain an orderly, risk-based system for chemical reviews. We heard the member for Murray comment on the fact that the National Farmers' Federation is quite satisfied with the system in place at present—quite happy with the status quo. Why is the government meddling with this? Why is Labor sticking its nose in where it is not wanted?

Rather than addressing systemic problems affecting existing review arrangements and listening to farmers, the government has again ignored their calls and is seeking to impose the burden of APVMA's deficiencies on registrants by having every chemical submitted to an automatic reregistration process. If things are going wrong—I note the Parliamentary Secretary for Agriculture, Fisheries and Forestry has just joined us—why not consult industry? Why not consult farmers? Why not consult the people on the ground and talk to them about the problems they see? They might have a better idea about how to do it. Rather than that, all the Labor Party want to do is put in more layers of red tape and green tape and more bureaucracy—imposing more costs on the people who are growing the food to feed our nation and others.

The seven- to 15-year timeframe for reregistration of the 1,900 active constituents, out of the 9,900 currently registered agvet chemicals, is unrealistic. This process will tie up staff and resources in APVMA and put an economic burden on registrants of active constituents and their parent companies. These costs will be passed on to the end users, who include land managers and producers.
The government has failed to do any cost-benefit analysis of mandatory reregistration processors for low-risk agvet chemicals with multiple uses, such as glyphosate, iodine and sodium chlorite. It is obvious that, as a result of this expensive and time-consuming reregistration process, registrants will, in a small market such as Australia, deem it uneconomic to reregister chemicals which are safe and effective. This will lead to a net loss of chemical products, having a direct impact on farm productivity. We do not want that.

The real problems which need addressing are the inefficiencies in the current system. So go to farmers and go to industry. Take on board what the NFF says. But do not come out with these sorts of policies, policies which just meddle unnecessarily in a system which is working fairly efficiently. If there are things which need to be fixed up, by all means go to the farmers, the people on the ground, and talk to them about what needs fixing. Do not just bring in legislation which will do nothing but impose more compliance costs on farmers.

The introduction to Australia of innovative products, such as a sheep drench specifically developed by Australians for Australian conditions, is already being delayed. This drench has been on the market and in use in New Zealand for two years but is yet to get the green light in Australia. It was developed here and is suitable for Australian conditions, yet Australian farmers cannot use it—because of inefficiencies in place which this new legislation will do nothing to improve. The Deloitte Access Economics report commissioned by CropLife Australia highlighted this concern. It stated that there will be an increase in costs of $8 million a year to product registrants—costs which will have to be passed on to users. We heard the member for Murray say that farmers are not price makers; they are price takers. They have to take what they get. That is what world markets dictate and that is what domestic markets dictate. They have to take the price available. With the Australian dollar high at the moment and with everything going against the poor old farmers, they are being forced to cut costs every which way. This is another hit they do not need.

Farmer groups have re-emphasised their support for the existing chemical review program as the most appropriate risk based mechanism for prioritising the assessment of the safety, efficiency and impact upon trade of agvet products. Any reforms to the industry need to address the shortcomings of the existing chemical review process. Industry supports the streamlining of the existing process for identifying and reviewing suspect chemicals but opposes the reregistration process, which simply adds another layer of regulations. The coalition strongly believes the only way to achieve the stated aim of this bill—to achieve efficiency and speed up the review of high-risk chemistries—is to amend the bill to remove the reregistration process.

The start date of this bill is 1 July 2013. There are only 17 evaluators and there are some 9,000 products which may be up for the registration process. APVMA has a chief executive officer who has only just come on board and Labor has given us nothing about how the APVMA it will manage the changes and the increased workload. All of that again shows how wrong it is to ram legislation through this parliament—legislation which is, in any event, unnecessary. APVMA needs time to establish its process and time to consult with industry on how it will manage the new legislative requirements. Given that it currently takes up to 15 years to review some chemicals, it is important we give APVMA time to adjust—or the whole organisation will just go into meltdown.
The coalition would like to see the commencement date delayed by a year in order to allow time to develop a risk-management framework clearly detailing the application requirements that are essential to support other efficiency measures such as 'shut the gate' and elapsed timeframe reforms. This extra time would allow registrants to work with the APVMA to road test the risk framework to ensure it is operated as intended. This has not occurred to date and the current manual of requirements and guidelines is insufficient, with significant gaps, which need to be addressed.

Furthermore, without a comprehensive risk framework to deliver high quality applications to the APVMA, it may struggle with the applications that do not have all the required information, resulting in more applications being denied, longer timeframes for decisions and a higher refusal rate—just as in the example of the Australian sheep drench, for instance. The consequence of a poorly handled transition will amplify the problems identified by farmers and industry that will see fewer safe products remaining on the market, diminishing the competitiveness of the Australian industry. If there is anything that we do not need in Australia today it is a reduction in the competitiveness of Australian industry and farmers, who are having a tough enough time as it is. This in turn will increase costs for farmers as the price of pesticides increase.

I talk about farmers and like to use the words 'farmer', 'farm' and 'farming' in this parliament. They are great words; they are essential words. But it seems that they are lost on the Prime Minister. I had the Parliamentary Library look this up. Our Prime Minister has mentioned the word 'farmer' six times. She has mentioned farmers in two ministerial statements about Afghanistan, talking about how the farmers there are being helped by Australians to improve the things that they are doing so they can produce more food and help that country transition. The Prime Minister also talked about farmers in a speech on the Queensland flood tax of 2011. The only other time that she has talked about farmers was in a speech on, believe it or not, Patrick Farmer, the marathon runner and former Liberal member.

Mr Brendan O'Connor: There's nothing wrong with Pat Farmer.

Mr McCormack: Certainly there is nothing wrong with that, Minister. But what is wrong is that our Prime Minister does not seem to recognise our farmers, Australian farmers. You can laugh about it; you can joke about it. But Parliamentary Secretary Sidebottom, who is beside you, knows exactly how important our farmers are. And I am sure that you do, too, Minister. But they are not being recognised in this place and they are certainly not being recognised or acknowledged by the Prime Minister. That is a disgrace, because our farmers deserve recognition. They do not ask for a hand out; they just ask for a hand up. They ask for a fair go. They are not getting one from a Prime Minister who thinks that going to regional Australia is going to the Western Suburbs of Sydney.

Mr Brendan O'Connor: Come on!

Mr McCormack: No, that is absolutely fair dinkum. People out in regional Australia are hurting. They do not need legislation such as this coming in preventing farmers from doing the job that they do so diligently and so dutifully on behalf of the Australian people. They do not need a Prime Minister who refuses to acknowledge the great work that they do. It is high time that the Prime Minister just
occasionally gave them a bit of credit where credit is due.

Mr RAMSEY (Grey) (16:03): Let me associate myself with those parting remarks from the member for Riverina. I was involved with the review of the Agricultural And Veterinary Chemicals Legislation Amendment Bill 2012 after being seconded to the relevant committee. Small business is the economic driver of this country. It is the biggest employer. If there is one consistent complaint when I talk to people in small business it is about ballooning regulation and red tape. I have lost count of the number of builders, electricians, workshop mechanics and shop proprietors in small communities who have told me that they have reduced the size of their business, sometimes to a one-person operation. Why? Because they were sick to death of the paperwork and added expense affecting their viability, eroding their profits and making their products more expensive as they either compete for space against imports or—as farmers do—sell into a world market that cares not for the cost of their production.

There is one thing that we should do above all others in this parliament: to adhere to the adage that we should endeavour to do no harm. If we are to inflict damage on a certain sector, there must be a clear-cut case that the good far outweighs the harm. In the case of the Agricultural And Veterinary Chemicals Legislation Amendment Bill 2012, that cannot be said. In fact, I am of the opinion that, as the bill currently stands, it has the ability to do more damage than good.

I presume I was drafted onto the committee because I have a quite recent past involvement as a user of chemicals in agriculture and as a farmer and as a representative on a number of agricultural research and extension organisations. There were 15 submissions to the inquiry and six organisations or individuals plus the department gave evidence on our single day of hearings here in Canberra on 4 February. Only one of those people who fronted the committee alleged any failure in the current procedures. Even then they did not present any evidence to support this point of view. The inquiry heard no evidence that Australia's current registration system is allowing dangerous chemicals to be sold in Australia under licence. In fact, we were told by the National Audit Office that the APVMA has reasonable arrangements in place to identify chemicals that require review and to prioritise the reviews according to the risk that they represent.

So the question is: why is the government preparing to bring in a mandatory re-registration process when the case has not clearly been spelt out that one is needed? What we heard was that the industry was annoyed with the ability of the APVMA to frustrate the ability for new applications to be decided upon in a timely fashion. The central aim of this bill is the introduction of mandatory re-registration of chemicals that currently hold registration—and some of these products have been used for decades without dispute. It was proposed that they be subject to a re-registration process every five to 15 years, depending on how someone within the APVMA assesses the amount of danger that particular product may pose to the environment or people.

Currently, there are around 10,000 formulations registered for use in Australia. Such changes would mean that the APVMA would be trying to process in excess of 2,000 applications a year. It hardly seems likely that this extra workload will speed up the process. Already we know there is a significant backlog because one of the key objectives in the bill states that is the case: there is an existing backlog.
The most concerning thing is the possibility of extra costs this will inflict upon the industry. In fact, the Deloitte Access Economics study found it would be, in direct costs, $8 million a year. It is very concerning that the APVMA and the department have done no cost-benefit analysis. And it is impossible to say, from the information, just how much it will cost farmers, because ultimately they are the people who will pay the price.

As I said, the estimate was $8 million in direct costs, but that does not include the collecting and collating of new information. So if a company was to face a mandatory renewal of registration—and it may be required to find new scientific information to back up the application—it would entail a cost directly to the industry, an extra cost which in the end must be passed on to the farmer.

The best reason the department could give—at least, by my judgement—for this mandatory registration was that other countries were doing it this way. There are so many things around the world that I would not want to copy. In fact, Europe is held up as a shining example in many cases. There are so many things in Europe—considering their financial complications at the moment—that I think Australia definitely should not copy. In fact, some of the regulations they have around the reregistration of chemicals, which impose new costs or complications for farmers, may well be one of those.

It can be misleading. Australia is a major exporter of food, and is recognised as such around the world. About 71 per cent of our production is exported. In specific industries like wheat or beef we are one of the biggest players, but our agricultural sector by world standards is not that big—it is just that we export most of our production. Many of our industries are far smaller than those I have mentioned already, and they are little more than niche areas of production which market into a certain area. That means that the size of our agriculture sector is not significant in world terms. So a market for a certain chemical in our agriculture sector is not necessarily a viable opportunity for any company wishing to sell it.

A number of witnesses, including CropLife, GRDC and farmer groups raised the fact that chemicals with low sales may not be worth the sponsoring company spending the money on re-registration. In fact, they cannot recoup the investment required.

Dr Rohan Rainbow of the GRDC told the committee the European scheme this bill is seeking to emulate has led to the number of registered formulations falling from 945 to 336 in 10 years, and this equates to a 64 per cent loss in variety of products available across the sector over that time. That is not because they were necessarily seen as dangerous; it was just, in the greater part, because the registrations were not renewed. We have no information to tell us exactly why this is, but it is highly likely it was the costs related to the renewal process—that those companies could not find a way to recover the amount of money they had to spend on the registration process for it to be worthwhile their going through with it.

The Australian market is just a fraction of the size of the European market so we do not know what the fallout would be. We should. As members of parliament, if we are to make an informed decision on this we should know exactly what those costs are for our agriculture sector. We should have that cost-benefit analysis but we are being asked, in this case, to vote in the dark, as it were.

In recent times the APVMA has been reviewing a number of chemicals. As an
example I will focus on one that created quite a few headlines some 12 months ago. That chemical was diuron. Diuron has been used for more than 40 years—or probably closer to 50 years—around the nation. The initial recommendations from the APVMA were very concerning, largely because they were concerned about run-off into the marine environment. Farmers in my area were very alarmed.

My connections farm in an area of very low rainfall—I wish it were otherwise—with little run-off. We are hundreds of kilometres from the coast. In fact, should there be run-off it would drain inland into a salt lake environment. So it is very unlikely to do any harm to the environment. We use exceptionally low rates. Yet the initial recommendations were such that my farmers were very concerned they may be losing the use of a very valuable chemical. There were adjustments to the registration, and in the end the recommendations largely concentrated on the higher-rainfall areas and areas closer to the coast. But the issue created a lot of work for a lot of people in the industry to get back to basic common sense.

I am very concerned there is an opportunity for flare-ups of other non-commonsense proposals. So, like many, I have been calling for reform within the APVMA. Its lack of responsiveness has been a concern to me for some time.

I informed this House back in the 2011 that farmers across southern Australia—and within my electorate—were struggling with a mouse plague. Tens of millions of dollars, if not hundreds of millions of dollars, were lost to the industry as a result of this mouse plague. You need a bit of history here. There was a time when we used, in this country, strychnine bates to kill mice. Grain was treated with strychnine. One grain was lethal, and it worked very well. In somebody's wisdom, some years ago they removed strychnine for possible use on broad-acre agriculture. There were concerns not about damage to wildlife but about contaminating an export crop. There are many stories around about who was driving those concerns and whether they were put up for marketing purposes in the first place, but the long and short of it is that we lost the use of strychnine—a very good chemical. If it were reintroduced now, the cost has unfortunately blown out so it will make it quite difficult. Its recommended replacement is a chemical called zinc phosphide. Zinc phosphide is an S7 poison, so it needs to be handled with utmost care, but farmers are trained and educated in handling these chemicals.

There we were in the middle of a mouse plague and badly needed an emergency response, but the APVMA was very slow in moving to respond. In fact, that mouse plague was over gone—dead and buried, I might say, to use a phrase from somewhere else. It was long gone before we ever got the response out of the APVMA that we needed. At the time I said that there should be mechanisms within their operating structure to take into account the economic impact of non-action or the economic impact of withdrawing a chemical from the market, as well as taking into account the environment benefits of withholding those chemicals from the market, if you will. We should always have the full story. In fact, there is a very good simile: on a regular basis, the Pharmaceutical Benefits Advisory Committee needs to make decisions about the relative benefit of any proposed medicine for human use. It has to weigh up the dollars against the value the individuals in the electorate will get out of that particular registration. I think that is the kind of flexibility the APVMA should have.

I accept that there are parts of this bill that aim at making the APVMA a more
responsive organisation, by setting time limits. Those are the parts of the bill that I broadly support. The amendments that the member for Calare has foreshadowed ask: firstly, that the 12-month mandatory renewable registration process be removed from the bill; and, secondly, that we take another 12 months to get the rest of this right, so we can get the extra things in the legislation that are needed and make sure that we get a responsive APVMA that is, above all, cost-efficient and does not pass extra costs and red tape on to our farming sector. The sector it is does not really make any difference; it is another small business in Australia that does not need extra costs.

Mr CHRISTENSEN (Dawson) (16:18): I acknowledge the member for Grey's contribution just then and associate myself with those comments. I would like to put on the record my thanks for him spearheading the dissenting report from the House committee on this issue. That report will certainly form the basis for policy changes, we hope, under a new government.

The Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 is supposed to improve the regulation of ag and vet chemicals. Presumably, the Labor Party's definition of improving regulations means making more of them and making them more restrictive—more red tape and more barriers to production. I note in the bill's summary that this legislation will update offences, create new offences and insert civil penalty provisions. That seems to sum up this government's policy platform: create more red tape and make the current red tape harder to cut through. To serve as a permanent reminder to this government's suffocating principles, this bill will insert a new requirement, a gift that keeps on giving. Under this legislation, existing approvals and registrations will operate for a finite period, which means new applications must be lodged for re-approval or reregistration.

The Liberal-National coalition, as has been said today, is moving amendments to remove this reregistration process and delay commencement for 12 months to allow proper consultation on this matter. These amendments are in line with the Liberal-National coalition's commitment to cutting red tape and making industry more efficient, and certainly making government regulators more efficient. I understand that the Labor Party had only one election commitment relating to agriculture, and this before us is it. But, when it was sold to agriculture before the last election, it was not about introducing more red tape and choking up industry; it was about the opposite: streamlining things. But now the deed is done and the red tape is here. Having next to zero experience in business, industry or indeed agriculture, those opposite have no understanding of what red tape actually means. They have no concept of the impact red tape has on industry and, in turn, the impact on employment and wealth generation.

Additional layers of red tape add cost. The onerous burdens of red tape contained in this bill will increase the cost to industry by about one third and that cost has to be paid by someone. Instead of adding to the nation's production, we have workers and industry tied up with compliance tasks that produce nothing and achieve nothing. Exacerbating the problem is the compliance cost borne by the regulator itself. This bill seeks to drown the regulator in paperwork, diminishing their ability to identify and review suspect chemicals. The red tape in this bill achieves nothing more than appeasing to the coalition partners of this government, the Greens.

This bill has been subject to both Senate and House inquiries. Repeated submissions to both of those inquiries, by industry
groups, farmers and veterinarian groups, identified the additional costs, complexities and increasing red tape in the agricultural industry, in particular through the processes that are sought to be put in place in this bill.

The Liberal-Nationals coalition members on the House committee, spearheaded by the member for Grey, gave a dissenting report recommending the removal of that re-registration process and establishing a task force to urgently review the APVMA systems with a view to improving the efficiency, effectiveness and speed of the review of at-risk chemistries—and that is what we will pursue if elected to government. The manner in which reviews are undertaken and decisions are made at the APVMA leave a lot to be desired, and it has clearly been shown to be disastrous when it comes to a real world application.

Two examples of how this complicated, slow process is hurting agriculture can be seen in the regulation of diuron and dimethoate. Those two chemicals apply particularly to two industries which mean a lot to me. They mean a lot to the electorate of Dawson. They mean a lot to jobs in that electorate. They mean a lot to the state of Queensland. They mean a lot to the nation. The chemical diuron is an essential part of weed management in the sugar industry. My electorate is the largest sugar-growing electorate in the country, and diuron is an extremely effective form of weed control that has been responsible for increased efficiency and production in that industry. It has also been the subject of a sloppy scientific review and a lack of consultation through the APVMA processes. At no point did that regulator consider the impact on agriculture and what its decisions would mean in the real world.

The Greens, and the extreme green groups that are behind them, think that a chemical might be suspect. The next thing that happens is that this government simply bans it—or at least regulates it to the point of it effectively being banned. No-one consulted with the sugar industry in North Queensland when the APVMA made their recent effective ban on diuron. No-one thought about what would happen to the industry if that chemical was effectively banned. No-one bothered to consider if there were viable alternatives to that effectively banned chemical and no-one thought about what North Queensland sugar farmers would actually have to do if it was effectively banned. And no-one can definitively show that there will be any benefit from this effective ban whatsoever.

The sugar farmers in North Queensland are acutely aware of the quality of their environment, the land and their waterways. Their entire businesses, their livelihoods, are based on the quality of the environment, the quality of the land and the quality of the waterways in which they operate their cane farms. In recent generations we have seen an increase in focus on sustainable practice, and cane farmers in North Queensland have adopted a wide range of environmental practices that provide good outcomes for them, their industry and the environment. These are new environmental practices, such as green trash blanketing. That, in conjunction with the effective use of diuron, has proved to be effective.

If diuron is removed from the process, which is what has happened with the APVMA’s recent ruling, then the environmental practices that are going on are no longer effective for the sugar growers. This may be the result that the Greens hope to see. Do they want to see a return to outdated practices which may have harmed the environment more than what is going on now? Did the regulator, the Greens and the green groups that were pushing the regulator...
to go in this direction—or even those opposite—consider for one minute what alternative practices that there may be? Did anyone bother to ask anyone in the sugar industry what would happen if this chemical was no longer available to use? There is no economically viable alternative.

The regulator placed restrictions on diuron, on the use of diuron and on the concentrations of diuron that render it ineffective, and it basically banned its use during the precise time when it is used in the sugar industry. No consideration was given to the development of an economically viable alternative before banning the industry standard, and the question has to be asked: where was good science in all of this? Cane growers released some criticisms of this process of the APVMA. In it, they said that there was new information that was given on diuron metabolites that was not present in the 2005 review that the APVMA undertook. The cane growers said there was no evaluation of a practice change undertaken by the sugarcane industry since that 2005 review, and they noted that the sugarcane industry already used the reduced rates of diuron in its farming systems. They said that there was no evaluation of the Queensland government's reef regulations, which targeted residual PSII herbicides, particularly diuron, where the rate of application was reduced to 1.8 kilograms of active constituent per hectare per year. Finally, they said there was no evaluation of the effectiveness of the $200 million reef rescue program that sits under the reef plan. They went on to say that both have targets to improve water quality and reduce herbicides by 25 per cent and 50 per cent respectively, and that herbicides of interest under the programs actually included diuron.

While all of this was going on, I went and spoke to a fellow by the name of Professor Ivan Kennedy. Professor Kennedy has a Bachelor of Science in Agriculture. He has a PhD in Science and a doctorate of Science in Agriculture. He is a fellow member of the Royal Australian Chemical Institute and, to boot, he is a professor in agricultural and environmental chemistry at the University of Sydney. He is a guy who is pretty well qualified and a guy who knows what he is talking about when it comes to agrichemicals. I asked him about all of the kerfuffle we were seeing in the media at the time. He said that a safe level of diuron not affecting plant growth noticeably would be 0.1 to one parts per billion. That is one microgram per litre.

Professor Kennedy said that aquatic plants, such as lemma and seagrass, require sustained levels of 50 to 100 parts per billion in the water to kill them. They would recover from a brief two-day exposure. He said the scientific data is reassuring in that such safe levels—that is, one part per billion—are never exceeded in the Great Barrier Reef lagoon. In general, the concentrations are too low to measure, except using special samplers that concentrate the diuron about 1,000 times. He went on to say that there is no evidence that coral in the lagoon is being harmed by such low concentrations below the limits of chemical detection, certainly not 60 kilometres from the shore. Yet we have had the APVMA, driven by the extreme green groups, effectively ban diuron in one of their recent decisions. Where was science in all of this? Goodness knows.

I also represent the Bowen Gumlu region. It is the largest tomato-growing region in this country. There, in my electorate, they produce about 90 per cent of our winter tomato crop and about 60 per cent of the year-round tomato crop. There are 47,000 tonnes of capsicums and chillies that also come from there, which are worth about $100 million to this nation every year. That
small region in Queensland also produces 95 per cent of our capsicums in September and October. As I said, $104 million worth of tomatoes a year, or 90 per cent, are grown in that winter period. They use dimethoate for controlling fruit fly—or at least they used to use it. The APVMA conducted a review on the use of dimethoate and found it could pose a dietary risk to consumers. So in 2011 they lowered the maximum residue rate for dimethoate from .02 milligrams a day to .001 milligrams a day.

Not content with strangling agricultural production for the domestic market, basically that decision restricted export market opportunities as well. New Zealand has its own rules and they accept dimethoate at rates which now in Australia we do not. The fact is that there is a large export market for those tomatoes and capsicums over in New Zealand. They accept the standards that were previously used. They would have accepted the product but now the APVMA has come in and made this ruling. It does not matter where the tomatoes are going. They could be going to the domestic market or they could be exported to New Zealand where the dimethoate rate is accepted. But they cannot export them anymore because this ruling has been an effective ban on exports of those tomatoes to New Zealand because there is no other method currently accepted by the APVMA that will be accepted in New Zealand to ensure they do not have fruit fly and other pests in them. That is an export opportunity lost. It has been lost for a year. It will probably be lost this year. Two years is a long time to be out of that market because the market share shrinks on a daily basis and the growers up there fear the window will close while they sit on the sidelines waiting for bureaucrats and regulators to sort out the system.

The entire system is flawed from the ground up. At a time when flexibility and speed determine market share, our agricultural sector is drowning in bureaucracy. There has been much political posturing in this country. They talk about Australia’s great opportunity as a food bowl for the world but under the management of this government such notions are pure fantasy. While our farmers are out there growing food for our people and for the people of other countries, we have Labor and the Greens tying public servants up in knots of red and green tape preventing those farmers doing what they do best.

Consider the re-registration process in this bill. There are 9,900 agricultural and veterinary chemicals currently registered with 1,900 active constituents making up 9,900 chemicals. This bill, an act of agricultural sabotage, is requiring each one of them to be registered again. They are already registered. Imagine the staff and resources that are going to be tied up in the process. Instead of applying close and urgent scrutiny to high-risk agricultural or veterinary chemicals, this bill will have those people wasting time going through re-registering thousands of low-risk chemicals.

This bill is being driven by the Greens, by extreme green groups. It has the government jumping up and down all the time. If it is going to be passed in this place it will be another milestone for the Greens to celebrate from this government.

Mr COULTON (Parkes—The Nationals Chief Whip) (16:33): It is always a privilege to follow my colleague the member for Dawson, who never ceases to amaze me with his broad depth of knowledge and understanding of the issues that surround his electorate. For a man with a journalistic background to have that sort of grasp of agricultural issues is a real testament to his commitment and research on the job.
I do not support the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 in its current form. This bill would lead to a net loss in efficiency of the regulator and, contrary to the stated aims, will reduce its ability to identify and review suspect chemistries. The coalition will move amendments to remove the re-registration process to ensure a net gain in efficiency, and delay the commencement for 12 months to allow a proper consultation process and time to develop new protocols and processes for the APVMA, which will minimise the disruption and cost to industry.

Reforms were supposed to reduce cumbersome assessment and re-registration processes, be more cost-effective for farmers and provide industry with timely access to the best and safest crop and animal protectants. We do support these objectives. However, instead the changes to the re-registration process contradict these objectives and instead will entrench yet another layer of red tape through an automatic seven- to 15-year review process for all chemicals with the extra costs ultimately being passed on to chemical users, the farmers. Essentially, the re-registration system adds no triggers but just another expensive recheck of the triggers funded by industry. There needs to be stringent and proper process for all farm chemicals, but the introduction of re-registration is unnecessary and burdensome.

Being a farmer, I probably have a greater understanding of the impacts of this bill than anyone. In my previous life, before coming here, I was constantly involved in the evolution and introduction of chemical processes and farm chemicals to increase productivity. One of these chemicals that will be up for re-registration, which has been on the market for over 30 years, is glyphosate.

In the late seventies and early eighties, my brothers and I, along with the New South Wales Department of Agriculture and the company Monsanto, conducted trials on our farm looking at the use of Roundup, or glyphosate, to control weeds as a replacement for cultivation. While some are using this bill as some sort of a standard to highlight farm chemicals as a bogeyman, that work that was done earlier on and the subsequent work done by many in the use of glyphosate as a farm tool has truly revolutionised the production of agriculture in Australia today. Indeed, there are now areas, particularly in my electorate, that are the centre of grain production in Australia whereas 30 or 40 years ago they would have been considered marginal grazing areas at best. These chemicals have not destroyed the environment. They have not destroyed the soil but have had indeed the opposite effect. In an area that has used chemical farming through glyphosate and other chemicals to control the weeds, one of the first things that you notice is that the microbiology comes back. Then you start to notice the earthworms returning, and the friability and the texture of the soil improving. Anyone that knows anything about soil can tell by the smell of the soil whether it is healthy or not. That research has led to a boom worth millions of dollars, not only to the farmers of Australia but also to the Australian economy.

There were two things that kept this country out of recession during the GFC: the mining industry and agriculture. One of the reasons that we still have an agricultural industry after eight to 10 years of drought is because of the work done by farmers in research with chemicals such as glyphosate. The sad reality is that, in the last five years, the focus of research by this government has been completely associated with climate change. The great irony is that, while this government gives grants to study the
emissions of ruminants and to look at methane emissions from sediment ponds at piggeries and the like, the farmers that have been using glyphosate and zero till farming, largely introduced by their own wherewithal and processes, have done more for the environment of the globe than this government ever will. There is more carbon sequestered in the soils of north-west New South Wales now than there ever has been before. It is a real tragedy that this government has ripped out the funding for agriculture research looking at productions and farming systems and a whole range of other soil sciences and biology and things that the Australian farmers in the Australian economy rely on for their production, and have put their complete focus into climate change. That is going to have a negative effect.

I believe that a new chemical introduced, whether it is a drug for human consumption or a farm chemical for animals or for crop control, does need stringent testing. There is no doubt about that. But I will argue that we need to do a review every seven to 15 years on these tried and proved chemicals. It is not only in agronomy and in cropping but also in the livestock sector. In my time as a farmer, inventions such as the compound rumensin to control bloat in cattle and the continuous work that goes on in keeping ahead of worm resistance in sheep have assisted livestock production. If it was not for the work of the chemical companies in relation with farmers, in many areas now we would not see livestock production. But this continuous fight against the evolution of resistance and the ability for companies to put out new chemicals to counterbalance that keeps Australia at the head. Australian farmers are the most productive farmers in the world, without a doubt.

One of the great things that upsets me in this place is to come in and to hear minister Burke say, when he was agriculture minister, that we need to help farmers to adapt to climate change, we need to help farmers do that. Our farmers are ahead of the game. If you go anywhere in a farming area now you will find that, in competing against farmers from other countries that are highly subsidised, our farmers are more than holding their own. Indeed, they are showing the way. But what does concern me is listening to the contribution from the member from Morton here earlier today talking about Parkinson's disease and the links to farm chemicals. It is just like members from the other side to introduce a scare campaign in an attempt to get this bill through. As the member for Dawson said, this is really a sop to the Greens. The member for Dawson mentioned diuron and the effect that the removal of that will have for the cane farmers in his electorate. It is also going to have a detrimental effect to the cotton farmers in my part of the world.

We must not underestimate the need to be constantly evolving, changing, investigating, researching and introducing new ways to stay ahead of the game. I will talk about the weed fleabane. Fleabane has become the scourge of wheat farmers over the last five or 10 years and there is a constant need to come up with different ways, different methods and different chemicals to stay in front of these weeds.

In conclusion, I do agree with some of the intentions of this bill. I do think that we need to have safe chemicals on our farms. But I do not agree with the process that has been suggested. I do not agree with burdening our farmers with red tape and I certainly will support the amendments that the coalition will bring in to this bill. This government, this House, should be working towards improving the productivity of our land with as much zeal as some in this place are working on regulations and red tape.
Mr BUCHHOLZ (Wright) (16:43): This afternoon I rise to speak on the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012 on behalf of our local agribusinesses in my electorate. According to a recent Australian Bureau of Statistics survey, 16 per cent of all businesses in my electorate are agricultural in nature. They represent a significant sector of our local economy. They are an important local employer and, notably, a crucial provider of local product which ends up on mums' and dads' kitchen tables right around Australia. So, as you can imagine, I take a very keen interest in all things that affect our agricultural sector. I always have and I always will. When you have worked in the financial and transport sectors in rural towns, as I have, you get a keen appreciation of its vital importance to our primary producers.

We should never underestimate the challenges that the rural sector has faced in recent years, and continues to face. There is a lot of discussion and concern about the many factors impacting on the future of the manufacturing sector. Well, the agricultural sector has similarly faced a whole range of challenges, including those mother nature throws their way. Earlier this year, many producers in my electorate were devastated by the Australia Day floods. Their fields were destroyed, their crops were washed away and the devastation to farm infrastructure was enormous, notwithstanding the 10 years of drought they had prior to that and, for my dairy farmers, notwithstanding the price pressures that are currently under consideration in that industry. They are putting up with shrinking margins and, in some cost of production numbers, dairy farmers are working for as low as $7 per hour. I have and will continue to work with local farmers to ensure they are able to recover and rebuild as soon as possible.

One of the most important things any government can do, aside from the direct practical assistance to help rebuild, which is welcome, is to ensure that their policies do not add to the financial pressures already affecting farmers. The fact is that this bill, in its current form, is likely to add to costs for agribusinesses. For that reason I support the amendments put forward by the shadow minister for agriculture and food security, and state my opposition to the bill in its current form.

I remind the House that the CEO of CropLife Australia, Mr Matthew Cossey, has stated that ‘In its current form this bill will only serve to hinder agricultural productivity.’ I am sure it is not the intention of this government to put a bill up that inhibits our agri-sector. Why on earth would any government in its right mind plough ahead with legislation that is likely to hinder productivity? Well, like so much of what this government does, this legislation has unintended consequences. In resolving to solve a problem they have managed to make it worse. In trying to cut red tape, they have actually added to it instead. In attempting to make the processes more efficient, they have actually made them less efficient. In attempting to strengthen the Australian Pesticides and Veterinary Medicines Authority, they will in effect burden and weaken it with this legislation. The bottom line is that the red tape impost in this bill will flow on to agribusiness and ultimately to consumers.

The background to this bill is quite extensive, beginning with the 2008 Productivity Commission research study into the existing arrangements for the regulation of chemicals and plastics in Australia. Amongst other things, the Productivity Commission concluded:

The efficiency of APVMA assessments could be further improved by rectifying the currently
dysfunctional arrangements for registering low regulatory concern products and through greater use of international assessment data.

In 2010, the Labor Party promised that it would improve the regulation of agricultural and veterinary chemicals in Australia through the APVMA. They said, 'A key focus will be on the efficient assessment of lower-risk agricultural and veterinary chemicals while ensuring that higher-risk agvet chemicals are assessed appropriately.'

After a discussion paper and public consultation, this bill was referred to the House of Representatives Standing Committee for Agriculture, Resources, Fisheries and Forestry for inquiry and report. That report was tabled a few weeks ago, on 28 February 2013, and contained a considerable dissenting report from the coalition MPs expressing concern over the impact of the bill and recommending that the 're-registration requirement' be removed and that the commencement of the bill be delayed for 12 months. These are the two amendments that are before the House at the moment. These two amendments make a great deal of sense given the level of concern in the sector about the unintended consequences of the bill.

Labor's haste is typical of their approach. They say, 'Something must be done, this is something, so we must rush this through.' It is not a considered approach; it is thought-bubble politics and it certainly is not in the national interest.

Yes, there are issues with the current operation of APVMA, yes, we need to improve the efficiency and effectiveness of assessment processes, and we must ensure that APVMA has the capacity to identify and review suspect chemistries. Absolutely. But this bill is not the answer. Imposing an extra regulatory burden, in the form of a mandatory re-approval and re-registration scheme, is not the answer. This provision on its own has the potential to make costs skyrocket, not to mention adding another layer of red tape and bureaucracy, rather than removing it.

The coalition is not arguing that the current system is perfect. Nor do we contend that every aspect of this bill is incorrect. In general, the bill makes a number of changes to arrangements to manage agvet chemical registration and improvements to compliance and enforcement arrangements, most of which try to improve efficiency. As such, industry supports the measures, and so do we.

Certainly the intent of the bill is right. However, in its entirety, the bill only adds to the problem. Our amendments will improve the bill and ensure that the implementation of those aspects that are positive can proceed in an effective manner. We believe that the timeframe for implementation of this legislation is simply way too short—commencement of the bill is scheduled for 1 July this year.

We believe that APVMA will need to put in place a risk management framework and road test it to ensure that the application requirements can be met and other efficiency measures are supported. It must be remembered that the APVMA operates on a cost recovery basis. In 2010-11, payments of application fees, levies and annual fees by the ag-vet chemical industry were about 96 per cent of the APVMA's total revenue. So you can see that when the APVMA get a hit they are going to pass it on and it is going to end up coming out of the pockets of our farmers.

In its 2010-11 mid-year economic and fiscal outlook statement, the government announced, as part of the reform agenda, $8.75 million of funding over four years to implement reforms to the regulation of ag-vet chemicals in Australia. This funding is
not ongoing. It is just over the forward estimates and will apply only to the initial establishment and implementation of the reforms. When you have a mechanism in place where you have an organisation searching for fees and levies, it becomes a great place for them to generate coin. In other words, the burden of the ongoing assessment regime will be placed on the ag-vet chemical industry, who in turn will pass it on to farmers, who then have no choice but to pass it on to consumers. And the government wonders why the cost of living continues to skyrocket under their policies. Every regulatory burden they impose puts pressure on the cost of living. That is why the coalition has committed itself to cutting unnecessary red tape by $1 billion. Our amendment to this bill will have that objective in mind: wherever possible we must reduce the regulatory burden on Australian business, on Australian farmers and on the agribusiness sector.

The major regulatory burden is the mandatory re-registration and re-approvals process, which requires that a product after a certain time period must go through the approval process again, regardless of whether there have been any issues whatsoever with its use. The product may have been on the market for many years being used safely without any problems whatsoever, but it seems it still must go through the whole process again after a set period of time. This is clearly a huge regulatory burden. There has been no cost-benefit analysis as to the benefits of this mandatory re-application process. We do not know that this huge burden will improve safety one iota. And the fact is that the existing regime already contains the capacity for reviews if there are any safety concerns.

Existing section 31 of the ag-vet code allows the APVMA, at any time, to reconsider an approval of an active constituent for a proposed or existing chemical product, the registration of a chemical product or the approval of a label for containers of a chemical product. In addition, it can invite the public to propose products which should be reconsidered. So there are already mechanisms for review. There are very real concerns that this an onerous process of mandatory review and will ultimately mean that currently used chemicals are removed from the market, particularly those which are off-patent and will no longer be available to the farmers who rely on them.

The coalition do not seek to make amendments lightly, but we believe they are vital to make this legislation workable. I would have thought that all members of this House would share the objective of ensuring that the agricultural sector is not further burdened with unnecessary red tape. I can tell you that so many agricultural businesses are doing it tough, from our sheep industry to our cattle industry to our horticultural industry. As I move through my electorate, I am constantly being met by people who say, 'This is as tough as we have ever seen it.' Certainly, those in my electorate who are just beginning the slow rebuilding process after the floods do not need extra costs down the track because this government acted in haste yet again to introduce legislation that ultimately does more harm than good. That being the case, this House should not support the legislation in its current form. I certainly will not be supporting the legislation in its current form. On behalf of the agricultural businesses in my electorate, I implore the government to rethink the haste with which they are implementing this legislation, to rethink the extra layer of red tape that they are imposing and to amend this bill as the coalition has proposed.

I associate myself with the words of my coalition colleagues, who represent farmers...
and the agricultural sector and live and breathe and rely on that revenue to make communities vibrant. In my opening comments, I spoke about the ABS statistics that show that 16 per cent of economy in my electorate is derived from the agricultural sector. I suggest that the minister who introduced this bill into the House, whose electorate is no more than 42 square kilometres in size and within a stone's throw of the Sydney airport, has little or no understanding of how this will impact people on the ground. In fact, I do not know many sitting Labor members who actually represent agricultural electorates.

Of late, three types of bills have been introduced into this House. The first type of bill they bring in introduces some type of new tax or places some type of impost on mums and dads where money is being taken out of their pockets. Secondly, they introduce bills that give more power to their union mates. Thirdly, we see the introduction of bills with some type of increased regulatory burden. So this style of bill is not a new concept for the current Labor government. I implore you, in considering this legislation before the House, to revisit the legislation and accept the amendments to be moved by the coalition. They are sensible. We do accept the intent of this bill, but we implore that our amendments to be moved to this bill be accepted.

Mr RANDALL (Canning) (16:57): I am very pleased to speak on the Agricultural and Veterinary Chemicals Legislation Amendment Bill 2012, even though it is 2013. As all the speakers before me have informed the House, this bill aims to enforce the mandatory re-registration of existing chemicals which are crucial to efficient, effective and successful farming in Australia. The coalition will seek to amend this bill by sensibly removing the mandatory re-registration component of the bill, an aspect which Labor committed to in their 2010 election campaign to placate the Greens. This is yet another attack on primary producers, who are already doing it very tough in an industry that is under siege from many interest groups, plus the green groups, as well as external factors such as the stubbornly high Australian dollar and increasingly cheap imports from abroad.

Currently, the Australian Pesticides and Veterinary Medicines Authority, or APVMA, have a rigorous regime in place that ensures any products which are dangerous are weeded out and subject to scrutiny. In fact, many primary producers will argue that the current regime goes well beyond providing a safety net and instead has become an unacceptable impediment to efficient farming, given the outlandish claims that are being used to try and ban fenthion, an issue that I will go into in more detail later.

It is important to note that the current bill retains all of the existing mechanisms for triggering a review. I repeat: this bill retains all of the current mechanisms which would trigger a review. So what is the point of this? It is because the Greens, again, have leant on this government because they have this hysteria about issues to do with agriculture et cetera. They do not understand. Currently, the Minister for Agriculture, Fisheries and Forestry, the man who has successfully closed down a cattle industry in the north of Australia, presides over this along with the Minister for Sustainability, Water, Population and Communities, who comes from a city based electorate, Watson. They really do not appreciate what farmers and orchardists are doing out there in wider Australia. This is what I, the growers and the farmers perceive as an overregulation of the industry. Given that such reviews are paid for by industry itself, through full cost recovery, mandatory registration is just an
inefficient mechanism that will not only waste the levies paid in good faith by the industry but further erode the trust that farmers have had in these bureaucratic arms of government. This trust is now becoming very short in supply.

The bill was meant to improve efficiency and reduce regulatory burdens. Instead, in true Labor fashion they have managed to put forward a bill which will do the complete opposite. Even when Labor sets out to make life easier for business, they somehow manage to wrap industries up in either more red tape or more green tape. This is why the coalition will be cutting unnecessary red tape by something like $1 billion should we be fortunate enough to win the next federal election. Labor have increased compliance costs by so much in the past five years that the coalition needs to ease the burden on industry not only to ensure its growth but, in many cases, to ensure its very survival.

Following the very good speech by the shadow agriculture minister, the member for Calare, the member for Moreton, Graham Perrett, had the audacity to freely admit that he has a few farmers and growers in his electorate and his only appreciation for the subject comes from the fact that he has been the Brisbane markets in his electorate. I suppose he would have the same authority in relation to taxation matters because he has an accountant somewhere in one of the suburbs! The member for Moreton went on to say that he has been approached by mothers who have expressed grave concern for their children about the effect the chemicals may have on them. He then proceeded to tell us that his expert knowledge of this is to argue aspects of the bill which are not based on evidence or science but just a couple of mothers at the market saying they are worried about apples being sprayed. This goes to the heart of the debate surrounding the overregulation and red tape which is strangling primary producers in this country.

Those with no understanding of the issues that farmers are facing have a disproportionate voice. In other words, the noisy lobbies in these debates are why we have thousands of farmers walking off their land who are either fed up with the unnecessary burdens placed on them or just cannot continue. As the member for Calare stated, we are a nation that was built on the back of primary producers. But now the inner-city elites and the green ideologues are trying to stamp out farmers across this country. In fact, they have a great antipathy or hate for farmers. The irony is that, by endeavouring to overregulate and tax farmers out of existence, they are allowing overseas producers to become more attractive to the markets that we have in Australia and imported products. Now, wouldn't it be crazy if we stopped an effective home-grown industry and imported the bulk of our fresh fruit and vegetables from overseas, where they do not have the same regulatory regimes to make sure that sprays and chemicals do not infiltrate food during its processing and growing cycle. That would be a really perverse effect.

I note that the Greens Party website promotes food security, as does Labor's National Food Plan. However, both parties are seeking to join hands in a kumbaya fashion and increase the regulatory costs incurred by chemical users, which of course will be passed on down the line to the very consumers that they reckon they are representing—the ones the member for Moreton spoke about in his markets in Brisbane. They are the ones who will be paying more. Labor does not seem to understand the link between compliance costs and the inevitable increase in the cost of living, which has been brutal since the
member for Griffith and the current Prime Minister took over this parliament.

I will not even go into Finance Minister Penny Wong's deregulation agenda, because it really has backfired on her. She is actually increasing costs by something like $8 million instead of reducing compliance costs. This is red tape and compliance at its worst. It is killing our domestic industries, as evidenced by the report that showed that 900 firms have been placed into administration every month. That is more than during the height of the GFC in this country. The impact of the carbon tax has been specifically cited as a primary factor for many of these closures. However, we have a Labor government in this country who refuse to listen to the coalition on matters of economic significance despite our warnings which, sadly, have proven to be accurate time and time again.

In relation to the impact of the bill, I refer you to arguments being put forward by coalition members and by industry expert Matthew Cossey, the CEO of CropLife Australia, who said:

In its current form, this bill will only serve to hinder agricultural productivity. The supporters of this bill in its current form argue that there needs to be safeguards to protect Australians from suspect chemicals. Well, there already are. As I have already said to you, it is already in the current bill. The coalition support this. However, we do not support this unnecessary overregulation which brings extra costs with no gain to public safety.

Implementing a mandatory re-registration process for the existing chemicals provides no additional safeguards, as I have said. We only have a small market in Australia which will likely result in chemical manufacturers avoiding costs associated with processes, and primary producers will be left without effective products that are vital to component production. In other words, large producers—and we know that they are multinationals—will see Australia as a place to avoid.

That brings me to a current issue in my electorate that has been initiated by the APVMA and poses a huge risk to fruit growers in my electorate and across Australia. In fact, this has national ramifications which something like this current bill would exacerbate. The APVMA are attempting to ban the use of fenthion, which is the common name of Lebaycid. This is the last remaining effective control against the devastating Mediterranean fruit fly, or medfly. It would devastate the industry across Australia if this last effective control was removed. It would open the industry up to attack by fruit fly from Queensland to Tasmania and right through to my state of Western Australia.

The evidence put forward to date has been torn to shreds by the Hills Orchard Improvement Group, led by a fierce advocate for fruit growers in the Perth Hills region, Brett DelSimone. Over the past 18 months, Brett and his team, representing this group of growers, have led the charge against an ill-conceived decision by the APVMA to ban fenthion from Australia, leaving orchardists unprotected against a pest that, if left unaddressed, would wipe out the fruit growing industry in Western Australia. I have been to the presentations and, yes, I do believe that the area-wide control mechanisms such as baiting, orchard clean-ups and the sterile fruit fly program are excellent, but they need the cover of the fenthion spray while they put this in place. South Australia was able to get rid of the Mediterranean fruit fly because of a combination of these tools—and, interestingly, these sterile flies are actually bred in Perth and sent to South Australia,
even though we do not use them ourselves in our own state.

The APVMA have only found green interest groups to support them, the same small groups who are today being appeased by this flawed legislation. Given Labor's support for this defective legislation in this House today, the feigned break-up between Labor and the Greens is clearly not a done deal; it resembles more a phoney lovers' tiff.

I challenge any member opposite to travel to an orchard—or at the very least pick up the phone and speak to an orchardist—in my electorate; you will soon understand the exasperation that these growers are feeling because of the overregulation of this industry. Given that any industry lobby group could ban or delay the re-registration of a spray like fenthion, the orchardists could be put out of business. Their stone fruit crops, their apple crops, even the grapes of the Swan Valley, would not be able to be protected against the attack of the Mediterranean fruit fly if fenthion were banned. Yet, should any interest group decide to involve themselves in this legislation, the re-registration of fenthion as a spray could be stopped, which could then see growers’ crops devastated for at least two, or more, years while they further investigated the veracity of any claims against this spray—which, by the way, for 60 years has not resulted in one recorded health issue, yet they still talk about wanting to ban it.

Bills such as the unamended version of this bill before the House will hinder rather than assist farmers across Australia. As elected members we have the responsibility to resist the onerous regulation and duplication of red tape; however, I know that only members on this side of the House have the motivation and resolve to ensure that primary producers are protected from such regressive legislation. I say to the crossbenchers who live in rural electorates and have fruit growers and orchardists in their areas: you will want to think seriously before you allow this overregulation of an industry whose members protect themselves by using cover sprays such as fenthion.

We cannot be beholden to such green ideology. We on this side of the House want to make life easier for small business—and an orchard is a small business—so that we can free up the private sector. The bill currently before the House does the complete opposite. It enlarges an already bloated bureaucracy and increases pressure, by further costs, on an industry that is already under significant pressure.

I implore the House to adopt the coalition's amendments—and you know what those amendments are; they have already been read in the House—to ensure that the bill's original intent is accomplished and to avoid an increased regulatory burden on Australia's primary producers. It is our responsibility to make sure that our industries remain competitive at home, rather than seeing overseas imports take over, when a home-grown industry like ours could survive if given the opportunity to survive, with less regulation, less government interference and a smaller bureaucracy interfering in their daily lives.

Debate adjourned.

Fisheries Legislation Amendment Bill (No. 1) 2012

Returned from Senate

Message received from the Senate returning the bill without amendment or request.
Financial Framework Legislation Amendment (No. 1) 2013
Marine Safety (Domestic Commercial Vessel) National Law Amendment 2013
Migration Amendment (Reform of Employer Sanctions) 2013
Offshore Petroleum and Greenhouse Gas Storage Amendment (Compliance Measures) 2013
Protection of Cultural Objects on Loan 2013
Federal Circuit Court of Australia (Consequential Amendments) Bill 2013

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

DOCUMENTS
Indigenous Affairs
Presentation
The DEPUTY SPEAKER (Ms Rishworth) (17:12): On behalf of the Speaker, I present the Speaker's response to recommendations of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs' Our land, our languages: language learning in Indigenous communities report, September 2012.

BILLS
Tax Laws Amendment (2012 Measures No. 6) Bill 2012
Second Reading
Debate resumed on the motion:
That this bill be now read a second time.
Mr OAKESHOTT (Lyne) (17:12): In amongst all the fun of the fair that has gone on over the last week in regard to media law reform, there has been an issue related to tax and the tax treatment of native title. I can confess to being one who has been holding out on the government on this legislation, the Tax Laws Amendment (2012 Measures No. 6) Bill and the considerations around the simple principle of whether capital gains tax should apply to native title determinations. My reasons for holding out are concerns that this is not a bipartisan piece of legislation, which is, in my view, disappointing. My preference by far would be that this were a bipartisan exercise in this chamber.

I have spoken in good faith to several in the Liberal-National Party about why there are concerns in the ranks about this TLAB No. 6 and the native title issues related to tax. My understanding is that there are concerns about the intergenerational issues, based on submissions made by the Mining Council of Australia to a Senate committee—and opposing this legislation looks like the position that we are going to see. Again, in good faith, those concerns about how these intergenerational issues can be better captured and better resolved have been taken up with government. This will address any genuine concerns that a perceived or real capital gains windfall is not just spent by existing elders or traditional owners without any consideration of the intergenerational issues, working on building better and more resilient communities as a consequence of this capital gains tax relief in a native title determination.

I am pleased that there has been work from government on that front. At 2.58 pm this afternoon, a media release was issued from the Attorney-General; the Minister for Families, Community Services and Indigenous Affairs; and the Assistant Treasurer. They have agreed to put together a Treasury-led working group to examine the tax treatment of native title payments and
how they can better benefit Indigenous communities now and into the future. The government has committed to ensure that native title payments provide real benefit to native title holders now and into the future. The working group will explore how to strengthen governance and promote sustainability in the management of native title payments. I am reliably advised that the working group will include native title and taxation experts and industry stakeholders and that a full range of options to help hold, manage and distribute native title benefits will be considered. Pleasingly, this will include the model that has had a bit of airtime publicly and deserves to have more—the Indigenous Community Development Corporation model, which is a product of significant work by the National Native Title Council, the Minerals Council of Australia and community leaders like Marcia Langton from the University of Melbourne, I think—forgive me if I have the wrong university! I am also reliably informed that the working group will report to government on options by 1 July 2013, so it does have a relatively skinny time line.

With these intergenerational issues resolved, I would once again go down that chain of logic and back to the Liberal-National Party to urge them to really consider their upcoming vote. The intergenerational issues, in good faith, are being resolved. Therefore, the greatest option of all, in all issues before this House relating to Aboriginal affairs, is that bipartisan position. I would really urge the Liberal-National Party to reflect on their position and would encourage them to, at the very least, not oppose—and preferably support—this legislation going through the House. There are implications if it does not go through. There will be capital gains implications for native title recipients. I do not think that is the intended consequence of the position of the opposition; I would hope it is not. I would also hope it is not their intention to play the front-of-the-pub politics of tax breaks and land breaks and all the games that can go with an election season.

I think we are in an interesting time in Aboriginal affairs and in this parliament's relationship with our first peoples. We have had some small wins along the way. At the start of every day we now acknowledge country. That is small but significant. We have a bipartisan position now on constitutional recognition, with a two-year sunset. I really hope, regardless of elections, that bipartisanship can hold on to work on an actual question to put to the people, with agreement on that preferably being reached prior to 14 September, rather than having it parked as an issue for one side or the other to try to command or control.

I also think there is some inspired work happening within government in relation to service delivery and capacity building that for some reason is not being talked about as much as it should—grants, programs and government working with community in a place-based approach to community building and capacity building. I think some of the FaHCSIA-led work is really important work within government, working in partnership with community—and government should be really proud of that work. Some of the practical work that is happening in a post-apology environment deserves more airtime.

I would also emphasise some of the other work coming through on native title. I acknowledge that the former Attorney-General is in the House. Without verballing him—well, maybe a little bit!—I will say that I know we have a shared interest in improving the efficiency of the native title court and some of those issues around reversal of the onus of proof, better known as the French amendments. One day, preferably
soon, parliament can see efficiency in a native title court as efficiency in any other court and therefore place a status on that and work towards it with some consideration of ideas like the French amendments.

Mr McClelland: Hear, hear!

Mr OAKESHOTT: I acknowledge that 'Hear, hear!' from the former Attorney-General. I was worried that I was verbalising him or outing him in some form!

At a local level, the post-apology practical work that is happening is a very strong job strategy in our community. We are now engaged with the Arthur Beeton Foundation and Pathways to the Pilbara, placing a strong emphasis on jobs, not only in local Aboriginal communities but also for the benefit of all businesses and all communities locally. It is taking time, but it is proving to be a successful strategy. Many non-Indigenous businesses are now realising that it makes business sense to engage staff in cultural awareness, to employ Aboriginal staff and to really engage in new markets that in the past not have been engaged with.

As part of a parliament and a time which is post the apology but pre the referendum, I do think there is some good work which can be done now. I lament that many of these issues get put off to the promised land of a later date, with one leader or another referring to them as 'aspirational'. There are real things we can do now. One of those things we can do in about five minutes time. We can vote in support of some intergenerational work at a community level—capital gains exemptions for native title recipients—and therefore help the building of resilient communities amongst Aboriginal Australians right throughout our country.

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (17:23): Firstly, I would like to thank all those members who have contributed to this debate on the Tax Laws Amendment (2012 Measures No. 6) Bill 2012. In particular, I thank the member for Lyne for his contribution, especially his contribution on the matters contained in schedule 1. I also wish to extend my thanks to everyone involved in the committee inquiry into this bill, including all those stakeholders who made submissions.

Schedule 1 provides Indigenous communities with much-needed certainty and clarity about the tax implications for certain events involving native title benefits and rights. Currently, it is not clear what the tax implications are for certain events involving native title benefits and native title rights. In June 2012, on the 20th anniversary of the historic Mabo decision, the then Attorney-General and the Minister for Families, Community Services and Indigenous Affairs announced that the government would clarify the tax treatment of payments from a native title agreement. Through these amendments, the government seeks to provide certainty. This measure confirms that income tax is not payable on certain native title benefits and with respect to certain capital gains tax events involving native rights. The certainty provided by this measure will assist Indigenous communities when they are making native title agreements. The government is committed to ensuring sustainable outcomes from native title payments.

While this bill provides certainty about the tax treatment of native title payments, we do take very seriously the concern that this clarification may create the incentive for native title payments to be disbursed rather than used to benefit communities and help close the gap. That is why we will establish a Treasury-led working group made up of key native title and industry stakeholders, native title and taxation experts, and relevant
government agencies to identify the best next steps to strengthen governance and sustainability in the management of native title payments. This will include a thorough investigation of the Indigenous community development corporation concept, which has been the product of significant work by the National Native Title Council, the MCA and leaders like Marcia Langton. This group will commence work immediately and will report to government on options by 1 July 2013.

Schedule 2 adds two entities to the list of deductible gift recipients listed by name in division 30 of the Income Tax Assessment Act 1997 and extends the time period for the listing by name of three other DGR entities. Taxpayers can claim an income tax deduction for gifts to organisations which are DGRs. DGR status will therefore assist these bodies in attracting public support. The two organisations to be added to the list are AE1 Incorporated and Teach for Australia. Australia for UNHCR, One Laptop Per Child Australia and the Yachad Accelerated Learning Project will have their specific listing as DGRs extended.

Schedule 3 amends the Income Tax Assessment Act 1997 to extend the immediate deductibility of exploration and prospecting expenditure to geothermal energy explorers. These amendments will encourage exploration for geothermal energy resources and ensure that geothermal energy is an important part of the renewable energy mix.

Schedule 4 amends schedule 2 of the Tax Laws Amendment (2011 Measures No.5) Act 2011 to extend the interim trust streaming rules for managed investment trusts until the commencement of the new tax system for managed investment trusts on 1 July 2014. These amendments ensure that the interim trust streaming arrangements for managed investment trusts, and other trusts treated in the same way as managed investment trusts, continue to operate as intended until the scheduled commencement of the new tax system permits.

Schedule 5 implements the government's 2012-13 budget measure to introduce a means test for the net medical expenses tax offset from 1 July 2012. Under the means test, for people with adjusted taxable income above the Medicare levy surcharge thresholds—$84,000 for singles or $168,000 for couples or families in 2012-13—the amount above which they can claim the net medical expenses tax offset will increase to $5,000, indexed annually by CPI thereafter. The rate of reimbursement will be reduced to 10 per cent for eligible out-of-pocket expenses incurred above the claim threshold. Those under the Medicare levy surcharge thresholds will continue to receive the current level of benefit. Means testing ensures the net medical expenses tax offset is appropriately targeted, helping to improve the long-term sustainability of the healthcare system while protecting low- and middle-income earners.

Schedule 6 amends the definition of limited recourse debt to introduce consistency in the treatment of taxpayers who are not fully at risk in relation to capital expenditure. These amendments will maintain the integrity of the tax system by preventing taxpayers from inappropriately avoiding the limited recourse debt tax provisions.

Schedule 7 amends the Fringe Benefits Tax Assessment Act 1986 to implement the 2012-13 Mid-Year Economic and Fiscal Outlook measure to remove the concessional treatment of in-house fringe benefits purchased through salary sacrificing. The current fringe benefits arrangements allow employees to receive concessional treatment for goods and services that an employer or
an associate produces or sells in the ordinary course of its business.

The current arrangements mean that some employees are able to access goods and services out of pre-tax income because of the concessional treatment when other employees and the general public have to purchase the goods and services out of their after tax income. The government recognises that it is not appropriate for the tax system to subsidise the in-house benefits of employees accessing them through salary-sacrificing arrangements and this is why the government is amending the Fringe Benefits Tax Assessment Act 1986 to restore the concessional treatment of fringe benefits to its original policy intent. Employers will still be able to provide staff discounts and these will continue to receive the concessional treatments so long as the employee purchases the goods and services out of their after tax income.

The amendments in schedule 7 mean that the concessional tax treatment is available for employers to reflect the true cost of providing the benefits and to minimise compliance costs rather than as a means of employees reducing their income tax. The coalition does not support a change to the law that infringes the taxation principle that money received by one person, regardless of derivation or from what activity, should be given the same tax treatment as if it had been received by another person. That is, the coalition is concerned that schedule 1 violates this key principle of horizontal equity. These
amendments are likely to act as a disincentive for an individual to invest their native title benefits to provide intergenerational wealth creation as tax will be payable on the investment income earned and the distribution of moneys to future generations. The coalition believes that there is the potential for unsound policy outcomes arising from this particular change. Taxation systems drive behavioural outcomes. The changes put forward by the government have the potential to greatly impact how future payments from industry are made to native title communities and their future generations.

The coalition is disappointed that the government is pushing ahead with this policy in its current form. The government is displaying complete disregard to warnings that have been raised by various stakeholders in relation to this fundamental matter. I would have thought, given that the member for Lyne passed judgment on us, that he would be listening to this. But no, he has other priorities. I note that the government's Attorney-General has written to my Senate colleague Senator Mathias Cormann seeking support from the coalition to pass the bill. The Labor Attorney-General acknowledged that this legislation 'may create unintended incentives for native title payments to be disbursed rather than to be used to benefit communities and help close the gap'.

You know what the government has done? It has set up a working group—a working group to 'identify the best next steps to strengthen governance and sustainability in the management of native title payments'. This working group is just like the great idea that the member for Lyne had of a business tax working group. That went well! It was disbanded because it went nowhere. Or the idea of a summit. That went well, too! The establishment of a government department-led group to work out what to do next is from our perspective simply not good enough. We have higher standards in relation to the treatment of taxpayers. We have respect for taxpayers, unlike the government and the Independent member for Lyne.

If the government has acknowledged in writing that the coalition's concerns are in fact legitimate, why rush the legislation? I will tell you why: because the government is busy chiselling away on its grave in the lead-up to the next election. We are opposing this schedule because we believe that the arguments put forward by the Attorney-General and the government are simply not good enough. Therefore, we are seeking to have this schedule removed from the bill on the basis that it is a further example of a flawed process undertaken by this government in collusion with the independents. They have not properly thought it through. The government has admitted that there are major issues to do with and concerns about this piece of the bill. But they do not want to act on it. They
simply want to have more monuments to their incompetence.

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (17:37): The member for North Sydney has raised a number of matters that require some response. He made the bald assertion that the position under common law, in going back to first principles under taxation law, is clear. The very fact that the position is unclear is why we are in the situation we are now in, where we are seeking to provide greater certainty and clarity.

For the benefit of the member for North Sydney, who I am sure has not taken the trouble to read the explanatory memorandum, I draw attention to paragraphs 1.10 and 1.11, which read:

1.10 The High Court has counselled against using traditional common law concept categories in the native title sphere. Instead it indicates native title should be considered on the basis of its uniqueness—

and—

1.11 When applying the current rules of the income tax system based on traditional common law concepts, it is unclear whether benefits provided under a native title agreement would be assessable income.

The EM also goes on to point out that submissions that were provided in relation to a government discussion paper on these matters supported the notion that clarity and clarification would be provided. So the amendment that is being moved by the member for North Sydney is an amendment that will, if passed, ensure that uncertainty continues to prevail in relation to the tax treatment of various payments made in relation to native title rights.

The government believes that it is important that we clarify these matters so that recipients of these payments are left in no doubt that the receipts that are in their hands will not be assessable. That is why we are taking the legislative action that we are taking. I make the point that the member for North Sydney has jumped up and down and spoken about the great haste with which these amendments are being brought. I remind him that there was a consultation paper entitled Native Title, Indigenous Economic Development and Tax that canvassed these very issues. It was released back in 2010. This is not something that someone decided to have as a thought bubble—as prone as the member for North Sydney might be to producing the odd thought bubble himself. This is the product of reasoned policy over a period of time.

I conclude my remarks by making the obvious observation that it does not surprise me that members opposite would seek to play politics with distributions, payments or moneys in the hands of individuals in relation to native title matters. It is a matter of public record that those opposite vehemently opposed the native title regime when it was introduced in the first place. That will forever be a very black stain on their contribution to these matters as they have been dealt with in the past.

If we were to go back to the Hansard of the scaremongering that occurred from those opposite at the time that native title was first introduced we would see that they have never supported native title. They have come to the party a long time after everybody has left, but they are now seeking to mire these payments in ongoing uncertainty. The question has to be asked: on what possible basis could they be arguing that we should consign these payments to ongoing uncertainty? There is no justifiable public policy reason. We have set out a process for looking at a potential vehicle that might help deal with these matters into the future. But there is a real, pressing and urgent need that
needs to be addressed—and that is, are these payments assessable at present? We are seeking to resolve that and to bring some clarity to the situation. That is what I would commend the House to do.

The SPEAKER: The question is that the amendments moved by the member for North Sydney be agreed to.

The House divided. [17:45]

(The Speaker—Anna Burke)

AYES
Abbott, AJ
Andrews, KJ
Baldwin, RC
Billson, BF
Bishop, BK
Bishop, JI
Briggs, JE
Broadbent, RE
Buchholz, S
Chester, D
Christensen, GR
Coulton, M (teller)
Cobb, JK
Crook, AJ
Entsch, WG
Fletcher, PW
Frydenberg, JA
Gambino, T
Gash, J
Haase, BW
Hawke, AG
Hunt, GA
Jones, ET
Keenan, M
Laming, A
Macfarlane, IE
Macklin, JL
Markus, LE
Mathieson, RG
McCormack, MF
Moylan, JE
Morrison, SJ
Murphy, SP
Neumann, SK
Neville, PC
O:Dowd, KD
O'Dwyer, KM
Parke, M
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Southcott, AJ
Tehan, DT
Tudge, AE
Van Manen, AJ
Washer, MJ

Alexander, JG
Andrews, KL
Billson, BF
Bishop, JT
Broadbent, RE
Chester, D
Ciobo, SM
Coulton, M (teller)
Dutton, PC
Fletcher, PW
Gambaro, T
Griggs, NL
Hartsuyker, L
Hockey, JB
Irons, SJ
Jones, ET
Kelly, C
Ley, SP
Marino, NB
Mathieson, RG
Mirabella, S
Moylan, JE
O'Dowd, KD
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Secker, PD (teller)
Smith, ADH
Stone, SN
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

NOES
Adams, DGH
Bandt, AP
Bowen, CE
Brodmann, G
Butler, MC
Champion, ND
Clare, JD
Combet, GI
Danby, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzgibbon, JA
Georgean, S
Gillard, JE
Grierson, SJ
Hall, JG
Husic, EN (teller)
Jones, SP
King, CF
Livernore, KF
Macklin, JL
Melham, D
Murphy, JP
Oakeshott, RJM
O'Neil, DM
Parke, M
Piibersek, TJ
Rishworth, AL
Roxon, NL
Saffin, JA (teller)
Sidebottom, PS
Smyth, L
Swan, WM
Thomson, KJ
Wilkie, AD
Zappia, A

Albanese, AN
Bird, SL
Bradbury, DJ
Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
D'Ath, YM
Elliott, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Gray, G
Griffin, AP
Hayes, CP
Jenkins, HA
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Mitchell, RG
Neumann, SK
O'Connor, BPJ
Owens, JS
Perrett, GD
Ripoll, BF
Rowland, MA
Rudd, KM
Shorten, WR
Smith, SF
Snowdon, WE
Symon, MS
Vamvakinou, M
Windsor, AHC

PAIRS
Forrest, JA
McClelland, RA
Somlyay, AM
Katter, RC

Question negatived.

Mr HOCKEY (North Sydney) (17:50): I move amendment (3) as circulated in my name:

(3) Schedule 3, page 12 (line 1) to page 18 (line 29), omit the Schedule.

This amendment seeks to excise schedule 3 from this bill which extends the immediate
deductibility of exploration expenditure provided to mining and petroleum energy explorers. The coalition opposes this measure because it is linked to the government’s mining tax. This measure was flagged by the government as part of the final design of the minerals resource rent tax, and the Treasurer has linked over $15 billion worth of expenditure to a mining tax that is hardly raising a dollar, which is quite an achievement! It now looks as though he has no money to pay for this. Prudent economic management would say that it should be opposed. I encourage all members of the Labor Party to join with us in seeking to have this excised from the bill.

The SPEAKER: The question is that amendment (3) moved by the member for North Sydney be agreed to.

The House divided. [17:52]
(The Speaker—Anna Burke)

Ays.......................71
Noes.......................73
Majority...............2

AYES
Abbott, AJ
Andrews, KJ
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Christensen, GR
Cobb, JK
Crook, AJ
Entsch, WG
Frydenberg, JA
Gash, J
Haase, BW
Hawke, AG
Hunt, GA
Jensen, DG
Keenan, M
Laming, A
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Smith, ADH
Stone, SN
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

AYES
Adams, DGH
Bandt, AP
Bowen, CE
Brodtmann, G
Butler, MC
Champion, ND
Clare, JD
Combet, GI
Danby, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzgibbon, JA
Georganas, S
Gillard, JE
Grierson, SJ
Hall, JG
Husic, EN (teller)
Jones, SP
King, CF
Livermore, KF
MacKinnon, JL
Melham, D
Murphy, JP
Oakeshott, RJM
O'Neil, DM
Parke, M
Piibersek, TJ
Rishworth, AL
Roxon, NL
Saffin, JA (teller)
Sidebottom, PS
Smyth, L
Swan, WM
Thomson, KJ
Wilkie, AD
Zappia, A

NOES
Albanese, AN
Bird, SL
Bradbury, DJ
Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
D' Ath, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Gray, G
Griffin, AP
Hayes, CP
Jenkins, HA
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Mitchell, RG
Neumann, SK
O'Connor, BPJ
O'connor, D
Owens, J
Perrett, GD
Ripoli, BF
Rowland, MA
Rudd, KM
Shorten, WR
Smith, SF
Snowdon, WE
Symon, MS
Van Vuuren, M
Windsor, AHC
Third Reading

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (17:54): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

BUSINESS

Rearrangement

Ms COLLINS (Franklin—Minister for Community Services, Minister for the Status of Women and Minister for Indigenous Employment and Economic Development) (17:55): I move:
That order of the day No. 4, government business, be postponed until a later hour this day or the next sitting.
Question agreed to.

BILLS

Broadcasting Legislation Amendment (Digital Dividend) Bill 2013

Second Reading

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

Mr TURNBULL (Wentworth) (17:55): The Broadcasting Legislation Amendment Bill allows the commencement of telecommunications and broadband services in the so-called 'digital dividend' spectrum—to be made available by the switch from analog to digital television—which will be auctioned in April and used for next-generation telecom services before the spectrum is removed from the broadcasting services bands. Given the long delay between the date when the telecoms companies pay for the spectrum—assuming any of them do—and when they actually obtain access to it, we welcome facilitating timely, expeditious use of those assets.

However, as is typical of this government, this issue has been monumentally mismanaged and mishandled. While the broadcasting and telecommunications industry are broadly supportive of the changes proposed in the legislation, there are several important issues that this bill raises regarding the government's handling of the spectrum auction and spectrum management in regards to wireless audio device users.

Turning to the bill, it amends the current datacasting regime by introducing the concept of designated datacasting services, which will be defined under the legislation as those provided by a commercial television broadcasting service, a commercial radio broadcasting service or a national broadcaster. Datacasting is a service which delivers content—whether in the form of text, data, speech, music or other sounds, or visual images—to those who have the equipment able to receive it. Today, that is most digital-ready televisions. Datacasting services are different from traditional television services. They are unable to broadcast a range of material that may be considered to be the equivalent of television news programs, drama, lifestyle or entertainment, for example—in other words, datacasting services must not act as a de facto television broadcast. Datacasting licensees are allowed to transmit extracts of television programs; however, those must be not more than 10 minutes and must not be strung together, in effect creating a program.

As part of the transition from analog to digital television, the broadcasters are freeing up spectrum and delivering high-
quality content, an issue the coalition got underway during the Howard government. By transitioning from analog to digital, the switch-over, which is in process at the moment, as honourable members know, television broadcasters are clearing 126 megahertz of broadcasting services band spectrum, otherwise known as the digital dividend.

The spectrum, of course, is a very scarce and valuable public asset. As part of the transition, the digital dividend spectrum will be auctioned off in April this year—just a little over a month away—and the spectrum, in the 1,700 megahertz band, is so coveted due to its suitability for LTE or 4G wireless broadband services. That of course is the hottest property in the spectrum world at the moment. The spectrum is due to be cleared by the broadcasters for use by January 2015. That is a significant delay; however, it is necessary to ensure there is a comprehensive clearing of the spectrum before the telecommunications providers move in and start offering 4G wireless broadband services using that spectrum.

However, in the case that there are blocks of spectrum within the digital dividend that have been cleared prior to the licence commencement period, this bill allows the ACMA the discretion to allow successful bidders the opportunity to use the spectrum for services while it still technically remains in the broadcasting services band. Of course, any legislative changes related to the spectrum auction remind us all of the government's earlier bumbling activities in this area, which have included the setting of a base-price spectrum which is remarkably high by any international standards.

In what can only be described as a desperate attempt to achieve a budget surplus, Senator Conroy has intervened in the auction process and set an unprecedentedly high minimum reserve price for the spectrum, previously the role of the ACMA, of $1.36 per megahertz per head of population. This auction was originally due to take place in November last year. However, in June 2012 Senator Conroy announced there would be a delay and the auction would be pushed out to April this year to allow more time to prepare for it. Then in December last year he set a reserve price for the 700 megahertz spectrum. That is, as I said, remarkably high by world standards. This was a classic case of Senator Conroy putting politics before policy, all in order to achieve that elusive yet razor thin budget surplus now since abandoned.

As Optus's head of corporate and regulatory affairs, David Epstein, not unfamiliar with the machinations of Labor Party budget preparation himself, noted the reserve price is effectively double the basket of outcomes achieved in comparable advanced economies over the past two to three years. Only recently we saw in the UK in the auction of the 800 megahertz spectrum, also likely to be used with 4G mobile broadband services, the spectrum sold at a price of 23c per megahertz per head of population. The revenue the government raised was approximately a third less than it had anticipated—perhaps forecasting that Senator Conroy cannot bank on reaping the full $3 billion he expects to raise from the auction. Optus have called this option unworkable while Vodafone said it will not participate at all.

We have three registered bidders for the auction. Vodafone, however, said it will not bid in the 700 megahertz spectrum and instead will focus on the 2½ gigahertz spectrum set at a far more reasonable 3c per megahertz per head of population floor price. Senator Conroy risked having an auction with no bidders at all. So what did he do? He changed the size of the maximum block size
bid from 2x20 megahertz to 2x25 megahertz out of a possible 90 megahertz.

Previously the auction had been designed to provide for competition by ensuring there was spectrum available to each of the three major telecommunications carriers. Out of the 90 megahertz of spectrum available, a carrier was not allowed to acquire more than 2x20 megahertz—that is, two blocks. Effectively, Telstra could have had 40, Optus could have had 40 and Vodafone or Telstra could have had 10. However, by changing and expanding the maximum block size for a bid, Senator Conroy ensures that, even without Vodafone's participation, he can be sure to extract every last cent he possibly can from the telcos. This is in stark contrast to, for example, how they operate in the United States where the regulator is prohibited by law from taking into account how much money is raised from spectrum. Yet in Australia that appears to be the government's primary objective in setting this reserve price changing the competition limits.

All of this will have the effect of significantly restricting investments and inflating costs, which will only be passed on to the consumers. Honourable members will immediately think that the response to this is to say: well, should not the minister be protecting the public purse? Should he not be seeking to get the maximum price for this valuable public asset? The answer is that protecting the public purse and revenue and ensuring a fair price is paid is a very important consideration but it is not the only consideration. There is an enormous productivity benefit, an enormous benefit to the overall economy—which the government in many respects through the tax system is the largest single shareholder in—in spreading the use, the affordability and the availability of wireless broadband services. So the more affordable wireless broadband services are, the more those productivity benefits can be obtained.

You have the remarkable situation that the government is, by any view, subsidising by many tens of billions of dollars a fixed-line broadband rollout in the form of the NBN, yet at the same time seeking to extract the absolute maximum price for wireless broadband spectrum, which will only make wireless broadband more expensive and less affordable. I think Honourable members would agree with me that the big change, the remarkable change in business practices in all of our efficiency and productivity has been the spread of wireless technology whether it is all of us doing our work when we are on the road or whether it is the tradesmen who can take a picture of a damaged part on his iPhone and then quickly email it to a supplier who can then send him exactly the right part. All of these millions of applications are made available by wireless technology. That is the great, in my submission, productivity driver—yet it is far from being subsidised; it is actually being gouged by the government. At the same time it is putting tens of billions of dollars into fixed-line broadband connections to residences for the most part and that bandwidth overwhelmingly will be used for the downloading and streaming of video entertainment.

It is as though they are subsidising the former broadband that has the smaller contribution to productivity and gouging the medium of broadband that has the maximum benefit.

This is all from a minister who goes from one bungle to the next. We have seen him announce 2½ years ago a deal on anti-siphoning. These are the rules that determine how much premium sport can be shown on pay television and how much has to be reserved for free-to-air television—arguably
the single most important, from a financial point of view, regulation that deals with broadcasters. That deal, a new regime, was announced 2½ years ago. It has no statutory basis at all because the minister has not been able to get any legislation in a form to present to the parliament—completely unfinished work. We have seen the shocking performance of the NBN and the way it has run over budget. Now, as more information came out about the rollout only this morning, and if the figures published in CommsDay this morning are correct, and they certainly have not been denied or contradicted by the NBN Co, it not only appears that it is running behind schedule—and we knew that, because their original plan, for example, said by June 30 this year there would be 1.3 million premises passed with fibre, and then they amended that to say that it would be something in the order of 350,000 premises passed by fibre in August last year, and now we are learning that the rollout will miss that target considerably—but it also appears, incredible though it may sound, that the NBN is passing houses or premises this calendar year at a quarter the rate it was passing them in the previous six months.

The project is failing. Far from having a ramp-up there is, in fact, a 'ramp-down'. We know that the NBN's contractor for South Australia, Western Australia and the Northern Territory, which has been constructing the network for about 20 months now, is not in a position to connect one premise as a result of that 20 months' work. This is a project that is in catastrophic state, at least as far as we can see. But we are yet to hear it get a full mea culpa from the minister. He does not have a lot of time to focus on his failures with anti-siphoning or the NBN Co. or this legislation, because he is now endeavouring to impose the first government regulation of the content of newspapers in our history in peacetime, outside of the First and Second World Wars to be precise. We have been told that that legislation, which was only shown to us last Thursday, has to be passed by this Thursday. We have had committee meetings going today with broadcasting executives—

**The DEPUTY SPEAKER:** The member for Wentworth will confine his remarks to the bill before the house.

**Mr TURNBULL:** We have had a situation where his neglect of the important matters in this bill has no doubt been attributable to his distraction over all of these other pieces of unfinished business.

I want now to move on to the matter that the House committee has considered and one that is related to this bill, and it is an example of very disturbing mismanagement of this department and this issue of spectrum. It relates to the handling of wireless audio devices. These are the wireless audio products such as radio microphones, and I will refer to them as radio microphones. They are a huge range of devices, ranging from devices used in entertainment venues, by gym instructors, at a function centres and in church halls. They are all of those radio microphones that form part of our lives. No one really knows how many there are out there. The figures are somewhere at 120,000 to 150,000. They operate in the same piece of the radio spectrum as analogue television broadcasting: 520 to 820 megahertz frequency. They operate in the white space, in the gaps between the pieces of spectrum that are being used by the broadcasters. Their users comprise every possible organisation. I am sure most honourable members would have one or two of these devices in their own electorate offices for public meetings. Users include everybody from the Opera House in Sydney down to the theatre in the school hall.
As part of this digital switchover, a large chunk of this spectrum—694 to 820 megahertz—will be auctioned and made available for 4G wireless broadband, and that spectrum will begin to be populated by the wireless broadband users from 2015 if not earlier, as this bill would allow. The Australian Wireless Audio Group estimates that 80 per cent of the wireless audio device users which are currently operating in this white space in the 700 megahertz band will find that the spectrum they have been using will no longer be available to them once the auction process is complete. They estimate that at least 120,000 units or devices will be redundant by 1 January 2015. When I say 'redundant', they will not be able to be used without the potential either of interference with them from the telcos' use of the digital dividend spectrum or the wireless audio devices themselves interfering with the wireless broadband services that are available on people's smart phones and other 4G devices. The Australian Wireless Audio Group estimates that these radio mikes underpin $32 million of economic activity and the employment of more than 140,000 people. As was made apparent in the course of the very brief enquiry that the committee held into this bill, even though it is abundantly clear that the ACMA and the department have known about this problem for years, there has still not been any decision made as to what spectrum will be available for those devices in the future.

It is perfectly obvious that what should have happened is that, with a very long lead time, the department and ACMA should have concluded what the new home for these devices would be and then given plenty of notice and conducted some form of public information campaign so that the users of these radio microphone devices would have ample time to buy new devices, or, when they bought new devices, ensure that they were tunable or usable in the new spectrum.

The equipment we are talking about generally has a useful life of approximately 10 years. Regrettably, because of the government's inaction, this equipment will soon become unusable, yet it is still being imported and sold to consumers, users and organisations without their being made aware that rather getting a 10-year investment, they may, if they are lucky, only get one year's use from it. Many if not most of the users of this wireless audio equipment are relatively unsophisticated in terms of their understanding of how these products work. Many operate in a plug-and-play mode with limited tunability. This means many of these users are not aware of what frequency their device is operating in and are therefore unaware of the consequences of the restack. At present there is no formal requirement that devices being imported that operate in the digital dividend spectrum either cease to be imported or that suppliers be required to notify consumers of the potential impact of the spectrum auction.

The government has put the onus on the wireless audio device users to contact suppliers about the future functionality of their equipment despite there being no formal education and communication campaign to inform suppliers and users of the regulatory environment in which they will be operated. For that reason we welcome the recommendation by the house committee inquiry into this bill that the Department of Broadband, Communications and the Digital Economy, along with the ACMA, instigate an education awareness campaign as well as a formal product-notification warning system to ensure that purchasers of new equipment know about its possible limited utility after the restack.
But, while there needs to be greater awareness of this issue, the government simply does need to do more. It needs to address it. It needs to ensure that the 120,000 to 150,000 wireless audio device users who will be affected by the restack will be accommodated for. In other words, ACMA and the department have to decide what their new spectrum home will be and then let the users know—and it has to be done now. There seems to be an absolute lack of any sense of urgency on the part of the department officials and ACMA, who gave evidence before the committee.

This bill is predicated on the assumption that this very valuable spectrum—the 'waterfront property' spectrum the government is so desperate to action off—will be clear following the digital switchover. However, the government has absolutely failed to take into account the fact that this very valuable spectrum is occupied by 120,000 to 150,000 users—organisations large and small, for-profit and not-for-profit organisations, churches, gyms, big entertainment centres and schools—and they do not know how they are going to be able to operate their devices and we do not know what sort of problems will arise, in terms of interference, after January.

The successful bidder for the spectrum is going to want to be able to use it. They will have paid very big money, no doubt, to get it. If the government continues along the path they are currently on they will simply be ignoring the problem. It is, I regret to say, a typical 'Conrovian' mismanagement by the senator, and the government, who have been more focused on ensuring that they get the maximum receipt from the auction. They have failed to do the work of clearing the spectrum they are going to sell. They are hoping to get top money, but they have to clear it first and they have to do it in a way that ensures that all of those Australians—in big and small businesses, in not-for-profits and in large corporations—are going to be able to use devices for their work after 1 January 2015.

For that reason, in the committee stage of this debate we will be moving an amendment to the effect that the spectrum that will be made available under this legislation, in advance of the complete clearing of the broadcast bands, cannot be made available unless and until the minister is satisfied that appropriate and adequate provision has been made for the wireless device users I have referred to in my speech today.

This, I grant you, is not the most prominent telecommunications issue of the moment. But if you have a gym, a church hall, and entertainment venue, which could be quite a big one, like the Opera House, and you discover that from 2015 on all of your wireless radio devices cannot work or that instead of hearing the instructions from the gym instructor, or the comments from a teacher or the latest performance of a singer, you are getting any one of our 4G carried wireless conversations, or some music that is being downloaded or some interference caused by some other transmission being caught up in the same frequency, you can imagine that the consequences are going to be shocking. This has the potential of interfering with tens of thousands of businesses and activities, and there is no need for it.

All the government needed to do was to pay attention to the issue. You clear the spectrum. You know a bunch of people using it in the white spaces. That is fine. You have to find a new home for them. You give them plenty of notice. If you do that they will have plenty of time, when buying new equipment, to replace it with equipment that is tunable to the appropriate frequency. And, of course, the importers and the device makers will
then know what sort of products to import into and sell in Australia. But everybody is being left in the dark. We were unable to get any satisfactory explanation for this from the department or the ACMA at the hearing—and how could there be? It has simply been overlooked. I have said this a number of times here, but it bears repeating: this is a classic case of the Conrovian mismanagement that is the hallmark of every aspect of this minister's administration, from the spectrum auctions to the anti-siphoning to the NBN to the debacle of the so-called media reform laws that we are, allegedly, going to be considering this week.

The coalition will support the bill, but we believe it should be amended. I say to government members that they would be helping the government—they would be helping the minister, dare I say it—if they were to support the amendment I have foreshadowed, because that would at least ensure that there would be priority and focus given by the Department of Broadband, Communications and the Digital Economy and the ACMA to this issue so they could find a new home for these radio microphone users, notify them and give them enough time to make appropriate equipment choices.

**Ms ROWLAND (Greenway)** (18:23):
The realisation of the digital dividend is, indeed, one of the most exciting and historic developments in Australia's communications history, but, in classic Turnbullian know-it-all, the member for Wentworth could not help but be negative, calling this process 'a monumental failure'. I will talk about monumental failures in a moment, when I talk about the Howard government's handling of the datacasting debacle.

The member for Wentworth raised a few points—firstly, the base price at the upcoming auction—and noted that Optus complained about there being a reserve price. Of course it is going to complain; it is about to bid in an auction. As if it wants to have the highest price! As a purchaser it is seeking as low a price as possible. As to the delay of the auction that has occurred, the member would well know that the government took advice on the competition rules and framed the appropriate competition rules from the auction based on what the Australian Competition and Consumer Commission advised it. So be under no illusions here about whether or not the proper process is being followed in this auction. As for the 23 megahertz per pop that is being peddled here this evening, and has been peddled also by the member for Bradfield in public, that is just plain wrong and I will show you in a moment why that maths is wrong.

As to the number of registered bidders, it is no surprise that Vodafone's focus is elsewhere when you consider where it is standing now in comparison to Telstra and Optus as mobile carriers. Vodafone is even on the record as saying it does not believe that it needs any more of this new spectrum that is being auctioned. As to the changes in the block size, again, based on the competition rules and advice received on this auction, enabling the maximum sale and minimising the number of unsold lots is purely logical spectrum auction practice. As to the United States and what they achieved in their auctions, let's remember this: not only is the regulatory structure of the Federal Communications Commission, the regulator in the United States, very different to Australia but the FCC was widely criticised for the process it undertook with its own digital dividend path.

I note, too, that the member for Wentworth is continuing this furphy of fixed versus wireless broadband. He is still incapable of understanding that they are complementary and that fixed wireless services are those which are being used and
go through a short-range wireless router. One does not use one's iPad simply in a vacuum; one is using it to connect to a short-range wireless router. So limited is the member for Wentworth's understanding of all these issues that, again, he is peddling this myth that the National Broadband Network is all about the download. It is not about the download; it is about the upload and the new applications beyond your typical, non-imaginative thinking that is incapable of going beyond the internet as a sole application.

He then went on to discuss the National Broadband Network because he could not help himself. The member for McEwen and I attended the committee hearing when this was being debated a few days ago and we note that the member for Wentworth was not. He talked about the ramp-up. I know it is being ramped up because every time I go down the streets of Blacktown I can see the cable being rolled out. It is plainly obvious that it is being ramped up. As I said in the Federation Chamber during the debate on the committee report, the backbenchers opposite go into their electorates and complain that they are not getting the NBN fast enough and take up petitions calling for the NBN, and then they come in here and say something completely different. When they are outside they complain that they want it; in here, they vote against it.

I note that the member for Wentworth, having discussed the National Broadband Network, could not help but then mention media rules and free speech. I will not go into too much detail, Madam Deputy Speaker Livermore, considering your view on that, as you made clear, but the member for Wentworth wants free speech for everyone else but no free speech when someone is criticising him. As we can see from Delimiter on 13 March 2013, amongst other places:

… the ABC's Media Watch program went into detail to examine the coverage of ABC Technology + Games Editor Nick Ross with respect to the NBN.

I will not go into too much detail now, but, if people want to look that up, they can see that it is one rule for the member for Wentworth and another rule for everyone else. But I digress.

The digital dividend is, indeed, one of the most important aspects of our communications policy. Those opposite would do well to take lessons from their own standard, set by Senator Helen Coonan when she was the Minister for Communications, Information Technology and the Arts. On 29 April 2007, she made this criticism:

Labor is making a habit of creating policy on the run … Whether it is on broadband, climate change or digital TV, Labor think that it can make it all the way to election day with glib lines and no detail on anything.

On the digital dividend, the coalition would do well to take a leaf out of their own Real Solutions prop, where the word 'digital' appears twice and, even then, is used in a completely nonsensical context. They have no policy for the digital dividend; they simply come in here with negativity.

For the benefit of those tuning in to debate, I want you to know that this measure is a really positive thing. There is a block of spectrum in an area called the broadcasting services bands that is currently occupied by broadcasters and designated to be used for broadcasting services as well as parts of the radio frequency spectrum designated for some use by digital radio broadcasting services and certain datacasting services. This spectrum will be vacated of its current use and auctioned for advanced communications services. This bill will enable the possible commencement of those services in that spectrum while the spectrum is still part of the broadcasting services.
bands. I note that these telco services, if this bill goes through, can commence in the broadcasting services bands in the spectrum identified as the digital dividend while that spectrum is still classified as being in the broadcasting services bands.

This bill was referred to a committee, which recommended that it be passed. It is clear from the comments of the member for Wentworth that he is very ready to judge the ACMA when it comes to interference issues, of which he made a great deal. The point is that this is not the first time in Australia's history that contiguous blocks of spectrum have been cleared, and indeed one of the primary objects of the radiocommunications regime is to minimise interference and for the regulator to take an active role in ensuring that interference is minimised wherever possible. Quite frankly, that is what regulators do: they prepare, they monitor and they establish best practice when it comes to minimising interference. I take it that the member for Wentworth has no confidence whatsoever in the regulator to do that, despite the fact that it does it on a daily basis. On this side of the House, we tend to have confidence that the regulator not only understands its role under the legislation but is also capable of performing it.

The bill before us contains some relatively minor but highly significant amendments to give effect to realising the digital dividend, which I have previously described in this place as an integral step in the process of planning and enforcing the restack of those broadcasting services occupying the spectrum in the broadcasting services bands. Indeed, as I have described, the spectrum path that is being pursued by this government—contrary to everything you would have heard from the member for Wentworth—is a fabulous opportunity for Australia to enjoy significant wireless broadband services, utilising the sweet spot of that liberated spectrum, complementary to the innovative benefits delivered by the NBN.

Further, Australia is recognised on a world scale as being best practice in terms of not only these spectrum options but also the process of delivering the digital dividend. The LTE, or long-term evolution, path in Australia is well and truly best practice in a regulatory sense. At its heart it recognises that spectrum is a scarce resource—like numbers, it is used but not consumed. It is a valuable public resource for which government seeks to maximise its returns. The release of TV spectrum in these bands is a significant benefit for the digital switch-over process, and the auction of spectrum in April this year will pave the way for next generation mobile services.

Specifically, the bill will be amending the Broadcasting Services Act and the Radiocommunications Act to facilitate this commencement before the spectrum is removed from the broadcasting services bands. One of the important things to note is that the amendments in the bill will in fact not affect the existing regulation that applies to datacasting services currently provided by the commercial broadcasters, such as the Seven Network's 4Me or Win Television's Gold and Nine's Extra and Ten's Television Shopping Network, which of course is a great relief to anyone who is obsessed, as I am, by FlavorStone Cookware as it is broadcast on the TV4Me channel. They will agree with me on this point.

It is important that the passage of this bill be facilitated without delay; otherwise, bidders in the April 2013 spectrum auction will not have the regulatory certainty or confidence about the rules that will be applied. I will turn to the issue of the auction price for this, because the member for
Wentworth sought to make a deal out of it. We can see that the government in December 2012 provided the rules to give certainty for the digital dividend auction, setting a reserve price for the 700 megahertz spectrum at $1.36 per megahertz per pop. We then saw the member for Bradfield come out recently and argue that this is an extremely high reserve price—$1.36 per megahertz per head of population—and that, at a similar auction in the UK, it sold at the price of 23c per megahertz per head of population, one-sixth of the price that the government is expecting to get.

There are two points here. Firstly, spectrum is a scarce resource and the amount that was set by the minister, as has been noted in various places, is indeed in line with analysts’ expectations. Secondly, the maths is simply wrong. Contrary to what the member for Bradfield published in *Communications Day* and elsewhere, the price paid, when you look at price per megahertz per population, is: 800 megahertz, 0.618 Australian dollars; 2.6 gigahertz FD, 0.104 Australian dollars; and 2.6 gigahertz TD, 0.06 Australian dollars. So although the amount in the UK—bearing in mind the UK is a vastly different market structure from Australia—is down, on the $1.36 per megahertz per population set by Minister Conroy, it is certainly not the 23c that the member for Wentworth and the member for Bradfield would have you believe. On top of all this, the market will decide the amount that is paid for the spectrum.

I do not think anyone on this side should be taking lessons on convergence, spectrum policy or auctions from those opposite, because this bill deals with datacasting services. The litany of public policy failure when it comes to datacasting under the watch of Senator Richard Alston, when he was minister, is unbelievable. On 17 January 2001 he issued a media release calling for competition in datacasting services. He decided to impose competition limits on the auction of datacasting transmitter licences. He said:

> At this early stage of a new industry, it is important to encourage the maximum amount of competition in the market, and this is best done by imposing a limit on the number of licences that can be purchased by one player in each market.

They need not have bothered. In a round figure, guess how many people wanted to bid for this? Zero. By 10 May 2001 you can see that Minister Alston cancelled the auction of the datacasting transmitter licences because of lack of interest. Critics say the auction was always going to fail, because the government’s list of rules over content was too restrictive to make the licences commercially appealing.

By December 2001 we had the announcement of a datacasting rules review. ‘The federal government will commence a review of the datacasting rules in early 2002 and has released an issues paper’, according to PC World. It went on to say, ‘The purpose of the review is to ensure that the legislative framework for datacasting services provides the maximum scope for development of new and innovative digital services’, but no one wanted it. Where do we go from there? By 2 April 2002 the headline in the *Age* was ‘Datacasting deals look doomed again, says minister.’ It said:

> The government's attempts to revive datacasting are doomed, Communications Minister Richard Alston has acknowledged.

And:

But Senator Alston told The Age he did not believe the review would contain any viable propositions for rescuing datacasting.

No-one on this side will take any lessons from those opposite about spectrum auctions and the need for innovative planning and best-practice regulatory management in this
area. The digital dividend and the LTE path that is being pursued by this government is regulatory best practice and those opposite have nothing to say when it comes to best practice in this country.

Mrs PRENTICE (Ryan) (18:38): I rise to speak on the Broadcasting Legislation Amendment (Digital Dividend) Bill 2013. The government has previously announced that it will release 126 megahertz of broadcasting spectrum as a digital dividend. The general purpose of this bill is to address some discrepancies in the Broadcasting Services Act 1992 and the Radiocommunications Act 1992 regarding the auction of the digital dividend spectrum, which is due to take place from April 2013.

Although the licences for the use of this spectrum are intended to be available from 1 January 2015, it is anticipated that the responsible body, the Australian Communications and Media Authority, ACMA, may issue interim licences to make the spectrum available for use before the final clearing at the end of 2014. I understand that at this stage only three companies—Telstra, Optus and Vodafone—have even registered an interest in the auction.

During this interim phase, the auctioned spectrum would still formally be part of the broadcasting services bands. The bill amends the current datacasting regime by introducing the concept of 'designated datacasting services', which will be defined under the legislation to be those provided by a commercial television broadcasting service, a commercial radio broadcasting service or a national broadcaster.

Datacasting is defined in schedule 6 to the BSA as a service which delivers content in the form of text, data, speech, music or other sounds, visual images, or in any other form, or in any combination of forms, to persons having equipment appropriate for receiving that content, where the delivery of services uses the broadcasting services bands.

Datacasting licensees generally transmit information and education programs—parliamentary and court proceedings among others—but are unable to broadcast a range of material that may be considered to be the equivalent to television news, drama et cetera. By limiting the scope of datacasting, the bill will facilitate the commencement of telecommunications and broadband services in the digital dividend spectrum before it is removed from the broadcasting services bands.

The bill will also provide the minister with the ability to specify by legislative instrument another service of a specific kind to be a designated datacasting service. This will prevent a service provider providing a service similar to that of a commercial television broadcaster. The digital dividend will be removed from the broadcasting services band spectrum once the spectrum has been restacked.

This bill was introduced into parliament on 13 February 2013 and was then referred to the House of Representatives Standing Committee on Infrastructure and Communications by the Minister for Infrastructure and Transport on 13 March 2013—last week. The committee, of which I am a member, was given only five days—three working days—to call for submissions, consider the substantive impacts of the bill and then deliver its report today, 18 March 2013.

Of particular concern is that this means the committee had only three working days in which to receive submissions from stakeholders. The committee has, however, received a very detailed response from the Australian Wireless Audio Group, AWAG. The Police Federation of Australia have also
published their concerns. I want to place on record my appreciation for the very considered input that these organisations have contributed in responding on their concerns with this bill, as well as for the input from the public hearing. I note that AWAG requested the opportunity to provide evidence and their point of view at the public hearing and were disappointed that they did not receive an invitation. Their letter says: ‘Much of the key evidence given to the inquiry during its hearing was either factually incorrect or quite misleading. As you would be aware, we requested the opportunity to provide expert evidence to the hearing, but, for whatever reason, we were not afforded this opportunity.’

The central issue is whether the 694 to 820 megahertz spectrum that it is planned to sell will interfere with the estimated 120,000 wireless audio devices which currently operate in that spectrum. This means 120,000 wireless devices used in gymnasiums, churches, school halls and convention centres. Every single day, these organisations and many others use and rely on wireless audio equipment. They may use it at fetes, exercise classes or major events such as concerts.

Without a significant education campaign to retailers and users of wireless audio products about what the changes mean, this could have a major impact on the more than 32,000 wireless audio products sold to Australians every year. AWAG is seriously concerned that any individuals and organisations who have to replace or buy new equipment will not know that, from now until 31 December 2014, anything they buy will not be concordant with operable spectrum. If it then becomes essentially illegal for users of these products to operate in this spectrum after 31 December 2014, the question is: how many of the products currently used will essentially become useless?

On this issue, there are real concerns that the vast majority of the products purchased up until 2011 in this 700-megahertz range will no longer be able to operate. AWAG has estimated that 80 per cent of users will ‘legally time out at the end of 2014’ and:

In performance terms the products they currently use will continue to work and the products that they will be required to replace their existing product will offer little or no technical benefits to them …

This has the potential to cost the community hundreds of thousands of dollars in replacing equipment that in performance terms works perfectly.

We still do not have a definitive answer from the government about what will happen come 31 December 2014. For five long years, AWAG has been in negotiations with the Labor government but have had no firm commitment as to whether the sale of the spectrum will not interfere with wireless audio devices. Instead, they have this Labor government being reckless and unresponsive to the major ramifications of this spectrum auction.

The committee’s report does indicate that some of the concerns raised do not specifically address the technical elements contained in today’s bill. The committee report states:

AWAG's concerns generally go to the implementation of the broader 'digital dividend' policy rather than to the substance …

Insofar as the bill is specifically about the time line of granting licences in an interim period, the great interest from a stakeholder organisation such as AWAG and its members does reflect their genuine concern about the consequences of the sale of this spectrum and the impact of this spectrum reallocation past 31 December 2014 on
wireless radio. The committee's report itself states:

The Committee considers that while these concerns do not attach to the substance of the bill under review, they indicate broader concerns about spectrum reallocation and its impact on consumers. To this end, the Committee looks forward to seeing DBCDE and ACMA making substantial and rapid progress—on priority areas including the 'possible limited utility after restacking' and the 'government's decision about restacking and new whitespace for wireless audio technology'.

In reality, after years of fruitless negotiation with the government, only to suddenly face changes brought on so suddenly and without adequate forewarning, of course affected individuals and organisations will continue to raise their concerns in any appropriate forum afforded to them. AWAG stated quite clearly in their letter to the committee: 'We reiterate that a hearing called on less than a day's notice, after years of inactivity, is a recipe for bad public policy. We implore you to consider the full implications of this bill very carefully.'

Furthermore, the Police Federation of Australia has written to members of this House outlining their concerns about the impacts that this bill may have for police and emergency services across Australia and their vitally important need for radio spectrum. They want to know what will happen for their 56,000 police officers in Australian states and territories and the communications capabilities of these first responders during times of natural disasters and other emergencies. They believe that the sale of the spectrum to telecommunications companies does not meet the objectives of the Radiocommunications Act 1992, that the act is to 'provide for management of the radiofrequency spectrum in order to', as per section 3(b)(i), 'make adequate provision of the spectrum for use by agencies involved in the defence or national security of Australia, law enforcement or the provision of emergency services'. There still remains a lot of doubt about how these emergency services will be able to use telecommunications devices during natural disasters, and to date they still have not received an adequate response from the minister or the department.

I would also like to share the concerns raised by AWAG about the approach taken by the Minister for Broadband, Communications and the Digital Economy towards so-called reforms in his portfolio. Rushing through this legislation today, giving the committee only five days to consider the bill in detail on an issue that has the potential to impact on so many thousands of community groups across the country, is simply not acceptable. The minister is also trying to ram through parliament other atrocious and undemocratic legislation—the very Orwellian-sounding News Media (Self-regulation) Bill 2013, which will legislate that a body be regulated to self-regulate itself and will be overseen by the government's Public Interest Media Advocate. These are further changes from a communications minister who, in his own political interest, wants to hamper free speech and significantly degrade the way in which the media is able to operate in this country.

Rushing through legislation without the parliament having enough time to adequately scrutinise their proposals, is not a new practice from the Labor government. In this case, it is representative of the arrogant way in which this minister operates. Last year, the communications minister visited New York and spoke at a conference there, telling his audience that he had unfettered legal power. To quote the minister:
That means I am in charge of spectrum auctions, and if I say to everyone in this room, 'if you want to bid in our spectrum auction, you'd better wear red underpants on your head', I've got some news for you. You'll be wearing them on your head.

This again demonstrates the minister's very arrogant and bullying attitude towards this industry. We see it today with his attitude to wireless radio users in what has occurred in this government's failure to follow proper parliamentary process in the sale of digital spectrum. His attitude and his clear desire to wield power is also evident in his attempt to control and regulate the press and destroy freedom of speech—the only time in this country's history in peacetime. If the Labor government passes these draconian media proposals, freedom of speech will be at the whim of some government official, telling Australians what we can and cannot see in the media.

It is always concerning when this Labor government introduces legislation and brings on debate before the parliament without following proper parliamentary processes and scrutiny. After much inaction in this area, the Labor government gave the infrastructure and communications committee three working days to call for submissions, hold hearings, investigate issues and to report on this bill today. It is vital that, in the interests of those who operate more than 120,000 devices from schools, churches and convention centres, the government provides clarity on the issues I have raised today and certainty for thousands of community users.

Mr BILLSON (Dunkley) (18:51): In my few minutes, I would like to point to a couple of issues in relation to the Broadcasting Legislation Amendment (Digital Dividend) Bill 2013. These spectrum sales have been characterised as the waterfront property of the spectrum world, able to attract the highest returns for the benefit of the Australian taxpayer and, frankly, the federal budget. That is the way in which this has been marketed, but, as you have heard from previous speakers, this waterfront property is actually occupied. There are people occupying this property completely lawfully—not licence-free as some have sought to suggest, but with the kind of licence that relates to the device that they are using. The idea that you could achieve optimum returns for waterfront property while there are lawful occupants there already is a little bit of the fiction that is revealed through the hastily convened inquiry into this bill. The government has sought to ram it through as though there is no problem to be found, no issue to be discussed, no need for a more considered process.

What the House inquiry revealed was that there is a range of citizens concerned about what is happening. There is an idea that, once the restacking has been concluded and the simulcasting activities of the broadcast television networks have ended, the spectrum is available for free use, unencumbered, for an attractive price paid by bidders. That has been touched on by earlier contributors. It is not quite so clear and it is not quite so straightforward. In fact, it is disappointing that it has got to this point. After the legislation was introduced, the opposition sought—and, to the credit of the government, was afforded—an inquiry to examine these issues, because they have been percolating away for some time but have not gained any traction anywhere. The Australian Wireless Audio Group and its many members—I think it represents about 120,000 people who use the technology—have been struggling for some time to get their voices heard. They have made a number of presentations to ACMA, outlining a range of things. I have one of the presentations here. They have been engaged
in discussions for some two years, but no clarity has emerged about where users of this
694–820 megahertz range should re-establish their activities once that spectrum has been
sold for telecommunications purposes, as has been outlined. After years—in fact, five
years—of dialogue with ACMA, the department, Minister Conroy and his office,
they are no clearer on many of the key issues that confront their sector. This is why we felt
it necessary to bring forward this issue so that it could be properly considered.

It is no small thing and it is no small investment for those who are in the radio
wireless space that they are confronted with great uncertainty after 30 December 2014.
On 1 January 2015, someone else will want to use this space. I have been directly
advised by parties interested in this spectrum that they expect it to be free and
unencumbered. They do not anticipate having to pay waterfront prices for
something where people are already there and suitable arrangements have not been put
in place to transition those current lawful occupants of this spectrum band into some
other arrangements. So I think it is actually the right thing for the government, for
ACMA, for the department and for this parliament to ensure that that tidy,
predictable and timely transition occurs. We have lost five years. We have lost two years
or more of engagement and still we are here hearing that this is very much a work-in-
progress. If you want to get top dollar for the so-called waterfront property, making sure it
is unencumbered is a smart thing to do.

It is also the responsible thing to do for those who have done nothing wrong other
than simply purchase wireless audio products. Some 150,000 of these units are
operating in our economy and in our communities, of which it is thought about
120,000 of them will run into some difficulty maintaining the use of the spectrum they
currently utilise.

In the inquiry hearings, department and ACMA officials sought to suggest that this is
not such a big deal. Perhaps for low- and mid-range priced devices there is some scope
for them to be in the wrong band and that it might not be available after this spectrum is
sold. There was not a great deal of empathy for their circumstance. For the more
expensive equipment there is a degree of tunability that would enable them to be
recalibrated to use another area of frequency for their purpose. It is interesting, though,
that that failed to ignore the limitations on that tunability and there is still some
uncertainty in some regions across the country about where that white space will
now appear to which a device may be able to be tuned. When you look at the actual
equipment itself, even the highest specified and most expensive products—of which only
a few of those units are operating in our economy—have an agility of about 80
megahertz, depending on which product is being sold. Moreover, the bulk of them have
an agility of tunability that is around 10 to 20 megahertz. So if you quote not within a
bull’s roar of the available white space, no amount of fiddling to retune will get you into
that space. So the assurance that people have that there is certain tunability seems to
ignore the technical limitations of some of devices that are well and truly in the
marketplace, still being sold today, lawfully being purchased and being put to good use
by a range of people in our community.

I need to try and communicate to the parliament and particularly to the members
opposite: this is no small deal. This technology is used very widely across so
many parts of our community and our economy from educational institutions,
including schools, universities and TAFEs, church groups, church organisations—a
number of whom, I know, have raised funds after many years of effort to make sure that there are good communications where the pastor, priest or vicar can deliver an animated address and engage freely with the congregation. These radio devices of some quality in their sound and their functionality have been seen to be of such a priority that they have attracted a lot of fundraising effort amongst churches.

It is used by those in the performing arts space: I saw a piece pointing to the number of these devices being used at the Eurovision Song Contest over the last little window of time. I think that, at the most recent Eurovision Song Contest alone, some 100 of these devices were being used at one venue, with a broader spread of capability. The use of these devices has grown exponentially over recent years, reflecting their appeal, functionality and quality.

This technology is used by independent musicians and other entertainers; those involved in putting together things like wedding videos; musical theatre groups; the convention industry; the theme parks on the Gold Coast, which often involve music and theatre; events, including major events like the great grand prix in our state of Victoria; auctioneers; and the fitness industry. Some might think it was not from my engagement in aerobics that I became alert to this, but I am alert to it and I need to point out that this is a serious matter.

Across our community this is an area where, clearly, the government itself is simply not tuned in. The efforts to raise these concerns have been manifold. There is still a lack of clarity about what is required. There is poor consumer information out there. Product is still being imported that seeks to operate within a spectrum range that will no longer be available after it is sold. There is no clear transition strategy in place.

The House committee had little more than five minutes to deal with these issues. It is quite remarkable: the parliament decided to have an inquiry and, as I recall, invited submissions to be received the following day. Yet the committee actually started at 11 am, one hour before the time for submissions closed. No-one other than the Commonwealth officials was afforded the opportunity to engage directly with the committee. We have seen time and again that there is some conjecture and difference of opinion between what the officials are saying and what the reality is on the ground.

I am confident this can be resolved. But it has to be taken more seriously than it has been today. I saw this when I was the shadow broadband and communications spokesperson for the coalition, when the CDMA was shut down. It was: 'Oh, don't worry about it. Hardly anyone uses CDMA.' That was nonsense. CDMA chips were embedded in so many telemetry products in the monitoring of water and dam releases and on farms and all sorts of things. They were embedded in all that technology. So, whilst you might have been able to point to mobile phone users, the decision ignored a whole industry where remote communications and control and monitoring devices had CDMA embedded in them.

This is almost a repeat. It is as if the minister for red undies has learnt nothing from that CDMA experience. I urge Minister Conroy to take this more seriously. These are good folks operating right across our economy and our community. They have done nothing wrong and they deserve more consideration than they have been afforded to date.

The government members on that committee had strong sway over the committee's recommendations, but they still recognised that there was a need for some
urgent work. They urged the department and ACMA to make 'substantial and rapid progress' on these priority issues. I concur with that recommendation.

The coalition does not want to impede the sale of the spectrum. Whether it is like harbour front or other valuable land—it is Mornington Peninsula real estate!—the reality is that purchasers do not want it to be encumbered at the time it becomes available to them. That is not the trajectory we are on now. In their interest, and to optimise the returns for the Commonwealth, this is something that needs to be dealt with. For the tens of thousands of people who use this technology, whether it be in their business, in their everyday life as a core component of their performance efforts, in churches and community groups, in learning and education, in lectures or in the activities of auctioneers—whatever it might be—they deserve some consideration as well.

The committee's recommendations point to the need for education and an awareness campaign. This is a world in which technology is plug and play. I think most people using white-space wireless audio devices would not have the foggiest idea what spectrum they were operating within. I do not think they would know. All they know is that they have bought a lawful product. They are using it lawfully. Yet the spectrum which they depend on is being sold from underneath their feet and no-one has bothered to tell them. That is just poor form, particularly when some of these organisations have invested heavily and do not have the cash to go and change their equipment and buy something new. They do not have the technical guidance about where retuning is possible, where that new white space might be, and they do not have the responsiveness of ACMA and the department to say, 'Well, we have got some retunability but we cannot get anywhere near the new white space that you are guiding us to.' This is why the education awareness campaign that has been advocated by AWAG and others needs to be activated as a matter of urgency. There needs to be some greater clarity on products that are sold and some product warning system so that purchasers buying this technology know of the fate that is ahead of them, that they may well be faced with technology that is useless because they cannot access the spectrum for which it was designed.

As a matter of some urgency there needs to be finalising of where that restacking and new white space opportunities will be so there will be a much greater collaborative effort than I have seen evidenced in this to date. It is important that that work be done. This is why the government should embrace the coalition's measured and thoughtful amendment that seeks to make sure that the minister satisfies himself or herself in writing that they are satisfied that this broadcasting services spectrum is available and that alternative uses have been dealt with and that there is adequate spectrum available with no interference for potential device class licences. What this is basically saying is, get it organised. Do your job properly. Make sure there is a thoughtful and considered transition strand and do not leave 120,000 devices silent because the government has not had the wherewithal to provide spectrum capability for them.

Mr FLETCHER (Bradfield) (19:07): I am pleased to speak on the Broadcasting Legislation Amendment (Digital Dividend) Bill 2013. In the time available to me today I want to make the point that the allocation of the spectrum which is the subject of this bill arising from the digital dividend is of the first importance. The second point I want to make is that the measures contained in this bill make sense as far as they go. But I thirdly want to argue that the bill does not go
far enough towards managing the digital dividend process in a way that would achieve the best outcome for Australians.

It is uncontroversial that the digital dividend process is of the first importance. The digital dividend spectrum is enormously important for the delivery of mobile communications services. In particular this spectrum is expected to be used by mobile phone operators to deliver the next generation of wireless broadband services, the so-called fourth-generation or LTE, long-term evolution, services. Already millions of Australians have 3G data services on their mobile handsets, offering download speeds which are typically two to three megabits per second. 4G services are going to be much faster with download speeds typically of between five and 10 megabits per second, and theoretically the ability to go a lot higher, although, as is always the case with any wireless network, it is dependent on the number of other devices also accessing the same base station.

It is clear that the amount of data being delivered over mobile networks is exploding. According to the industry regulator, ACMA, there are estimates that data demand will be 30 times 2007 levels by 2015 and 500 times by 2020. So there is an absolute explosion in the quantity of data being sent back and forth over mobile phone networks and that is expected to continue at rates which are almost incomprehensible. Accordingly the allocation of new spectrum to support these services is absolutely critical for both economic and social reasons. Both Telstra and Optus have already launched initial 4G services on their existing spectrum but the mobile carriers need more spectrum for the enormous volumes which are expected as services continue to grow. This means that it is critical to get the policy settings right for the auction of spectrum which is forthcoming, and anything which blocks this spectrum being available as soon as possible is a significant problem. Against that backdrop, the measure contained in this bill is one which makes sense, as far as it goes—and that is the point to which I now wish to turn.

The essential purpose of this bill is to remove a potential technical impediment to some of the spectrum being used as quickly as is conveniently possible. The root cause of the problem is that the spectrum which is shortly to be auctioned falls into what is known as the broadcasting services band—that is to say, the block of spectrum that was set aside many years ago for use for television broadcasting, and that block of spectrum has been set aside to be regulated specifically under the Broadcasting Services Act.

This block of spectrum was formerly used only for analogue television broadcasting. Following regulatory changes some 12 or 13 years ago, the introduction of digital television has meant that other parts of that same block of spectrum are now also used for digital. Digital broadcasting of course is much more efficient in its use of spectrum and, amongst other things, you do not need the same kinds of guard bands that you need with spectrum for analogue broadcasting. Accordingly, you can pack the services in together more efficiently across the spectrum.

In 2015 the analog broadcasting services around the nation are due to be switched off. Of course, in some areas the switch-off has already occurred, but by 2015 it will have occurred around Australia, including in the major metropolitan areas. Once we get to that point, then we can have what is known, attractively, as 'the restack'. This is where all of the spectrum which is presently used for television broadcasting is crunched down to one end of the existing spectrum block,
taking advantage of the fact, as I previously mentioned, that when you are broadcasting only in digital you can be much more efficient in your use of spectrum. Once that restack occurs, that will free up that significant block of spectrum which is going to be reallocated through an auction process and is expected, as I have indicated, to be used for 4G mobile data services.

The complexity here is that the auction is going to occur a little later this year, but that restack process will not be completed until sometime later. The specific consequence of that is that, until the restack occurs, all of the spectrum in the relevant band continues to be treated, as a matter of law, as falling within that broadcasting services band, and is therefore subject to all of the relevant provisions in the Broadcasting Services Act, including the provisions dealing with something called datacasting.

Datacasting is a concept which emerged in the late nineties. It was intended to deal with the prospect of data services being delivered within the broadcasting services band. Unfortunately, datacasting has never really taken off as we had hoped at the time it would.

When I say 'we', I speak as a former adviser to the then communications minister, Senator Richard Alston. May I note in passing what a class act he was—something that I am reminded of every day when I look at the dismal performance of the current incumbent in the office of minister for communications.

Datacasting was not intended to be a two-way activity; it was intended to be a one-way use of the broadcasting services band, with the return path, if any, to be carried over a different medium such as over the copper wires. Nevertheless, there is a good legal argument that the existing datacasting provisions would, inadvertently, if their application were not modified, apply to the new activities of the mobile phone companies and their customers should data be transmitted within the spectrum range which is shortly to be auctioned. And the practical effect of that would be that, if this act were not to be amended, spectrum which is purchased this year following the auction could not be used until 2015 for fear that those using it would be in breach of the datacasting provisions of the act, and that of course would be an undesirable outcome. It would be unfortunate indeed if the most rapid possible introduction of the new 4G services was to be delayed as a consequence of the essentially unintended quirk in the drafting that the existing datacasting provisions would capture the new activities of the mobile phone companies as they commence the provision of 4G services over this spectrum.

Accordingly, this bill would amend the Broadcasting Services Act and the Radiocommunications Act to allow telecommunications services possible access to the spectrum known as the digital dividend. This is done by introducing the concept of designated datacasting services, and this drafting technique, we are told by the government, will facilitate the commencement of telecommunications and broadband services in the digital dividend spectrum before it is removed from the broadcasting services band. As far as it goes, that is clearly a sensible policy measure because, if the amendments contained in this bill were not to be made, the datacasting provisions could potentially block the spectrum being used before 2015. This bill, should it be passed into law, would clear that blockage. That is a sensible thing to do and, so far as it goes, we on this side of the House have no objection to it.

The third point I want to come to is that, while this is a sensible measure, it does not
go enough towards managing the digital dividend process to achieve the best outcomes for Australians. We have seen a series of very grave errors made in the public policy process which has been carried out by this government to give effect to the reallocation of the digital dividend spectrum. For example, the process of setting an unprecedentedly high reserve price for the spectrum auction of $1.36 per megahertz per head of population is likely to have very adverse effects as to the development of a competitive market in these 4G services. We can see that the approach that the government is taking is well out of line with the approach being taken by governments in other countries. According to research by Goldman Sachs, the average price being charged across eight countries was 80c per megahertz per head. That is a lot less than $1.36 per megahertz per head of population. I might add that that 80c was arrived at through an auction process rather than being set as the floor price, rather than being set as the reserve price. So the government is going into this process setting an extremely high price which may very well discourage significant players from bidding.

When you look at some other reference points, it appears to be an unjustifiably high number. It implies total proceeds from the auction of nearly $2.8 billion. The highest amount previously raised in an auction in Australia was a bit over $1.3 billion when the 1.8 gigahertz spectrum was auctioned in the year 2000, albeit for about two-thirds as much spectrum. It is also materially higher than the amount that was raised in the recent British spectrum auction, where the final selling price was 23c per megahertz per population, or about one-sixth of the price the government seems to be expecting here.

It is hard to avoid the conclusion that the Rudd-Gillard government's desperate search for revenue has led to a short-term decision to set a very high reserve price, with the likely consequence that long-term policy outcomes in the mobile data market will be very, very adversely affected. This is a terrible piece of policy for a government that says it wants to encourage broadband services. It is a piece of policy which tends to ignore the real reason that spectrum auctions are now widely used in most advanced economies as the means of allocating the scarce public resource of radio frequency spectrum. The principal purpose of using an auction is to allocate this scarce spectrum to the purpose which has the highest value to the community. Raising money is a secondary purpose, not a primary purpose. Unfortunately, this government seems to have got that the wrong way around. The consequences look likely to be quite severe. Already, one potential bidder, Vodafone, has said that it will not bid, and another, Optus, says it regards the prices as unreasonably high and is considering its position. Bear in mind that the government itself has noted, in the regulatory impact statement it released in February 2012, that 'the three incumbents'—namely Telstra, Optus and Vodafone—'are the entities most likely to participate in the auction'.

If one public policy error which has been made in relation to the proposed allocation of this digital dividend spectrum is to set a very high reserve price, another public policy error is the approach that the minister has taken to the so-called competition limits. These are the rules which limit the amount of spectrum which any one player is permitted to buy at the auction. Originally, in early 2012, the minister said that a maximum of 20 megahertz could be acquired by one bidder, but recently that maximum has been increased to 25 megahertz. In other words, as well as setting a very high reserve price the minister has also increased the amount of
spectrum that the dominant player, Telstra, would be able to buy.

Of course, thanks to its lucrative NBN deal with the Gillard government, Telstra is expected to receive some $11 billion, so it is very well placed to spend up big on spectrum. I make no criticism of Telstra here, but I do strongly criticise the Rudd-Gillard government for the significant public policy errors it is making in relation to the allocation of this vital digital dividend spectrum. These errors will play out over a very long period of time, and the consequence is likely to be a market for the provision of mobile broadband services which is less competitive and, accordingly, less vigorous and less dynamic than it ought to be, and would be, if the government had adopted better public policy settings. We are all in agreement that the allocation of this digital dividend spectrum is a public policy issue of high importance. What this country needs is a vigorous, competitive mobile broadband marketplace with as many players as possible, and setting the auction rules is a key policy lever to achieve that outcome. Unfortunately, the government has taken a very poor approach to this vital question. So, while the measures in this bill are sensible as far as they go, they do not address the most pressing problem in this area.

Mr McCORMACK (Riverina) (19:22): I rise to speak on the Broadcasting Legislation Amendment (Digital Dividend) Bill 2013, which amends the Broadcasting Services Act 1992 and the Radiocommunications Act 1992 to allow telecommunications services possible access to the spectrum known as the digital dividend while it is still part of the broadcasting services bands. The bill amends the current datacasting regime by introducing the concept of designated datacasting services, which will be defined under the legislation to be those provided by a commercial television broadcasting service, a commercial radio broadcasting service or a national broadcaster. Datacasting is defined in schedule 6 of the Broadcasting Services Act as:

… a service that delivers content:
(a) whether in the form of text; or
(b) whether in the form of data; or
(c) whether in the form of speech, music or other sounds; or
(d) whether in the form of visual images (animated or otherwise); or
(e) whether in any other form; or
(f) whether in any combination of forms;
to persons having equipment appropriate for receiving that content, where the delivery of the service uses the broadcasting services bands.

The broadcasting services bands are in turn defined as:
(a) that part of the radiofrequency spectrum that is designated under subsection 31(1) of the Radiocommunications Act 1992 as being primarily for broadcasting purposes; and
(b) that part of the radiofrequency spectrum that is designated under subsection 31(1A) of the Radiocommunications Act 1992 as being partly for the purpose of digital radio broadcasting services and restricted datacasting services.

Datacasting licensees generally transmit information and education programs, parliamentary and court proceedings, text and still images, interactive computer games, electronic mail, and internet content but are unable to broadcast a range of material which may be considered to be the equivalent to television news, drama, sports, music, weather, documentary, lifestyle or entertainment programs, or commercial radio programs. The spectrum is an important public resource and governments around the world regulate it and charge for its use. Currently in Australia, broadcasters pay licence fees to the Australian Communications and Media Authority—
ACMA—for the use of their allocated spectrum on which to broadcast.

ACMA has noted three key processes are required to realise the digital dividend. These are: (1) conversion of analogue televisions broadcasting to digital transmission, known as switchover; (2) clearance of a contiguous block of spectrum; and (3) allocation of the spared spectrum. In June 2010, the government announced as part of the transition to digital television that there will be 126 megahertz in the upper ultra-high frequency band spectrum released as a digital dividend. The digital switchover has been in process under the Commercial Television Conversion Scheme since June 1999 and under the National Television Conversion Scheme since February 2000, and will be completed by 31 December 2013. The released dividend will be auctioned off in April 2013, just next month, and is expected to be cleared by for use by January 2015. ACMA has arranged a combinatorial clock auction process which will be used to allocate the spectrum and will commence on 16 April 2013—less than one month away. Licences issued for the 700 megahertz band as a result of the digital dividend are to commence on 1 January 2015. Potential bidders have been notified by ACMA that, should a broadcaster vacate spectrum in the 700 megahertz band before the successful bidder's licence period commences, the regulator will consider applications for interim licences. These will be considered on a case-by-case basis. Only commercial and national broadcasters will be required to hold a datacasting licence for the delivery of datacasting services in the broadcasting spectrum. The amendments in the bill will not affect existing regulation which applies to datacasting services which are currently provided by the commercial broadcasters such as WIN Television's GOLD and the Seven Network's 4ME. These services will not be affected by this bill and will be able to continue in accordance with their present datacasting licences.

There is currently a long delay between when the telecommunications companies pay for the spectrum and when they actually have access to it. The delay between the auction process and the commencement of licences for successful auction bidders is to ensure there is sufficient time for the comprehensive clearing of digital television services from the digital dividend spectrum to be completed. However, it may be possible in some geographical areas for new services to commence while spectrum is still considered to be part of the broadcasting services bands.

In the government's efforts to achieve a budget surplus, the Minister for Broadband, Communications and the Digital Economy intervened in the digital dividend auction and set a reserve price of $1.36 a megahertz per head of population and a minimum purchase of 5 megahertz for the spectrum—a price considered to be high by international standards. At this rate it will cost a company about $1.5 billion to buy enough spectrum to cover 22.6 million people. To quote my colleague the member for Bradfield:

This is a terrible piece of policy for a government that says it wants to encourage broadband services.

He is right, of course. Spectrum is a scarce and valuable public resource, and the high reserve price may result in this important spectrum not being allocated. Telstra and Optus are the only companies registered to bid in the April auction and have criticised the high auction price. Optus called the pricing of the spectrum 'unworkable', and has warned that this pricing will restrict investment and drive up the price for essential telecommunications services.

The Police Federation of Australia has been pressing for radio spectrum for police
and emergency services across Australia to ensure they have effective mobile broadband communications, especially during times of natural disasters—and haven't we seen some dreadful natural disasters occur in Australia in recent years? The need for access to such communications has certainly been highlighted during the floods, bushfires and cyclones. I know the emergency services in my electorate of Riverina would agree that such access to the spectrum would have been of assistance during the floods of 2010 and 2012, and also during the January bushfires which brought national media attention to my region—the sort of national media attention that you do not want. Can I add as an aside that William Belling, who on Saturday was recognised for 72 years of service to the Humula, Oberne Creek and Tarcutta rural fire services, talked about the marvellous improvements in technology, comparing what was available to him when he fought his first fire as a 14-year-old in 1940 to now. This was on Saturday, at the local RSL hall at Tarcutta, where 30 medals were awarded to firefighting volunteers to recognise their combined service of 1,187 years fighting fires and working as volunteers at motor vehicle accidents.

This is relevant to this debate because these people all acknowledge the fact that better telecommunications services are vitally needed, with so many areas of black spots—certainly there were black spots after the fires—for mobile telecommunications. I welcome the member for Cowper, who I know is fighting hard for better telecommunications services in his shadow portfolio area; I know how much work he has done in that regard. Better mobile telecommunications services are vital to the people of the bush—as you would well know too, Mr Deputy Speaker Mitchell. Unfortunately, there are so many areas in our electorates that are not covered by good telecommunications services. To have better access to mobile services during times of disaster would save a lot of people's property and would bring the necessary alerts to save a lot of people's stock. It just makes good sense.

As I was saying, the Police Federation of Australia is calling for 20 megahertz of the released spectrum to be set aside for public safety. They believe this should be done under the Radiocommunications Act 1992, which refers to making adequate provision of the spectrum for law enforcement and emergency services. We really need to listen to the Police Federation of Australia in this regard. We need to listen to the advice given by those brave firefighters of Humula, Oberne Creek and Tarcutta. We need to listen to the State Emergency Service people in New South Wales, the Volunteer Rescue Association people across New South Wales and certainly the volunteers who fight fires and help after floods and during times of natural crisis right across Australia when they say that we need better mobile telecommunications. We need, as the Police Federation is calling for, 20 megahertz of the released spectrum to be set aside for public safety—if for nothing else than to save people's lives. It just makes good sense. I am sure the member for Cowper agrees with me. Public safety mobile broadband is critical to emergency services, to ensure that they have effective, modern and interoperable communications to undertake their essential functions.

The bills also limit the scope of datacasting and will facilitate the commencement of telecommunications and broadband services in the digital dividend spectrum before it is removed from the broadcasting services bands. The bill will also provide the minister with the ability to specify by legislative instrument another service of a specific kind to be a designated
datacasting service. This will prevent a service provider from providing a service similar to that of a commercial television broadcaster. This provision will allow for flexibility to expand the scope of the datacasting regime if the circumstances require it. This may apply where a provider seeks to use the broadcasting spectrum to provide a datacasting service that the minister considers should be subject to the conditions of service and codes of practice that apply to licensed datacasting services. The digital dividend will be removed from the broadcasting services band spectrum once the spectrum has been restacked.

This is a vital debate. This is a vital piece of legislation. The coalition supports this bill but, as the member for Bradfield quite correctly asked, do elements of it go far enough?

Mr HARTSUYKER (Cowper) (19:33): I welcome the opportunity to speak on the Broadcasting Legislation Amendment (Digital Dividend) Bill 2013 and commend the member for Riverina for his contribution to the debate. This bill provides yet another example of the government's complete failure to do anything properly. The switch to digital television is a process that is supported by both sides of parliament. The restack is not a partisan or political issue, and I believe the coalition has been cooperative in its approach to the issue of the digital restack. This process is not something that should be causing concern in the community. In fact, it should be a relatively simple behind-the-scenes technical change that will have a limited impact on the general public. But, once again, the government has got it wrong. The result is that thousands of individuals, community groups, churches, schools, concert promoters, gyms and musicians may need to buy new wireless audio equipment at a collective cost of millions of dollars.

I will talk about these problems in more detail shortly, but I would first like to turn my attention to the substance of the bill. Digital television uses frequency bandwidths much more efficiently than analogue signals. As a result, the switch to digital television will free up valuable blocks of spectrum that can be used for purposes other than broadcasting. This is a substantial block of spectrum in the broadcasting services band, and it will be permanently freed up for other uses from the start of 2015. However, the television networks have agreed to switch off their analogue signals well in advance of 1 January 2015. In the interim, ACMA will consider allocating interim licences to the successful bidders in the government's digital dividend spectrum auction, which will take place next month. However, the current regulatory system would impose significant restrictions on anyone using spectrum in the broadcasting services band for anything other than broadcasting.

In the long term, once the digital dividend spectrum is removed from the broadcasting services band, these regulations will not apply, but there is a need for an interim solution, which this bill provides. At first glance, this bill is a welcome development. Indeed, it makes sense to give the auction winners access to this spectrum as soon as possible so they can begin offering improved services to the public. We know the demand for wireless data services is increasing exponentially, so facilitating access to early rollout of LTE broadband services is a positive step. However, the government's typically sloppy handling of this issue has created another major problem for the thousands of Australians who use wireless audio devices. The Australian Wireless Audio Group at the Australian Commercial and Entertainment Technologies Association is the key body representing the interests of wireless audio equipment users, and they
have highlighted a number of problems with the government's current approach to the digital dividend process. Wireless audio devices include things such as wireless microphones, which are used in hundreds of applications around the country, and ear monitoring devices, which are commonly used by musicians and media presenters. Wireless audio devices use the unallocated 'white space' between the frequencies used by licenced broadcasters. Users of wireless audio devices do not need to apply and pay for a licence to use their equipment like a broadcaster, but they operate their equipment on the basis that they must not cause interference to broadcasters operating in the same frequency range. Most people using wireless audio devices are not aware of how these products work. The devices are generally quite user-friendly and are operated on a plug-and-play basis.

The spectrum which makes up the digital dividend is from 694 megahertz to 820 megahertz. This is also the most popular range for wireless audio devices, with an estimated 120,000 devices operating in this range. As a result, frequency that is currently white space could shortly be occupied by telecommunications services. Anyone operating a wireless audio device which interferes with a licenced user on the same frequency is in breach of the regulations. Because the government has failed to develop a comprehensive transition plan or conduct an education campaign on the implications of the digital dividend, many people will suddenly find themselves using equipment that operates on the same frequency as a licenced user—and they will therefore potentially be acting illegally. The list of people and organisations that could be affected by these changes is long: schools, churches, broadcasters, concert promoters, entertainment providers, musicians, the fitness industry, auctioneers, major event organisers and even the spruiker at your local jewellery store or pharmacy.

The key problem here is that the vast majority of people using these devices are not communications specialists. The people using these devices are volunteers, salespeople, musicians, tradesmen, presenters et cetera. They cannot be expected to know how these impending changes will affect them and the legality of their use of those devices. Many of these people will have purchased wireless audio devices in the past few years in good faith and will find themselves with a perfectly functional but illegal device in just over 18 months.

At the very minimum, there is an urgent need for the government to engage with the sector and develop a plan to help educate people who use wireless audio devices about the impending changes. Until some sort of education campaign is launched, retailers will continue to sell these devices and consumers will continue to buy them. As far as I know, the government has not even given formal notification that suppliers should stop importing wireless audio devices that operate in the spectrum above 694 megahertz. Even if someone buys a wireless audio device which operates in spectrum outside the digital dividend frequency—that is, below 694 megahertz—there is no guarantee that it will still be compliant with the regulations once the restack of digital television frequencies is completed.

It has also been brought to my attention that, in some areas where the UHF band is very congested, there may be very little white space available in which to operate a wireless audio device. Particularly for large events, which may use multiple wireless audio devices each of which needs to operate on a unique frequency, there may be insufficient white space available to operate the necessary number of devices. This may
prove to be a significant problem in areas like the Gold Coast or the CBD areas of Sydney, Melbourne or Brisbane. To give you an example of how this may impact on a major event, I have been told that one major Australian reality television show uses up to 60 wireless audio devices at a time. The Australian Wireless Audio Group has made at least nine submissions to the government or ACMA about this issue over the past seven years, so the government cannot claim to be ignorant of it. I do not pretend to have all the answers, but it is very clear that the government needs to improve its engagement with this sector and come up with some answers.

In conclusion, this bill does not, on the surface, appear to be particularly objectionable, but, as is usual with this government, the devil is in the detail. The minister is obviously too preoccupied with regulating the media and attempting to rescue his disastrous NBN project to attend to fine details, such as how musicians and fitness instructors will be able to use their wireless microphones after the digital dividend process is complete. Thankfully, the coalition has done the hard work for the minister and we will be moving an amendment to this bill which will require the minister to ensure that ACMA has made suitable provision for wireless audio devices before allowing any alternative uses of the broadcasting services band.

Mr STEPHEN JONES (Throsby) (19:41): I am sure some constituents of mine are at home tuning into this parliamentary broadcast and wondering what this Broadcasting Legislation Amendment (Digital Dividend) Bill 2013 is all about. We have heard a lot about spectrums and auctions and specific devices. I would like to spend a few moments trying to put that into a broader context for the benefit of my constituents.

What is this bill all about? It is about managing our spectrum. As you know, spectrum is the space through which radio waves are transmitted. Traditionally it was used to transmit a radio broadcasting signal for the benefit of wireless radio listeners. Then we saw the development of TV, radio telegraph, radio telecommunications, radio communications through phones and faxes and, as the member for Cowper discussed in his contribution to this debate, the use of radio spectrum by in-house and in-venue wireless devices—from remote-controlled motor devices to radio-controlled microphones and sound systems. In fact it would be hard to find a business venue where there was not some use of a wireless device which relied on radio transmission.

The development of digital technologies has enhanced the capacity, and enabled a more efficient use, of the available spectrum—which is a limited resource. There is a limited amount of spectrum we can use commercially and for other purposes. The development of digital technologies enables us to use that more efficiently and enables us to use radio waves in our spectrum for more and more services—multichannel broadcasting, enhanced telephony and wireless broadband, for example.

This legislation comes about because of the development of the digitisation of broadcasting. It enables us to free up a whole heap of spectrum which was once used for broadcasting TV and radio transmissions. It enables us to restack and re-use that spectrum for other purposes. It is obviously a valuable resource. The government will be using an auction mechanism to get the best return for that valuable resource.

The Broadcasting Legislation Amendment (Digital Dividend) Bill 2013 makes minor amendments to the Broadcasting Services
Act 1992 and the Radiocommunications Act 1992 to facilitate the commencement of telecommunications and broadband service in the digital dividend spectrum before that spectrum is removed from the broadcasting services band. The release of television spectrum is a significant benefit of the digital switchover process. The auction of this spectrum in April 2013 will pave the way for next generation mobile services in Australia such as 4G mobile services.

Following the completion of the auction, the Australian Communications and Media Authority may agree to allow the successful bidders at the digital dividend auction to commence services prior to the digital dividend spectrum being redesignated out of the broadcasting services bands. ACMA will consider on a case-by-case basis any applications from incoming spectrum licensees who seek early access to the digital dividend spectrum.

The bill will amend the Broadcasting Services Act 1992 and the Radiocommunications Act 1992 to remove an impediment to the potential early commencement of telecommunications and broadcasting services in the digital dividend spectrum by clarifying that these new services will not be covered by the datacasting licensing regime. Specifically, the bill will amend the Broadcasting Services Act 1992 to generally limit the application of the datacasting regime to those datacasting services currently provided by commercial and national free-to-air television broadcasters.

The bill will also amend the Broadcasting Services Act 1992 to provide the minister with the ability to specify, by legislative instrument, the kinds of datacasting services that would be considered designated datacasting services and will therefore be required to hold datacasting licences. This will provide the minister with the ability to expand the scope of the datacasting regime if the circumstances warrant.

Finally, the bill will make minor amendments to the Broadcasting Services Act 1992 and the Radiocommunications Act 1992 to effectively implement the main elements of the bill and will repeal a spent provision that refers to a statutory review that has already been conducted and tabled in parliament. The amendments in the bill will not affect the existing regulation that applies to datacasting services currently provided by the commercial broadcasters such as the Seven Network's 4ME, Win Television's GOLD, the Nine Network's Extra and Network Ten's Television Shopping Network. These services will be unaffected by the bill and will be able to continue in accordance with existing datacasting licences.

In short, the measures in the bill will help manage the interim or transition period between the auction and the removal of the digital dividend spectrum from the broadcasting services bands. Once the digital dividend spectrum has been removed from the broadcasting services band, datacasting regulation will not apply to any services using this spectrum. The spectrum will be removed once it has been cleared of digital television services by the restack, which is expected to be completed by 31 December 2014. Failure to pass the bill during the autumn 2013 sittings would mean that bidders in the April 2013 digital dividend auction would not have regulatory certainty or confidence about the rules that will apply to their use of that spectrum prior to it being removed from the broadcasting services band. It is plain and obvious that were that to occur the value that the government and therefore the taxpayers of Australia could realise from the auctioning of this spectrum would be severely diminished.
In conclusion, this is an important process in enabling us to manage the digitalisation and the restacking and therefore the re-auction of valuable spectrum to free it up and make it available for other purposes. We know that the use of wireless and mobile telephony services and wireless broadband are key economic drivers for the future of this country. When put hand in hand with the rollout of the National Broadband Network, this shows once again that this government is doing what it can to ensure that we have the essential infrastructure in place to drive the economic developments of a future economy. I commend the legislation to the House.

Mr PERRETT (Moreton) (19:50): I commend the member for Throsby for his contribution. I rise to speak on the Broadcasting Legislation Amendment (Digital Dividend) Bill 2013. The purpose of this bill is to amend the Broadcasting Services Act 1992 and the Radiocommunications Act 1992. It is not exactly the most exciting piece of legislation ever to come through the 43rd parliament, perhaps, but it is significant for some. I always like to make these speeches on legislation understandable for the man on the Clapham omnibus, or the common people. When we look at what we are proposing tonight, it is not particularly controversial. But it does need to be unpacked.

Looking at our cars is a good starting point. Cars have changed. Not that long ago, they had AM radios. Then they had FM radios. Now many new cars have digital radios. Digital radios offer greater information. You can have the name of the song, a little bit of information about it and a bit of news flashing through as well. That is a pretty good progression: from AM to FM to digital. There is now more information, better choice and more understanding. That is indicative of this digital revolution and the digital age that we live in. Obviously, the legislation before us is a result of that production. Basically, these amendments are to facilitate possible commencement of telecommunication services in the spectrum. By switching from the old analogue network to the digital age there will be opportunities in that spectrum—that bit of the wavelength—to benefit other companies, particularly telecommunications companies.

I was drawn to this picture—I apologise for using a prop—which came up on my Facebook. It is a picture of the two photographs taken in St Peter's Square at the announcement of a new pope. I am sorry that people cannot see it but it is easy enough to find on Facebook. It is a photograph from the same viewpoint in 2007, when Cardinal Ratzinger became pope and another taken this year of Pope Francis. Whilst you cannot see it clearly in this photograph, anyone who searches would see—I have shared this photograph on my Facebook page—the photograph in 2013 of the same event. Between 2007 and 2013 not a lot has happened for many people, but the 2013 photograph is just a sea of iPads and digital phones taking photos of Pope Francis coming out to address the crowd.

That photograph encapsulates what we are about tonight: the change from AM to FM to the digital age. That then creates spectrum that is available to telecommunications companies. Why is spectrum valuable? It is valuable because the progression from 3G to the next generation—4G—means that people are hungry for information. And that is what is happening here. That spectrum is able to be sold by the government to the highest bidders—we are calling it the 'digital dividend'—which is a good thing to do, because people are hungry for information.

Obviously, because of the time lines we have set out, this spectrum is still part of the
broadcasting services bands. So the legislation before the House is about dealing with this. It makes changes to the datacasting regulations under schedule 6 to the Broadcasting Services Act by introducing the concept of designated datacasting services.

A designated datacasting service will be defined under the legislation as one provided by (1) a commercial television broadcasting service; (2) a commercial radio broadcasting service; or (3) a national broadcaster such as the ABC or SBS. That is the background to the legislation that is before the chamber tonight. There is increasing demand and the digital age is increasingly complicated. There was not a lot of Facebook two popes ago; now we have the second pope to be on twitter. And things will change.

My children—one four-year-old and one seven-year-old—are much more adept at iPads than I am. They can use my wife's iPhone. They are skilled at using and accessing information—more skilled than me, and I still have more degrees than them put together! They are obviously going to be children of the digital age. As I said, it is amazing to see, in that picture, the progression in that short time—from one pope to the next—and to see how the world has embraced the digital age.

That is a problem for some media providers because, as we move from newspapers to iPads and iPhones and the like, people are less likely to buy paper newspapers. They still want trusted, valuable information so there will always be a role for the press gallery. There will always be a role for reliable information, but unfortunately for some of the media proprietors there has been a collapse in income streams. I think the rule of thumb used by media proprietors is that for every dollar that they received from an ad in the weekend newspaper they are now receiving 10c for an ad on-line. That is a 90 per cent cut in income.

You can see the effect of that up on level 2 of the Senate wing—if I can mention that place—where the fourth estate reside. You can now send a bowling ball down the aisles and not hit a reporter or a journalist. The reality is that there has been downsizing and downsizing and downsizing—not just in Canberra but across Australia—as media organisations have rationalised as they have fragmented in the digital age. I always say that no-one under 25 has bought a newspaper for five years. They still read information provided by journalists and the like but they are not tracking it down in paper form.

The digital age does have some challenges. Obviously, it has some fantastic opportunities, which is why the Gillard Labor government has been so enthusiastic about the roll-out of the NBN: it sits perfectly with our agenda of providing opportunity via education and facilitating those economic advantages via the NBN. They sit perfectly together. And throw into that the fact that we have a policy of engaging with Asia, because that is where the opportunities will be.

We cannot compete with Asia on labour costs unless we have a prime minister who is committed to policies like Work Choices. That is a possibility on 14 September, but hopefully Australia will realise that you do not make the nation smarter by cutting wages. That is not the way forward. I know there are a couple of Work Choices warriors opposite, but hopefully their voices will be drowned out by that commonsense approach which is: do it the smarter way; do it the more intelligent way; do it the cleverer way;
embrace the digital age; embrace the NBN; and look at the higher skills, higher services approach.

This legislation is obviously to facilitate the possible initiation of telecommunications services which, as I said, we have identified as the 'digital dividend' within the broadcasting services band. Let us look at some of the opportunities that are there in terms of the digital economy and what the Gillard Labor government has done.

As part of the 2011-12 budget, the government provided the community broadcasting sector with an additional $12.5 million over four years, an increase of 25 per cent. For digital community radio, the government provided $13.5 million over four years, from 2009-10 to 2012-13, to establish and provide digital radio services. The government has also committed to providing $2.2 million in annual ongoing funding to the sector.

The National Digital Economy Strategy sets out a vision for Australia to realise the benefits of the National Broadband Network and position Australia as a leading digital economy by 2020—a smarter approach to engaging with our region. There is the Digital Hubs program to help communities gain the skills needed to maximise the benefits provided by the National Broadband Network—(Time expired)

The DEPUTY SPEAKER (Ms Vamvakinou): Order! The debate is interrupted in accordance with standing order 34. The debate is adjourned, and the resumption of the debate will be made an order of the day for the next sitting.

Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013

Second Reading

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (20:01): by leave—On behalf the Leader of the Opposition, I move:

That this bill be now read a second time.

I rise to support the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013. This bill has been proposed by the coalition in response to genuine community concern about the governance of Australia’s trade unions, particularly by those in positions of power within the trade unions: the union bosses. In fact, it is not just a concern; in many cases it is a revulsion within the community with the number of scandalous trade union practices that have been revealed over recent years. For example, there have been reports of spectacular rorting that has been going on over a number of years at the Health Services Union. There are pending court cases after the arrest of the member for Dobell, the former National Secretary of the Health Services Union, and the arrest of Michael Williamson, the former National President of the Health Services Union—and, let us not forget, he is the immediate past President of the Australian Labor Party.

By the way, I note that much of the trade union rorting has been revealed by investigative journalists working for the Fairfax media at the Age and the Sydney Morning Herald, which is somewhat of an irony given that the government’s current unprecedented attack on the media and freedom of speech is principally motivated by their hatred of News Ltd.

As has been noted previously, that Fair Work Commission currently has eight major investigations underway into possible...
improper conduct in unions. At least four large unions are involved: the Communication Workers Union, the Community and Public Sector Union, the Nursing Federation and United Voice. There are 20 years of murky and unresolved fraud allegations related to the Australian Workers Union, a union that has delivered a number of Labor members into parliamentary seats in this House.

Under existing laws, unions have a remarkably soft time when it comes to legislative enforcement of good governance. For example, at the Health Services Union, there have been substantial allegations of fraud amounting to around $20 million and yet the potential penalty for individuals is a maximum of $6,600 and for organisations it is a maximum of $33,000. In addition, I note that these are only civil penalties, not criminal.

I note that the claims regarding the Health Services Union are not mere allegations whisked out of thin air. As the coalition notes in the explanatory memorandum, this bill will ensure that there is a strong deterrent in place to prevent a recurrence of the kinds of wrongdoing and malfeasance found by Fair Work Australia in its report Investigation into the Victoria No.1 Branch of the Health Services Union under section 331 of the Fair Work (Registered Organisations) Act 2009 and the further report Investigation into the National Office of the Health Services Union under section 331 of the, Fair Work (Registered Organisations) Act 2009. Similar conduct was also identified in the report titled Final report on HSUeast by Ian Temby QC and Dennis Robertson FCA.

The bill before the House proposes to increase penalties to $340,000 and to provide for criminal as well as civil sanctions, including imprisonment of up to five years. As we have noted previously, this bill seeks to put exactly the same regime in place for unions and those running unions as applies to companies and those running companies. If a union official or a company official does the wrong thing, they should face the same penalty for the same wrongdoing. The members of registered organisations should have the same comfort to know that their money is spent in a proper manner and the conduct of officers is above board as shareholders of corporations.

This bill also makes it an offence to not lodge a full or concise report with the Fair Work Commission. These reports are required to be submitted under the Fair Work (Registered Organisations) Act 2009. However, there are currently inadequate penalties for the lodgement of non-compliant reports.

Finally, the bill also makes it a criminal offence for officers of a registered organisation to not comply with orders of a state or Federal Court that applies to the organisation. More broadly, this bill would implement one of the three major elements of the coalition's policy to ensure that the rule of law operates in our workplaces. The first, to which this bill gives expression, is to ensure that we have reasonable requirements and appropriate penalties on union officials.

The second is to establish a registered organisation commission. This will separate the conciliation and arbitration functions of the Fair Work Commission from its law enforcement functions. The third is the coalition's policy commitment to re-establish the Australian Building and Construction Commission with full power, full authority and full funding.

I would also like to note that the coalition has called for a judicial inquiry into the operations of the Australian Workers Union. Many listeners to this debate will know that I
am talking about the fraudulent activities that occurred at the Australian Workers Union between 1992 and 1996. Hundreds of thousands of dollars from the bank accounts of the AWU disappeared, and to date no-one has been charged, amid allegations from within the union itself of a massive fraud. Many of the missing pieces rest within the knowledge of the Prime Minister and her former partner, Bruce Wilson—neither of whom, to our knowledge, have given testimony to police about their respective roles. Given that the Prime Minister refuses to answer questions in the parliament, the only way to get to the bottom of these allegations of fraud is for there to be a judicial inquiry.

In 1996 there was a formal request by former AWU official and current Fair Work Commissioner, Ian Cambridge, for a royal commission into this massive fraud. Former Western Australian AWU official Tim Daley also required a formal investigation, joined by former New South Wales Labor treasurer Michael Costa. An investigation is the only way that light could be shed on a dark and ugly chapter in the history of the Australian Workers Union.

It all began with the Prime Minister's legal advice—the instructions of her then partner, Bruce Wilson, on the incorporation of an association in the name of the Australian Workers Union. It was actually a slush fund for the use of individual union bosses, including the Prime Minister's former partner. It was a sham from the outset. Once the association was registered, it was alleged that Wilson fraudulently obtained hundreds of thousands of dollars from building companies who believed they were dealing with the AWU for workplace safety and training, but, as the Prime Minister herself described it, it was a slush fund for union officials. The fraudulent activities continued, with various devious twists and turns, but the existence of this slush fund was not detected until 1996.

The coalition contends that, in relation to the setting up of the association, Wilson, his AWU colleague Ralph Blewitt and the Prime Minister have a case to answer under section 43 of the WA Associations Incorporation Act 1987. It is an offence under section 43 of the act to knowingly make false or misleading statements. Section 170 of the Criminal Code is also relevant. It provides that a person is guilty of a crime if, being required to give information, they knowingly give information that is false in material particular. Section 409 of the Criminal Code sets out the elements of the criminal act of fraud.

'Where's the smoking gun?' was a familiar refrain in the years before an incriminating transcript came to light during the Watergate investigations that led to President Richard Nixon's resignation. In the case of the AWU fraud, the ground is already littered with spent cartridges. There are abundant reasons why the governance of trade unions needs to be cleaned up. It is apparent that the government would rather not have to answer legitimate questions about the Prime Minister's ethics, honesty and professionalism arising from this sordid affair that threatens to engulf her.

One can imagine what would happen to journalists and newspapers that dared to report on this matter if the government were to get its way and have a hand-picked advocate to regulate the country's media. Mark Baker, writing in the *Australian Financial Review*, and Hedley Thomas, writing in the *Australian*, would be gagged by these draconian media regulation laws.

The AWU slush fund affair is a case in point. There are abundant reasons for the need for the governments of trade unions to be cleaned up. When in government, the
coalition will make this a priority. However, there is no reason why the clean-up of trade unions and their governance cannot start right away. I urge the crossbenchers to support this important reform. I commend this bill to the House.

The DEPUTY SPEAKER (Ms Vamvakinou): Is the motion seconded?

Ms Ley: I second the motion and reserve my right to speak.

Ms ROWLAND (Greenway) (20:11): If the opposition's tenor could be summed up in one act, it would be this bill, the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013. That is because it completely ignores the policy debate, and fact, and focuses solely on the stunt. We could have a mature debate on productivity and industrial relations in this chamber, but not with this opposition. We could discuss industrial relations and the other drivers of productivity, like technological advancements, but we cannot even engage in a proper debate on this issue. That is despite the far-from-secret desire of some on the Leader of the Opposition's backbench to reinstate draconian workplace measures on false premises, such as productivity improvements. There is none of the future-looking policy that—in the words of Google—recognises that Australia's future productivity, competitiveness and wealth creation relies on world-class infrastructure and that, in this global economy, no infrastructure is more crucial than advanced communications networks. There is no mention of driving wealth for all through investing in the biggest advanced communications network Australia has ever witnessed, in the form of the NBN. No: in this debate, productivity, competitiveness and wealth creation are not about such partnerships; they are about conflict and stunts, and that is all this bill is about.

The Leader of the Opposition would have us believe that this bill is necessary to improve how registered organisations operate. So urgent were the reforms being touted by the Leader of the Opposition that he made an announcement to this effect on 28 April 2012—nearly a year ago. Then, on 26 November 2012, he announced he would suspend standing orders and move his proposal urgently, but nothing happened. Let's be clear from the outset. This government does not condone officers of any regulated organisation, officers of corporations, for that matter, or anyone in a position of trust or fiduciary duty acting inappropriately and misusing funds they are entrusted to manage or taking benefits they are not entitled to.

We support appropriate regulation for registered organisations, including a properly empowered regulator, and consequences for those who do not follow the rules. That is why the amendments to the Fair Work (Registered Organisations) Act 2009 were moved and passed by this parliament under this government. The financial accountability standards under registered organisations have in fact never been higher, and the powers of the Fair Work Commission have never been stronger, nor the penalties tougher.

There are requirements in the legislation governing regulated registered organisations for officers to act with care and diligence, in good faith, and not to improperly use their position or improperly use information they have obtained through acting as an officer of an organisation. The registered organisations act already prohibits members' money from being used to favour particular candidates in internal elections or campaigns, and the government amended the registered organisations act last year to triple penalties for breaches of the legislation. And, importantly, there is nothing in the registered
organisations act that prevents criminal proceedings being initiated where funds are stolen or someone engages in fraud.

An important point to note is that trade unions are not corporations. Again, we see the politics of simplicity and negativity clouding those opposite. There are many similarities between the regulations of corporations and the regulations of registered organisations. Officers of organisations, like those of corporations, are subject to serious duties and obligations. For example, they must exercise care and diligence, they must act with good faith and they must not improperly use their position for personal advantage. If they are engaged in fraud, they will be subject to criminal sanction.

The financial regulation of entities is also similar. They are required to undertake regular reporting of their financial accounts and auditors are required to sign off on their books in accordance with accounting standards. They are subject to regulatory oversight, and the general powers of Fair Work Australia and ASIC are similar. In addition, the registered organisations legislation and the amendments that were made last year by this government to improve transparency and accountability use corporation like concepts such as related party transactions.

In summary, the government has made significant amendments to registered organisations under the act to require officers to disclose personal interests and to require disclosure of payments made to related parties. There are new detailed rules about record keeping, there is the tripling of penalties for breaches of the Registered Organisations Act and giving the Fair Work Commission more powers and more resources to investigate breaches including: to compel more people to give information and documents; to require the commission to follow up on breaches after 12 months; to require investigations to be conducted soon as practicable; and powers to deal with state law enforcement agencies.

Changes including higher standards of accountability and the tripling of penalties were endorsed by unions and employer associations alike through the National Workplace Relations Consultative Council. The drafting of model rules was done through the National Workplace Relations Consultative Subcommittee and in consultation with the Fair Work Commission. Those rules have now been finalised and are publicly available.

I would now like to turn to the Education, Employment and Workplace Relations Legislation Committee’s report into the bill, which recommended this bill not be passed. The committee received seven submissions, of which only two supported the bill: from the New South Wales Liberal government and the Institute of Public Affairs. In fact, even the employer groups including the Australian Industry Group and the Australian Chamber of Commerce and Industry believed this bill should not be supported.

What does it say about this attempt by the Leader of the Opposition when he cannot even get employer groups to support his bill? I give them credit for noting that, as stated in the Senate committee report, they would be supportive of further amendments to the registered organisations act only if it became apparent that the existing regulatory regime as amended was deficient, which they determined was not the case. I think it appropriate that we have a look at these two stakeholders who have supported this bill and their track records on this issue.

In my home state of New South Wales, we have seen the O’Farrell government destroy the rights of working people in some of the most sweeping changes to the
industrial relations system ever seen. By amending the Industrial Relations Act, the O'Farrell government has passed disgraceful Work Choices style laws through the New South Wales parliament which will end the independent role of the New South Wales Industrial Commission, cut the pay and conditions of public sector workers in New South Wales, undermine the ability of public sector unions to represent their members and cut services to the community generally. This legislation is an affront to the hardworking people of New South Wales—the nurses, firefighters, bus drivers and train drivers who are committed to serving their community.

For over 100 years New South Wales public servants had access to an independent umpire. The disgraceful decision by the O'Farrell government overturned 110 years of precedent by removing the arbitration powers of the New South Wales Industrial Relations Commission in relation to the setting of wages and conditions for all cases before the commission and all future cases before it. Now, the New South Wales IRC will no longer be an independent umpire protecting workers' rights in New South Wales.

Let me turn to the Institute of Public Affairs—the coalition's brains trust—the only other institution to support this bill. I think it is important that we look at the IPA's credibility on this issue. The IPA has long championed the return of Work Choices. They recently revealed some of the savage cuts the coalition is considering if they are ever elected. The list of possible cuts has been prepared in consultation with the Liberals. As Alan Moran from the IPA told The Australian on March 16, 2013:

Some items have been discussed with Coalition politicians, many of whom are in agreement with the principles against which the list has been developed.

Let us have a look at the list. The cuts being considered by the Liberals to make so-called savings of $23.5 billion include: cancelling the NDIS; abolishing Fair Work and Safe Work Australia; cutting the general research budget by 40 per cent; cutting all Commonwealth housing programs; cutting all non-emergency foreign aid; sacking 23,500 public servants; abolishing all agriculture, forestry and fisheries programs; and privatising the ABC and SBS. Savage cuts to health, education and welfare would clearly also be on the cards, as would be a planned return to Work Choices with the abolition of Fair Work Australia.

After all that, a few things are for certain. I will not take tutorials in workplace relations from a person who was a member of a government which brought balaclavas and alsatians to a worksite and called it 'reform', who in effect responded that stay-at-home mums who wanted to benefit from his version of a paid maternity leave scheme should 'get a job'; from someone who calls himself, 'the workers' friend' and is the same person who laid the foundation for Work Choices when he was the responsible minister and who on 13 August 2009 said in this place:

Let me begin my contribution to this debate by reminding members that workplace reform was one of the greatest achievements of the Howard government.

You have to ask, when has the Leader of the Opposition ever stood up for workers?

In August 2003, in the wake of the Ansett airlines collapse, when employees of the doomed airline faced losing hundreds of millions of dollars of their own entitlements, the Leader of the Opposition wrote an article which attacked the Ansett redundancy agreements as too generous and saying the award maximum of eight weeks was enough. It is no wonder, then, that recently in this parliament, those opposite voted against the
Fair Entitlements Guarantee Bill, the legislation which helps workers recover entitlements including up to three months unpaid wages, long-service leave, annual leave, up to five weeks pay in lieu of notice and redundancy pay.

Against the backdrop where the opposition would have us believe that the industrial relations system in Australia today is broken, the latest data shows the opposite. Australia has recorded its lowest level of industrial disputation in almost two years, with working days lost to industrial disputes the lowest recorded since the March quarter 2011. Latest labour force figures released from the ABS show that seasonally adjusted employment surged by 71,500 in February, exceeding all market expectations, to stand at a record high of 11,628,300. This is the strongest monthly increase in jobs growth since July 2000. The unemployment rate in Australia remained steady at 5.4 per cent in February.

What about the wider economy and growth? This Leader of the Opposition is out there promising what he calls 'a return to economic growth'. The only problem is the fact that Australia has actually not stopped growing for the past two decades. There have been 21 years of consecutive growth under Labor's watch, under Labor's workplace relations framework.

When it comes to industrial relations policy, like most policy areas, it is very apparent that this opposition leader is completely lost. He knows he cannot reveal his plans for Australian workers, because he knows how hated Work Choices is by all Australians. We should not be in any doubt as to what an Abbott government would do with industrial relations. You do not have to take my word for it because, unlike the Leader of the Opposition, there are some on the opposition benches who do have the ticker to outline their industrial relations plans. As detailed in the Australian on 9 January 2013:

Tony Abbott is being urged by his allies to commit to major workplace reform and encourage the use of individual agreements, as the Coalition's internal debate on the key election issue escalates despite fears of a political backlash.

The article goes on to quote the member for Kooyong, who declared that 'now is the opportunity for the coalition to go on the front foot' on ways to lift productivity, and the article goes on:

Mr Frydenberg is also backing changes to limit unfair dismissal claims against the smallest employers.

The member for Kooyong continues and highlights all things that do not exist as his rationale to reintroduce Work Choices-style legislation, saying:

…the Coalition will be dealing with the 'militancy, flexibility and productivity' challenges facing Australian workplaces…

The member for Kooyong's foray into the industrial relations debate follows those of the member for Mayo and the member for Moncrieff and Senator Sinodinos's calls for industrial relations changes. The majority of these Liberal MPs share the common thread of being former Howard government advisers and their passion for Work Choices style laws in the main. Again, there is no understanding of how productivity and how benefits for both businesses and workers in the 21st century are driven by factors other than bashing the latter.

This bill should be rejected in its entirety. It is not a reflection on how Australians need to govern themselves. It is not a reflection on how this government should treat Australian workers. It is not a reflection on how the future of this country can only be driven by advances in productivity, by advances that are delivered by things other than simply
conflict and other than confected militancy. This is not a bill which about improving Australia. This bill is nothing more than a stunt designed for the Leader of the Opposition to show his back bench that he actually agrees with all these proposals, that this is exactly what he is proposing to inflict on the workers of Australia if he ever gets the opportunity.

Mr ABBOTT (Warringah—Leader of the Opposition) (20:26): I apologise for not being here earlier when the bill was moved in my absence by the Deputy Leader of the Opposition. I was attending a function in the Great Hall with the Prime Minister.

What a curious contribution we have just had from the member opposite. I would have thought the member opposite would have been better than that, better than making excuses for the Health Services Union and other unions which have embarrassed what was once the honourable name of unionism in this country—but apparently not. It was a very curious contribution, with almost every single word of it read. I wonder who wrote it for her. The fact of the matter is there are very decent people in the union movement, and they are just as concerned as I am to ensure that unions are governed properly. They are also concerned that the money, particularly of low-paid union members, is not abused the way it so obviously has been in some celebrated recent examples. There is a problem, and no amount of bluster from members opposite will make that problem go away. What we need is decent legislation, and that is what this private member's bill seeks to give us.

We had the Temby report, commissioned it has to be said by decent people in the Health Services Union, which revealed that some $20 million of low-paid union members' money had been misused. We have the former national President of the Australian Labor Party, Mr Williamson, now facing criminal charges. Is it any wonder that members opposite want to make excuses? We have the member for Dobell, one of their own until very recently, facing criminal charges because of the misuse of union members' money at the Health Services Union.

Then, as the Deputy Leader of the Opposition has earlier pointed out, we have the terrible problems that emerged in the Australian Workers Union back in the mid-1990s. These are problems which have their echo today. They are problems which the member for Barton, an honourable man, said well deserved the attention of this House; problems which Fair Work Commissioner, Ian Cambridge, again an honourable man, said then and says now should attract a royal commission. But we know these problems are widespread because the Prime Minister has told us that every union has a slush fund. If the Prime Minister thinks that every union has a slush fund, that is all the more reason for members opposite to end the bluster, to end the self-justificatory defences and support this bill.

Members opposite, I am sure, will say, 'Where's the evidence?' Well, quite apart from the Prime Minister's own statement, quite apart from the testimony of Ian Tenby, the commentary of the member for Barton and the honest statements of Fair Work Commissioner Cambridge, there are eight separate Fair Work Commission inquiries going on right now into rorts, racketts and rip-offs by unions. We know why these have been covered up for so long. It is because there is a powerful mates network, only too well represented on the opposite side of this chamber, that for far too long has been protecting and covering up union officials involved in disgraceful conduct.
I say nothing against the individuals whom I am about to mention, but they are powerful former members of the union movement. The current minister, Mr Shorten, is a former member of the union movement. We have the current minister, the Assistant Treasurer, who in this chamber cited, as one of the people who had got him into this place, the self-same gentleman who used to head the Health Services Union and is now on criminal charges. This powerful mates network has been operating for too long. It still operates in this chamber to protect malefactors inside the union movement.

If justice is to be done for the low-paid workers of this country it is absolutely vital that this legislation be put in place. This private member's legislation is just one element of a range of measures by which the coalition seeks to ensure that there is justice in our workplaces. Under a coalition government there will be some careful, cautious and responsible changes to the Fair Work Act that will address real problems in our workplace and will not express ideology. We will fully restore the Australian Building and Construction Commission with full powers, full funding and full authority to act as a tough cop on the beat in what is increasingly, once more, a lawless industry.

Also, there will be a registered organisations commission to act as a kind of ASIC for the union movement. We will separate the arbitral from the regulatory function, because unions are too important for their members and for the smooth functioning of our economy not to be properly regulated. But at the heart of this is the need for comparable penalties and comparable offences. Whether the offenders are union officials or company officials, if they commit the same crime they will face the same punishment.

The government knows there is a problem, because the government has already increased penalties—only very slightly, but the fact that it saw the need to increase penalties in response to scandal after scandal on our front pages from the Health Services Union shows that the government knows it has a problem. The member who has just spoken knows that there is a problem, because she pointed out to this House in her script how so much of what happens in the registration, organisation and accountability of the union movement is similar to that of companies, except in this respect: the penalties hardly exist for union officials. They are only civil penalties. There are no criminal penalties and the maximum penalty is something like $33,000, as opposed to $340,000 for crooked company directors. I say: let there be a level playing field. I know members opposite—decent members opposite—know in their hearts that there should be a level playing field, and that is exactly what this legislation proposes.

Since this legislation was formally introduced into the parliament a few weeks back, there have been some interesting developments. I may detain the House for a little longer to outline some of these developments. It is amazing how many union conferences senior members of this government seem to be getting along to at the moment. I wonder why! I wonder why the Prime Minister seems to feel the need to go to every union conference that is going on at the moment.

But let's begin with a remarkable conference: the MUA conference held in Perth recently. The Western Australian secretary, Chris Cain, told delegates 'laws need to be broken, you're going to get locked up'. You would think, would you not, that a responsible minister of the Crown going to that self-same conference would at the very
least say, 'Please, whatever you do don't break the law. Fight for your members by all means. By all means attack the employers where they deserve it. But don't break the law of the land.' Well, no, that is not what the minister for workplace relations said. He said it was a pretty impressive conference because you get a sense that there is something happening here. Criminal incitement: that is what was happening there. He said, 'You get the sense that you're a union who is determined to be true to its members and determined to stand up for its members … it is very, very palpable. I wish we could bottle a bit of the spirit here and spread it on perhaps some of the members in the Labor caucus …' The spirit of law-breaking. He wants to taint the Labor caucus itself. If that wasn't bad enough, the Prime Minister herself sent a message to that self-same MUA union conference:

… now comes the tough part—to defend what we have.

Let's fight hard. Let's fight together. Let's fight to win.

An endorsement, a veritable endorsement of law-breaking.

This is the problem: members opposite are so much the captive of the union movement that they are incapable of doing what is obviously right for our nation right now, and that is to have a level playing field when it comes to malefaction—do the same crime, serve the same time, whether you are a company official or a union official.

Since my bill was first formally introduced into this House earlier this year, there have been a series of cave-ins by the Prime Minister and senior ministers to the union movement. The Prime Minister just last week announced that the Fair Work Act would be amended to enshrine additional protections for penalty rates. I am all in favour of ensuring that penalty rates are a matter for the Fair Work Commission. They are now, and that is where they should stay, but there was the Prime Minister saying, 'Oh, no, keep supporting me and this is what I'm going to do for you.'

Earlier last week, the government announced that there would be a legal right for unions to hold recruitment meetings in workplace lunch rooms. Not only are these union officials going to invade workers' lunch rooms; according to the changes that the government announced on 8 March, employers would be required to pay for the transport costs of these workplace invaders, these lunch room invaders. On 5 March, the minister for aged care announced a $1.2 billion boost to the salaries and wages of workers in the aged-care sector, provided there is a new enterprise bargaining agreement, which—surprise, surprise!—has to be negotiated by the Health Services Union. This is a $1.2 billion exercise to support a Health Services Union membership drive. Really and truly, is it any wonder that members opposite are refusing to support this legislation?

When it comes to the unions and to union officials, the attitude of this government is absolutely crystal clear: union officials have all rights and no responsibilities. Actually, I am not quite accurate there. Union officials do have one responsibility: to contribute to the re-election of members opposite. The one responsibility that union officials have, if members opposite are to be believed, is to pay and pay and pay for the re-election of a Labor government and to continue to support, through thick and thin, in defiance of all logic and all common sense, the leadership of the current Prime Minister.

I say to members opposite: look into your own consciences. Look at the decent people who for years you have said you represented—people earning less than
$40,000 a year who are still putting $400, $500 and $600 a year of their hard-earned money into the pockets of the sorts of people we have seen running the Health Services Union lately. It is not right. It stinks to heaven for rectification. Just for once, look into your hearts and ensure that unions and their leaders must do the right thing, not the wrong thing, by the people they represent.

Mr STEPHEN JONES (Throsby) (20:41): At three o'clock today, the Leader of the Opposition sought to suspend the normal operations of parliament to bring to this place a serious debate about what he described as the most grievous assault on democracy that this country had ever witnessed—more grievous, indeed, than the atrocities visited upon the populations of China and the Soviet Union by those well-known historical despots Mao and Stalin. Some of the greatest atrocities ever committed in this nation's history were being visited upon the Australian people by some bills to seek to regulate and bring a bit of sense to how we deal with media in this country. What were the bills aimed at? Quite simply, to ensure that organisations be subject to a self-regulatory code, to ensure—

Mr Baldwin: Mr Deputy Speaker, I rise on a point of order, on relevance. The member's contribution is not addressing the bill before the House and I ask you to bring him to the content of the bill before the House. This is not the media bill; this is a bill to make sure that union officials are held accountable as, in deed, company directors are.

Ms Bird: Mr Deputy Speaker, on the point of order, I draw your attention to the fact that the issue of media regulation was raised in the contributions of both the mover and the seconder of the bill.

The DEPUTY SPEAKER (Mr Murphy): There is no point of order.

Mr STEPHEN JONES: We heard from speaker after speaker during that motion to suspend standing orders that grievous assaults were being visited upon the body democratic, the body politic, in this country by a simple proposition that we enact legislation that requires organisations—

Mr Baldwin: Again, Mr Deputy Speaker, on a point of order, I ask him to address the content of this bill. He is not addressing the content of this bill; he is going into wide-ranging arguments about suspensions of standing orders that have nothing to do with the content of this bill. If he is too ashamed to stand up for honesty and integrity in the union movement, he should sit down.

The DEPUTY SPEAKER: I call the member for Throsby.

Mr STEPHEN JONES: It is a simple proposition. I was looking forward because I was quite expecting the member for Wentworth to be in here during this debate on this side of the chamber, arguing against the assaults on democracy and freedom of association represented by the legislation before the House. Let's just have a look at some of the propositions that are included within the bill before the House this evening: tripling the penalties for an officer of an organisation for a breach of the new provisions from 60 penalty units to 200 penalty units, and creating new criminal offences, which include putting somebody in jail for up to five years or imposing 2,000 penalty units upon them, for a breach of these provisions. If there has been an assault on rights to freedom of association, it is by the sort of legislation that we see before the House today. When you look at the cant and hypocrisy—

Mr Baldwin: Rubbish—read it! It's about accountability!

The DEPUTY SPEAKER: The member for Paterson will desist from interjecting!
Mr STEPHEN JONES: that we see from those opposite, particularly from the Leader of the Opposition and the member for Wentworth, they should be standing over at this side of the dispatch box, arguing against the proposition before the House today.

I have some background in these matters. I have had many jobs in my life before I came to work in this place. I worked as a community worker for many years. I worked with people with disabilities for many years. I worked in bars, clubs and restaurants. I was a lawyer for many years. I also had the great privilege of running a union for about five years. I was the national secretary of a union that employed some 200 people. I have some knowledge and background in these matters.

What I can say is that the overwhelming majority of union officials in this country turn up to work every day attempting to do their very best to represent the men and women that they are in charge of representing and to do their best to ensure that they can protect and advance their wages and conditions and their rights at work.

Mr Schultz: Rubbish, you simply own five months out of every 12!

The DEPUTY SPEAKER: Order! The member for Hume. The Leader of the Opposition was heard in silence. You are testing my patience by repeatedly interrupting the member for Throsby. The member for Throsby has the call and will be heard in silence.

Mr STEPHEN JONES: By my rough count, there are around 116 federally registered organisations. The motivating force behind the Leader of the Opposition bringing this bill before the House today is supposed to be some wrongdoing within three organisations. There are 116 registered organisations: they have identified three, and that has moved them to bring these new provisions before the House today. If you listen to the speeches, you can understand the motivation has got nothing to do with these organisations and the goings-on; it has everything to do with political motivations.

Those opposite, whenever they point to members on this side of the House and say we are members of the union, expect us to shrink and say that we are somehow ashamed of this. I do no such thing. As a life member of my union, I am very proud of the fact that I have spent many years of my life dedicating my time and efforts, alongside many others, to advance and protect the rights and conditions of Australian working men and women at work.

It would make as much sense for us to visit upon every corporation in the country new and draconian provisions because of a bankruptcy, because of corruption in a company, because of some malfeasance in a company. We on this side of the House do not say that because of the shenanigans that saw the collapse of One-Tel or HIH we should have a radical overhaul of the Corporations Law. We knew there were some crooks and some wrongdoings going on in those organisations, but we do not use that as a justification to do some massive overhaul of the Corporations Law in this country.

I have some experience in this area and I know that the vast majority of men and women who go to work every day as union members or union officials do so with the very best intentions at heart in attempting to discharge their duties in protecting and advancing their members’ wages and conditions and bringing about a fairer and more just workplace and society. They do that with the very best of intentions and they see these sorts of attacks that have been made by the Leader of the Opposition and the Deputy Leader of the Opposition as
nothing more than an attack on the institution of unions as a whole.

There is strong regulation of unions under our existing law. That does not mean that there is not room—there always is—for improvement. Indeed, the Fair Work Act is probably one of the most contested statutes on the statute book of the federal parliament. Every single election since Federation has been fought around the issues of the Fair Work Act and its antecedents. So it does not surprise us on this side of the House at all that the Leader of the Opposition seeks to bring this matter into contest in the lead-up to this election.

However, I am surprised at one thing. In his contribution to this debate he sought to ridicule the Maritime Union of Australia and the Prime Minister’s attendance at a Maritime Union of Australia event. He tried to paint them all as lawless thugs. Can I make this point: the single biggest scandal, the single biggest finding from the highest court in this land in relation to the maritime industry of this country was found against that side of the House when they were in government. It was the conspiracy by Patrick Stevedores and the then Minister for Workplace Relations against the men and women who worked for Patrick Stevedores and were members of the Maritime Union of Australia. So I was surprised indeed that the Leader of the Opposition would stand in this place and seek to ridicule and poke fun and suggest that there was lawlessness, when the biggest finding of lawlessness in this country’s history was against those on the other side of the House. The Leader of the Opposition was a minister in that government and a champion for what they were doing. It really does beggar belief that he would have the hide to come into this place and move this bill given his background and form in this area. It should be rejected.

Ms LEY (Farrer) (20:51): I welcome the opportunity to speak today in the debate on the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013. Those listening to the broadcast this evening and to the contributions by the member for Greenway and the member for Throsby would have no idea what this bill was about. They would have listened to a nasty series of personal attacks. That is fair enough—people make personal attacks in this place, but the personal attacks do not relate to the substance of what we are discussing here tonight, which is quite moderate and sensible. If I can just try to capture the absolute essence of what the bill moved by the Leader of the Opposition really means, it is about amending the Fair Work (Registered Organisations) Act to improve the standards of governance for registered organisations and insert new higher penalties to act as a genuine deterrent to organisational malfeasance.

We on this side have mentioned malfeasance several times; I do not think those opposite have. Malfeasance means acting with malicious intent. What this bill seeks to do is address organisations who by their actions demonstrate that malicious intent, and it does so by way of three major initiatives: (1) to ensure that financial reports are lodged on time and in compliance with the relevant provisions of the Act by clarifying the circumstances where a report is not compliant, and by increasing the penalties; (2) to deter malfeasance by creating new penalties for organisations, their officers and employees who do not act in good faith or who use their position to directly or indirectly create a financial gain for themselves; and (3) to deter noncompliance with court orders by creating new penalties for organisations who do not comply with the order of a court. Those three provisions are quite moderate, they are quite
modest and anybody who is listening would probably think, ‘Well, that probably happens anyway’—and it does. It happens under the Corporations Act. So this is unremarkable in that it seeks to bring registered organisations, and of course that includes unions, in line with the Corporations Act.

At the very heart of this motion is an attempt to ensure that the hundreds of thousands of members of trade unions and employer groups can rest safe in the knowledge that their hard-earned dollars are being spent in a manner that directly benefits them. These workers have the right to know exactly how their dollars are being spent.

This bill will seek to ensure that organisations lodge their financial reports on time, and that those reports are compliant with the requirements of the act—just what we all do every year with our tax returns. Failure to do so will see increased penalties for noncompliance. The penalties for noncompliance are now about $6,000; under the Corporations Act they are above $200,000—and that actually makes you change your behaviour. A penalty of $6,000 does not do that. With appropriate financial disclosure mechanisms in place, including ensuring timely reporting by unions and employer organisations, members will have that assurance that those responsible for managing the union are doing so—and are under scrutiny.

This is about ensuring a level playing field. We want to be certain that union members and members of employer organisations know that the framework under which their union operates is rigorous, has integrity and does the right thing by them. They want to know that their money cannot be misappropriated to fund private school fees for the management’s children or to buy a new sports car for the partner of the union official. Regrettably, there have been far too many instances where those controlling the purse strings have used the funds at their disposal with gay abandon. Examples that spring to mind include the purchase by the Electrical Trades Union of a $1.25 million property in Oyster Bay for one of their officials; the purchase of a family vehicle by an official with the Communications, Electrical and Plumbing Union; and the frequently cited blatant misuse of funds from the Health Services Union—funding escorts, the purchase of a warehouse for the son of an official, and inflated wages that could be deemed excessive by all accounts. This blatant and widespread rorting of funds gives proof as to why this action must be taken swiftly. Under this private member’s bill, penalties will apply where a registered organisation, its officers or its employees do not act in good faith, or where a direct or indirect financial gain is derived to the detriment of the organisation.

We seek to provide union members with an assurance that their management will be subject to the same level of scrutiny as directors and boards of companies, instead of the current situation where union bosses are able to avert much of the oversight that applies to those running other organisations. By bringing the penalties for trade unions and employer groups in line with the penalty regime specified in the Corporations Act 2001, we are seeking to establish a more accountable, just system. In April last year, we announced the coalition’s plan for better transparency and accountability of registered organisations in response to the report delivered by Fair Work Australia, which highlighted the misuse of union member funds, specifically citing the case of the Health Services Union in Victoria where there were clear, significant breaches with the misuse of funds for their union officials’ gain. Members of the HSU Victorian branch were shocked—as they should have been—that the union officials they trusted to act in
their best interests had abused this trust, financing their own lavish lifestyles while many of those they represented struggled on a minimum wage. The member for Greenway, in part of her hysterical contribution, talked about the O’Farrell government in New South Wales doing something terrible with industrial relations to train drivers and bus drivers. Well, I reckon the train drivers and bus drivers in New South Wales would like to know that the money that they put into their union every year is not misused by the organisers of that union.

The breaches that we have seen indicate there is a real need to improve the existing law and ensure that such misuse of funds cannot happen again. Our policy outlines our commitment to better align the rules for registered organisations and their officers with the laws that apply to companies and their directors. We recognise that many of these organisations have responsibility for tens of millions of dollars of assets. For example, the CFMEU Victoria has net assets of $42 million, with $7.3 million a year derived from their matured investments. The NSW branch of United Voice has net assets of $24½ million, with $9.8 million in membership fees each year.

This bill also seeks to enhance the standards of governance by raising the bar to one that would actually pass the public expectations test. We are standing up for union members, advocating on behalf of many low-paid workers, many of whom struggle to pay their union dues. Ironically, this Labor government seems entirely deaf to those concerned. If those opposite are truly serious about doing what is in the best interests of the hundreds of thousands of union members, then they really should heed our call to pass this legislation. We would ask the crossbenchers to very carefully consider the arguments that we make. But I suspect the focus of the government is on rewarding and protecting the union officials who ensure their preselections and who finance their campaigns, and in that case we can see the ALP rejecting our calls for greater transparency and serious deterrence measures for breaches of the law which would bring those measures in line with the measures in place for corporations. If this is the case—that those opposite will oppose this private member's bill—then it will once again prove that the ALP is condoning the widespread misuse of 70,000 HSU members' funds and ensuring that such practices may continue.

I make no overall criticism of unions or the union movement. I have been a member of three unions; I have been a member of the AWU in the shearing sheds, I have been a member of the air traffic controllers union when I was an air traffic controller, and I have been a member of the public service union when I was a public servant. In each case I paid my union dues and I looked to the union officials to manage my money wisely. I am not saying I always saw enormous results, particularly working in the shearing sheds, but I acknowledge the work the AWU did in the good old days in the formation of conditions in the shearing industry. I know what it is like to work at a shed with no power, no running water and no flushing toilets for three weeks, and I respect the union movement that improved those conditions. But my goodness, that is a long way from the union movement we are seeing today—a long, long way. There were some noble origins of the union movement in Australia. If you go bush you understand those origins. You see them, you see the good people, and you see the way the names of those good people have been dragged through the mud with the actions of the HSU.
The government has a chance to make some modest moves in the direction of ensuring that transparency and accountability—and they are the two key words. We are not talking about regulation, we are not talking about compliance, we are not talking about burdensome red tape; we are simply talking about saying, ‘This group of organisations needs to come in line with the law as it stands for corporations in the honest management of its money.’ I commend the bill to the House.

Ms OWENS (Parramatta) (21:01): Of course the members of registered organisations should feel that the money they provide to registered organisations through membership fees is fairly used. We on this side of the House acted on that last year when we reviewed the Fair Work (Registered Organisations) Act and in fact tripled some penalties and increased transparency. We acted last year precisely because we do believe that there needs to be accountability and transparency across registered organisations. But the arguments made on the other side of the House tonight seem to indicate that their solution is the only solution that indicates any level of concern. One would have to question whether their solution is actually a good one. The underlying rationale behind their policy is that registered organisations should be treated just like corporations.

I chair the Economics Committee, and we quite often meet with members—with accountants, financial advisers and all sorts of people who work in various sectors across the country. The most common thing we are told is that when you are dealing with the not-for-profit sector in particular you actually need a completely different set of rules than you do for corporations. In fact, in the Senate committee inquiry into the changes to the registered organisations act last year, the employer organisations put it to the committee that if penalties were increased or criminal penalties imposed they would find it hard to get good people to volunteer to be officers and employees of their own organisations. So the employer organisations that gave evidence to that committee said completely the opposite of what the opposition is saying tonight.

It is difficult to see a rationale as to why different kinds of organisations would be treated exactly the same. We do not treat churches, large charities or people raising funds for local playgrounds in the same way. We have a whole range of rules and regulations that apply to different kinds of organisations, as we should. There simply is not sufficient rationale given for this proposed change. As I said earlier, the employer organisations themselves have said that this would cause some difficulties for them. This, I suspect, is more about politics and opportunism than governance. One has to wonder, if the opposition is so convinced that this is the right way to go, why they did not act on it for so long. Registered organisations are not new; they have been around for quite a while. When we came to government we found quite a few areas that needed to be strengthened, quite a number of flaws in the act, and we moved last year to make amendments to those. If the opposition believed that those amendments were not strong enough—and this was just last year—they had every opportunity to raise it then. Again, that is an indication that it is not so much about governance as about opportunism and politics.

The government introduced extensive amendments to the Fair Work (Registered Organisations) Act last year to fix a number of problems that had been left in the legislation by the previous government and to improve accountability of registered organisations, including unions. Evidence was given to the Senate committee inquiry
into our changes to the registered organisations act last year by a range of bodies, including employer organisations, as I said, arguing that if penalties were increased or criminal penalties imposed they would find it difficult to get good people. Nevertheless, we did make amendments and we did increase penalties. We required officers to disclose material personal interests in a matter that relates to the affairs of their organisation or branch. That obligation extends to the officer or a relative of the officer. We required that organisations and branches disclose this information to members—again, an important change that improved the transparency. We required disclosure of payments made to related parties: companies controlled by the organisation or officers of the organisation, their spouses and their relatives; and companies controlled by a related party to the organisation—again, an important change relating to improved transparency. We required new detailed rules about record keeping, including about the organisation’s transactions, financial management and audit requirements. We tripled penalties for breaches of the registered organisations act, and we gave the Fair Work Commission far more powers and more resources to investigate breaches, including to compel more people to give information and documents, to require the commission to follow up on breaches after 12 months and to require investigations to be conducted as soon as practicable, as well as powers to deal with the state law enforcement agencies. The changes were endorsed by both unions and employer associations alike through the National Workplace Relations Consultative Council. The drafting of model rules was done through a subcommittee of that council and will be in place by 1 July 2013.

So we have already moved to make substantial improvements in the regulations governing registered organisations. The opposition had an opportunity to engage fully with that process last year. If they felt these issues were of such incredible concern, they also, of course, had an opportunity to address them when they were in government. Bringing them up now, so soon after the major review last year, reeks of opportunism rather than policy. But that is what we have come to expect from this opposition. I think the parliament will give this bill the lack of support it deserves.

Mr McCormack (Riverina) (21:07): I will start with an interesting quote—that unions should be held to a higher account than the corporate sector and there should be zero tolerance for corruption.

Mr Christensen: Who said that?

Mr McCormack: I hear the member for Dawson ask, ‘Who said that?’ That was the national secretary of the Australian Workers’ Union, Paul Howes.

Ms O’Dwyer interjecting—

Mr McCormack: Yes, that is right, Member for Higgins—Paul Howes. And good on him for saying it. I will just repeat it. Paul Howes said that unions should be held to a higher account than the corporate sector and there should be zero tolerance for corruption. He said that whilst addressing the Australian Workers’ Union annual conference. This union leader has also been quoted as saying:

I actually believe there is a higher responsibility for us as guardians of workers’ money to protect that money and to act diligently and honestly.

In the same interview, he went on to say:

The reality is I do not have any issue with increasing the level of requirements and penalties on trade unions for breaching basic ethics like misappropriation of funds.

I have to declare an interest here. I was actually a member of a union—and I understand the member for Farrer was a
member of three unions—for 21 consecutive years. It might seem fairly odd for a National Party member of parliament to have been a loyal, dedicated, fee-paying unionist for 21 long years. I was a member of the Australian Journalists Association, which in 1992 became the Media, Entertainment and Arts Alliance—I do hope they act on media reform. I was a member of that union and I know that, during that time, my union fees were going to a good cause—to help better journalistic services, to help protect the sorts of things that journalists fight hard to preserve.

Unions need to be governed properly and this is what this private member's bill, put forward by the Leader of the Opposition, is intended to achieve. It is decent legislation. The Prime Minister has told us herself that every union has a slush fund—and that is a disgrace. It is time for every MP, particularly those on that side of the House, to end this. There are currently eight separate Fair Work Australia inquiries into rorts, racketts and rip-offs. If justice is to be done for low-paid workers across our great country, particularly those in the Health Services Union, this private member's bill has to pass this House.

The member for Greenway spoke of penalty increases, yet those penalties still do not go anywhere near the level of penalties that corporations are faced with. The Leader of the Opposition and the shadow minister for employment and workplace relations have previously announced a policy to ensure that the money paid to registered organisations, including trade unions and employer groups, is used for proper purposes—used for the purposes for which it was intended. This bill will be a real test for this government. This bill will be a real test for the crossbenchers. Will they stand up for workers? Will they stand up for transparency?

Ms O'Dwyer: No.

Mr McCormack: I hear the member for Higgins say, 'No.' I am a little more confident than that. I think they will. I think they will stand up for workers. Surely they will stand up for transparency. I hope you are wrong, Member for Higgins. I hope they have the courage of their convictions. I know why you are doubtful about that, but I hope they have the courage to stand up for decency and accountability. Or will they continue to run a protection racket for union bosses—a protected species in this country at present?

The list of allegations, scandals and unanswered questions grows longer each and every day. Each and every day this government is in power, they let unions get away with running the show. This is an opportunity for Labor and, importantly, for the Independents, the crossbenchers, to stand up and say, 'Enough is enough.' This is an opportunity for them to stand up and say that the community deserves better, far better—particularly the hundreds of thousands of union members Labor purports to represent. Those union members in the hospitality sector, the health sector and all the other sectors deserve to know that their union fees, their hard-earned dues, are going where they are intended to go and that they are properly accounted for. (Time expired)

Mr Mitchell (McEwen) (21:12): I am against the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013—the private member's bill brought on by the member for Curtin. I say 'the member for Curtin' because the Leader of the Opposition was so concerned and so keen to do this that he did not turn up on time for it. What an absolute joke! This has been sitting here for a while and nothing has been done.
This bill is nothing more than a publicity stunt designed to attack unions and curry favour with the billionaire interests that are seeking to destroy collective bargaining, organised representation of Australian workers and employer organisations that advocate for their industry's interests. That is at the heart of this bill put forward by the founder of the slush fund called 'Australians For Honest Politics'. That was the slush fund created by a minister of the Crown in 1998, now the Leader of the Opposition, to bankroll Terry Sharples, a disaffected One Nation member, to take legal action against Pauline Hanson. Less than two weeks later, he categorically denied to the ABC that he had done so—and 18 months later he repeated this false claim, this time to the Sydney Morning Herald's Deborah Snow. But when she confronted him with his signed personal guarantee, he said:

... misleading the ABC is not quite the same as misleading the Parliament as a political crime.

The same man said to Kerry O'Brien:

I had promised that he wouldn't be out of pocket, but there's a difference between telling someone he won't be out of pocket and telling someone that you're going to have to pay him money.

And that is why when the Leader of the Opposition speaks you need to very careful of his words because even he says you cannot trust what he says. And he would have you believe that he is genuine with this bill?

We on this side of the House agree that the activities of registered organisations should remain balanced and appropriate and that inappropriate or unlawful conduct within an organisation should not be tolerated, full stop. That is why the Gillard government introduced extensive amendments to the Fair Work (Registered Organisations) Act last year to fix a number of problems, which the Leader of the Opposition left in the legislation when he was a minister, to improve accountability of registered organisations, including unions.

But it is not just we on this side of the House who think that this bill is a joke. The Senate committee that considered the bill has recommended that the bill should not proceed. The coalition senators had a different view, but that is normal. You would expect that, because they have to toe the line.

The majority report notes that only seven submissions were received in relation to this bill—this is the most important bill, remember?—and of those only two supported the bill. The two organisations that made those submissions were the IPA—and they are about as balanced as a three-legged chair—which is not even a registered organisation, and the New South Wales government, whose own legislation does not even include penalties of the level proposed in this bill.

The other submissions to the inquiry and the majority report noted that it was premature to make further amendments to the act until the effectiveness of the amendments that the government made to the Fair Work (Registered Organisations) Act 2009 had been assessed. We support the recommendation of the Senate committee that the bill not be passed.

We have heard tonight from those opposite, who have tried to fluff this up and say, 'It's just a little technical thing; it's just about making everything fair.' It shows the ignorance of those opposite when they cannot tell the difference between a registered organisation and a corporation. They are in fact different creatures, both in practice and in law. The aims of the two entities are different. Corporations are designed to generate wealth and advance the financial interests of their shareholders. Laws therefore seek to ensure that the company acts in the best interest of
shareholders, pays off its debts, and treats its employees fairly. Organisations are established to represent the rights of their members, whether employers or employees, at work, amongst other things. Laws therefore seek to ensure that organisations advance the industrial interests of their members, get them fair pay and conditions and protect their rights at work. It is a false debate, because many different types of entities in this country are covered by different regulatory regimes more appropriately suited to what they do and how they do it, whether they are charity organisations, not-for-profit organisations, unincorporated associations or partnerships, for example.

One thing that I noticed is that they were very shy over there, very quiet. They want to attack unions. But not one of them spoke about the regional community association in Moreton Bay. One of its buddies, Scottie Driscoll, the local state LNP member up there, has been found to be taking money out of that and paying his wife. It is an absolute joke for them to come in here and run a one-sided attack on unions, pretending that they are there for workers' rights. There is only one side in this parliament that stands up for workers. It is those opposite who try and stand on them. (Time expired)

Ms O'DWYER (Higgins) (21:18): I rise tonight to speak on the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013 and I am very proud to do so. Unlike those opposite, who I am quite confident will not be distributing their speeches among the membership of the union movement, I am more than happy to distribute my speech. What we are standing for tonight is a level playing field between those who are covered by the Corporations Act—companies—the union movement and employer organisations. We want to make sure that the penalties and sanctions that apply to each of them are the same. In so saying, it is important to state that this bill is not a witch hunt against the unions, as those opposite have tried to claim, but rather is a hunt against corruption and cronyism. It is a hunt for those who do the wrong thing and those who abuse their position of power to tip off and abuse those they are there to protect.

It is not as though there has been no evidence of this kind of behaviour. Over the past few years, we have witnessed scandal after scandal. The first were scandals within the HSU. We have heard allegations about slush funds to do with the AWU. We have seen the rot within New South Wales Labor and smelled the stench of corruption. We know that there are already eight major investigations into possible improper conduct being conducted by Fair Work Australia that involve the Communications Workers Union, the Community and Public Sector Union, the Nursing Federation and United Voice. We have seen the Temby report, which said that there might have been up to $20 million of members' money improperly used by the HSU.

Despite these events, the government has lacked any conviction in pursuing justice for those who have been wronged. It defies belief that former union bosses and now ministers—the Minister for Climate Change and Energy Efficiency or even the Minister for Employment and Workplace Relations—would so voraciously pursue a business that has allegedly been in the wrong, yet when it comes to corruption in the union movement turn a blind eye. If a company director neglected his responsibility to an employee's detriment, imagine the outcry from those opposite, all the ex-union bosses that now sit on the front bench. Why doesn't the same level of concern apply to union members who have lost out because of dodgy union bosses? Could it be that the only difference...
is that they know these people by first name? Could it be that they are former ministers in ALP governments? Or could it be that they are former ALP party presidents?

Let us be crystal clear about this: the only people who have anything to fear from this legislation are those who have done the wrong thing. It begs the question, what do they have to hide? What is so inherently entrenched within the union movement that the government refuses to introduce transparency?

If this legislation was enacted, union bosses who have been found to have broken the law will face the same penalties as company directors—not different penalties, not increased penalties, but the same penalties—and those who have committed a commensurate crime. This is an extremely important bill. The penalties are no more and no less than those faced in the corporate world: one law for all Australians, unlike the current situation in which a crooked union boss faces less punishment for the same offence committed by a company director.

Under the current legislation, the misuse of members’ funds by unions bosses attracts a fine of around $6,600 for an individual, and the organisation can be fined a civil penalty of up to $33,000. What this legislation commits to doing is ensuring not only that the civil penalties are the same—up to $340,000—but also that criminal sanctions apply.

This legislation introduces good governance and good practices into registered organisations. I know that it is a foreign concept to the government, but we are standing up for good governance in this place. The government likes to claim that it stands up for workers’ rights. It has the opportunity to demonstrate this tonight by supporting this bill. I hope they have the courage to do so.

Mr SYMON (Deakin) (21:23): I speak against the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013, and I do so for very good reasons. I note that the Leader of the Opposition, whose name this bill was in, could not even be bothered attending the House to introduce the bill. It was left to the member for Curtin to do so, and to me that shows so much about what this bill is really about.

With this bill, the Liberal Party are seeking to treat registered organisations like corporations, a plainly ridiculous concept. Whilst a registered organisation exists to serve and advance the interests of its members, this is not the case for a corporation. The corporation exists to produce a profit for its shareholders. Shareholders like that concept; that is what it is there for. But a corporation does not act as a membership organisation.

Legislation is needed to provide the framework that ensures that the corporation pays its way, that it recognises employee rights and responsibilities and that it operates in the shareholders’ interests. The registered organisation exists to represent its members whether they be employees or employers. Legislation is in place to ensure that organisations maintain and advance the industrial interests of their members—interests such as better pay and conditions for workers, occupational health and safety, and compensation for injuries received at work.

No reasonable person could confuse the differences in purpose and structure of the two. However, this confused view has prevailed in today’s Liberal Party and has been laid in front of us here by the opposition leader Mr Abbott, the member for Curtin and the others on the other side of the chamber who have spoken in this debate.
The two faces of the Liberal Party are plain to see when one looks at their reaction to breaches of corporate law by a company compared to their reaction when a union has to deal with an investigation under industrial law. In the 10 years from 2002-03 to 2011-12 I seem to remember hearing almost nothing from the Liberals in response to the 2,454 court proceedings undertaken by ASIC against companies and their office holders. This lack of concern is even more surprising in light of the 385 criminal convictions recorded in that period against directors. It is almost incredible that the Liberals have chosen to virtually ignore just about all of the 212 terms of imprisonment handed out to company directors in that time.

The federal Labor government has already introduced amendments that have changed the Fair Work (Registered Organisations) Act to set clear and strict obligations on registered organisations. We did this in 2012 to make sure that the act requires that officials act in good faith, with diligence and due care in their work. Other changes prohibited the use of members’ money to favour candidates in campaigns or internal elections and allowed for criminal prosecutions where funds are stolen or fraudulently misappropriated. These amendments also allow Fair Work Australia to share information with the police as appropriate and provide significant penalties for breaches of the act.

This private member's bill is nothing more than an ideological rant by the Liberals—we have seen the same over many years—against the rights of working people to effectively organise to enhance their wages and conditions. The federal Labor government supports appropriate regulation for registered organisations. This includes empowering the regulator and tripling the penalties for breaches of the act. These will be in place very soon; the bill has been passed by this parliament. It is about time that we heard from the Liberals their plans to protect terms and conditions for working Australians, rather than see them serve up cheap stunts such as this private member's bill.

We have heard many on the other side of the chamber tonight talk about this at length, but when it comes down to it no-one should ever confuse the difference between a corporation and a registered organisation. I condemn this private member's bill, the Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013, and will vote against it when the time comes in this House.

Debate adjourned.

ADJOURNMENT

The SPEAKER: It being so perilously close to 9.30 pm, I propose the question:
That the House do now adjourn.

Juvenile Delinquency

Mr CHRISTENSEN (Dawson) (21:28): The former US President Harry Truman had a sign on his desk that read, 'The buck stops here.' Perhaps every home should have one of those signs. Someone in every home needs to take responsibility. In a family home, that 'someone' must be the parents.

But the clear links between parenting and juvenile delinquency seem to be ignored when it comes to youth crime. Youth crime is an apprenticeship for adult crime. Not all juvenile offenders complete their apprenticeship and stay in the trade, but many do. I wonder how much future crime would be prevented if parents were held accountable for the actions of their children, if punishment for offences were handed to the parents or if parents of juvenile offenders were forced to better their parenting skills as a result of the juvenile crime.
There is a good case for stronger linkages. In the meta-analysis by Machteld Hoeve et al in *The Relationship Between Parenting and Delinquency*, the following conclusion is drawn:

A significant relationship exists between parenting and delinquency and confirms previous research that behavioural control, such as parental monitoring is negatively linked to delinquency.

Closer to home, Kevin Ronan, foundation professor and Chair of Clinical Psychology at CQUniversity, has publicly said:

Not knowing, or caring, where the kids are perhaps when drinking or at other times has been found to be linked to what is often the single most powerful predictor of violent, antisocial outcomes for youth, associating with other kids who have come from similar backgrounds and who are also on an antisocial trajectory.

I recently held a community forum in Wulguru, in Townsville, to talk about the rising incidence of crime in the suburbs of that city that fall within my electorate. As an example, in the past two months eight homes have been burgled or broken into in Annandale. In addition, thieves broke into eight cars and another three cars were stolen. It was a similar tale in Wulguru: 10 homes were burgled or broken into; five cars were broken into or stolen. In Idalia, nine homes were burgled or broken into, thieves broke into seven cars and another five cars were stolen. Stuart, Cluden and Oonoonba have also been targeted. In the past two months, three schools in that area have been broken into.

Residents I spoke to at my community forum in Wulguru were concerned about the escalating crime rate. They live in fear of the next break-in and feel nothing can be done to stop young offenders. Wulguru resident Geoff Winstanley, who could not make it to the forum, wrote to me, saying:

I'm very concerned about crime in the area. Most people are. My neighbour across the road had his car stolen last year. He was lucky to get it back. Hundreds more people in Townsville have endured the same or worse. I have had kids that looked to be 12-14 years old trying to break into my car and house at 1.30am.

Whose children are they? Do their parents know where they are at 1.30 in the morning, or why do they not know where they are? Whether they do not know or do not care does not really matter. The parents should be held responsible for those children and must be held to account for their actions.

When these concerns were raised with me, and residents in Townsville suggested that parents should be fined, I looked into what was currently available to magistrates. Under Queensland’s Youth Justice Act 1992, orders can be made against a parent. According to the act, when a child is found guilty of a personal or property offence, 'it is reasonable that the parent should be ordered to pay compensation for the offence'. It also states:

The court may decide to call on a parent of the child to show cause, as directed by the court, why the parent should not pay the compensation.

If the law exists, it actually should be used, not as an option but as a first port of call. I believe a fine of, say, $2,500—and higher for more serious crimes—would be a significant deterrent. Under the act, the fine can be up to $7,370. If parents are unable or unwilling to pay—and this is something new that I suggest to the Queensland government—then an ability for a court to order the parents to take an intensive parent training course and counselling sessions with their juvenile offending child should be incorporated in the act. It certainly would not be the first time parents have been held to account for the actions of their juvenile offending child. I note that in 1993 a magistrate in Far North Queensland, in the town of Innisfail, ordered the parents of a juvenile found guilty of property damage to pay almost $8,000 restitution. Rather than
this being an isolated case, such actions should be the norm if we are to truly break the cycle of juvenile crime.

The SPEAKER: The question is that the House do now adjourn.

Question negatived.

**BILLS**

**Broadcasting Legislation Amendment (Digital Dividend) Bill 2013**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (21:34): The Broadcasting Legislation Amendment (Digital Dividend) Bill 2013 makes minor amendments to the datacasting licensing regime in the Broadcasting Services Act and the Radiocommunications Act. The digital dividend spectrum, which is scheduled to be auctioned in April 2013, will enable a range of advanced mobile broadband services to be provided into the future. In order to release this spectrum, broadcasting services currently occupying the relevant channels need to be cleared. The Minister for Broadband, Communications and the Digital Economy will then re-designate the spectrum from its current formal assignment as part of the broadcasting services bands. This re-designation is only expected to occur once all broadcasting services are relocated by the end of 2014. The datacasting licensing regime in the Broadcasting Services Act currently imposes a range of content requirements for providers of datacasting services in broadcasting services bands.

In absence of the changes introduced by this bill, these requirements would potentially apply where a new service commences in digital dividend spectrum in advance of its re-designation. However, the bill will not affect existing services which already operate as datacasting services in broadcasting spectrum. These will continue to be subject to the datacasting rules. The provision that is in the bill also includes a safety net to ensure that the proposed changes are not used to circumvent the intended purpose of the datacasting rules.

I would like to thank the House of Representatives Standing Committee on Infrastructure and Communications for their work on the inquiry into this bill. I would also like to thank the opposition and the shadow minister for communications for his cooperation in agreeing to an amendment to this legislation that he will put forward, and the government will support that amendment in a cooperative manner. I thank members for their contributions to the debate. I commend the bill to the House.

Question agreed to.

Bill read a second time.

**Consideration in Detail**

Mr TURNBULL (Wentworth) (21:37): by leave—I move amendments (1) and (2) as circulated in my name together.

(1) Clause 2, page 1 (lines 8 to 9) omit the clause, substitute:

2 Commencement

(1) This Act, other than items 1 to 24 of Schedule 1, commences on the day after this Act receives the Royal Assent.

(2) Items 1 to 24 of Schedule 1, commence on 1 October 2013.

(2) Schedule 1, page 5, at the end of the Schedule, add:

25 ACMA review and report

The Minister must direct the ACMA to review and report on the provision of spectrum for low interference potential device class licences and provide a transition pathway for such licences by 30 July 2013.

I can confirm what the minister has just said—that we have had some very useful
discussions concerning these appropriate amendments to this bill, which will have the support of the government. The purpose of the amendments are simply to ensure that the ACMA reviews and reports on the provision of spectrum for low-interference potential device class licences and to provide a transition pathway for such licences by 30 July this year.

This is an issue that was first raised by the member for Dunkley, and I thank him for his initiative in doing so. There are, as I said earlier today, somewhere between 120,000 and 150,000 radio microphones. These are low-interference wireless devices which are currently using white spaces in the broadcasting bands—126 megahertz of which is about to be vacated as part of the digital dividend. These devices have not yet found a new home and, in that lack, there is the potential for great loss and inconvenience to those persons using those devices. Of course, the ACMA and the department have been rightly criticised for failing to provide a clear pathway, a transition pathway, for those devices and their owners. So I welcome the agreement of the government to support these amendments, which simply require the minister to direct the ACMA to, as I said earlier, review and report on the provision of spectrum for these licences and provide a transmission pathway for them by 30 July 2013. It is somewhat late, but it is better late than never. I commend the amendments to the House.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (21:39): The government supports the amendments and thanks the shadow minister for the cooperation in policy terms. It is an example of the fact that we had a request from the shadow minister last week for a short inquiry. I agreed to that request on behalf of the Minister for Broadband, Communications and the Digital Economy, and as a result of that short inquiry we have these amendments that the government will be supporting this evening.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (21:40): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

ADJOURNMENT

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (21:40): I move:

That the House do now adjourn.

Youth Engagement in Politics

Mr RUDD (Griffith) (21:40): There has been a lot said in our country in recent times about young people and their engagement with Australian national political life. Some are sceptical about the ability of young people positively to engage. In my own experience in my community on Brisbane’s south side I simply do not subscribe to this view. My experience is that the youth of this country are looking to be part of the national conversation. They want their voices heard. They do not want to be told what to do—nor do they simply want to be ignored.

I will give you a few recent examples. In my community in Brisbane’s south side we have been holding regular barefoot bowls events in a number of the local bowling clubs, in an effort to engage young voters and have a bit of fun at the same time. I chose bowls clubs because they offer an environment where young people now feel comfortable enough to express their views on politics and on any issues that are
running, and they can do so in the company of friends.

I have been doing this with the support of bowls clubs right across my electorate on Brisbane's south side. We have held two such events so far, and we have had 400 local young people come along, just out of the blue. This has been a very successful engagement. These young people have come from all different parts of the electorate, from a variety of backgrounds, and with different levels of interest in politics. Some joined us because of the simple fact that they were looking for some fun on a Friday night, and others saw it as a real opportunity to get together with other young people and talk about things of concern to them in our national and local political life.

What I have learnt from these conversations with young folks is that they are far more aware of how policy decisions will affect their lives and their futures than we often give them credit for. They know the benefits that will come from the National Broadband Network. They talk to me often, and in great depth and complexity, about how the NBN will affect their lives and their work in all sorts of domains. We are currently connecting nearly 48,000 homes and businesses on Brisbane's south side with the NBN, better linking local businesses to customers and markets across the world as well as providing south-side families access to better health and educational services.

Of course, our local young people are concerned that, if the Liberal-National coalition are elected, these broadband services will simply be ripped up. They also feel quite personally the effects on their communities when accesses to public services are cut. This has been most recently manifest in decisions by the Queensland Liberal-National Party government proposal to cut local bus services. Far from being disengaged with local politics, again, last weekend young people took great pleasure going from door to door, having conversations with their communities about how these cuts will affect them. University students use these bus services and old people use these bus services to go to church, to hospital and to all sorts of other places. I am proud to have seconded a motion by the member for Moreton opposing these cuts to more than 100 bus routes across Brisbane. That is a lot of bus routes; it affects a lot of people.

Following my address to the parliament last week on these cuts to local services, I have been inundated by comments from young people across social media—comments such as: 'Increase bus services; don't cut them,' 'People need to realise that public transport should be there for the public, not as a profit-making business,' and—one of my favourites, tweeted from a bus just today—'Currently 20 people on the 192. Should not be scrapped. Stop the cuts.'

But is not all about bowling, it is not all about young kids just getting together; it is also about how our young people engage in some of the issues of the world. I was genuinely bowled over recently when at Churchie, on Brisbane's south side, we had a gathering of young people from across South-East Queensland and beyond who negotiated and voted upon a draft resolution relating to international foreign aid during a model UN that I conducted at the school recently.

I also recently hosted a leadership breakfast with the school captains from my local secondary schools including Sarah King and Rebecca Marshal from Loreto College and school captains and vice captains from across the south side.

Then there is Jemma from Brisbane State High School, who was recently selected to
be a part of the Lord Mayor's Youth Advisory Council. She is in year 10 and is pursuing with her peers how to deal more effectively with mental health issues affecting young people.

Even the primary school kids at Mt Carmel Primary School, whom I visited on Friday, have been involved in Caritas Australia’s Project Compassion raising money for children in developing countries. This is all good stuff. It is a bit in contrast to a controversy in my electorate with a Liberal-National candidate thinking it was a good idea to give a lecture at the Queensland University of Technology with the assessment subject being set as: how to defeat the local Labor member for Griffith. If the assignment was in fact going to be judged to be successful it was to be handed over to the local LNP—a bit of an odd way to engage young people. There are positive ways to do it instead. (Time expired)

**Wright Electorate: Broadband**

**Mr BUCHHOLZ** (Wright) (21:45): I rise today to highlight the plight of a group of my constituents in relation to access to broadband internet access. Now, the one thing that everyone in this chamber can agree on is that fast, reliable and affordable broadband is absolutely essential for businesses and for households. No question about it: being unable to access the internet via broadband means being cut from a whole range of opportunities.

We on this side of the House differ from the government on how best to deliver fast, reliable and, most importantly, affordable broadband. The government, in typical fashion, had a thought-bubble, back-of-the-envelope moment during a plane trip and cobbled together the NBN.

The Minister for Broadband, Communications and the Digital Economy must surely be the king of flimsy, ill-considered policies, as we have witnessed again this past week with his media control thought-bubble. He is a shining example of the incompetency that has personified this government.

There simply is not time in the few minutes I have to debate all the faults and flaws that are already apparent in the NBN, but to summarise: aside from the massive cost blow-outs, NBN Co. has not met its own revised-down construction time frames; the take up-rate so far is well below what is required to meet its own corporate plan targets; 65 per cent of the touted customer take-up by premises passed by the network have been on the NBN interim satellite plan, not fibre-to-the-home; and the satellite service does not come close to the speeds promised under the NBN, and falls way short of the speed most people already enjoy under ADSL or even with wireless access. There have been changes in the definition of ‘premises passed’, to boost the numbers. In short, the NBN, like so many other government policies, has proved to be a big, costly disappointment.

Then last month we had the bizarre spectacle of NBN Co. CEO Michael Quigley proposing an inquiry into alternative technologies be carried out by the communications alliance. So, four years down the track, we need an inquiry to see if there might be better options. Surely this government cannot be serious.

The fact that only 10 per cent of households who can access the NBN have decided to do so speaks volumes about the government's failure to assess the needs of average Australians or to understand that affordability is also a key issue. But perhaps what is most infuriating about the slow rollout of the NBN behemoth is that it is becoming increasingly clear that upgrades to existing exchanges would have happened by
now without the NBN. These upgrades have actually been put on hold, denying people access to decent ADSL broadband right now. That is certainly the case for a group of residents in Greenbank in my electorate.

Now, while my electorate has a lot of rural townships, I have to stress that Greenbank is neither rural nor remote. The houses in question are suburban in nature, about 30 minutes from the heart of Brisbane city and are still unable to access broadband except by a currently unreliable wireless services or satellite services. The bottom line is that Telstra will not upgrade the local exchange to allow residents to access ADSL as they are holding off for the NBN roll out. And yet, even worse, this section of Greenbank does not even appear to be on the radar for the NBN. So it seems this group of residents is in a forgotten pocket—one of many I might add throughout the region.

The fact that the government keeps trumpeting the NBN as some broadband saviour for everyone who currently has patchy access is just cruelly raising expectations. The people in this section of Greenbank would just love ADSL access, which could be achieved through exchange upgrades for a fraction of the price of rolling out the NBN. They wait in hope of some action.

I will continue to fight for a better deal for this group and I am glad that the coalition's shadow parliamentary secretary for communications has agreed to come up and meet with this group next month at the extension of my invitation. I am hopeful that, with our much more affordable and practical plan to deliver affordable broadband, the coalition will be able to offer real hope of a decent broadband service for this group of people in Greenbank who have been left behind by the communications policies of this government.
The Queensland LNP government heartlessly slashed $500,000 in funding for the Skilling Queenslanders for Work program in July 2012. Last week the Riverview Farm was forced to lay off 12 of its staff. Staff members who were responsible for successfully assisting some of the most disadvantaged young people in Blair were sacked. Brad and the Salvation Army locally have done everything they can to replace the Queensland LNP state government funding, but finally they were forced to lay off the staff. The rebuilding program and the training programs which utilised long-term unemployed people to help in flood restoration projects in Ipswich are no more, but they were greatly lauded. They met their demise at the hands of the Queensland LNP state government.

I have seen the work of the Salvation Army training programs, met many of the young people and seen the difference it has made in their lives. I have talked to councils, community groups and businesses who have benefitted from these young people working around the electorate. They played a big part in restoration works following the 2011 floods. Even though the Bundamba Salvation Army headquarters store and their church were flooded as well, the Salvos worked hard. I worked alongside Brad Strong and other Salvation Army officers in evacuation centres during some of the hardest days in the Ipswich region. I recently met the new captain in the Bundamba Salvation Army, Captain Ben Johnson, and talked about the consequences for his congregation and for the long-term unemployed people in Ipswich, particularly on the eastern side of Ipswich. He outlined to me the challenges that the Salvation Army will face and those people will have to endure.

I am appalled to see the Queensland LNP state government put an end to these services. But I want to draw attention to some local journalists who have faithfully reported the activities of the Salvation Army in Ipswich and the events surrounding Riverview Canaan Farm. You have to appreciate the depth of the love and appreciation of the local Salvation Army to understand also the great work that the Queensland Times has given in their faithful reporting over the years. I commend former Queensland Times journalist, Paul Smeaton, for his coverage of the Salvation Army. In 2011 he reported the need for charity following a tough year in the region. Last year Paul wrote an excellent article highlighting the impact of Campbell Newman's LNP razor gang cuts, including $7 million cut from training programs in Ipswich alone. I applaud Queensland Times journalist, Joel Gould, for his article on the fate of Riverview Farm thanks to the LNP cuts. Joel's story was printed in Saturday's newspaper under the banner 'Newman Axes Salvos Staff'. Likewise, the now-defunct Ipswich News had also attempted to keep the LNP state government accountable, but not a word or a peep or a whisper from the LNP members for Ipswich, Ipswich West and Nanango, to their disgrace and shame. I thank the local media for their work in relation to this. I thank the Salvation Army for the work they do, and I call on Campbell Newman to stop blaming the previous Labor government, and I say, 'Thank God for the Salvos.' We should be helping them help others. (Time expired)

Wentworth Electorate: Seniors Week

Mr TURNBULL (Wentworth) (21:55): During Seniors Week it is appropriate to pay tribute to our seniors and the work they have done to make my electorate of Wentworth such an amazing place to live. At least 13 per cent of all our residents are over 65 and,
amazingly enough, at least 3,000 of our seniors are over 85. Because of the high concentration of seniors, we are fortunate to have many organizations that take good care of them, and we do have a good variety of aged-care accommodation. It is always dangerous to name a few.

Congratulations to B'nai B'rith who are celebrating this global organisation's 170th anniversary this year. It was founded in the United States in 1843, making it the world's oldest community service group. B'nai B'rith has been serving Jewish communities in Australia since 1965 and, in Wentworth, it operates one of only two Jewish retirement villages in Sydney, the Princess Gardens Retirement Village in Rose Bay.

The Centre on Ageing has been operating since 1982 and delivers services to Jewish frail, aged and those with disabilities to enable them to stay in their own homes for as long as possible. They are the only kosher Meals on Wheels providers. Centre on Ageing serves 479 mostly elderly clients by home-delivering kosher meals, offering counselling and advocacy, providing home support and personal care, and running healthy ageing programs and activities.

The Holdsworth Community Centre takes seriously its motto of 'A Happy Life'. Holdsworth's aim is also to keep older people living in their own homes as long as possible and support them to continue to lead the lives they want for themselves. Holdsworth now focuses on enabling people to do as much as they can for themselves for as long as possible. They are working with an increasingly old and frail population, mostly in their 80s and 90s, many with mobility issues and memory loss, but united in their determination to get the most out of life. Holdsworth is transforming what was once Meals on Wheels to a community cafe model, with transport and entertainment thrown in. It is a great example of an integrated community based organisation.

One inspiring project it has just completed was a partnership with the local girls school, Kambala, in which the students spent a number of months getting to know seven families with a person with dementia and creating for each family a 'memory book' full of personal photographs and stories to assist in the retention of the memory of family connections and love and friendship.

During Seniors Week there is a lot going on in Wentworth. Let's go Surfing are giving free surfing lessons to our seniors. Waverley Council have their Forever Fabulous luncheon celebration of everyday Australians on Saturday 23 March. There is table tennis and tai chi at the Margaret Whitlam Recreational Centre. The Bondi Senior Singers, with Cassy Darvall and the Bossa Beats, are holding their regular live concert on Wednesday 20 March at the Bondi Pavilion. On Thursday 21 March there is an opportunity to be introduced to cryptic crosswords at the Waverley Library with a free morning tea. Seniors can also watch local history films chosen by the Books, Movies and More group. On Thursday evening, Chapel by the Sea is holding an Ideas and Flicks by the Sea. On Friday 22 March, at the War Memorial Hospital, the first men's shed in Wentworth is launching, and Paddington RSL is welcoming all talented seniors—or those who think they are talented—at their Senior Superstar event.

With all those things going on in Wentworth in Seniors Week, it is not surprising that we can celebrate a wedding. Four months ago, Maurice and Betty Zamel were married. Maurice is a sprightly 93 and Betty, a very young 91. They live at the Montefiore home in Randwick. During Seniors Week I wish this very gorgeous couple a very long and happy marriage.
Creative Australia

Mr PERRETT (Moreton) (21:59): I rise to speak on the fantastic new opportunities for this nation contained in the national cultural policy for a creative Australia, announced by the Minister for the Arts, the Hon. Simon Crean. Creative Australia, the new national cultural policy, is a $235 million vision and strategy to place arts and culture at the centre of modern Australian life. With sweeping reforms to how governments support the arts, our cultural heritage and our creative industries, it will create jobs and encourage a new generation of artists and creative industry businesses.

My electorate in Queensland is full of vibrant, creative groups and industries. These industries help define who we are and tell our many and varied Australian stories. In Sunnybank, where my electorate office is, I have seen many astounding performances from the World Arts & Multi-Cultural Inc. drummers group, to name but one. I particularly would like to thank Melody Chen and the new president of World Arts & Multi-Cultural Inc., Tina Lei. I wish her well in her endeavours.

The African Seniors group came to a multicultural dinner we held a few years back and performed a spectacular traditional dance for the mixed audience.

At the Lunar New Year festivities there were spectacular displays of light, dance and song all across my electorate for all of February. It is not a community that has a New Year's Eve that lasts one night, but instead we had two or three weeks of celebrating the new year, the Year of the Snake, as I am sure you know, Speaker, as a 'snake' myself. It was a truly spectacular time of the year in our community, particularly amongst the Chinese diaspora.

I attended events just on Friday with Minister Warren Snowdon—the 'man with the mo' as he is known—at the Murri school in my electorate. It is a private school where young Indigenous Australians performed traditional dances and proudly showed us their customs and culture.

Of course, one of the south-side's biggest promoters of the arts is our local schools. Every school in my electorate of Moreton is strongly connected to the arts, ranging from some fantastic school choirs to some great bands, some quartets, some creative arts groups and theatres and musicals. I know it is dangerous in an election year to select a few, but I will risk it and name, particularly, some recent performances I have seen this year. I particularly mention the Macgregor state school and state high school, Runcorn State High School—their version of Adele's Rolling in the Deep is still with me—and Corinda State High School, who also performed admirably in some recent band challenges.

Minister Crean's Create Australia policy recognises that we must update our strategies towards our cultural policy. Major changes are occurring throughout the cultural sector with advances in digital communications and because more Australians are actively participating in cultural activities. We come from all around the world, except for Indigenous Australians, and it seems that searching for our identity is more important.

The policy sets a long-term agenda for personal growth around five core goals, with 11 pathways for action that provide a strategic framework to drive our national creative capacity. This is a smart investment of dollars in jobs and culture together. They dovetail nicely also with our Asian century agenda. This policy will guide funding and supporting, recognising the centrality and significance of our Aboriginal and Torres Strait Islander cultures in our national life, but will also encourage creative expression,
recognise the role of the artist and connect the arts to national life for a social and economic dividend. It is good for the national soul, but also good for the national wallet.

Minister Crean has announced new legislation, backed by an investment of $75 million in new funding for the Australia Council over four years. This initiative has been widely supported by the arts community, as anyone who read the weekend papers would have noticed. One of the great things about this funding is the variety of opportunities it presents for all south-side residents who are so inclined. The funding is spread over avenues including training, language resources, the Arts Ready program, the Creative Young Stars program—which is something I will speak about in the future—digital screen platforms, the ArtStart program, an Indigenous visual arts program, regional development funding and more. The arts are a strong passion of mine, particularly literature and music, and I want to encourage all of those in my electorate to use this great initiative to their advantage.

Young Australians are also very passionate about their music, design and the arts, as they are about sports, so the Gillard Labor government has designed a way of giving them real opportunities, like the current Sporting Chance grants that are in place, to train for jobs in rapidly growing service and creative industries, which build on this passion.

Through Creative Australia the Gillard Labor government has created opportunity and support while producing excellence, creating jobs, creating prosperity, creating opportunity and creating unique Australian stories. (Time expired)

Dairy Industry

Mr TEHAN (Wannon) (22:04): I rise tonight to speak on behalf of all dairy farmers across Australia, but dairy farmers in south-west Victoria in particular. I call on the Gillard government to understand their plight and to act to try to help dairy farmers in this difficult time they are going through. They are dealing with adverse weather impacts. We in south-west Victoria have not had rain for four months. As we head towards the end of March, dairy farmers are now having to sustain continual grain bills, which are making it harder and harder for them. They are dealing with a dollar that continues to remain high. They are dealing with the fact that this government has had the four largest budget deficits in Australia's history, which continually put upward pressure on interest rates, because they do not allow the Reserve Bank the freedom to move interest rates lower, compared with international rates—the US, the EU and Japan all have interest rates below one per cent.

There is the carbon tax. The average dairy farmer is being hit by the carbon tax, on-farm, anywhere between $5,000 to $10,000. Then there are dairy processors in the Murray-Goulburn—$14 million per annum is their carbon tax bill. And what of their competitors in the EU? Dairy processors in the EU get 93 per cent carbon credits for what they process. We will be competing with them in a carbon market. If we cannot get rid of this Gillard government our dairy farmers will be in an even worse situation.

And what about market access? This government could move now to help get access to the Japanese market, our largest market for dairy exports. What do they need to do? They need to drop this silly approach to investor-state relations. If they could fix this investor-state dispute resolution
mechanism and get rid of this blanket call that they will not allow it in any free-trade agreement, the Japanese government could move on a free-trade agreement. They should be asking the Japanese Prime Minister to visit and they should be saying, 'We are serious about negotiating. If you will move on agriculture and allow us to get access for our dairy products, we will look at the investor-state resolution.'

I am glad that the Attorney-General is in the chamber tonight, because he is one of the orchestrators of the carbon tax. I say to him once again: given the current crisis in the dairy industry, have another look at your policy. Do something for those dairy farmers. Their plight is getting worse and worse. If they do not get rain, we are going to see a continually growing problem. You can give them immediate respite if you drop the carbon tax now. That will put at least $7,000, $8,000, $9,000 or $10,000 immediately back in their pockets and it will not mean that processors are passing on the costs that they have been hit by as well. Please, look at that policy.

There are other things that this government can do. It can drop its approach to regulating everything. It can make it easier for these farmers to be able to get on and do what they do well. It can look at its workplace relations policy. Dairy farmers used to be able to get someone in to help them to have some respite from the twice a day, seven days a week milking. Previously they were able to get a worker in for an hour and a half, but, under the re-regulation of the workforce, they now have to get them in for three hours. That means, if you want relief on a Saturday from your milking, you have to employ someone for six hours when you only want them to do three hours' work. They know that it is not fair if they have to do that. The government should know that that is not fair. That is something, once again, which can be changed quickly.

I call on the government to be empathetic. I call on them to listen. I call on them to understand what dairy farmers are going through at the moment. It is tough enough with the competition that is occurring between the supermarkets, with what that is doing in the liquid drinking milk area. There is also difficulty when it comes to competing because the government continue to put business cost upon business cost upon business regulation on our dairy farmers. It has to stop. They have to change what they are doing to this important industry to our country.

Pope Francis I
Pope Benedict XVI
Makin Electorate: Feast of St Joseph

Mr ZAPPIA (Makin) (22:09): Tomorrow, 19 March, on the day of the Feast of St Joseph, His Holiness Pope Francis I will be officially installed as the 266th pope, succeeding Pope Benedict XVI, who retired on 28 February. Regardless of religious beliefs, the retirement of Pope Benedict XVI and the installation of Pope Francis I are significant events for the world and for Australia, with 1.2 billion Catholics worldwide and around 5.4 million Catholics associated with the faith here in Australia.

Catholicism is the largest Christian faith sector in the world and the Catholic Church's presence across the world, as both a faith organisation and a provider of humanitarian services, is indeed significant. The Catholic Church, as one of the oldest institutions in the world, is also the largest non-government provider of health and medical services in the world. Here in Australia, through sectors such as Catholic education, Centacare family services and the St Vincent de Paul Society, the Catholic Church has become a
mainstream provider of education and welfare services.

Pope Benedict's retirement was in itself significant, with the last pope to retire in office being Pope Gregory XII in 1415. By declaring his human limitations and retiring, I believe that Pope Benedict elevated his standing as a man of the people. His retirement was, however, a cause for sadness for his followers around the world, perhaps none more so than the German people of the world, for whom his election as pope on 19 April 2005 would have brought considerable joy because of his German heritage.

Significantly for Australia, Pope Benedict presided over the canonisation of the first saint from Australia, St Mary of the Cross, on 17 October 2010. Born in Fitzroy, Victoria in 1842, St Mary MacKillop moved to South Australia in 1861 and later, with Father Julian Tenison Woods, established Australia's first free Catholic schools and a number of welfare institutions around the country.

In July 2008, Pope Benedict came to Australia, where he met with young people at the World Youth Day celebrations in Sydney. It was during that visit that he made a historic full apology to victims of child sexual abuse. I travelled to Sydney at the time with my wife, Vicki, to represent the government at a World Youth Day event and I joined tens of thousands of people in welcoming Pope Benedict to Australia at Sydney Harbour. A strong advocate for supporting the world's poor, Pope Benedict XVI condemned excessive consumerism, particularly amongst young people. He also sought to enter into dialogue with other religious groups. Perhaps he will be best remembered for his advocacy of social justice and for the effort he put in to heal rifts within the Catholic Church, Christianity and the broader faith community.

I also take this opportunity to acknowledge and congratulate the election of His Holiness Pope Francis. Born in Argentina of Italian parents, Jorge Mario Bergoglio, now better known as Pope Francis, is the first Jesuit to be elected pope. Equally notably, he is the first pontiff to come from South America, where Catholicism is the dominant faith. He has been described as a man of humble origins and rare humility, already showing that he prefers to continue to live a simple life. However, he takes the role at a difficult time for the church, with criticism over its handling of several matters and also at a time that the Catholic faith is expanding into new parts of the world, where there is significant poverty, along with economic, social and environmental challenges. The recent suppression of, and violence towards, Catholics in Africa, Indonesia and the Middle East will also be difficult matters for him to deal with, as are calls for reforms of the Catholic Church's internal administration. I join with the Prime Minister and others in this place in extending my good wishes to Pope Francis as he embarks on his responsibilities ahead.

At the commencement of my speech, I mentioned the day of the Feast of St Joseph, so I also take this opportunity to mention the St Joseph's Day feast in the city of Salisbury. Yesterday, as I have done for many years, I attended the annual event, organised by the Italian Catholic community in Salisbury and held at the St Joseph's Cultural Centre. As usual, it was a wonderful day of festivities, and I congratulate Sam Garreffa and his committee for their tireless efforts in organising the day's events and in organising the event each year. It is a terrific community event and one that certainly brings the Italian culture to the rest of the community. My congratulations to all involved.
Pharmaceutical Benefits Advisory Committee

Dr WASHER (Moore) (22:14): I rise to speak on an issue of great importance to the health of this nation. My concern arises out of the overt politicisation of the function of the Pharmaceutical Benefits Advisory Committee, the guardian of our Pharmaceutical Benefits Scheme. The PBS has until recently been the reference point for all countries with reimbursed medicines programs. The PBAC met on the last three days of last week to consider submissions lodged at significant cost to sponsoring companies. A major submission costs a company as much as $121,000 in fees alone, apart from all the direct and indirect costs associated with mounting these submissions. None of these fees or costs, incidentally, are invested back in the PBS. Yet the former health minister, Nicola Roxon, told this parliament that savings were needed to create headroom for desperately needed new medicines on the PBS, which are now not reaching the PBS.

I have met with numerous patient groups in my office in this place over the course of the past two years and have noticed that there has been a huge increase in both the number of these visits and the level of concern expressed about access to both new and existing medicines. Patients and their representative groups have lost confidence in the PBAC process, which I am concerned has been broken and is no longer based on process, transparency and genuine evidence-based medicine. The implications of this are enormous. The consequences for the nation's population and their health are frightening. Chronic age-related disease is consuming a greater and greater proportion of shrinking budgets for governments everywhere. Interventions and prevention policies alone are not working.

A rethink is sorely needed. There is and always will be a necessary place for pharmaco-intervention in chronic disease and we are failing at this hurdle. However, the ability to get new medicines through the PBAC process has been declining. The rate of positive recommendations for all PBAC submissions has almost halved from 84 per cent in March 2010 to a low 45 per cent in November 2012. The rate of positive recommendations for major cost-effectiveness submissions—these are where there is a claim of superiority over the comparator product and a request for a price premium for innovation—has fallen from 50 per cent in March 2010 to only 20 per cent in November 2012. On average, there was a mere 21 per cent positive recommendation rate in 2012, indicating a lack of willingness to pay for new innovative medicines requiring premiums over old medicines. Yet this is the very premise of the creation of innovation and the original intention of PBS reforms begun in 2007. These statistics are available on the department's own website at pbs.gov.au.

As further evidence of a complete disregard for the integrity and professionalism of the PBAC, three respected members of the committee who between them have given almost 20 years of service were quietly and unceremoniously let go from the committee earlier this year. This happened without any recognition being accorded to these members, and without any transparency and notification. The names of the three new appointees were not made public—even on the department's own website, as reported in PharmaDispatch earlier this week. This covert attempt to deny patients medicines which are now looked at by PBAC solely on the basis of cost rather than cost-benefit, and without reference to solid evidence-based medicine, exposes a
fundamental flaw in what was once held out as a world-leading reimbursement system.

As a parliament, and without recrimination, we need to recognise that the PBAC has now become so politicised that the very basis of its original charter has been damaged and compromised. It is for this reason that, as a medical practitioner, I am proud that the coalition has pledged to restore transparency and certainty to the PBS listing process. This will return to a policy that is in the best interests of patients, doctors and carers. My colleague the shadow health minister, Peter Dutton, recently told the Sky Australian Agenda program:

One of the terrible things the government has done over the last couple of years is walk away from the independence of the Pharmaceutical Benefits Advisory Committee. So essentially they have made a political issue out of the listing of every drug. It has been a very bad precedent for the government to set and we will adhere to the independence of that authority.

Bass Electorate: Faulkner, Mr Brian

Mr LYONS (Bass) (22:19): Important needs in the community are often filled by volunteers—people working for the common good of others. I like to highlight these individuals and often in the House thank them for their contribution. These individuals, groups and organisations are essential to the wellbeing of communities. Philanthropists should also be included in this group of people, as their generosity can create great outcomes for the community. Some donate quietly, and the person I wish to highlight this evening is one of those people. He does much for the community without making a fuss. It is also important to note that philanthropy is not simply throwing money at a problem but, far more important, it is the actions of private citizens and organisations that have made, and continue to make, a genuine difference.

I rise in the chamber tonight to talk about and recognise a member of the Launceston community who has made a huge difference in Tasmania, Brian Faulkner. Brian Faulkner has been a generous donor to Launceston Church Grammar School in particular. As an old boy of the school, he has a great love for the school community and the great things that that school achieves. I am told by the Principal, Steven Norris, that Brian Faulkner's sons and daughters also attended the school, as well as six grandchildren, four of whom are still students. Founded in 1846, Grammar is the oldest continuously operating Anglican co-educational day and boarding school in Australia and it has a distinguished reputation of providing outstanding education in Tasmania. Grammar is well-known for its excellence in academia, community links and sport. Brian Faulkner has made a significant monetary contribution to the school's playing fields at Stephensons Bend, as well as many other projects at the school. On Saturday, 16 March the playing fields were named after Brian and are now called Faulkner Fields. Stephensons Bend is situated along the East Tamar Highway and provides additional sports fields for Grammar. The development of this site has significantly improved the northern entrance to Launceston and, as the principal notes, it is a fantastic area that is open to the community. A key focus of this area was to demonstrate a commitment to the environment through rehabilitation and conservation projects, with particular attention to improved sustainability of soil, vegetation, water and energy. The fields are flat and well drained, and the installation of a solar system adds to Grammar's list of green initiatives at the site. Principal Stephen Norris said the new pavilion and sporting fields are a 'great step forward for the school', and that Brian and Wendy Faulkner...
have been wonderful supporters of Launceston Church Grammar School.

Brian is an inaugural member of the Launcestonians, a group of individuals who donate and fundraise to improve the educational and sporting facilities of the school, to keep up with the changes in modern teaching methods, and to ensure Grammar's continued independence. I thank each member of the Launcestonians for all the work that they do. Brian and his wife Wendy have also made significant contributions and volunteered their time to other projects and other organisations in Tasmania, such as various aged-care facilities, the UTAS Foundation, The Benevolent Society and many others. Our community is a better place because of people like Brian. Whether you can give in a financial way, or by donating your time or your skills, I encourage all Australians to be involved in their community and to help out with their local school, charity or community group. There are great things to be achieved when you participate and have a go. Volunteering is the perfect vehicle to discover something that you are good at, or to develop a new skill. No man or woman is an island. We sometimes take for granted the existence of the community we live in. I have been an active member of my community for my entire adult life, and I have encouraged my daughters to do the same. The sense of achievement and fulfilment gained from helping your community is second to none, and there are so many ways you can do this. There is no better example of this than the Faulkner family. In closing, I wish to once again thank Brian Faulkner and his family for their generosity and commitment to education, to the community in general and to the Launceston Church Grammar School in particular.

**Education**

**Mr TUDGE** (Aston) (22:24): Over the last few weeks we have had a lot of debate about the quality of teacher education courses, with both the NSW government and the federal government announcing policies to address standards. It is fair to say that there is bipartisan concern about how our future teachers are being trained. I suggest that we should be equally concerned with the quality of the research undertaken at our education faculties. We are spending billions on education research, but it is not having the impact it should. Worse, our education faculties are failing to be engines for ideas at a time when school outcomes have dropped despite a huge increase in public funds for school education. These are strong statements to make, but I believe that they are reasonable conclusions to draw from the Australian Research Council's latest report card, as well as from other indicators.

The ARC’s *Excellence in Research for Australia* report released earlier this year ranked education second-bottom of the 23 research categories listed—one ranking higher than it was in the 2010 report. It found that half of the research conducted was below world standard. Within the education category, the research on education systems was particularly poor with 60 per cent of the research below world standard. This is a problem for two reasons. First, it is a waste of public money if education research is not of a high standard and is not having impact. Over the last decade $1.7 billion has been spent on education research. It is a sector that has been growing steadily each and every year and now employs almost 3,000 people. If the ARC’s report is indicative of the decade, then we can say that nearly a billion dollars has been spent on below-standard work. What would an extra billion dollars have achieved, say, biotechnology, a research field that is universally at or above
world standard? Second, the education faculties are not having an impact at a time when high quality, evidence-based research is desperately needed.

Australia is one of the only countries in the world where school education standards have dropped, not only in absolute terms but also relative to other countries over the last decade. This is despite a 44 per cent increase in real public funding over this time. Over this same decade, education research funding has increased from about $79 million to $283 million. Either our schools and policy makers have adopted all this research and the research has been wrong or the research has not been relevant—or it has simply been ignored. A combination may be likely. Certainly, when we examine who the government relies upon for policy advice, we find that Australian education academics are in the minority. I examined the footnotes of the major school policy reports commissioned by federal governments over the last five years, including those which have guided the work of the Gonski review. Australian education academics make up only 31 per cent of the citations. International academics, private organisations such as McKinsey and ACER, think tanks like the Grattan Institute, and others made up the majority.

An assessment of who contributes to the public policy debate through the print media also finds that education academics are missing, with the exception of half a dozen prominent ones. Unions and think tanks dominate. When I consider some of the main policy questions for our education system, we have few answers forthcoming from academia. For example, how do our school education standards compare with those of our Asian neighbours? Why are they doing so well on less funding? Which teacher performance review systems in the world are most effective and could inform our practice here? How do we make teaching more attractive to the best and brightest again? Are smaller classes the best use of government money? The unions are still pressing for this, but where are the contrary views? These are billion-dollar public policy decisions. Their impact is profound, both on our economic performance and on our ability to give every individual the best opportunity to succeed. Of course, there is truly outstanding research conducted in some of our universities. Professor John Hattie’s work, for example, is referred to as ‘the bible’ by many school principals. There are others.

The system itself is creating this problem. It began with the Dawkins reforms in the mid-1980s, which forced the Colleges of Advanced Education to become faculties of universities. This caused research, rather than teaching, to dominate. People get employed to be education academics even if they have no experience in the classroom. The problem is then exacerbated by the intense pressure on academics to publish—getting cited in some obscure journal is rewarded more than a teacher having an impact in the classroom. We need to change this system and put schools and government policy more at the centre. A council of school principals should guide the research priorities, not the editors of journals. Academics should be rewarded for their influence on government policy. The people who teach the next generation of our teachers should be high-performing teachers themselves, much the same as medical professors are frequently practitioners. We need a shake-up of our education faculties. How we train our future teachers is of vital importance but so is the quality of research being conducted. Australian taxpayers and university students cannot be expected to continue to increase the education research funding year upon year unless we have confidence that the big questions are
answered and that the research is world class. *(Time expired)*

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

House adjourned at 22:30
Mr ENTSCH (Leichhardt—Chief Opposition Whip) (10:30): I rise today to add my voice in support of those who seek a peaceful resolution in the crisis in Tibet. It is very distressing to hear that the human rights situation is driving a number of Tibetans to self-immolate. On 25 February, Tsesung Kyab, a farmer, and Sangdag, a monk, became the 106th and 107th Tibetans to set themselves on fire in protest against China's occupation of Tibet. A large majority of the self-immolations have taken place over the past six months, during the time of the leadership transition in China. Tibetans are desperate to send a strong message to China's new leaders.

Unfortunately, China has failed to show willingness to constructively address Tibetan grievances or to hold themselves accountable for Tibetan rejection of their policies. China considers these protests as a threat and it has therefore increased its military and police presence and has closed Tibet to foreign tourists, media and diplomats.

I seek leave today in this place to table a petition from the Australia Tibet Council, which has 2518 signatures and has been approved by the Petitions Standing Committee.

The petition read as follows—

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

This petition of concerned Australian residents draws to the attention of the House of Representatives the deteriorating human rights conditions in Tibet. As of January 2013, 99 Tibetans have set themselves on fire in acts of protest against the Chinese government's policies which are undermining their cultural, religious and political rights. 82 of these self-immolations took place in 2012.

The Chinese government has refused to address Tibetans' grievances. Instead it has intensified the use of force, spread misinformation about the situation on the ground and blocked telecommunications into and out of the affected areas. Tibet remains closed to international media and China remains unwilling to allow visits by Australian diplomatic representatives.

We ask the House of Representatives to urge the Australian Government to:

- Make a strong public statement of concern over the situation facing Tibetan people
- Renew efforts to send the Ambassador in Beijing and a parliamentary delegation to areas affected by the protests and urge China to allow foreign journalists unfettered access to all Tibetan areas
- Join other concerned countries in an intergovernmental forum dedicated to building stronger international pressure on China to address the crisis in Tibet

From 2,518 citizens

Mr ENTSCH: I would also like to congratulate the ATC for their work on the Tibet Advocacy Project, which is designed to connect Australia's Tibetans with their elected representatives. Today, on Tibet Advocacy Day, advocates from the ATC will meet with around 40 members and senators from all parties to urge stronger Australian government action on Tibet. As a member of the Australian All-Party Parliamentary Group for Tibet and
having been honoured to meet the Dalai Lama, His Holiness, in person last year when I travelled to Ottawa, I support the ATC in their endeavour.

It must be emphasised that addressing the situation in Tibet is not an attack on the Chinese people, nor is it a matter of partisan politics. A peaceful resolution of the Tibet issue would not only ensure the long-term stability of our biggest trading partner but would be a significant step towards greater peace in our region.

Tibet

Page Electorate: dirtgirlworld

Ms SAFFIN (Page—Government Whip) (10:33): I would like to associate myself with the remarks and comments from the honourable member for Leichhardt and add that there is huge support in this place across the parties for the contribution that the honourable member gave. A week ago, Sunday, in my electorate of Page in Yamba, Jill Bradshaw and a group of committed people who are friends of volunteering for Tibet held an event at their place with an art show and a whole range of works to bring attention to the plight of the human rights suffering that is ongoing and seems to be systemic in Tibet. It is something that is intolerable in 2013, and we are right to speak up and speak out on that particular issue.

I would also like to talk about something else that has happened in my electorate. Some people here, I am sure, would know about the ABC TV series for children, dirtgirlworld—very popular, particularly with the young ones, but I think parents like to watch it too. I can see a few parents smiling, including you, Mr Deputy Speaker Leigh.

The creators of dirtgirlworld, Cate McQuillen and Hewey Eustace, live in my electorate at Whiporie. They beavered away for years and made this program hugely successful. Just recently, on 25 February, they were nominated for the International Digital Emmy Award for an Aussie company. That is pretty good. It is pretty up there. They live—and I have the Google map here of where they live—on the Summerland Way, halfway between Casino and Grafton. Whiporie is my pit stop as I drive around my electorate.

With dirtgirlworld they make a connection with kids. It is an Australian-created international kids TV show, and it comes from my electorate. So, dirtgirlworld—and these are words that come from Cate and Hewey—’Dig it all.’ The digital bits come from mememe productions. With the support of Screen Australia, they have been nominated in the kids and youth Digital Emmy category, to be announced in April, and it will be showcased on the MIPCube. As Cate and Hewie say, once again the dirtgirlworld team are packing their fancy pants and hitting the red carpet. It is a great program, and I know that the kids just love it. In the same way that we loved Play School, this is one of those programs—(Time expired)

Member for Corangamite

Automotive Industry

Mrs MIRABELLA (Indi) (10:36): I rise on a very grave issue for the constituents of Corangamite, the broader Geelong community and the Australian manufacturing community. I rise to request that the member for Corangamite issue a correction and apologise to this House and to the people of Corangamite for grossly misleading them—we are not allowed to say 'lying' in this House, so I will say 'grossly misleading'. Having repeatedly misled locals about coalition policies regarding the car industry in recent years, this time he has gone a step
too far. He has gone as far as to make quotes and then to say clearly that that is what Mr Abbott was referring to. The made-up quotes are an absolute misrepresentation and totally inaccurate. These fabrications show the extent that Mr Cheeseman and the Labor Party will go to to peddle their dishonesty about the coalition's position.

We remember that they have form on this. At the last election the Labor Party said that the coalition's announced policy to cut the Green Car Innovation Fund by just under $300 million would hurt Geelong. But what happened? After the election the Labor Party itself—as soon as the election was out of the way—cut around $850 million remaining in the fund and axed the fund altogether. What is worse, adding to this, their broken promises to the car industry—after the election—were $1.4 billion, and of course the mother of all broken promises, the carbon tax, is going to cut $460 million out of the auto sector. Under Labor we have lost one manufacturing job every 23 minutes. It is no wonder that even Ian Jones, the Australian Manufacturing Workers' Union Vehicle Division national secretary, said in the past that Julia Gillard 'does not understand manufacturing's importance to the economy'.

The Prime Minister's former senior adviser Nick Reece belled the cat in an opinion piece recently, saying that Ford would close 'its local manufacturing operations in 2016'. The Labor Party is ignoring the plight of manufacturing, of the auto sector, and what does Mr Cheeseman say when confronted with job losses at Ford after the government gave a behind-the-door closed deal of $34 million to Ford? The Prime Minister said it would create 300 new jobs. A month after the last instalment was given to Ford, 330 Ford workers were sacked, and all Mr Cheeseman could say is, 'Ford needed to make adjustments to its workforce depending on sales, and that is entirely appropriate.' Come clean, Mr Cheeseman, about Labor's damage to the auto sector and apologise to Mr Abbott. (Time expired)

World's Greatest Shave

Ms ROWLAND (Greenway) (10:39): I rise to mention some of the outstanding fundraising efforts of the Greenway community in recent days, specifically the World's Greatest Shave, and also to mention this government's commitment to health care in west and north-west Sydney. On Friday night I joined a huge crowd at the Riverstone Bowling Club in my electorate to raise money for the Leukaemia Foundation. The large turnout highlighted the generosity of the Riverstone community. I would particularly like to praise the efforts of Ryan Schneider, a year 6 student at St John's Primary, Riverstone, whom I was pleased to sponsor and support along with his family and friends, on Friday night. Ryan raised $850 for cancer research and received a brand-new buzz cut. Thanks to Ryan's fundraising efforts, the laboratory costs of a PhD student researching blood cancer can be covered for three weeks. This is an outstanding contribution and is extremely important when you consider 31 Australians will be given the devastating news that they have leukaemia, lymphoma, myeloma or a related blood disorder every day. That's more than 11,500 people this year. I also want to acknowledge the scores of other locals who have or will be participating in some Great Shaves, including the Lalor Park community, who organised a similar event on Saturday.

Although survival rates are improving, blood cancers like these are the second biggest cause of cancer death in Australia. The World's Greatest Shave raises about half the money the Leukaemia Foundation needs to fund its important work providing practical and emotional support to people with blood cancer as well as investing millions in research. With the
population of the north-west growth centre expected to grow from 300,000 to half a million in the next five to 10 years, the healthcare sector must respond accordingly, and this government is committed to doing this. The unprecedented investment in health care and health services from this government will allow people in my electorate greater access to primary care and take the strain off our public hospitals.

Since 2010 this government has invested heavily in my electorate, including more hospital beds and investments in elective surgery at Blacktown Hospital, $17.6 million for the Blacktown Clinical School, $15 million for the Blacktown GP superclinic, more GP registrations, massive investment in primary care infrastructure grants and the Healthy Communities Initiative. But these are, of course, in response to the huge regional challenges that we face and will continue to face in west and north-west Sydney. Through the inspirational efforts of people like Ryan and the rest of the Riverstone community who took part in the World's Greatest Shave last Friday night, thousands of dollars are going to the Leukaemia Foundation to continue to fund blood cancer research, and provide free services to support Australian families, and for that they should all be recognised.

**Central Queensland University and Central Queensland Institute of TAFE Merger**

Mr O'DOWD (Flynn) (10:42): I rise today to speak in support of the proposed merger between the Central Queensland University and the Central Queensland Institute of TAFE. This proposal has been on the negotiating table for approximately three years now. It is a plan that would see Central Queensland provided with a depth and quality of educational services not yet seen in the region. It will be the first dual-sector tertiary institution in Queensland. The merger agreement would guarantee funding for vocational education and training and include the handover of 12 TAFE campuses. We know that, under the previous minister for tertiary education, negotiations had slowed down a bit. However, I welcome reports that the new Minister for Tertiary Education, Skills, Science and Research, the Hon. Chris Bowen, is far more supportive of the merger, and I applaud him for that stance. This merger is a plan that enjoys support from many different stakeholders in Central Queensland and across Queensland as a whole. The CQ University has been incredibly persistent in keeping this proposal alive and should be congratulated for their efforts and continuing insistence that we bring this to a head as soon as possible.

Some $74 million in federal government funding has been pledged to ensure the merger can take place. I urge Minister Bowen to finalise this agreement with the university as soon as possible to prevent any further delay in beginning the process. The process will take some time to achieve, and the sooner we get approval the sooner we can get on with bringing this all to an end. We know that Central Queensland has experienced unprecedented growth in recent years and that our education networks need to adapt to meet the changing needs of the region. The region is undergoing huge developments with gas exploration and exportation and has a thriving coal industry and aluminium industry, and of course we have agricultural needs in the area also. Again I encourage all parties, including the Queensland state government, to pull out all the stops and get this deal done.
Palestine

Mr PERRETT (Moreton) (10:44): I rise today to speak about the supporters of Palestine in my electorate of Moreton and their connection, especially, to the Australia Palestine Advocacy Network—APAN. I am proud to say that a few Saturday nights ago Moreton hosted a sell-out APAN fundraising dinner at Michael’s Oriental Restaurant, where the joint chairs of the Federal Parliamentary Friends of Palestine, Maria Vamvakinou, the member for Calwell, and Susan Ley, the member for Farrer, both spoke very well about recent efforts and challenges facing Palestine. Whilst I was the first person to pay for this fundraising dinner, unfortunately at the last minute circumstances conspired such that I could not be there on the night, but I am reliably informed by the many friends and supporters who did attend that the master of ceremonies, Mr Anas Abdalla, introduced Dr Halim Rane, who spoke about his latest book on Australian-Israeli-Palestine foreign policy. I know Dr Rane well, for nearly 10 years, back before he obtained his PhD at Griffith University under Mohammed Abdullah. One of the other members of the APAN executive, Mr David Forde, also spoke on the role of APAN and the need for greater political advocacy on behalf of Palestinians. I have also known Mr Forde for over a decade—and I say happy St Patrick’s Day to him because he is Irish; in fact he was with the Irish Army as a peacekeeper in the Middle East. He is also a very active member of the Sunnybank RSL and APAN.

APAN was formed in May 2011 to provide a national voice for Australians who are concerned about ongoing human rights abuses and occupation issues endured by Palestinians, along with the continuing effects of dispossession and displacement suffered by Palestinian refugees. It is a broad range of people and I particularly mention Wendy Turner, who I have known for over a decade as well. She used to work for my campaign manager Karen Struthers. APAN is a diverse alliance of religious leaders, unions, academics, lawyers, former politicians, Palestinians, Jewish people, peace groups and diplomats and many others. APAN seeks a more balanced and principled approach from the Australian government in its policies towards the Israel-Palestinian conflict. It seeks a more active role for Australia in encouraging all interested parties to bring about a just and lasting negotiated settlement based on UN resolutions and international norms.

In April last year, under the leadership of the President of the Senate John Hogg, I was lucky enough to visit some of the Palestinian territories. Sadly, we did not go to Gaza, and it would have been good to have gone to Beersheba because we were around there on Anzac Day, but I did see the dividing wall and saw how it affects communities. APAN offers a voice for all Australians of goodwill who wish to express their opposition to the continuation of the current situation. I recently tabled a petition in parliament signed by over 1,500 people from the south side, noting their concerns about the Palestinian people and asking for the UN to grant their observer status, which thankfully has happened. (Time expired)

Bonner Electorate: Mackenzie State Campus

Mr VASTA (Bonner) (10:48): It is with great pleasure that I rise to bring to the attention of the House one of the groundbreaking schools within my electorate of Bonner, the Mackenzie State Campus, which celebrated its official opening on 14 March this year. The recent development of the Mackenzie State Campus has allowed for the replacement of a primary school facility, developed a new special school facility and established an early learning childhood development centre for children before school age with suspected
disabilities. The adoption of the new campus model provides the opportunity for student leadership through supporting students with disabilities, whilst breaking down stereotypes and prejudices around these disabilities.

During a recent visit to the Mackenzie State Campus, I was very impressed with the campus's ability to retain two separate schools, ensuring the preservation of specialised staff skills, whilst enjoying the economy of scale savings from resource and facility sharing, bulk purchasing, combined professional training and labour cost savings. The classrooms and leisure areas have also been designed to accommodate outside school hours care to assist families in supporting their children with special needs.

I found that the full disability access on the campus ensures whole of life utilisation of the facility by a diverse range of students with a disability. Areas such as the tuckshop, library, oval, multipurpose courts and performing arts complex have full access to facilitate the involvement of people with a disability into all areas of education, just one of the many strengths of this dual-purpose campus.

All in this chamber know that the system of support for Australians with a disability is broken. If you are born with a disability or acquire a disability later in life, you can generally be expected to wait for any form of assistance, resulting in many who are left without the support that they need. I believe that individuals should have the right to pick their support, aids and equipment and have the service providers of their choice. This, as we know, is the vision of the National Disability Insurance Scheme.

I am proud to say that the Mackenzie State Campus has been designed and built with this in mind. One of its core objectives is to integrate special-needs children into the community through empowerment with education. I would like to take this opportunity to express my gratitude to the driving forces behind this fantastic development, Terry Forster and Shirley Rimon, without whom this level of success would never have been achieved. I am truly delighted to have such a wonderful school community in my electorate of Bonner, and I wish to congratulate all involved on this wonderful achievement of their official school opening. I hope that many other schools follow Mackenzie State Campus's lead in integrating students from all walks of life.

**Victorian Technical and Further Education Sector**

**Corio Electorate: Gordon Institute of Technical and Further Education**

Mr MARLES (Corio—Parliamentary Secretary for Pacific Island Affairs and Parliamentary Secretary for Foreign Affairs) (10:51): As one of his first acts as the new Victorian Premier, Denis Napthine last week announced that he would provide the state's TAFE sector with $200 million over four years. Some media reporting described this announcement as the partial reversal of what the Victorian Liberals cut from the TAFE sector last year. This announcement is not a reversal. Fifty million dollars a year does not come close to covering almost $300 million a year. And, if the Premier thinks it will fix the mess created when his government slashed $290 million a year from the TAFE sector, he is mistaken.

At the Gordon Institute of TAFE, in Geelong, the jobs of 90 staff have already been lost, nearly 30 courses discontinued and students left in limbo part way through their studies or with the courses they had hoped to start no longer available. The Victorian Liberals have
made a hash of this issue, but the funding they are proposing for innovation and structural reform will not make up for the cutbacks to operational funding.

As Victorian Labor leader Daniel Andrews said last week, this is nothing more than an incentive scheme to force TAFEs into financially independent models while allowing the government to close and sell off campuses. The public should be very concerned about the Victorian Liberal government's management of the TAFE sector. Last year, the Minister for Higher Education and Skills, Peter Hall, was reportedly deeply disappointed by the cuts his government was making. But last week there was no sign of those misgivings from Mr Hall, who jointly announced the Victorian Liberals' TAFE plan alongside his Premier.

Australia's TAFE sector operates at the coalface of industry training, identifying areas where there are skills shortages and building skills across a range of industries. The TAFE sector also provides education and training opportunities for students from a range of backgrounds and with a range of educational needs. As a result of last year's funding cuts, many of the courses lost are in industry areas like hospitality and retail where women are highly represented.

I have spoken before in this House about the value of the Gordon to Geelong and its region. The Gordon's history is very much embedded in the history of our city. It has been training and skilling our workforce for more than a century. It has responded to changing times and changing industry needs. Despite extremely difficult circumstances, it has continued to do that. It is to its great credit that the Gordon has worked extremely hard this year to offer new courses in the health and business sectors. That is an outcome that should be applauded. Through its policies, the Victorian government should not be attacking the Gordon but rather should be supporting the Gordon to do what it clearly does best: serving the needs of the Geelong community.

**Australian Macedonian Medical Society**

Mr SIMPKINS (Cowan) (10:53): Today I would like to speak about the Australian Macedonian Medical Society. The society was founded in August 2009 by Dr Zoran Beccarovsky, Dr Nick Cvetkovski and Dr Goran Josifoski Stevans and was officially registered as an incorporated association in March 2010. The Australian Macedonian Medical Society is a growing organisation composed of enthusiastic medical and allied health professionals who are dedicated to the promotion and improvement of the health and wellbeing of the local community and, specifically, the particular needs of the Macedonian Australian community.

The Australian Macedonian Medical Society actively seeks to promote and conduct continuing medical education and, amongst other things, to advocate on behalf of members and to contribute to community causes by fundraising. One example is the establishment of the Macedonian Cancer Research Award via the St George and Sutherland Medical Research Foundation to research prevalent cancer in Macedonian Australians. The St George and Sutherland Medical Research Foundation is an independent not-for-profit organisation which supports the work of the medical research community at St George and Sutherland hospitals, two of Australia's leading teaching hospitals.

The society has clear objectives, which are to promote professional standards of its members; provide a forum for professional and social exchange amongst its members;
promote and conduct continuing medical education; advocate on behalf of members with regard to community health issues; and acquire and accumulate knowledge and provide responses in relation to health issues affecting Macedonians in Australia. The society also contributes to deserving charitable causes and organisations and performs acts of good corporate citizenship. Furthermore, the society must be congratulated for the promotion of mutual understanding and liaising with other medical organisations. In order to help achieve these objectives, the society holds events and functions with the aim of raising proceeds for medical items, equipment, resources et cetera. It is a very active society and its members have great networking skills, which allow them to achieve the society's objectives.

Clearly I am not the only one who has discovered the work being conducted by the society. I note that, on Wednesday, 6 March 2012, the New South Wales parliament agreed to a motion recognising the work of the Australian Macedonian Medical Society, and I believe it would be worthy of this government to advance a similar motion. In conclusion, I congratulate the Australian Macedonian Medical Society on its support for medical research and the Gasnier Foundation and raising community funds towards such worthy causes. It is a reflection of the great things that those of Macedonian descent do in Australia.

Mr SIDEBOTTOM (Braddon—Parliamentary Secretary for Agriculture, Fisheries and Forestry) (10:56): Unfortunately and sadly, yesterday I learnt of the passing of a friend, a confidante, a supporter and a lady whom I called the Florence Nightingale of King Island, Mrs Mavis Margaret Burgess. Mavis was one of those unheralded, dedicated and inspiring people who devote themselves to family, friends and community without ever seeking recognition or reward. She was a wonderful friend and supporter to all who sought her help, love and expertise. There would be few people living in a remote regional community who have done more with and for their community than Mavis did for her beloved King Island.

There are few aspects of life on King Island that Mavis did not positively contribute to. She was one of the most significant health professionals on the island from 1962, and her contribution to promoting the health and wellbeing of the community was enormous and very long term. Mavis literally nursed the island in all aspects of health from birth to death, and I know she had the gratitude and affection of her community for this untiring, professional and devoted service both in public and private health practices. She was also instrumental in developing and increasing the capacity of others to enhance and increase health service levels on the island in a whole range of services across the health spectrum.

Mavis also worked as a child welfare officer with the department of community services as well as for the department of social security. She was a justice of the peace and acted as an honorary probation officer. As if that were not enough, she also contributed widely to community activities. Mavis was a 'doer'. She was a founding member of St John Ambulance, a volunteer of the island ambulance service, a foundation member of the famous King Island Imperial 20 footrace, secretary of the King Island Gun Club, member of her local fire brigade, member of Birds Australia and Tasmania, member of her local tennis association, associate member of the RSL and a community crisis support team volunteer—to list just some of the organisations Mavis contributed to.

More recently, Mavis was one of the driving forces behind the creation, expansion and funding of Phoenix Community House, an umbrella organisation dedicated to community
development and support. In 1986 Mavis was honoured by her community by being appointed as the King Island Australia Day Citizen of the Year. Since that time she never tired in her endeavours on behalf of the community. I personally will miss Mavis very, very much, and I thank her on behalf of her region and her island for giving so much lovingly and being so loved in return.

The DEPUTY SPEAKER (Dr Leigh): Order! In accordance with standing order 193 the time for constituency statements has concluded.

BILLS

Marriage Equality Amendment Bill 2012

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr HAASE (Durack) (11:00): In 2004, the coalition amended the Marriage Act 1961 to define in legislation the common understanding in our community of marriage—that is, the union of a man and a woman to the exclusion of all others voluntarily entered into for life. The coalition continues to believe that the majority of the Australian community agree with that definition. This definition does not in any way seek to prevent or discourage people from entering into same-sex relationships but, rather, simply recognises marriage as one of the bedrock institutions of society, which is the basis for forming families and which is underpinned by tradition. The coalition will not support legislation that would alter the status of traditional marriage between a man and a woman.

The coalition in the past supported the passage of the government's same-sex reform legislation on the condition that nothing in its terms affected the status and centrality of traditional marriage between a man and a woman. We believe it is important to send this strong signal about the special status of marriage. The coalition continues to remain committed to these principles and will not support future legislation that would allow same-sex couples to marry in Australia.

This is indeed a contentious issue but it is a contentious issue that is driven by a minority of the Australian population. The reality of the situation is simply this: that we are not all born the same. We are by our very nature possessing of personalities and physical traits. We are different, and it is up to good governance in our society to provide a framework for behaviour—a framework that broadly embraces what is acceptable on a day-to-day basis as being our culture.

One of the things, as I have just said, is that we accept that marriage has a sanctity. It is different to other relationships. It is covered by law, and that law defines that marriage condition as the union of a man and a woman to the exclusion of all others voluntarily entered into for life. If one wants to engage in a relationship that is not a relationship between a man and a woman, is not entered into voluntarily or is not for life then that relationship is not marriage. I for one, and the coalition at large, agrees that that is the situation and, no matter how hard we may wish it, those who are not a man and a woman—those who may be of the same sex in a relationship—cannot therefore at law refer to themselves as married. And why not? Because they are simply not a man and a woman.
The sanctity of marriage that I speak of is such that when a couple court and marry, create a home and a loving environment, we hope that that will be rewarded with the production of children and those children will be brought up as members of our society. That is what we speak of when we speak of the sanctity of marriage, and that relationship, that union, ought to be respected at law by Australians. It is our culture. It is our law. It is a productive situation that is rational, that nurtures and provides the environment to nurture children and those children then become members of our society, responsible, law-abiding members of our society who will largely follow in the footsteps of their parents, we trust, and follow the laws of this country. I state again that the law of this country is that marriage is the union of a man and a woman to the exclusion of all others voluntarily entered into for life, and that law ought remain for time into the future.

Mr PERRETT (Moreton) (11:05): I am pleased to speak in support of the Marriage Equality Amendment Bill 2012, because I believe that all Australians, irrespective of their sexuality, are entitled to be treated equally. Marriage is one of those institutions that has evolved over time. Despite the protestations of some people suggesting that it has been frozen in time and handed down from Mount Sinai, the reality is that previous speakers are quoting from legislation that has only been around less than a decade.

I approach this from a pretty basic point of view—that is, if people are committed to each other, if people are in love with each other, and wish to have society recognise that committed relationship, why should society not permit them to express that commitment via the institution of marriage? Obviously when it comes to religious institutions that is a different process, and the process of changing the views of religious institutions is something different. But we are a secular institution. We in parliament might start each day with a prayer, but we are a secular institution. Our Constitution provides for that. We also protect religions. Our Constitution provides for that. But we as a parliament must do what is best for all Australians, and how we can say to two people who are in love with each other that they cannot have a committed relationship recognised by an institution like parliament is beyond me.

I should stress that this is not the No. 1 issue in the electorate of Moreton. There are cost-of-living issues, there are people concerned about employment, there are people concerned about making sure that their job is secure and there are people concerned about education, health and the like. I understand that, but I think we as a parliament have time to revisit this. I thank the member for Melbourne for reintroducing this legislation. He served on the committee that I chair which looked at this bill—a committee that had the greatest number of submissions in the history of Federation; a committee whose members had a broad range of views. I see in the chamber the member for Latrobe, who was also a part of that committee.

The reality is that, if the member for Warringah agrees tomorrow to let the members of his 'free-thinking Liberal Party' have a vote and this legislation was passed, it would not change anything in terms of how I see my wife tomorrow. It would not change anything in terms of how I approach my family, school et cetera. But it would let people who love each other and who are committed to each other have the protections of an institutional arrangement that society has recognised for hundreds and hundreds of years as being a good thing.

The reality is that society has changed. Once upon a time, and not that long ago, homosexuality was in the DSM—the book used by psychologists in terms of approaching it as a treatable disease. Things have changed. It used to be in the Criminal Code in Queensland.
Things have changed, though there is still some discrimination in Queensland in terms of the age of consent for homosexuals compared to heterosexuals. The reality is that most of society has moved on and recognised that same-sex attracted people deserve all the same rights, the same treatment and the same respect as every other person. This piece of legislation is an important step to ensuring that.

I would urge those opposite not to just stand up and say, 'I care' or 'I would if I could'. You can. If those opposite believe this then, unlike the people in the Labor Party, who are bound by our rules that say we cannot go against the directions of the Labor Party unless we wish to become an independent, they can stand up and protest and say, 'I would support it.' But caring is doing; caring with words is hollow. You need to show how you care by how you vote. So I will be interested to see if we are allowed to see the member for Wentworth and some of those other more liberal-thinking members of the coalition support this piece of sensible legislation. I urge them to so do.

Ms O’Dwyer (Higgins) (11:10): Mr Acting Deputy Speaker, I seek leave to speak for 10 minutes in this debate on the Marriage Equality Amendment Bill 2012.

Leave granted.

Ms O’Dwyer: Social attitudes are constantly and rapidly evolving—perhaps nowhere faster than in the area of marriage and relationships. But I am not sure that they are moving at such a pace as to justify the reintroduction of this bill, coming as it does only six months after this place last considered the issue. That said, debate on the Marriage Equality Amendment Bill was guillotined with unseemly haste. So it is opportune for me to make some small remarks on the issue now.

In a volatile and rapidly changing world, committed, long-term monogamous relationships play a critical role in providing stability to couples and, in turn, their families and communities. Once this was provided almost exclusively through the institution of marriage but, over time, de facto or common-law relationships have become commonplace. The law views these in the same way as marriage, with the same rights, responsibilities and protections. However, only the institution of marriage provides for public declaration and promises sanctioned by the state. This, and society's longstanding appreciation of it and its solemnness, gives marriage its special place and power in our society.

As with many areas of social change, this special place means we should tread warily. Change should be incremental rather than disruptive. Change should be well flagged, and sanctioned by the people, and it should be the subject of broad community consensus. Fifty per cent plus one is not enough. Amongst other things, that means that, in this area, even more than in all other areas, we should abide by our commitments to the electorate.

In that regard, the coalition made a commitment before the last election that it would not support a change to the Marriage Act, and we continue to honour that commitment. In due course, I expect our policy on this area to evolve in step with society's views, and those views are complex.

I have been moved by many of the discussions I have had with people from both sides of this debate. I reject absolutely the notion that those who favour the status quo are homophobic or ignorant. With limited exceptions, those whom I have met have presented cogent and considered arguments—sometimes, but not always, predicated on strong religious views.
Equally, I reject absolutely the notion that those who favour change are radicals. I have met many people and the families of people in same-sex relationships who thoughtfully and powerfully presented their views and experience.

For completeness, I should record that I have met some and received letters from some on both sides of the debate whose intolerance of views different from their own I found wholly unpersuasive and, frankly, ugly. To those people I would say: you do significant damage to the cause you seek to support.

Personally, I am comfortable with the idea of same-sex marriage. I am comfortable with it, for so many of the excellent reasons outlined by my colleague the Hon. Malcolm Turnbull MP in his Kirby oration last year. I do not propose to go through each one in turn, given the limited time available, but I do wish to make this point: families are the bedrock of our society. I stated this in my first speech three years ago, just as I also stated that families come in all shapes and sizes. I believe that changing the Marriage Act by extending the definition to include same-sex couples will not lessen the status of families. On the contrary, I think that it will strengthen it by building stronger bonds of commitment between two people regardless of gender and sexual orientation.

There will be some people in my own family who will be disappointed with my personal position on the subject, because they have a sincere view that marriage is an institution between a man and woman. There will be others in my family, though, whose own ability to marry is predicated on such a change. In the end public life demands that we be true to ourselves and that we express our views in an honest and open manner no matter what the cost.

The coalition party room has not yet debated what our commitment will be on this issue in the upcoming election. There is one thing though on which there would be universal agreement: it is that with any change religious institutions such as churches, synagogues or mosques should not be forced by law to conduct same-sex marriages just as they are not forced to marry anyone today. Certainly this is my view. Naturally, this also highlights the distinction between the civil and religious institution of marriage and leads to the question of civil unions.

Civil unions represent gradual and incremental change in a highly charged area. They facilitate statutory recognition of enduring relationships which do not currently exist at a federal level. There is clear broad based support for them. They would allow the community to take stock, build further community consensus and then consider whether to move to same-sex marriage just as it has taken place recently in the United Kingdom and almost all other countries that have legislated for same-sex marriage.

Unfortunately, this issue has been hijacked by one political party that prefers to use the issue as a political weapon to divide the community rather than achieve any real progress or outcomes. Hence we stand here today debating a bill that the parliament has already addressed rather than taking some steps forward. I think that is a shame.

Ms SMYTH (La Trobe) (11:16): I am pleased to be able to make a contribution once again on the topic of marriage equality. It is a source of regret for me and I know for many people in my community of La Trobe who were unable to see success in the vote on the question of marriage equality which occurred earlier in this term; however, needless to say, it
does not change the expectations I had when I last spoke on this issue, and those are that, ultimately, we will see change in this area just as we have seen substantial change in relation to marriage and the status of people within the institution of marriage over the previous decades.

It is important to recall that fact, because some in this debate will articulate the case that marriage has been unchanging and remained cast in stone for centuries. We only have to look at the last 100 years to see that marriage has changed considerably for women and Indigenous Australians.

Australia agreed to be bound by the International Covenant on Civil and Political Rights in 1980 and, in doing so, it recognised the importance of equality before the law and principles of nondiscrimination—and those are principles which those on this side of the chamber hold very dear. Many members of the Labor Party have advocated for reform to reflect principles of nondiscrimination in a range of legislative means.

After winning the 2007 federal election, Labor moved very swiftly to amend some 85 or so Commonwealth laws to remove discrimination on the basis of sexual preference, and it was entirely appropriate that we did so. Accordingly, it has been a source of great pride to me to see many members of the Labor Party campaigning around the issue of marriage equality. In that context, I would like to put on record my commendation for all those in Rainbow Labor who have endeavoured to progress this debate as far as they could during this term. I do not think that they will end their efforts.

I said at the outset that this is simply one next stage in a long line of very important changes which have related to marriage and the status of married people in Australian society. I reflected on the role of women in marriage and their circumstances, and the role of Indigenous people and their capacity to seek to be married. Members may not be aware that, although women gained the right to vote in 1902, they could still lose their Australian nationality when they married a non-Australian national even as late as the 1940s. Before 1966, members will recall that many women had to resign from Public Service positions upon getting married. Though those things remained part of our system of law, at that time Australian society and Australian parliaments changed their views on those issues. Accordingly, I think there is the case and the capacity for change now in relation to the question of marriage equality for same-sex couples.

As I also reflected at the beginning of my remarks, Indigenous Australians did not necessarily have the right to marry a person of their own choosing as late as 1959. But that kind of discriminatory treatment in marriage changed after considerable struggle and considerable social change, including the 1967 referendum campaign. These are some of the changes that have occurred in relation to marriage. Indeed, we only have to reflect on the period around 1975 when we still had a fault-based system of divorce in this country. I know that some in this place may still want that to be the case, and I certainly disagree with that. And, fortunately, I know that many others also disagreed, with the effect that in 1975 we saw a much more humane approach to the already difficult decision to end a marriage.

So it is not the case, despite the suggestions of others in this place to the contrary, that marriage and all of the regulatory arrangements around it have remained fixed in stone. Accordingly, I think—as I thought in the earlier debate on marriage equality in this term—
that there is a case for change, that change is inevitable, and I hope to see it in the next few years.

Debate adjourned.

PRIVATE MEMBERS' BUSINESS
Costed Policies

Debate resumed on the motion by Dr Leigh:

That this House:

(1) Notes that:

(a) a bipartisan parliamentary report recommended the creation of the Parliamentary Budget Office, which is now operational having passed Parliament with bipartisan support;

(b) the Australian people deserve a proper policy debate in 2013, with all parties presenting properly costed policies; and

(c) the updated information contained in the Pre-Election Economic and Fiscal Outlook will not affect the cost of most policies, and therefore release of fully costed policies should not be delayed until then; and

(2) calls on all parties to have their policies costed consistent with the Charter of Budget Honesty, and release them to the Australian people in enough time to have a well-informed debate.

Dr LEIGH (Fraser) (11:21): Transparent, costed policies are fundamental to trust, to honesty and to having a good public debate. The Parliamentary Budget Office was created in this spirit. It was created following a bipartisan parliamentary report agreed to by members from both sides of the House, including the member for Higgins, who is here in the chamber, and Senator Joyce. The coalition support for the Parliamentary Budget Office, however, did not extend beyond that bipartisan report. By the time that the Parliamentary Budget Office came to be considered by parliament it had become apparent that the coalition's costings hole was far bigger than had been thought at the time the report was written. The coalition then stepped back from their support for the Parliamentary Budget Office.

This is a pity for Australian politics in general. Australian politics has always depended on a robust opposition which presents alternative ideas for the governance of Australia. That is critical to the operation of our great democracy. The coalition's tepid attitude to the Parliamentary Budget Office and the increasing suggestions that they will not place their costings before it, is deeply concerning to me and I think to many Australians regardless of their political views. I often meet people in my electorate who are Liberal Party voters—who have voted for the Liberal Party all their life and intend to do so at the next election—but they still say to me, 'I wish they would be a bit clearer about what they want to do; I wish they would be a bit clearer about their policies.'

The Labor Party in government have put in place significant savings. Since the global financial crisis, all of our new spending has been offset by savings. We will now spend less than 24 per cent of GDP over the forward estimates—something not achieved since the 1980s. This $154 billion of savings over five budgets has not been easy to achieve. To take one example: when we said that the baby bonus would be reduced from $5,000 to $3,000 for second and subsequent children, the member for North Sydney compared it to the one-child policy. When we have made targeted saves, such as getting rid of the outdated dependent
spouse tax offset—a measure that deterred secondary earners from working—we have been attacked by those opposite.

The opposition have, as a result of saying yes to every special interest but saying no to sensible revenue measures, got themselves into a substantial revenue crater. As a result, for example, of saying that they will repeal the price on carbon and repeal the minerals resource rent tax, they have a costs gap of around $70 billion. That is not my figure. Anyone who thinks that this figure is a Labor figure simply needs to go to the transcript of Joe Hockey, the member for North Sydney, on Sunrise on 12 August 2011. That is where the $70 billion figure comes from. Seventy billion dollars is equivalent to stopping Medicare for four years or stopping the pension for two years. It is a huge amount of money.

Where will the opposition get that from? We know a few things about what they will do. They have said they will get rid of the schoolkids bonus, a measure which is designed to help families with children at the times of the year when they have those education expenses. We know that they are going to scrap income tax cuts for around seven million Australians. Recently the member for North Sydney has tried to hide that. He carried out a doorstep with the Liberal candidate for Parramatta, who said that the benefit of the tax cuts would be $3 a week. But that is a figure that applies to a tiny fraction of those eligible. For the vast majority of Australian taxpayers, their benefit from these tax cuts—and the pain that they will endure if the coalition is to increase income taxes on seven million hardworking Australians—will be much bigger. Most receive at least $300 a year. Many part-time workers receive up to $600. The member for North Sydney was so embarrassed by that that he edited his own transcript to remove the reference to a $3 a week tax cut.

We know too that the Liberal Party would, if it were to attain office, establish a commission of audit. That is a well-worn Liberal tactic, used on attaining office by Premier Newman, Premier Baillieu, as he then was, and Premier O'Farrell. It is simply a way of failing to come clean with the Australian people about what you will do.

The opposition frequently say that they have had their policies costed. The member for Goldstein, Andrew Robb, will frequently say that he has policies in his desk drawer which have covers on them—it's great that they've designed those covers; I'm very happy about that!—and that they have been costed. But it is not clear by whom those policies have been costed. Have they been costed, as they were at the last federal election, by a team of dodgy accountants who were subsequently fined for saying that they had carried out an audit when in fact they had not? Have they been costed by a catering company such as the catering company that did costings for Scott Morrison on immigration? We know that the coalition have costed policies, but we also know that those policies are sitting in a desk drawer. You have to ask yourself: if these policies were so good for the Australian people, would they be sitting in the member for Goldstein's top drawer or would they be in the full glare of public scrutiny? I think Australian families know the answer.

We have some hints as to what the opposition would do from their statements on the goods and services tax. The opposition have said they are going to provide a larger share of GST to some states, which inevitably means they will have to provide a smaller share to others. So my colleagues in Tasmania and South Australia have raised concerns about the impact on their share of GST revenues if the opposition were to attain government.
We know also something about what the opposition might do as a result of two recent reports by Australia's two leading right-wing think tanks. The Institute of Public Affairs has put out a list, and Alan Moran of the IPA was quoted in the Australian on 16 March 2013 as saying:

Some items have been discussed with Coalition politicians, many of whom are in the agreement with the principles against which list has been developed. Those cuts include cancelling the first stage of the NDIS and abolishing the FaHCSIA division implementing the NDIS; abolishing Fair Work Australia and Safe Work Australia; cutting the general research budget by 40 per cent; cutting all Commonwealth housing programs; cutting all foreign aid, excluding emergency aid; abolishing the agriculture, forestry and fisheries programs; and privatising the ABC. They sound like savage cuts to me, but according to Senator Wong they amount to only $23.5 billion, so they are less than half of what the opposition would have to make in order to fill its costings gap.

Similarly savage cuts have been put forward by the Centre for Independent Studies. The Centre for Independent Studies have a TARGET30 report, suggesting that Commonwealth, state and local government spending should not amount to more than 30 per cent of GDP. That means significant decreases in the tax share for the Commonwealth government. The report is honest enough to note that Australia is now the third-lowest spending country in the OECD. Thirty per cent would make us the lowest spending government in the OECD. How would the Centre for Independent Studies reduce our expenditure? They would do so by cutting back on health, education and welfare. The Centre for Independent Studies want insurance vouchers in our healthcare system rather than the world-beating Medicare system. They want cutbacks to compulsory superannuation. They want to abolish family tax benefit part B and they want to stop the Gonski reforms. These are significant cuts.

Meanwhile, you have the Leader of the Opposition, with his DLP tendencies, going about the place talking about what he will spend. He said at a Brookvale Oval function, for example, that he wants to redevelop Brookvale Oval at a cost of $70 million. No-one knows where this money will come from. I hope that the Parliamentary Budget Office can contribute to a more transparent and open costings debate in Australia. Australians deserve no less.

Mr BRIGGS (Mayo) (11:32): I find it fascinating that a man who seeks to lecture the parliament regularly about evidence-based policy and having academic debate, and who is often fond of quoting Leon Lee on television programs—to the extent where some of his colleagues have Leon Lee bingo going on in their offices—would launch a savage attack on think tanks in Australia for having ideas and for discussing policy. Can you imagine people having different ideas to those of the Labor Party? I know we have a bill before the parliament this week which will talk about cutting down any debate in newspapers—exactly what the Labor Party like; the thought police—we now have the academic thought police over there. Here he is: the first person ever in Australian political history to be appointed to an opposition position from government. Can you imagine? They have made him an opposition waste-watch spokesman. Can you believe it? How embarrassing for the poor member for Fraser. He cannot get on the government front bench, so he is already on the opposition front bench from government. Now work that out.

It is a bit the same as trying to work out this motion. This motion is a bit of a joke being played by the Labor Party because if you look at the first point:
(1) notes that:

(a) a bipartisan parliamentary report recommended the creation of the Parliamentary Budget Office, which is now operational having passed Parliament …

That is true. Of course, it was policy announced by the member for Wentworth when he was the Leader of the Opposition in his budget reply speech in 2009. We did not hear that from the member for Fraser. We missed that on the way through his speech. It was actually the member for Wentworth's idea in the first place that we have a Parliamentary Budget Office, and so we do support a Parliamentary Budget Office. We support a Parliamentary Budget Office particularly because when each year you have a budget which says you are going to have a deficit—that is a word you guys in government are familiar with—which is a certain amount, but the final budget figures come out the deficit is far more than what was expected, we are looking for some independent costing numbers and analysis of the budget, because what we are seeing from the Labor government is nowhere near the true state of the Australian budget on a rolling basis.

Therefore, we are suspicious of and sceptical about the Labor projections in their budget. We know they are politicised. We know that there is influence put on the Treasury to change figures, to ensure that the budget looks more rosy than it actually is, and we know that the best way to ensure we get updated figures is to wait for the PEFO statement prior to the election.

That takes me to point (2) of the member for Fraser's motion, which:

… calls on all parties to have their policies costed consistent with the Charter of Budget Honesty, and release them to the Australian people in enough time to have a well-informed debate.

That is an interesting point. So let us have a look at the Labor Party record on releasing of costings before the election campaigns.

In 2004, when Mr Latham was the leader of the Labor Party—do you remember Mr Latham? I remember Mr Latham. I loved watching Mr Latham. In fact, he wrote a very good essay about the Labor Party last week. I really enjoyed it and I think he was spot-on. It was an interesting analysis by Mr Latham. He does have some very interesting insights into those on the other side. When he was the leader of the Labor Party in 2004 the ALP released their costings on Thursday, 7 October 2004. When was the election in 2004? It was on 9 October—within 48 hours. That was what we needed! So much for calls on the parties to have their policies costed consistent with the Charter of Budget Honesty and release them to the Australian people in enough time for a well-informed debate! Okay, fair enough—that was 10 years ago, and it was Mr Latham who was the leader at that point. We can forgive them for that. They would have learnt their lesson. The member for Fraser says we need a proper debate about costings. So, in 2007 when they were likely to win the election—they were in front in the opinion polls all year in 2007; we remember it well—when do you think they released their policy costings for that election? It is one you would be familiar with.

An honourable member: Months in advance, surely?

Mr BRIGGS: Well, they released them on 23 November 2007. The election date for that election was 24 November—within 24 hours! They even bettered Mr Latham's record! The member for Griffith, who of course they knifed in the back not long after he became the
Prime Minister, released them within 24 hours, to give the Australian public the proper time to have a well-informed debate!

If you think you are getting the smell of hypocrisy here, you would be right, because, in 2010, when they were actually even in government, when they had all the resources of government to prepare for the election campaign, when do you think they released their policy costings in that election campaign? On Friday, 20 August 2010. The election was 21 August 2010. So that was within 24 hours of the election, of people actually voting. The Labor Party and the member for Fraser think that is enough time to have a well-informed debate about policy costings.

This is absolute hypocrisy. This is from a government who put a mining tax in, and booked up $12 billion of expenditure based on a tax which has received $120 million in revenue. They booked up $12 billion of expenditure, based on $120 million of revenue. And we want to have a debate about policy costings! What an embarrassing thing for the Labor Party to do. It is the greatest own goal in the history of Australian politics.

Those on that side of parliament, who inherited a budget position of a $20 billion surplus in 2007, have turned that around to a $265 billion debt, with more to come, because we know that last week in parliament the Prime Minister and the Treasurer refused to rule out increasing the debt limit, and they want to have a debate about policy costings—with their record of releasing their policy costings within 24 hours of the election campaign!

We also heard the member for Fraser talk about the latest scare campaign which has been run in South Australia and Tasmania relating to the GST distribution. Let us step through what has happened here. The Treasurer and the minister for finance announced two years ago a review of the arrangements relating to GST distribution. That review has not been released yet. Mr Greiner, Mr Bracks and Mr Bruce Carter from South Australia—a well-connected Labor appointee—were on that review panel. We have not seen the final results of the Labor review. Yet somehow it is the opposition who have plans to change the GST distribution across the country—even though it has been ruled out that any state would be worse off. Even though it has been ruled out, they just keep saying it.

Jay Weatherill, the Premier of South Australia, desperate because his government is facing an absolute electoral annihilation next month, is out there today desperately trying to create another scare campaign. It has been ruled out, time in and time out—but it has not been ruled out by Penny Wong. We have not seen the Labor Party rule it out yet, yet on the other side they are making all sorts of accusations. Again, it is hypocrisy. You just cannot trust Labor. They are as trustworthy as a government which would tell you, 'There will be no carbon tax under a government I lead,' or, 'There's more chance of me playing full forward for the Western Bulldogs than rolling the member for Griffith.' Well, we saw how that worked out for the member for Griffith.

Finally, in the time left, I will make another point. This motion 'calls on all parties to have their policies costed consistent with the Charter of Budget Honesty', and we will do so. We will release them to the Australian people in enough time to have a well-informed debate. We have put well over 50 policies in to the Parliamentary Budget Office for analysis and costing. We are doing the detailed work. We have had an expenditure review committee, which I am part of, operating now for a couple of years, working through the budget and working through...
the Labor waste, the mismanagement, to find where we can improve the delivery of efficient services.

But a very important point which calls the lie on this motion has actually been made by the Parliamentary Budget Office itself at the recent estimates hearings. I refer to a media release from my good friend—now a new father—Senator Mathias Cormann, who says, 'PBO confirms election costings can’t be finalised until after PEFO released.' So let us go past all this spin, all this attempt to create a false scare campaign like the GST distribution debate, which the member for Fraser referred to, and like the costings debate that they are trying to create. We know from independent analysis that they have $120 billion that they have not been able to fund. We know that the carbon tax is not going to collect what they thought it would. We know that the mining tax is not collecting what they thought it would. They should not be talking about costings. They are the most fiscally irresponsible government in Australian political history, and the master of European economics over there knows it.

Mr STEPHEN JONES (Throsby) (11:42): The question before the House this morning is whether the September 2013 election should be contested around policy rather than personality, whether it is a contest around facts or fantasy and whether it is a contest around ideas or cant. We have heard a lot of cant in the debate this morning. In fact, you know it is Monday morning when the member for Mayo is going off like a Catherine wheel. There is more ecstasy over there than in an inner-city dance party. But the fact is that there is an important issue at stake here—that is, should the people of Australia, when they cast their ballots in September 2013, have all the facts before them about the contesting ideas, the contesting policies, of the two main parties that go into this election?

We know that oppositions are sometimes at a disadvantage when it comes to having their election policies costed. They do not have the same opportunities available as a government would to ensure that, from budget to budget, their policies are costed and scrutinised in the normal way that any government would. Oppositions are at a disadvantage. So, to ensure that we have a fair contest at the election, this government has put in place the Parliamentary Budget Office. The purpose of the Parliamentary Budget Office is to ensure that opposition parties, Independents, crossbenchers and minor parties have available to them expert, independent assistance in costing their policies so that, when there is an election, there is the capacity for the Australian people to look at and judge the competing policy prescriptions of both parties, based on independent costings.

Of course, there is some history in this country about election contests being fought out on great claims about the costings and savings that are available to opposition parties which are contesting the election, only to find, in the course of the campaign or after the campaign, that those costings are nothing more than a house of cards. In the 2010 election, for example, the opposition was making great claims about the savings that they had been able to find and that their policies had been fully costed and were able to be delivered, only for it to be discovered days after the election that there was an $11 billion hole in their costings. The so-called independent auditors that they had go over their costs have subsequently been significantly discredited.

There is a history in this country of oppositions not being forthcoming and fully frank with the electorate when it comes to having their policies fully costed. That is why we have set up the Parliamentary Budget Office to ensure that we do not do that.
The opposition has made great noise over the last couple of months about the importance of transparency in costings. We have had the member for North Sydney tell the Australian people that if the coalition are elected to office then he will be mandating a report on structural deficits—something that I actually welcome. I think that would be a welcome addition to the annual reporting of our national finances. They want to ensure that we have structural deficit reports but are not willing to use the facilities of the Parliamentary Budget Office and come clean with the costings that lie behind their policies.

We know there is good reason for that. We know that there is a $70 billion black hole within their election costings, on their own admission. And we see over the last 24 hours that one of the think tanks which is advising the Liberal Party has come up with a range of proposed savings, including cancelling the NDIS; abolishing Fair Work Australia and Safe Work Australia; cutting the general research budget by 40 per cent; cutting the Commonwealth housing program; cutting foreign aid; excluding emergency aid; and abolishing all agricultural, forestry and fishery programs. These are just a range of the savings. If these are the propositions that are being put by the opposition in the lead-up to the budget, they should come clean. They have told us that all of their policies are fully costed and ready to go; well, come clean with the costings.

Mr CRAIG KELLY (Hughes) (11:47): This motion makes reference to parties presenting properly costed policies and talks about the Australian people having a well-informed debate. Talk about utter bald-faced hypocrisy—how can the member for Fraser come in here with a motion that talks about properly costed policies when he is part of a government that simply cannot get any costings right?

Just last financial year, this Labor government predicted a deficit of $22.6 billion, but they were not even within a bull's roar of it. The end result was $43.7 billion—almost double what was forecast. Take their costings on the mining tax: it simply made this government a complete and utter laughing stock. Let's not forget the promise after promise after promise about returning the budget to surplus—another complete costings farce.

On policies, all Australians remember the government's policy before the last election, and that was: 'There will be no carbon tax under a government I lead.' But instead the good member that proposes this motion voted with the rest of this government to inflict the world's largest carbon tax upon our nation. So how can the Australian public have a well-informed debate about policies, when the track record of this government simply shows they cannot be trusted? It shows the public cannot believe a single word that they say.

Nine months into Labor's carbon tax, just look at the damage this toxic tax is wreaking through the economy. Only a few days ago, the Australian Securities and Investments Commission reported that there were 10,632 company collapses in the last 12 months. That is an average of 886 a month. In fact, under Labor's carbon tax the number of firms being placed into administration under distress is actually 12 per cent higher than what was experienced during the global financial crisis—12 per cent higher.

Look at some of the comments from some industry specialists. Tod Gammel, a partner with HLB Mann Judd, likened the carbon tax to pulling a leg from underneath a chair. He said:

The companies which have exposure to energy and other factors which are affected by the carbon tax in a significant way, the carbon tax and the costs related to it are having a significant impact on the ability of these companies to continue.
ACCI chief economist Greg Evans said:

Rapidly escalating energy prices caused by the carbon tax and other green programs are taking their toll on many Australian businesses. In energy reliant industries it is already showing up in job losses, investment and in the worst cases business closures.

AMP Capital chief economist Dr Shane Oliver said:

It defies logic to adopt a policy which even the Treasury acknowledges will lower our standard of living and be harmful to national productivity. The carbon tax is clearly having its toll.

The evidence is in. Labor's carbon tax has resulted in a record number of firms going to the wall with thousands of employees being laid off and companies forced to close factories that have stood for generations. And the damage goes on. The Treasurer has been crying about a massive hit to revenue, but what do you expect when you smash Australian businesses with the world's highest carbon tax? This government simply does not get it. We have seen the Treasury figures released that show that the national budget fell a further $4.6 billion into deficit in the first four weeks of 2013. That is over $1 billion a week. It is $164 million a day or $6,845,000 an hour.

We all want an informed debate, the one that Labor deceptively denied the public at the last election. There are two crystal clear alternatives at this next election. If the coalition is elected we will abolish the carbon tax. It will be our first order of business. The alternative, a vote for Labor, is a continuation of the damage that the carbon tax is doing. But not only that, under Labor the carbon tax continues— (Time expired)

Mr HAYES (Fowler) (11:52): I congratulate the member for Fraser in bringing this important notice of motion to the attention of the House. I am a little disappointed that those opposite, particularly after my good friend Craig Kelly's speech, are not standing up and supporting this. If you think that all cards should be put on the table, if that is what the submission is to this House, I actually agree. We do want to see all cards put on the table. We want to see what the spending requirements are, how people are going to make their pledges as we go forward to the next election and how they are going to be costed and delivered into reality in this place. Therefore I think the member for Fraser has done well in bringing this motion to us for our attention.

The Parliamentary Budget Office is a relatively new organisation which is providing independent and non-partisan analysis throughout the budget cycle of fiscal policy and also the financial implications of all proposals. As we move to the election, those opposite should take note that this is something that all parties, government and opposition, should be required to use in order to have their policies properly costed as well as assessed for the impact they will have on fiscal management. So far the Parliamentary Budget Office has performed exceptionally well in terms of its post-budget reports on election commitments of the parties, drawing attention to their impact on the budget's bottom line. So people cannot come in here and trash the Parliamentary Budget Office and talk about the carbon tax and the minerals resource rent tax as a justification for why they should not have some independent assessment of policies that parties are putting forward for government in the next term. It is just an inconsistency. The idea of having an independent assessor looking at spending and tax policies and providing a post-budget audit is something that ensures transparency and fiscal responsibility of political parties as election time comes around.
This should be something which is seen to be good for our democracy. Gone are the days when people could pork-barrel and make promises which were unsustainable and which they could not keep. Clearly, things will arise from time to time as to why things ought to be taken off the table, but people and parties should be held to account. You cannot do what the Liberals and the Nationals did last election and come out and say, 'We're not going to use the Parliamentary Budget Office because we do not trust them. We think they're compromised public servants.' The ones who were dealing with the Treasury in those days had a bloke called Godwin Grech, their trusted insider in Treasury who was giving them advice, and look where it got them.

Look what they did instead: they opted for appointing their own auditor. That is certainly different from having a parliamentary budget office. Normally auditors have to confine themselves to operating under professional standards, but the auditor they secured was found to breach the professional standards of accounting in preparing the audit. That is what they relied on and then we discovered they had an $11 billion black hole, which was pretty unsettling. And had they been successful in winning government, they would have been struggling to find a cure for that black hole.

If you look at what has occurred recently—and I know there is some difference between the Leader of the Opposition and the shadow Treasurer on this—you see that the Leader of the Opposition is saying, 'We're going to maintain all those compensations which flowed out of a carbon tax; we're going to maintain tripling the tax-free threshold'—but that is not the position of the opposition Treasurer. If that is correct, even the shadow Treasurer says that there is now a $70 billion black hole that is going to have to be filled. With due respect to Joe on this, he says, 'We're going to have to slash and burn to find savings to fix the $70 billion black hole.' We are indebted to him for being honest about that, but you cannot front up and do what they did last time, and simply thumb their noses at the democratic processes in this place, and say, simply, 'Trust us because we'll get it right.' Last time they did not; they were $11 billion short.

Mr McCormack (Riverina) (11:57): Before I follow the member for Fowler in this very important debate about the Parliamentary Budget Office, I would like to acknowledge, while she is in the room, the member for Gellibrand's great work in providing funding for Ungarie when, last year, that little village had a devastating flood go through it. People in that particular place waited and waited for the state to give it the necessary tick-off—and they are still waiting. Out of the goodness of her heart, the member for Gellibrand saw that there was a need, and she provided absolutely vital funding for it. I very much appreciated it and I very much appreciated her efforts in helping the Riverina flood victims after that particular devastation. Labor has been very good when we have had natural disasters. So I acknowledge that. But I also acknowledge the fact that, with this particular debate, Labor has not been very good—

Honourable members interjecting—

Mr McCormack: You cannot get all the goodness out of me, because Labor has not been very good for the business community. I know the member for Hughes has pointed out the fact that the dreaded carbon tax is contributing to a record number of firms going to the wall, going broke, with thousands of employees being laid off. Labor always says it is there for the workers, but unfortunately, with the carbon tax and the clean energy legislation,
factories which have stood for generations are closing, soaring energy bills are hurting households and company executives and corporate rescue doctors are trying to save ailing firms. But this is about the Parliamentary Budget Office and accountability.

If ever there was a sign that a government is not accountable, it is this particular Labor government. We have seen this government borrow more money in its five years than every other previous government from federation through to 2007 borrowed, which is a disgrace. It is important that the Australian public has access to all parties’ positions on different matters at election time and that the parties have had adequate resources made available to ensure they receive independent advice while formulating these, and the creation of the Parliamentary Budget Office has allowed for this. The establishment of the office in Australia has been a key element of coalition policy for a number of years, and when we introduced the legislation in 2011 the government followed suit a couple of days later.

The coalition has called for the establishment of a PBO from as early as 2009, and in June 2010 the Leader of the Opposition renewed this call. When the opposition called for a PBO in 2009 it was envisaged it would be modelled on the United States Congressional Budget Office, an office which does not provide policy recommendations—rather, it provides independent analysis of the revenue and spending implication of policy proposals.

We have seen Labor in recent weeks—even though we are not in an election campaign—spending or promising money like drunken sailors. With all due respect to drunken sailors, I do not think even they would be as frivolous with their money as this government have been with their promises to the Australian people—promises they know they will never have to keep. All we get from that side is leadership speculation and a dysfunctional, shambolic government.

Mr Perrett interjecting—

Mr McCORMACK: I hear the member for Moreton calling out. He should have been here earlier when I was praising the member for Gellibrand, who did a good job in her former portfolio. But Labor have not done a good job in any portfolio area—and certainly not in defence, where they have cut $3½ billion out of this vitally important portfolio area, and certainly not for small businesses. Somebody asked me the other day what the definition of a small business is. I replied, ‘It was a medium business when Labor came to office in 2007 and now it is a small business because of the cutbacks they have made and the harshness of the carbon tax’—helped by the member for Lyne to be brought in.

Mr Perrett: Hear, hear!

Mr McCORMACK: Yes; ‘Hear, hear’. He sided with you to bring in the carbon tax, which has had such deleterious effect on Australians all over the country.

This is an extremely important debate, because the call for updated information in the Pre-election Economic and Fiscal Outlook will not affect the cost of most policies and therefore the release of this document should not delay the release on policy, and that is where we differ. The Parliamentary Budget Office at the Senate estimates hearing on 11 February this year confirmed that they are unable to accurately finalise the costing of election policies until after the release of the PEFO, published by the Department of the Treasury and the Department of Finance. It will be the PEFO, which is the final set of budget numbers, by which the coalition will measure and cost our policies ahead of this year's federal election.
But let me tell you that after 14 September, if we are lucky enough to be elected by the Australian people, we will be accountable, our policies will be costed and we will get a budget surplus.

Ms ROXON (Gellibrand) (12:02): I also want to add my voice to this debate on this very important issue. Making sure that there can be provided to the public, covered in the media and part of any election debate that we have, a sensible discussion about the costs of various alternative policies is really important. The establishment of the Parliamentary Budget Office, enabling, particularly, the opposition and minor parties to be able to get their policies costed and to able to give the public confidence that the costings that are attached to those announcements are sound, could not be more important for the future of the country. But, unfortunately, the debate—as we have seen from some of the contributions already—has got to such a level that people no longer think that obtaining proper information and being able to have that reported to the public is something that we should even care about for the elections. I do not think there could be anything further from the truth. We need to make sure that proper information is available.

The reason I feel particularly passionate about this—and I know that members on our side have talked about the last election—is that I remember extremely clearly as the Minister for Health that just a number of days before the election the then opposition, seeking to be the government, had not released the costings of any of their policies. We were in the situation where we were close to media and advertising blackouts. We were literally days from the election. I think I was at a community chef facility in my electorate in Altona—a facility that makes meals on wheels for people; something funded as a regional project which has been very successful—and suddenly rather more people than you would expect to be at the Altona community chef facility turned up because the costings had just been announced by the opposition. They were audited but, as we now know, it was done by a very small firm which was professionally reprimanded for the work that it did having really accepted all of the assumptions—although many of them were flawed—that the Liberal Party had included in the work that they asked to be audited. I particularly remember it because these proposals included a quite breathtaking submission about what the PBS could cost in the view of the Liberal Party. There was no basis, however, for those figures being included. There was no detailed work done and no legitimate academic discussion, which of course, with a complex policy like the PBS, you might have. There was just an assertion that a billion dollars could be saved, where the only possible way of finding that saving would have been to increase copayments for ordinary consumers.

If in the election a party wants to come and say that is what they will do, the public should be able to then say, 'I actually don't want to pay more for my medicines,' or 'Yes, I agree that is worth it if it means we will do something else,' and have a proper debate. In fact, the media did not particularly run this issue. They said, 'The coalition says this and the government says that.' There was no assessment given of whether these were credible financial assessments or assumptions to make.

The Parliamentary Budget Office will now enable those sorts of last-minute sweeping and dramatic changes to be assessed and will provide to the public an independent view of whether those figures actually add up or not. You could not think of a more important thing that the public should be able to know. If we see the Liberal Party running away from having
their policies costed—as it sounds as if they are going to, from the contributions that have been made—we will know that the same shonky approach that they took last time is going to be taken again.

I particularly want to use the example of health, because it has a budget of more than $60 billion. It is an area where there are always going to be financial issues that people want to talk about. These issues very much affect the community and people should be entitled to know. I make this point because, five years ago when our government was first elected, I would have thought—I have not counted; it is a guess—that there would have been about 10 dedicated health journalists in the press gallery, and now, as we speak today, there is one, and that person is not dedicated to health; they do health amongst other things. So how can we rely on the media to be able to properly pick apart assessments that are made by competing parties? We need budget experts. This office will have them. They have all the protection that means that the information will not be released early. The policies of the opposition should be costed by this new office. (Time expired)

Mr PERRETT (Moreton) (12:08): It is great to be here with you in the chair, Mr Deputy Speaker Cheeseman. I rise to speak on the motion moved by Dr Andrew Leigh—the Young Economist of the year in 2011—about bipartisan support for the Parliamentary Budget Office. I note that the member for Lyons is in the chamber as well, and I thank him for his contribution on this important checkpoint for democracy. Like the previous speaker, the former Attorney-General, I well remember the last election and that incredible $11 billion black hole. We had the incredible situation where the accounting firm faced the legal equivalent of being struck off, basically: they were professionally reprimanded for the work that they did at the last minute, signing off on the dodgy figures delivered by the coalition before the last election.

Obviously we need to have an independent office that all sides of parliament can trust and that the Australian people can trust. As the current costing process shows, the opposition is out there crazily offering everything. It is not just the leaders; out in the electorates, the promises that are being made are incredible. We need to have them properly costed. I commend the member for Warringah for committing resolutely to $70 billion in cuts to services if elected. To put that in context: as the member for Gellibrand said, the health budget is $60 billion. So you are basically saying to health: 'We will have no health delivered for a year, and then there will be another $10 billion.' That is the sort of black hole that has to be cut.

That $70 billion black hole is an incredible black hole. Coming from Queensland, I have seen what happens when a government turns up and says, supposedly with a mandate, 'We are going to cut.' I come from Queensland, where nearly 15,000 jobs have been cut from the Public Service, and we have seen all of the accompanying damage caused to people when such front-line services are attacked. Let's put that $70 billion in context: it is the equivalent of cutting the age pension for three years. Mr Abbott has not backed away from it in any way, shape or form. That is why we need to have his costings put through the Parliamentary Budget Office: so that there can be a proper debate amongst all of the parties about properly costed policies, so that we can look at the Pre-election Economic and Fiscal Outlook and use that prism to determine whether their figures are dodgy or not, because we do not need a repeat of what happened in 2010.
We need Mr Abbott to say what he will do. He is committed to cutting the schoolkids bonus. He is committed to cutting anything associated with the mining tax, a mining tax that we know, and all Australia knows, is the appropriate price on our minerals. They can only be dug up once. It is a tax-collecting mechanism which will give benefits to the Australian community for the next 30, 40, 50 years.

The member for Goldstein said, on 18 August 2011:

The $70 billion is an indicative figure of the challenge we've got … if we start to impose some discipline we should be able to stop spending in the order of $70 billion …

Well, heaven help the people out there involved in delivering Commonwealth services. Heaven help the 20,000 public servants who are lined up by the opposition to sack, the 20,000 public servants who are out there doing the right thing by the Australian people, delivering services that are going to be in the crosshairs under the coalition if, heaven forbid, they get over the line on September 14.

Coming from Queensland, I have seen what happens. I have been looking for the press releases from federal Liberal and National party members of parliament from Queensland saying anything positive about or even criticising Premier Newman for the cuts that he has made. I know the member for Forde is reluctant to let things go through or slip past him. I have seen him on many occasions. But I cannot find on his web page any criticism of Premier Newman and what he has done to our electorates. The reality is that, if Mr Abbott comes in, trying to fill this $70 billion black hole, the people of Queensland and the people of Australia will suffer.

Mr VAN MANEN (Forde) (12:13): It is a pleasure to follow my esteemed colleague from Moreton, and to speak on the member for Fraser's motion on policy costings. The member for Moreton has spent a good deal of his contribution to this debate touching on the apparent $11 billion black hole in the coalition's costings for the last federal budget. If it were there, I would say it pales into insignificance compared to what we have seen this government achieve over the past three years, let alone compared to the past five years.

We have seen over the past five years this government rack up some $147 billion plus in deficits, and I think it is a tad hypocritical for the government to be lecturing us on policy costings when they have access to the full resources of Treasury yet they still cannot get their figures right year in, year out. Just for a bit of edification: the total government call on present and future taxpayers for the year finished was nearly 26 per cent of GDP. This was higher than in any year of the previous coalition government. The average over the term of the coalition government, over the 10 or 11 years, was some 23.4 per cent.

So I think we need to reflect on the facts of this debate. The facts are that the coalition, for 10 years of government, demonstrated good fiscal rectitude in ensuring that the Commonwealth's finances were managed in a consistent and well-considered manner for the benefit of all Australians. We have seen in the past five years of this government's effort that it has just gone on a spending spree with no consideration for the fact that, at some point in the future, this debt—now, in gross terms, some $263 billion—will need to be repaid. In looking at this motion by the member for Fraser, I think the government first needs to take a leaf out of its own book and get its own budget and policy costings in order. It is only the coalition which has a demonstrated track record of being able to actually achieve that.
Debate adjourned.

**Taxation**

Debate resumed on the motion by Mr Oakeshott:

That this House:

(1) recognises the need for comprehensive tax reform to maximise the standard of living for Australians for the next 50 years; and

(2) encourages the Treasurer to:

(a) release a 10 year road-map for comprehensive tax reform as a standalone Budget Paper as part of the 2013-14 Budget, and

(b) include reform for consideration beyond the 4 year forward estimates period.

Mr OAKESHOTT (Lyne) (12:16): As I did last year, I seek the support of the House to pass a motion that, in the upcoming budget, a separate document be attached to the budget papers that provides a 10-year road map on comprehensive tax reform and on how the budget is talking to those mid-term structural issues that the economy faces—not just the four-year forward estimates, as is the tradition, but more focused on the 10-year agenda, where so much of Australia's story lies. I hope that the House once again supports this motion. Because the House supported it last year, a document was attached to the budget papers. It was a very skinny document. It highlighted the need for more of that 10-year story to be told and for executive government to be encouraged to do more focused work on sharing the 10-year story. Really, the only item of any significance in last year's 10-year road map was the timetable on the transition from nine per cent superannuation to 12 per cent superannuation and the staggering of that transition over time.

Whether you like that policy or not, it is a good example of what Australia and this place need to do on a number of fronts. I continue to emphasise the need for comprehensive tax reform and for a 10-year story to be told as to how we are going to transition from 125 local, state and federal taxes in our country, where only four of them do 90 per cent of the lifting, to a more efficient tax base and away from the many, many inefficiencies in-built in our tax system, which will, if unaddressed, have a material impact on our standard of living as Australians. Up till now the comment has been, 'Oh, we can't afford this,' or, 'We can't afford that.' It really is getting to the urgent point where it is less about what we can afford and more about the point that we cannot afford not to do it. It will start to cause material damage to our standard of living.

This parliament has done many good things and much good work. Despite the comments of the member for Riverina, when I entered the room, about climate policy, I think that that is one of the important steps that has been taken in this parliament. It is a market based scheme that is a direct lift from the Henry tax reform work. It is a step in the right direction on tax reform as it is on responding to climate policy. Not only is it a market based mechanism responding to many of the science questions, but directly attached to that is a significant lift in the tax-free threshold from the middle of this year from $16,000 to $18,200. Again, it is a significant step along the journey of the Henry tax review recommendations, whilst he did recommend lifting the tax-free threshold through to $25,000 and removing even more people from the tax system altogether and all the inefficiencies that go with that both for individuals and government. We have taken in this parliament—to this parliament's credit—a significant
step in moving along that journey of lifting the tax-free threshold and removing many people from the burden on participating in the tax system on an annual basis at all.

I would hope that, as this place starts to move into election mode, both major parties start to put their cards on the table with regard to the lift to the $25,000 tax-free threshold. At the moment the position of government is not clear on that and the position of the opposition is not clear either, nor in public commentary is it clear on whether the $18,200 will be maintained or whether we return to the non-Henry recommendation, which is going backwards in the tax-free threshold and bringing nearly a million more Australians back into the tax system. I hope that can be corrected.

Some of the other good things this parliament has done are in the information communication technology and regional equity coming through on that. I am personally of the view that, so far from what I have seen, the differences in policy from either sides, whilst on the surface look like a fight between cat and dog over the NBN, when it gets down to the differences in detailed policy, they are not great. I would also say, likewise, that I hope on the big push on education policy with regard to secondary education funding and the delivery of regional equity on that front that we can make room for that to happen in the next six months. I hope that has bipartisan support when it happens.

All of those pressures make the point that there are big demands coming down the pipe in a policy sense and we have to make our tax system talk more to some of these challenges and talk more between local, state and federal considerations. It will, as I emphasised before, have a material impact on our standard of living if we leave this issue unresolved.

I think it has been a great disappointment that this parliament has not been able to get executive government to negotiate either through COAG or other means to put some meat on the bones of comprehensive tax reform and get some agreements happening on a whole range of inefficient tax issues whether in superannuation, housing or any of the 130 recommendations made by the very good work of the Henry tax review. Some of it has happened—the loss carry-back work with small business is excellent. The tax free-threshold lift coming in the middle of this year is excellent. The establishment of the Tax Institute for furthering the research base in some of these tax problems is excellent. The removal of low-income superannuation tax payments and the regressive nature of them is excellent, but they are cherry picking the nature of what is meant by comprehensive tax reform. It is sitting down with those state governments and working through in a negotiated environment the many issues of overlap, double-up and inefficiency that are frustratingly accepted by governments and to the direct detriment of the standards of living of all Australians.

I mention the ACT as a bit of a shining light in what they have done with stamp duty and housing, and the transitioning that happened there. What a great example for other states to consider, and for us as a parliament and hopefully for a government to consider as to how to facilitate that work for other states. They have a road map in place for the removal of stamp duty on property as a really good example and a challenge to other states to do likewise.

The mining royalties issue remains outstanding and could be a flagship for negotiation between the Commonwealth and states; we have GST payments now proving to be a point of conflict between the Commonwealth and the states; we have horizontal fiscal equalisation as a point of conflict between states like Tasmania and Western Australia and causing confusion to many and we have vertical fiscal imbalance that is putting pressure on both the policy and
political points between the Commonwealth and states. We cannot just leave these as unresolved. They are great opportunities to bring everyone in the room and nut it out. Unfortunately, for some reason we cannot get governments to get there.

Once again, I put the call on the table for the road map in the budget papers and that all of us pressure whichever it is we need to pressure to get comprehensive tax reform dealt with between the Commonwealth and the states; that we get a reduction in these 125 taxes that are currently in play; that we work the efficient taxes harder—four of them are doing 90 per cent of the lifting, so let us focus on those. Let us build an efficient tax system and let us lift the standard of living for all Australians.

Ms O'DWYER (Higgins) (12:26): I rise today to speak on this motion by Mr Oakeshott and I thank him for drawing this matter to the parliament's attention. The fact is, in the words of the member, it is clear that the Labor Party has presided over a tax shambles. During its time in government, we have seen more than 27 new or increased taxes brought into effect, and this is despite the fact that this government is already receiving more in revenue than was received during the last year of the coalition government. Why has it done this? It has done this because its view is very simple on the Australian economy. Unlike the Liberals and the coalition, who understand that you need to grow the economy in order to increase the living standards of all Australians, this government believes that you need to increase taxes. Not to grow the pie but simply to increase taxes.

The government needs to increase taxes because it has significantly and dramatically increased spending. This government is spending more than $90 billion more than previously spent by the coalition government each and every year. That is money that has been borrowed in order to fund the government's spending. It has not just been borrowed, but Australians are paying increased taxes in order to fund it. And to fund what? We know the list is long, and includes such things as the pink batts scheme and the $6 billion which has been the cost of the government's failure when it comes to border protection. These are just two examples.

But it is true to say that there needs to be a different way on tax. Let me hark back to the coalition's record when it comes to tax. The coalition was able to pay back Labor's $96 billion of debt and was able to provide for the future with a $70 billion Future Fund and a $6 billion Higher Education Endowment Fund, and it was able to deliver in the last year of government a $20 million surplus. In doing all of this, it was able at the same time to deliver significant company tax cuts in order to help and encourage business to grow and to employ. We saw during that time wages increase in real terms of over 20 per cent. At the same time the coalition also delivered individual tax cuts in almost every budget year. This meant that Australians were free to choose to spend their money in the way that they saw fit. The government takes a different view. It wants to tell Australians how it is that they should spend their money, and we fundamentally disagree.

Who can forget that before last election the Prime Minister and this government made a firm and solid commitment that it would not introduce the very regressive carbon tax? It promised this most faithfully, and within days of coming into government it reneged on that promise. We are seeing the implications already for Australian manufacturing and Australian industry. It goes to our ultimate competitiveness, and we are competing not only in our region but also throughout the world and we need to ensure that we can be competitive. A carbon tax does not assist us in this. The chief economist of AMP recently said that a carbon tax is
clearly taking a toll. This comes off the back of business leaders who have warned that it is having a direct impact on business. Figures that were recently released show that 900 Australian firms are currently being placed in administration each month. This is indeed a record high and it is 12 per cent higher than during the GFC. There is no doubt that the carbon tax is making a bad situation even worse, even more difficult.

In addition to the carbon tax, this government has also introduced a mining tax that it linked to increased spending, $15 billion worth of increased spending. We were told that the mining tax in this financial year was going to deliver $2 billion. Yet this government is so ineffective when it comes to introducing legislation, including taxes, that the revenue raised is only $126 million. We said it was a flawed tax. It clearly is a flawed tax and it should be gone.

Coming back to the motion before us today, it is clear that there is much more to do on tax reform. The Henry tax review, a multimillion-dollar review instituted by the government, made 138 recommendations but less than a handful of those recommendations have been implemented. In fact, some recommendations—for instance, not to make any changes to the superannuation guarantee—were ignored, which is rather surprising. We live in a global world and we need to be globally competitive. Being globally competitive with our tax system is critical. The tax review recommended a reduction in the company tax rate to 25 per cent over time, and a commitment to minimise the rate of company tax is one that in broad terms we accept. But from this government we have seen no progress, with the government scrapping its own long-promised company tax cut in last year's budget. We have seen the government's latest efforts in the previous budget to increase the effective tax rate for many companies by moving to monthly tax collection, which again was not one of the 138 recommendations. This increases companies' effective tax rates through funding costs to cover working capital requirements and compliance costs. Far from making Australia's tax system more competitive, we have moved backwards.

PwC recently provided a report on this subject, *Paying Taxes 2012*. It analyses the significant ground that we need to make up in Australia. Australia is ranked 52nd of medium-sized companies paying taxes and government-mandated contributions. Competitor economies in the region rank far higher, with Hong Kong third and Singapore fourth. But company tax is not the only area where the government's response to the Henry tax review has been found wanting. We have seen no progress on removing inefficient state taxes, with the government refusing to consider a proposal prepared by the states to reduce stamp duty, nor will it consider one on removing distortions in the taxing of savings.

With the Asian Century white paper, we have clearly not learnt some of these lessons, and these are lessons which are very salutary and ones which we need to institute as a matter of urgency. We need tax reform that is efficient and fair. We need to ensure that we can, through our tax system, have people take home as much of their pay that they have earned as is humanly possible. The government can do this by managing the economy well and by refusing to implement new taxes. We have already heard in the Prime Minister's Press Club address that she plans on introducing potentially new tax imposts on superannuation in the upcoming budget. This would be a significantly regressive step and one that we would argue very strongly against.
Tax reform should be a priority. Tax reform has not been a priority of this government. If the coalition is given the opportunity to govern again in September this year we will ensure that tax is placed at the top of the agenda. *(Time expired)*

**Mr RIPOLL** (Oxley—Parliamentary Secretary to the Treasurer) (12:36): I take great pleasure in speaking on this motion moved by the Independent member for Lyne, which recognises the need for comprehensive tax reform to maximise the standard of living of all Australians over the next 50 years. That is something that this government has been very committed to for a very long time, not only in government since 2007 but also when we were in opposition. He also encourages the Treasurer to release a 10-year road map for comprehensive tax reform as a stand-alone budget paper including reform considerations beyond the four-year forward estimates.

This is something we support. This is something we are currently doing. This is something that this government is committed to. It is a good idea and an idea that comes forward on a similar motion that was supported prior to last year's budget where a road map was produced—I have that here with me today and, hopefully, I will have enough time to say to a couple of things specifically contained in that road map. I am happy to speak on these matters because it gives government members an opportunity to highlight all the good things that have been done. If you listen to the opposition you would think that nothing had been done and that it was all negative. That is very far from the truth; it is just not the case. In fact, there are many things that this government has done in terms of a proven track record on tax and transfer reform. We understand the importance of a stronger, simpler and fairer system, without question, and that is why we commissioned a root-and-branch review of the tax system so that we would have a document that we could all go to, done by an eminent Australian, that would give us some guidance, as well as come forward with our own road map of where, as a government, we believe we need to move forward.

Since that time we have progressed nearly 40 measures advancing the recommendations of the tax review—not just a handful, but 40—40 significant measures that make an enormous difference to ordinary people. Many of those important reforms were detailed in the 10-year road map that we published after the last budget. Last year's reform road map provided a vision—a vision to the country—and it was a vision that promoted investment and productivity growth, where we simplified tax arrangements for small business and introduced loss carry-back to spur adaptation and innovation. We are encouraging investment in infrastructure over time and we are lifting the nation's savings by boosting the superannuation guarantee. These are not small matters. These are monumental reforms—reforms that have come after a generation of, perhaps, change and languish. It is a great thing that this Labor government was able to bring that forward. We have also tripled the tax-free threshold which means there are a million more Australians now that do not even need to fill in a tax return. I remember for a very long time ordinary Australians at the lower end of the income scale saying, 'Why shouldn't it be that there should be a higher tax-free threshold?' Well, guess what? This Labor government agreed. We shifted the tax-free threshold from just over $6,000 a year to just over $18,000, and we will progress that through to $19,500 in following budgets. That is significant. If you did just one thing out of the 100-plus recommendations and it was just that one, you would be doing pretty well as a government, and we did it.
We have also phased out a whole range of outdated barriers to participation, particularly workforce ones. So our vision for a fairer, more sustainable tax system is not just rhetoric. It is not just talk and reports. It is delivered. It is already there—including $47 billion worth of income tax cuts in the first three budgets of this government, at a time when we, like the rest of the world, were facing one of the most difficult global financial situations that anyone has ever faced, at least since the Great Depression. But this is a government that stumped up and did the right thing. We did the reviews and we followed through with significant reforms, because that will set up Australia to be a stronger and fairer place for all Australians.

We are going to do it again in this budget. As all budgets are, this is going to be tough. But we are going to do the right thing. We have also managed to pass the clean energy future package and a compensation package—something that the opposition when in government never did. When they increased a tax, they never compensated people or adjusted, particularly for people on lower incomes.

For Australia’s 2.7 million small businesses, we introduced an instant asset write-off for each and every asset worth less than $6,500. This was a significant reform and makes a huge difference to small business. We also did the loss carry-back, which is extremely good for companies, and we have simplified small business cash-flow tax arrangements to make it easier for them. Also, the release of the tax review in 2010 was the start of a national discussion on tax reform that we have continued with the tax forum and ongoing consultations. Labor has always been committed to tax reform and helping business, ordinary people and companies alike. (Time expired)

Mr ALEXANDER (Bennelong) (12:41): I thank the member for Lyne for this motion on tax reform and the opportunity to talk on this important issue. Whilst I understand the member’s motive, there is a fundamental flaw in this motion and, as a result, I will not be giving it my support.

Reading between the lines, this motion recognises that the government's tax policy is a mess. This position I agree with. There has been the failed carbon tax. There has been the failed mining resource rent tax that has raised virtually no money at all after administration, implementation and advertising costs are taken into account. There was the failed tax reform in October 2011. There was the government's extensive and expensive Henry tax review, but only 3½ of the review's 138 recommendations have been implemented—so much for following through. There was the failed business tax working group, with rumours that the government will still seek to use the discredited measures resulting from the working group. There are 27 new or increased taxes this government has implemented since coming into power. There is the $8 billion in company tax receipts the government brought forward in the 2012-13 MYEFO, and there is the $8 billion that this government has ripped out of superannuation since coming to power in November 2007. All of these points lead to one undeniable fact: that this government's tax policy is a mess. I agree with the member for Lyne that our government needs and deserves a much stronger quality of planning to form the foundations of reform in our taxation system and that this reform will help to maximise our constituents' standard of living over the long term.

However—and this is where I diverge from the member for Lyne—the solution will not be achieved with the request to this Treasurer to release yet another aspirational addendum to the budget papers. History has shown us that the words and numbers printed on these documents
are often not worth the paper they are written on. My constituents in Bennelong will remember the government's promise in the 2010-11 MYEFO to commit $2.1 billion to the construction of the Epping to Parramatta rail link. Two and a half years later, not a penny has been spent, not a sod of soil has been turned.

It should be noted that our Prime Minister had the gall to return to this very location recently and make more promises to win these seats in Western Sydney, including a promise to fund roads in the region to $1 billion. Sound familiar? Well, if you con me once, shame on you; if you con me again, shame on me. People of Western Sydney, do not be shamed. This government has shown time and again that it is simply not up to the task and that it simply cannot be trusted.

The solution to this problem is not to tinker with this government's reporting obligations. The solution is to change the government. Regional communities like those represented by the member for Lyne can benefit greatly from tax reform; but, as we saw with the Henry tax review, this government is simply not fit for the job. The constituents of Lyne must question whether their member's decision to support this government was the right one.

One hundred and fifty years ago, the United States government, under President Lincoln, used 30-year government bonds to build the Transcontinental Railroad. Fifty years ago, the Japanese government built their first bullet train through a combination of low-interest loans and government bonds. There are many ways that tax policy and good governance can be used to build Australia and to increase the standard of living for our constituents. However, all this government can do is to make promises that get broken and then they fight each other over who is going to sit in the leader's chair. The government of a young country with great potential must have vision and the capacity to make long-term plans and then commit to the course to fulfil this potential. This course must not be changed on a daily basis to gain a favourable headline. Direction must remain steadfast. This government has lost direction by their own admission. They are constantly distracted on the bridge, and that puts us all in peril now and in the future. Strong policy requires leadership and long-term planning, and this will only be achieved through a change in government.

Ms RISHWORTH (Kingston) (12:46): I see this motion as an opportunity to debunk some of the myths put by the other side to our being a significant reforming government when it comes to tax. Our government has been working very hard to reform the tax system. In fact, many of the reforms that we have made have directly benefited people in my electorate, and they have particularly benefited low-income earners—and I will go through some of them later. In terms of the myth that we are somehow a high-taxing government, I think the 'facts' are wrong there. It is actually the previous coalition government, the Howard government, that is the greatest taxing government on record. In fact, the tax-to-GDP ratio will be lower than 22 per cent in 2012-13—that is significantly lower.

If we had kept the tax regime of the Howard government, we would have collected $30 billion in extra tax. But we believed when we came to government that tax reform was a must and that tax should be given back to the people who deserved it. Our first action was to give $47 billion worth of tax cuts. This was a significant reform and it came soon after we were elected to government. We delivered those cuts to low- and middle-income earners—to those people who needed tax relief the most.
But we did not stop there. Indeed, we took one million people out of the tax system by increasing the tax-free threshold to $18,200 on 1 July 2012, and then from 1 July 2015 it will be increased to $19,400. No-one can underestimate the impact that this will have for many low-income earners. It is not only that those in the workforce are able to pocket more money but that people are encouraged to get into the workforce because they are not being penalised. That is only the case under this government, because we know through slips of the tongue by the shadow Treasurer that the Liberal Party, if they were to ever get elected, will put those million people back into the tax system. They will make them pay tax. They will discourage them from entering the workforce and from participating in the workforce. This is very short-sighted by those opposite. We are proud of this particular reforming aspect—and not only that, we have also made a significant change to the effective tax paid on superannuation by low-income earners. Indeed, at the moment there is a flat tax rate for superannuation concession contributions. As a result, that flat tax rate has led to low-income earners receiving little or no concession. It is this government that is addressing that and that will provide a superannuation contribution of up to $500 annually for individuals on adjusted taxable incomes of up to $37,000 to improve the equity of the superannuation taxation arrangements. These two measures together say clearly to low-income earners, 'We are going to help you now, provide you with tax relief now, so that you can participate in the workforce; but we will also provide you with tax relief and tax help when it comes to superannuation, when it come to saving for the future.'

Those two incredibly important measures were opposed by those opposite. The shadow Treasurer has also said that he will put the tax back onto low-income earners when it comes to superannuation. It was very interesting to hear the previous speaker talk about tax on superannuation. It is those on the other side that have a plan to put tax back onto superannuation—indeed, onto those who have the most difficulty in earning.

These are two very significant tax reforms. Time does not allow me to get to the many, many others. We have certainly enabled people to have better cash flow in their small businesses through the loss carry-back and the instant asset write-off. These two measures help with the cash flow that is so important for small business. It is something that the previous government ignored but that we have allowed. Indeed, it encourages investment. There is a plan for the future. (Time expired)

Mr VAN MANEN (Forde) (12:51): I thank the member for Kingston for her contribution, trying to sing the praises of this government's tax policy. Let me enlighten her on a couple of facts. Firstly, in relation to the tax-free threshold, the low-income tax offset that we had prior to this meant that there was an effective tax-free threshold of $16,000. So there has only really been a small increase to $18,000, and the government also increased the base tax rate from 30 per cent to 34 per cent for those earning more than $18,000. So it is the usual pea and thimble trick of this government; it just highlights where this government really is in terms of tax policy.

I would like to thank the member for Lyne for his motion, the intention of which is well made. However, given that he has been in a position for the past 2½ years of holding the reins of power, so to speak, I find it quietly strange that he has not used the opportunity in the past 2½ years to advance the points that he sets out in his motion. I think it is quite hypocritical that, not having used that opportunity, he now puts this motion before the House. That is
especially the case if we have a look at his voting record on some of the key taxes we have seen over the past 2½ years. He supported both the mining tax and the carbon tax. I wonder why is he putting this motion before the House when his track record in voting for new or increased taxes is pretty much unblemished.

At the end of the day, Australians need real action to get things done. In the past five years we have seen a great deal of focus on ways to achieve tax reform. One of the first acts of the Rudd government following its election in 2007 was the so-called root and branch review of the Australian taxation system, the Henry review. The review cost in excess of $10 million, received over 1,500 submissions, consisted of a panel of five experts and produced more than 1,300 pages. In the end, it contained 138 recommendations, of which the government claims to have progressed less than a handful. In the fallout from the 2010 election, the government made a major tax reform promise to the Independents. It promised to hold a summit. Imagine that—this government holding a summit! Of course, at this stage we had previously ruled out a carbon tax and the fourth iteration of the mining tax. The million-dollar tax forum subsequently held in October last year led to a major new tax initiative, the Business Tax Working Group. This new group was charged with doing the government's work to find savings to pay for a company tax cut. Reviews, forums, summits, working groups: it is all talk and no action—other than introducing new or increased taxes. In the past five years, we have seen 27 of those coming from the Labor government, the most notable being the carbon tax and the mining tax, with one, the mining tax, mentioned in the Henry tax review.

The motion goes on to talk about having the government release 'a 10-year road map for comprehensive tax reform as a stand-alone budget paper'. We cannot go six months without this government's budget blowing up. In the past nine months, we have seen countless examples of a government without a stable and consistent approach to tax, and we have seen poor judgement time and again on the implementation of tax legislation. At the end of the day, there is no doubt that Australia needs a much higher standard of planning to underpin reform in our tax system.

We as the coalition can confirm that we will not support this motion. As we have seen more than enough, this government is not up to the task. So the solution is not to call on the government to lift its game; the solution is a change in government.

Debate interrupted.

BILLS

Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013

Second Reading

Mr MORRISON (Cook) (12:57): I move:

That this bill be now read a second time.

The DEPUTY SPEAKER (Ms O'Neill): Is the motion seconded?

Mr Van Manen: I second the motion.

Mr MORRISON: I am pleased to be part of the second reading of this private member's bill to restore temporary protection visas to the suite of measures that are necessary to bring to a halt the historic level of failure on our borders that has characterised, and been experienced.
under, the governance of the current government. Prior to the 2007 election, the member for Kingsford Smith said to Steve Price, then with 2UE:

… we'll change it all …

He later sought to distance himself from those comments. But, when it comes to border protection, there was no truer statement issued by any member of the now government than that. This government has changed it all when it comes to border protection in this country. It has changed all of it, every last little bit of it.

Those changes started with the abolition of the Pacific solution back on 8 February 2008, described by the then minister for immigration, Senator Evans, as his proudest moment: the abolition of the Pacific solution. They broke their promise to turn back boats, a promise made just days before the election in 2007. Prime Minister Rudd walked away from that commitment. They abolished temporary protection visas, putting permanent residency back on the table for people smugglers to sell. They did that, interestingly, on my birthday, on 13 May 2008. They abolished temporary protection visas. They abolished turning back the boats. They abolished the Pacific solution. They abolished at all. They changed at all.

But they did not stop there. They abolished the single officer review process for decisions made in the process of determining whether someone is a refugee. Now, that is the process adopted by the UNHCR all around the world. Abolishing that process and putting in place a series of subsequent appeals mechanisms have revealed again today, as have previous figures, that if at first they do not succeed, an asylum seeker coming by boat will certainly try and try again, because they have a 75 per cent chance of that 'no' decision being overturned. So noes are routinely turned into yeses if you come by boat.

They restored full access to the courts when they took their decision to effectively abolish any of the legal protections for Australia that existed in having excised offshore places. The notion that this government have moved on excising the entire Australian mainland when it comes to whether people have access to the courts is a complete nonsense, because the government had already moved to give them full access to the courts. So they abolished that as well.

This government also, in effect, abolished mandatory detention. But they did not do it because they thought it was wrong; they did it because the detention centres were full. The detention centres had become so overwhelmed due to the scale of arrivals that has occurred under this government's failed border policies that they just had to let people out. They had run out of options. They had blown the budget. People who were in centres burnt them down and those involved in riots and all sorts of outrageous behaviour got away scot-free—except for maybe one, possibly two, who were actually convicted for their roles in those offensive and outrageous acts that took place, as Australians looked on and watched detention centres burn to the ground.

They abolished mandatory detention and in late 2011 they released people into the community with work rights. I remember warning at the time that this was basically giving those who were seeking to come by boat everything they were looking for—straight off the boat, straight into the community and straight into the opportunity to have work rights, they were getting and continue to get what they paid for.
This was the complete removal of every last brick in the wall that John Howard built up as former Prime Minister of this country to ensure we had strong borders. They have knocked that wall down in its entirety. It is all gone. Lately, they have made attempts to try to rebuild what they destroyed but in the rebuilding, having been dragged kicking and screaming, they have shown neither the conviction nor the competence to put those measures back in place, at least in terms of the Pacific solution.

I briefly mention again this government abolishing mandatory detention. They have now embarked on a system of release into the community that has no safeguards, no guidelines and no protocols to not only protect those who are released into the community but also provide appropriate protections for the community itself. A few weeks ago, I made the point that the government’s lack of guidelines and processes around their community release program needed to be addressed—it does need to be addressed and it still needs to be addressed. This government will not address it. Their policy now on community release is ‘out of sight, out of mind’. Their policy on community release is ‘no care, no responsibility’. So we have seen every last brick in John Howard’s wall of border protection knocked down by this government. What has been the result of all this?

We know that former Prime Minister Rudd started the boats and we know that Prime Minister Gillard has been unable to stop them, and she will never be able to, because this Prime Minister and her government lack both the policy and the resolve to address this issue, as has been demonstrated. The result has been chaos, cost and tragedy. The result has been that more than 30,000 people have arrived illegally by boat, on over 580 boats, ever since this government was elected; over 1,000 people are dead in the water; over $5 billion in budget blow-outs since the last election alone and over $6 billion since they were elected; and 8,100 people who would have otherwise got a permanent protection visa under our refugee and humanitarian program, our offshore program, did not get those visas. They were left out—out of sight, out of mind. No visas for those who are waiting in places around the world in desperate situations that, frankly, none of us could really imagine unless you have physically been to some of those places—and I have seen some of those places firsthand.

In the latest statistics which have been released by the department for the year 2011-12, 10,384 Afghans made applications under our offshore refugee humanitarian program. Of those, 712 received a visa—just seven per cent. Of the 2,058 people from Afghanistan who arrived illegally by boat and had their claims assessed in that same year, 96 per cent of them received permanent visas. So under Labor’s policies if you are an Afghan seeking asylum you are 13.7 times more likely to get a permanent visa if you get on a boat rather than apply offshore. Why wouldn’t you get on a boat under this government, frankly? If they are the odds—13.7 times more likely—then that is called a people smugglers’ product. It is in high demand and will continue to be if it is 13.7 times more likely.

The number of permanent visas given to Afghans who arrived illegally by boat was three times higher than the number given to offshore applicants from Afghanistan. Three times more visas, in absolute numbers, were given to those who came here illegally by boat than to those who had applied offshore. That is despite the fact that there were five times the number of applicants offshore. But they are out of sight, out of mind. This government is favouring those who have come by boat, through their process, their decisions and their abolition of the measures that worked under the Howard government. According to the most recent stats from
the Department of Immigration and Citizenship for the 2011-12 year, 40,000 offshore applicants were rejected and did not get visas last year. That is 85 per cent. That is compared to nine per cent of rejections for those who turned up on boats.

Under Labor's policy, people coming on boats are getting what they paid for. There is nothing that will underpin a business model better than that. They are guaranteeing the result through the evidence I have put before you. For those who seek to come on a boat, under this government it makes eminent sense, even at the risk to their own lives. The odds of getting that permanent visa are significant. They are significantly greater than if you apply offshore through the more regular process, as tens of thousands do. It is often put to me: 'But they can't apply offshore.' Over 10,000 Afghans applied offshore in 2011-12. Seven per cent of those got a visa.

This bill is designed to take permanent residence off the table for those who come to Australia illegally by boat. This bill is about putting back in place this key measure—while I hope the government would adopt all the measures, I know that is a forlorn hope—and ensuring that permanent residence is not something that will go on the table.

The measures are twofold. The first of those measures enables those who have come directly and have entered Australia illegally by boat or otherwise to be eligible for only a temporary protection visa, and that temporary protection visa would have attached to it certain rights. Those rights would include things like the ability to work. The difference between a temporary protection visa and a bridging visa is that a temporary protection visa is exactly that—temporary. It is given at the end of the process where someone has been found by the process to be a refugee. A bridging visa is given to someone who has not been found to be a refugee as yet. In fact, no-one who has arrived since 13 August last year and is out there in the community today has had their claim even assessed, let alone determined.

A temporary protection visa would go to those who had completed the process. A temporary protection visa would be given to someone not at the expense of someone who has come through the proper method through an offshore application. The coalition's policy delinks the two programs. Not one permanent protection visa offered under our system will be given to someone who has directly arrived by boat. The government system takes those visas out of the same pool, so everyone who continues to come by boat will continue to take a visa from someone who has applied offshore. That is the government's policy.

Our policy of temporary protection visas does not do that. Our policy separates the two. The other thing our policy does, which is encapsulated in this bill, is that it puts a statutory bar on permanent residence for anyone who has come through a country where they could have made application to have their refugee status assessed—a secondary mover as it is known. So someone who had that opportunity, in Indonesia or Malaysia, for example, if they were found to be a refugee if they arrived in Australia and were in the position of gaining a temporary protection visa, there would be a statutory bar against that person going onto permanent residence and, therefore, obviously citizenship as well.

These are the sorts of measures you need that we had in place last time that were part of the overall package of measures that ensured that the boats stopped coming as they did—it is a fact; they did. It was the result. It was the purpose of those measures, and those measures achieved that purpose. I contrast that to the measures that the government has put in place—
measures that abolished it all, changed it all, removed it all—and the consequences have been chaos, cost and tragedy.

The government should today, I think, be as boisterous in talking up their abolition of all these measures as they were in 2007, if they really believe it, if they thought that was the right idea. But if they do that then they need to take responsibility for the results: 33,962 people turning up on 582 boats; more than a thousand people dead in the water; more than 8,000 people denied permanent visas who are waiting offshore and languishing in camps around the world and other places; and more than $5 billion in budget blow-outs as a result of their failures. The government should be accountable for those failures. (Time expired)

Mr LAURIE FERGUSON (Werriwa) (13:12): The previous speaker well knows that this is going to be totally ineffective. This is a guise from an opposition who is not prepared to support the government in defending Australian jobs with regard to a long overdue attempt to bring in further stipulations on 457 visas, an opposition whose total dereliction of duty led to the worst abuse in the Australian immigration system: the blow-out of the international student intake led to racist attacks in this country and more extreme elements of the Indian media because a person stabbed his wife to death; because a friend of a family in Melbourne was responsible for the death of a child; and because Indian nationals in the Riverina were seemingly murdered by their employers in a dispute over wages. This country was ostracised, attacked and hailed as racist in India because of the mess created by the previous government.

They will not take responsibility for the that dereliction of duties but what they are trying to do is increase wariness in the Australian population, to increase a sense of worry and terror: that we cannot trust people coming into this country by boat. We saw this more recently with regard to the rather flamboyant suggestions that whenever an asylum claimant is released into society the local police should be told. The local community should be advised, despite the fact that the statistics, the real world, says that the level of criminality committed by asylum seekers in this country is far lower than the general population.

What we are seeing today is a rather perverse attempt to give some cover to a policy they know will fail. The previous speaker spoke about the numbers of people in recent years who have entered by boat. He said 'It's a fact that the boats stopped' because of their policies. In the year of the introduction of the temporary protection visa measure and the two years after that, 12,000 people came by boat. Yes, the number of boats eventually declined; but, if it is to be connected with this policy, it would seem to have had a very long term impact, as it was not traceable in any measure for about two years afterwards. One would have thought, from his account, that these people sitting around the coffee shops in Jakarta would have picked up the message earlier.

This is again an indication that the level of boats coming to this country is very much to do with what is happening in countries overseas in regards to human rights abuses, racism, discrimination, torture and murder, than it does to do with the policies within this country itself. I attended a function on the weekend related to the 20,000 Pakistani Shia that have been murdered by bombings and direct assassinations over the last few years. This is the kind of reality that drives the boat arrivals. It has very little to do with these so-called cure-all policies that the opposition come forward with. Yes, they have a problem with the large numbers of boats coming to this country, but they do not have the solution. Temporary protection visas are another example of when they did not have a policy.
One of the brilliant outcomes of their policy—and the member for Cook did refer to those boats, and I talked about the boats that kept coming after the introduction of this policy—was to stop family reunions. What did we see as a result of that? In 1999, 12 per cent of claimants coming here by boat from Iraq and Afghanistan were women and children. It was a magnificent accomplishment on their part because, two years later, the number of children and women coming by boats increased from 12 to 42 per cent. It was augmented. Because people were not allowed to bring their families here, they started to come by boat, endangering themselves and leading to tragic events such as SIEVX in October 2001, where three-quarters of the 353 people who drowned—dead because of those policies—were women and children.

This is just a guise, a pretence: they are so brilliant and know so much about this policy area that they alone in the world can stop the movement of people. Europe faces it, North America faces it, but they alone in international leadership are going to accomplish the end of this. They know it is not true and they know that, in reality, the arrival of people by boats and in planes is related to what is happening in their homeland. It is not traceable to the level of poverty and socioeconomic problems in the country, although that is a factor. Clearly, people coming here in these boats, as I said the other day, originate from countries where there are very real and continuing human rights abuses.

We have seen in the last week a degree of truthfulness from the opposition. They are confident that they will win the next election, so they have to soften up the electorate for the reality of their election. Up to now it has been unquestionable: 'We will stop the boats coming. No problems; we will do it within weeks.' While the Leader of the Opposition previously said that he would stop the boats within months, last week we saw the him suddenly retreat from that comment, saying that he would only be able to 'make a difference'. He said:

We can make a difference from the first few weeks.

He was going to stop them despite the advice from the Navy, despite the dangers to Australian service personnel and reservists in those boats. He was above that. He knew everything. They were wrong—just like Angus Houston, former Chief of the Defence Force, was wrong in regards to his expert advice! The naval personnel who commented on this issue were wrong, and he was going to stop the boats! However, the shadow minister commented on Andrew Bolt's program—a friendly interview, as usual—on 2GB on 13 March that he could not confirm the length of time a coalition government would take to stop the boats.

So it is 'we're going to have some impact within a period of time' from the opposition leader, and 'we basically won't confirm the length of time' from the shadow spokesperson. He said that, rather, they would be aiming to stop the boats; they would be aiming to move them back to the levels of Howard government, and we know the levels under the Howard government varied at different times. When he was pressed a bit more—because Andrew Bolt is very enthusiastic about stopping the boats—the member for Cook said that the coalition government would reduce the number of boats to Howard levels in its first term, and he commented, 'I am not making any forecasts.'

He is making such forecasts. He is 'not putting time frames on it'.

These people supposedly, allegedly, have solutions to a major problem in this country that people are concerned about. In electorates like my own, people are quite concerned about the
number of boats, the number of claimants. The opposition are trying to intimate to the electorate that they can solve this problem. Now, as an election gets closer, all of a sudden they are saying, 'We're going to try, we're going to make an effort; we're going to do something about it,' but with no definite position, as I said earlier.

If we look at the history of TPVs, this supposed solution to everything actually led to very few people who were given temporary protection visas getting on planes back to their homeland. Of the recipients of TPVs issued between their introduction in 1999 and 2008, when the incoming government—widely advised by experts in the field—abolished this harsh policy, 88 per cent had already been granted permanent status. Eighty-eight per cent of the people on TPVs—the supposed solution to the problem, the so-called dissuasive policy which was going to stop people paying smugglers and stop people coming on boats—had already been granted permanent status. So one wonders what kind of disincentive that really was. Of the remaining 1,000, 815 were to be granted permanent status after that.

The truth about TPVs—which the opposition have not really been too keen on putting in neon lights for the Australian public—is that only 3.4 per cent, or 379, of the people on them actually departed the country. After all the boats, all the people coming and all the claimants in this system—this process of leaving people in a limbo land of uncertainty for years—only 379 people departed the country.

The TPVs did not stop the boats. The boats kept coming at a fairly high level for another two years. They were a spectacular failure in terms of achieving the stated deterrent objective, with a successive rise in the number of unauthorised maritime arrivals after TPVs. Then, at the end of the day, a very miserly proportion of the people on TPVs actually departed the country. As I say, this legislation is just a guise, a pretence that the opposition have got a policy to be effective against these boats.

Whilst the Prime Minister of the country today will take it up to the visiting President of Burma in regard to human rights issues, particularly in relation to the Rohingya people in the Rakhine state of Burma, we cannot have any faith in the Leader of the Opposition taking up this issue with Indonesian authorities, the people that we have to get cooperation with. He has had two visits there. As I indicated last week, he might have discussed lumpia, gado gado and satay peanut sauce with the Indonesian President, but there was one issue that the Leader of the Opposition did not discuss. It is the central issue, the biggest problem in the country, according to the opposition, but he did not manage, in those discussions, to at any stage talk about the fact that Australia, under him, would send the boats back. One would have thought that the Indonesians might not be impressed with that idea, that they might have been somewhat hostile and might have given a message back to the opposition leader. One would have thought that he actually should get the cooperation of Indonesia and other countries in this region for a regional solution to the question of boat movements. But no. He went up there and he discussed everything under the roof except the central policy the opposition have, of sending the boats back. One has to doubt their sincerity about this policy, as one has to doubt their sincerity today about TPVs.

Quite frankly, I do not think we can have much faith in the shadow minister for foreign affairs taking it up. We saw the rather depressing, to put it mildly, performance that she put up in Sri Lanka recently, where she alone of international visitors, including world leaders, who have been there and commented found that basically all things are great there: 'There are no
problems in Sri Lanka at the moment. It's all cool. Basically there are no reasons that these boats would be coming.' This is in contrast to the British government, which has actually been able to make some analysis of problems there.

This is a policy which is not going to succeed. It is not meant to succeed. It is not serious. But it is a policy which would bring great suffering to individuals. It is unparalleled in the Western world, a group of nations we associate with aspirations of human rights and dignity. They are saying that a person that they themselves determine to be a genuine claimant, to have grounds for protection, will only be temporarily protected and that that would be reviewed in another three years. They will have no rights to bring their family. As I say, they have been determined to have grounds, and in most cases their families are either marooned in a foreign land, unprotected from livelihood issues, or they might still be back in their homeland enduring the kinds of human rights abuses that have been found to be correct grounds by Australia. Those people will not be given permanent protection—unlike in the rest of the Western world. We can only surmise where that is going to lead: regardless of whether the family themselves will endure the same temporary visa in this country, they will seek reunion; they will seek to get together again, no matter what the laws of this country are.

This is a policy from an opposition that has been particularly derelict in protection of this country's national interest with regard to a variety of measures, including to do with international students, where their closest associates when they administered this policy were shonky migration agents in the Punjab and shonky conductors of colleges in this country. This undermined our technical education and then led to our current problem of having to do something about 457 visas because the previous government did nothing about technical education, nothing about skills shortages, nothing about spending money on infrastructure to develop industry in this country. Instead, they relied totally on short-term visa entrants.

This policy for TPVs should be rejected. It is meant to basically give some kind of wink to the Australian public that they have some solutions—solutions which failed previously. They are solutions which essentially led to only three per cent of the people—the big signal was, 'We're going to send them back'—leaving the country; the other 97 per cent of people who received TPVs under their previous regime stayed here permanently. That is no disincentive; it is just show.

Debate adjourned

Sitting suspended from 13:27 to 16:00

STATEMENTS ON INDULGENCE

His Holiness Pope Francis I

Debate resumed.

Mr EWEN JONES (Herbert) (16:00): I rise to speak on the Prime Minister’s motion in relation to Pope Francis. On behalf of all the people of North Queensland, including the very large Catholic fraternity, I wish him all the best. Pope Francis I was born in Buenos Aires and raised in Buenos Aires. It is a tremendous thing for the church and it is a tremendous thing for Catholics everywhere that you can have a Pope from there.

I was talking to a number of Catholic friends of mine over the weekend. As the Pope was standing up there, I was thinking of him as a young man going to the seminary or as a school
boy, and I think that a teacher might have told him that he would never amount to anything or something like that. As he stepped forward to receive the accolades of the church and all the Christians that have followed him, I was wondering what his internal voice had to say to that grade 3 teacher? What did that internal voice actually stand up there and say? Was he wearing inside his heart a little 'I heart me' T-shirt?

The Catholic priests in Townsville are a great bunch. We have Father Rod at Wulguru, Father Mick at St Joseph's the Strand and Father Dave Lancini at Ryan Catholic College are the three I know the best. We also have Bishop Michael Putney. Bishop Michael Putney has recently been diagnosed with terminal cancer. He is a tremendous bloke. To see these men carry on with their normal duties fills your heart with joy with what it is to be a Christian.

I have spoken to Bishop Michael Putney in relation to the good Samaritan and about the reference to that story in the 'I have been to the mountain top' speech by Dr Martin Luther King Jr, where he says, 'I am fearing no man', 'I fear no evil' and 'I have been to the mountain top and I have seen the Promised Land'. The way the bishop Michael Putney has been confronted with this terrible disease, the way that he handles his pain, the way he handles his illness; he knows the end is there and he has absolutely no fear; he is completely and utterly calm and at peace. It is a true lesson to all of us as to what a Christian should be. He is a great big man, six foot five, and long and skinny. He still walks every day. He is a tremendous human being. He has been incredibly involved with the diocese of North Queensland and all of North Queensland, out as far as Mount Isa and Camooweal and up to the tip of the gulf. He has been to Papua New Guinea. He is a true representative of the church. Pope Francis is lucky to have someone like that doing his missionary work for him in North Queensland and setting the standard for the Catholic Church in North Queensland.

To use an analogy, he has thrown open the windows of the Catholic Church. I am not catholic, but my wife and all my children are. We go to mass as often as we can. But to be in the presence of someone who is facing such mortal fear at such a terrible dark time in his life—to be at that time and still have such fantastic faith. Pope Francis has stood up there and said, 'Please, pray for me'. You have to sit there and think to yourself just how fantastic these men are—the work they do in our community; the work they do for us. If the Pope can do half of what these guys are doing, then by jingo he must be a great bloke. I wish him all the best.

Mr HUSIC (Chifley—Government Whip) (16:03): I also rise to pay my respects and congratulate the new pontiff, Pope Francis I. It is a particularly special day when any pontiff is elected. It is a special day for many in our community. On behalf of the parishioners of Our Lady Queen of Peace, Greystanes; Holy Spirit, St Clair; Our Lady of the Rosary, Fairfield; Mary Immaculate, Mosely Park; and Our Lady of Victories, Horsley Park, and as their representative in this House, I want to congratulate Pope Francis on his election and commemorate this very significant day in the life of the Catholic Church. I also make this statement as a representative of many Australians of South American heritage—Argentinians and those from other nations of South America, many of whom have made their home in my electorate. It is an extraordinarily proud day for them.

Pope Francis is also the first pope from the Southern Hemisphere. As a Southern Hemisphere nation, that is something that we can take some pride in. Australia and Argentina may be a long way from each other, but nevertheless, we share much in common, including being significant nations of the Southern Cross. I am sure that other members would join with
me in saying that it is a significant moment that we have a pope from the Southern Hemisphere.

Pope Francis is also the first Jesuit pope. The Jesuits have of course played such a vital role in the life of the church in Australia when it comes to education and spreading the word of the church. The Jesuits have been a very significant part of the Australian church, and I am sure there are many Australian Catholics and followers of the Jesuit tradition who are very excited by the fact that we now have the first Jesuit pontiff.

Pope Francis is, as has been much noted, a man of the people, taking the name of St Francis of Assisi—the saint who was born of nobility yet renounced his inheritance to minister to the poor and the sick and founded the Franciscan order of the Poor Clare nuns. Franciscans take a vow of poverty, seeking to live life as Christ did. Pope Francis has made that very, very clear by his words and his actions in his first days as pontiff. In those first days he has spread the message of the approach that he intends to take as Pope, never forgetting the poor—as was said to him by the Cardinal of Brazil, who, in the moments after he was elected to the position of pope, said not to forget the poor. That was reflected in the taking of the name of St Francis and in the words and actions of His Holiness since his election as Pope.

I am sure that, at the appropriate time, we will welcome the new Pope to Australia. We will welcome him as a man of great faith, as a leader of one of the world's great faiths, as a man much loved and respected throughout the world—a pope of firsts and a pope of the people. On behalf of my community, I congratulate His Holiness on his elevation to the papacy.

Mr McCormack (Riverina) (16:07): In his address from the balcony, Pope Francis asked the people of the world to pray for him, and the Bishop of Wagga Wagga, Gerard Hanna, agreed that it was very important to do this. He said: 'We need to pray for the Pope and for the church. This is a critical time in his life and that of the church.' Bishop Hanna said the election brings with it a 'fresh vision' to the position and to the faith globally and noted:

He is obviously someone, from what I've read and seen, who can relate to people and nations. He is notable in his own city for the humble way he conducts himself and reaches out to all, the everyday, ordinary person and especially to the poor. He is well suited to the role. He has a strong social conscience.

The Riverina has a significant Catholic presence. In the 2011 census the Wagga Wagga Catholic diocese, which covers 62,160 square kilometres—incorporating much of the Riverina electorate—had 63,367 Catholics of the 196,055 total population in that area. The diocese includes 27 primary schools and five high schools. The bishop has a lot of territory to cover and a large flock to tend. It is a microcosm of sorts of the church as a whole, with Pope Francis, the Lord's Shepherd, looking after 1.2 billion Catholics worldwide. From what we have seen and heard, the new Pope will reach out to many more people besides, given his commitment to the poor and the down-trodden.

The name he selected for his papacy is popular amongst many Catholics in the Wagga Wagga diocese. I attended the St Patrick's Catholic debutante ball at Ganmain on Friday night, where the Pope's election was the subject of considerable discussion. All agreed the name 'Francis' was a good choice. That is understandable in the Riverina and especially at Ganmain, given that one of the town's most famous sons is the Most Reverend Francis Carroll, a now retired Australian metropolitan archbishop, who was the fifth Roman Catholic Archbishop of Canberra-Goulburn, serving between 1983 until his retirement in 2006. He was
ordained a priest in Saint Brendan's Catholic Church, Ganmain, in 1954 and became a bishop at the age of just 37, serving the Wagga Wagga diocese from 1968 to 1983. He was and still is greatly loved and respected across the Riverina, and many Riverina baby boys of the era when he was the local priest and bishop, me included, were given Francis as a first or second Christian name in honour of Father Frank, as many still affectionately refer to him in Ganmain and district. Perhaps the same naming trend will be done on a much wider scale now that the Argentinian Jesuit cardinal priest Jorge Mario Bergoglio has been installed as the 266th pope, head of the church, and sovereign of the Vatican city state, and taken the name Francis. In doing so the new pope took the name of the Middle Ages saint, Saint Francis of Assisi, because he was especially concerned with the wellbeing of the poor, and that is to be commended. We all wish the new pope all the very best. May God bless him in his work, not just amongst the Catholics of the world but indeed in his global mission throughout his entire papacy.

Mr HAYES (Fowler) (16:10): I, like many Catholics and non-Catholics in our community, welcomed the appointment of Pope Francis. Recently, I took the opportunity in parliament to speak on the achievements of Pope Benedict XVI but also to speak about the decision that he took to retire in order to leave the church in good and cogent hands.

Like most Catholics, I have certainly followed the speculation associated with the papal conclave as cardinals from all around the world got together to determine a new pope. As to the election of the pope, it is truly a historic and monumental event, particularly when the person who is selected as pope will and does lead 1.2 billion Catholics around the world. The conclave decision was truly impressive.

The election of the archbishop of Argentina, Jorge Bergoglio, was truly inspiring, not only for Catholics but for the global community. He was born in Buenos Aires, the son of a railway worker. He is truly someone who grew up in a working-class family. From all accounts, he is a very humble man. He is known for his personal humility and his social conservatism. But he is certainly staunchly committed to human rights. Pope Francis is a man who has known a simple life.

I have had the opportunity, as most members have, over the last week since his appointment on 13 March to read a little about the man who, regrettably, I have to say I knew little of. As cardinal of Buenos Aires, he lived in a small apartment rather than what we have all become used to seeing—a cardinal or an archbishop in a palatial bishop's residence. He gave up a chauffeured vehicle in favour of travelling on public transport. And apparently, as I read, he cooks his own meals. I gather that, as becoming a pope, some things may have to change in that respect, but I think it does show a man of absolute personal humility.

In my community, I know the appointment of Pope Francis was very much welcomed. He was seen to be a people's choice, a person from an ordinary background—a background which was not that unfamiliar to many of the people I represent. As I say, he grew up as the son of a railway worker in very much a working-class family. And he has over that period of time championed issues associated with the poor. To that extent, the parishes in my community truly welcomed his elevation and election to pope.

I have certainly read a lot about the views of others around the world, and the views of other faiths, but from people who actually knew the man. I read recently from the Protestant community in Argentina one authority saying that the Pope's approach was one of building
relationships and showing respect, knowing the differences but focusing on what can be agreed on: the divinity of Jesus, his virgin birth, his resurrection and the second coming. Another said that Pope Francis could set the tone for more compassionate dialogue between Catholics and Protestants. The Anglican bishop of Argentina, Gregory Venables, described the Pope as a devout Christian and a good friend to Anglicans. The statement from the Lutheran Church also praised Cardinal Bergoglio’s work in Argentina and particularly work that he did in association with the Lutheran Church. The Orthodox Church, which I know you are very familiar with, Mr Acting Deputy Speaker Georganas, praised him for his efforts to further close the nearly 1000-year-old estrangement between the Orthodox churches. Father Antoni Cevruk, rector of the Russian Orthodox Church of St Catherine the Great Martyr in Rome, said that Cardinal Bergoglio often visited the Orthodox services in the Russian Orthodox Annunciation Cathedral in Buenos Aires and he is known as an advocate of the Orthodox Church in Argentina’s government. Similarly I have seen things written on close ties he has enjoyed in Argentina with the Jewish community. The same also applies with respect to the leaders of the Islamic faith. The leaders of the Islamic community in Buenos Aires indicated that they welcomed the news of the cardinal’s elevation as Pope, noting that he has always shown himself a friend of the Islamic community and a person whose position is pro-dialogue.

In a world of great change and great challenge it is refreshing to know that we still have people of true humility who are truly committed to their faith and also are committed to delivering on positive outcomes for people, particularly the poor. One of the things I have seen written constantly about Pope Francis is that he is really down to earth. As I said, he was known in Buenos Aires as a cardinal who took the bus and public transport and on the night of his election as Pope on 13 March he also elected to take the bus with his fellow cardinals back to the hotel rather than taking up the trappings of the new papal vehicle. I think that probably says as much about the man as anything else. The fact that he chose to take the name Francis after Francis of Assisi, the founder of the Franciscans and patron saint of the poor, I think shows the direction that this Pope intends to take our church.

To my Catholic community in the parishes of Our Lady of Mount Carmel in Mount Pritchard, St John the Baptist in Bonnyrigg, St Theresa’s in Cartwright, Sacred Heart in Cabramatta, the Good Shepherd in Hoxton Park and St Nikola Pavelic of St Johns Park, and to all Catholics in our community, I think the wait for seeing change in a church in a challenged society is now over. I look forward to Pope Francis making ground and healing many of the difficulties and differences we have around the globe, renewing the focus on addressing the issues confronting our poor.

Mr Neville (Hinkler—The Nationals Deputy Whip) (16:19): I welcome this opportunity to say a few words about the elevation of the archbishop of Buenos Aires to the role of pope. I think we all remember where we were on significant dates in history—where we were on the morning, as it was in Australia, that President John Kennedy was shot; when the planes flew into the World Trade Centre on 9/11; and when Princess Diana was killed in the tunnel in Paris. Those sorts of things resonate with us, as indeed did this with me. It was early in the morning and I was listening to Geraldine Doogue on the radio from Rome and she said, ‘There is white smoke.’ So I jumped out of bed and turned on the television to soak up
the moment. Indeed, for people who had been standing in the rain in Rome, it must have been quite a momentous occasion.

This was a bit different from the election of previous popes. The methodology was still the same, but two great forces of humility came into play: the first one was that the retiring Pope, Benedict XVI, Joseph Ratzinger, felt that he could no longer carry out the role in the form it needed to be carried out—that he could not give it the rigour that it required. That was an incredibly courageous act, to stand down. I think there is almost a belief amongst Catholics that the Pope has to die in harness. I do not mean that disrespectfully, but there is a great sense that he is such a person apart from others that the idea of resignation is unthinkable. But when you take a step back and put yourself in Benedict XVI’s shoes, you can see that it was a very courageous move that he made, and he gave his cardinals about a month to start thinking about it. So they did not go into this conclave, as with many other ones, with a sense of grief at the loss of the last Pope and a sense of bewilderment. But the last Pope, by the very nature of his resignation, presented them with another challenge: the challenge of where to take the church. When you saw the media shortlists, the current Pope was mentioned in one or two and he was—so we are told; it is all supposed to be terribly confidential—the runner-up last time. But for most Catholics, it was quite a surprise.

Again we had seen the humility of Benedict XVI, on the one hand, and now this man’s first approach to the people was one of great humility in asking people to pray for him. You can see that that strain of humility comes through in many ways: that he felt more comfortable being on the bus going to work in Buenos Aires, or cooking a meal at home—I would not be up to that; I am hopeless at that sort of thing, and, for a guy to put in a full day’s work in the church and then to come home and have to cook dinner, he must be a man of many parts. And, as the member for Fowler said, for him to go in the minibus with the cardinals, and go to pay his bill—while some might say, ‘They are just symbolic gestures,’ they are a series of symbolic gestures that characterise where he is coming from. He is not wearing a radiant gold cross; he wears the iron cross that he brought with him from South America.

As well as being a Pope of humility he is a Pope of many firsts. He is the first Jesuit Pope. There has been a bit of tension—not always but in many periods of the church’s history—between the Jesuits and the papacy. In fact, at times the head of the Jesuits was often referred to as the ‘Black Pope’. It was almost unthinkable in some ages that a Jesuit could be a Pope, so this is not just a first but a real first. It signifies intellect, it signifies healing and it signifies rigour. He comes from Italian parentage, so that creates a link with many Italians to whom the papacy is terribly important. He comes, as the member for Werriwa said, from a railway-working family, so he has known what it is like to grow up in a working household. He is the first Pope from outside Europe for nearly 1,000 years. He is the first Pope ever from the Southern Hemisphere, which is something that countries like ours, New Zealand, the other South American countries and South Africa can take some pride in. Perhaps, if he comes from Argentina, he knows a bit about Rugby Union, so that might be something we can indulge him with if he comes to Australia.

The important thing is that he takes the church in hand. As a man of great piety and great humility, it is important that he exercises that intellectual capacity and that rigour for which the Jesuits are known and brings them into the church at a time when its administration has
been called into question and its determination to bring paedophilia to heel has been very much in the news. I am sure he will be up to that.

I hope that the Minister for Foreign Affairs, the President of the Catholic Bishops Conference in Melbourne, Archbishop Hart, and the Cardinal in Sydney will make sure that this Pope gets an early invitation to visit Australia. He is a person who obviously does not stand on trappings and ceremony, and I am sure a person of that background will resonate very strongly with Australians. I wish him God's blessing.

Ms O'NEILL (Robertson) (16:28): I commence my remarks on Pope Francis with his words that will, I think, be a signature to the time that he leads this great church which I am happy to have been a part of since my birth, through my family, and from baptism right through to my own children and their baptisms and their upbringing in the faith. Those words with which he commenced his welcomes were, 'Brothers and sisters, hello.' I really believe that such a view of the world that is based on the relationship, acknowledging one another as brothers and sisters who share this planet and who share our lives in community, is a great signifier of the way in which this Pope is going to lead us.

As a student who attended Catholic education throughout my entire primary and secondary schooling I was very fortunate to grow in my faith not only in terms of the example of the people with whom I lived in community at school but also through the education that I received about a church that is always changing and reflecting its own times. I lived through the time when the Vatican II occurred and the significant changes that this wrought for the church. There was much grief, loss and change but there was also renewal of the church at that time. We can read from the community reactions already to this new pope a sense that this is indeed a time of renewal for us. He is the first pope from outside Europe and also the first pope to take the name Francis.

One of the most exciting things I remember we all used to talk about, when confirmation came around, was the time of selecting the name for our confirmation in the faith. There were a couple of books—one for the boys with all the boy saints, and one for the girls with all the girl saints—that were sold at the back of the church. In fact, they often got passed around in the classes when we were doing our preparation for confirmation. Who would you choose to inspire you, whose model of life? This is one of the things all religions around the world provide—examples of lives, lived very well, on which we can model our own aspirations to live a good life.

I know that Saint Francis was incredibly popular, as a name, because he had such an affinity with animals. As young children, if you are lucky enough to have a pet, you have the sense of care that a pet can engender. Saint Francis is somebody we in the broad community know. I dare say there is many an Australian who has never have heard of the name Clement and has no idea of its meaning, but they would know about Saint Francis of Assisi and the life he lived. He rejected the high life and the wealth into which he was born and chose to live a contemplative life and to put himself outside the popular. He chose to live a life of simplicity and service. His life was in a time when there was a lack of awareness of the environment. Perhaps that is exactly the reason the Pope was inspired to choose the name Francis.

In media reports we heard that, as it looked like he was about to be elected, one of his confreres turned to him and said, 'Do not forget the poor.' At that moment, by report, our new pope said he became aware that Francis would be his choice. Francis was indeed one of the
great heroes of the church and a great man who established his own order that continues to this day.

The Pope's words 'Thank you for your welcome and for your prayers' at the conclusion of his first communication with the masses, with a request of 'Pray for me', are an expression of his simplicity. He requested it simply, the need for spiritual awareness and support from the broader community. We all need that in the journeys that we go on. Thankfully in Australia, these days, we acknowledge the spirituality of our Indigenous people. Every time we speak, every time we gather, we are beginning to acknowledge our elders and their connection with the land and that spiritual dimension that is part of the life of each person.

As a Jesuit in Buenos Aires, in Argentina, the Pope has a long history of having looked for ways to connect with the poor, reaching just outside the church. I heard a report on the radio, a couple of days ago, of a young priest who was looking to work with the people on the delta. These were profoundly poor communities. He was unable to get support from his own parish and diocese in the region. He reached out to our new pope who, even though he was outside that region, provided the funds to enable social agencies within those communities to do their work. This is another model of church that excites me as a Catholic in this country. It is not the church in place of community but the church in partnership with community, which the Pope has already modelled in his own life and practice.

I want to take this opportunity to put on the record some reactions from two very fine institutions, two schools in my electorate. One is St Joseph's college, at East Gosford, which is a wonderful institution supporting the development of many young women, on the Central Coast, in the Catholic tradition. This is a reflection from their principal, Stephen Walsh. He has put it in these terms:

The announcement of Pope Francis brings great joy and hope to all Catholics around the world and especially to young Australian Catholics. As the Cardinal of Buenos Aires, Pope Francis demonstrated through his humble actions a real commitment to social justice and the poor. In many ways, Pope Francis demonstrated similar qualities to Mary MacKillop, Australia's first saint, by living his faith and commitment to Jesus through service to the poor. Students at St Joseph's Catholic College East Gosford reflected on the Pope's humble approach to and concern for all people which provides inspiration to the girls in their continuing social justice work on the NSW central coast.

College captain Bethany Friar said "Pope Francis's actions so far have demonstrated the genuine humility that he brings to his papacy and that he appears to be a man of the people in asking the people to pray for him".

Happily not too far away—just across the playground—is St Edward's, a Christian Brothers college on the Central Coast, which provides a fine education for young Catholic men and for those boys from our area whose parents want them educated in the Catholic tradition. Indeed, my own son attends St Edward's. I asked the social justice leader in the school, Mr Patrick Dell, for his reactions. He put in this way:

Our new pope brings the prospect of great hope for our Catholic Church. As Cardinal in Argentina he proved himself a great advocate for Social Justice, challenging his Catholic people there to give their money to the poor rather than doing a pilgrimage to Rome. The Catholic Option for the Poor is a key direction for him. He has been portrayed in the media as 'living the simple life' and this resonates well with many Catholics as it makes him seem more connected to us. Our new pope asked the people to
pray for him -this act of humility and service will always be popular as it positions him as a 'leader of the people'.

Pope Francis appointment as our new Catholic leader has been well received by all the people I have spoken to. Why? I sense many people feel a new breath of fresh air has entered our Church. Catholic Church Option for the Poor and a clear vision to help people living on the edge may become reality.

In closing, I want simply to put my mother's observation. I spent St Patrick's Day in celebration with her on Friday. We didn't get to see each other on Saturday but on Sunday we continued in the family tradition of really enjoying St Patrick's Day, with all the Irish culture and tradition that wraps around that. My mother was very pleased to have come into her parish of St John the Evangelist at Campbelltown a wonderful priest by the name of Father Healy. Father Healy is a very simple, loving man who really cares for his parishioners—he has a great smile. My mother's summation of the Pope is: 'Just like Father Healy, this new pope has a wonderful warm smile. I feel that we have a simple and loving man as our new pope.' I think that that sums up the sense of our hopes for the future as Catholics and for what this pope will offer. I am very pleased to have been able to put those thoughts on the record today.

Debate adjourned.

COMMITTEES

Migration Committee

Report

Debate resumed on the motion:

That the House take note of the report.

Ms GAMBARO (Brisbane) (16:38): It is with great pleasure that I rise today to speak to the report of the inquiry by the Joint Standing Committee on Migration into multiculturalism in Australia. The committee accepted its terms of reference on 9 February 2011 from the then Minister for Immigration and Citizenship, the Hon. Chris Bowen. It was asked to inquire into the economic, social and cultural impacts of migration and make recommendations to maximise the positive benefits of migration.

I was very pleased to take part not in all of the hearings but a large percentage of them. There were a huge number of submissions. Some 513 submissions were received, there were 22 supplementary submissions and 58 exhibits. The committee went all around Australia, in regional areas as well as in metropolitan areas, and conducted some 27 public hearings from 29 March 2011 to 8 June 2012.

The committee had very wide-ranging terms of reference. It was asked to look into the economic, social and cultural impacts of migration in Australia and: to make recommendations in three areas—multiculturalism, social inclusion and globalisation; to look at the federal government's social inclusion agenda; and to look at the wonderful diaspora we have been the recipients of in this country, particularly from Australia's relationship with Europe, the UK, the Middle East and our Asia-Pacific neighbours. Other areas that it looked at were settlement participation, particularly settlement programs and how they relate to new migrants, looking into participation and integration into broader Australian society, and also what the incentives are to promote long-term settlement and the greater economic benefits it provides to Australia as a whole.
We are a country of great migration, so we looked at the national productive capacity and how that wonderful sense of migration over a long period has helped to build and shape Australia as it is, the role of skilled migration and the role of government initiatives to also help migrant communities and establish business enterprises.

I place on record my appreciation to the chair, Ms Maria Vamvakinou, and the deputy chair, Louise Markus. I also want to thank the secretariat for their outstanding work and their diligence. It was a very long inquiry. The member for Hindmarsh is across from me, and he also contributed enormously, as did many other members of the committee of which I was very privileged to be a part.

Australia has a rich Indigenous culture that spans many thousands of years and, since Federation, Australia has relied on migration to enhance its international trade and investment flows and to diversify domestic industries and contribute to the overall national productive capacity of the state. Our migration policy has consistently been designed to address both long-term and short-term needs, particularly of the economy, by attracting prospective migrants who possess the skills relevant to Australia's economic demands.

Australia has always had an extensive family reunion, humanitarian and refugee migration program. For the last five years alone, Australia has received approximately 13,400 refugees annually. Since its introduction in the 1970s, Australia's policy of multiculturalism has shaped Australia's identity and supported our development as a multiracial, harmonious and very cohesive society. While the concept of multiculturalism has often been subject to debate and review over time, Australia's non-discriminatory migration system supports cultural diversity.

We are a multicultural nation with a strong record of peaceful settlement of migrants from all parts of the world. I would not be standing here today if it were not for my Italian forebears who came here in the early 1940s.

Ethnic, cultural and linguistic diversity has been a feature of Australian society from the beginning of British colonisation in the 18th century. Post-settlement migrants included Malays, Chinese, Japanese, Filipinos and Afghans, as well as the Irish, English, Scots and Germans. Prior to this, the Malaccans and Melanesians had traded and periodically co-located over centuries with Indigenous Australians in the Far North.

The end of World War II triggered huge migration to this country. At that time, my grandfather, my grandmother, my father and my mother migrated here. It is quite fitting that today we have the Migration Council of Australia having a wonderful dinner. I know that they will be featuring my family's story in one of their exhibits, along with the stories of many of the members here who come from a culturally and linguistically different background.

Since 1945 we have had seven million people from over 180 countries migrate to Australia. That is around one million migrants each decade since 1950. The Australian economy has increased sixfold over that time. Over the last decade, migrants from India, China, the Middle East and the African continent have featured and contributed their linguistic and religious diversity to Australia's culture.

In 2010, Australia was one of the world's top three culturally diverse nations: nearly 45 per cent of the population has a close overseas connection when Australians who have one or both parents born overseas are included. Today, over 260 languages are spoken in Australia by people of 270 different ancestries. Census data shows us that more than half of the recent
arrivals since 2006 speak both another language and English either very well or well. This language diversity gives Australia a competitive edge in an increasingly transnational world. Despite this great cultural diversity, Australia remains a predominantly Christian and secular society with the largest minority religion being practised by roughly two per cent of the population.

I enjoyed the many submissions that were presented to the committee, particularly the ones that were presented in terms of what multicultural policy was. What has changed over the decades has not been the fact of Australia's population diversity, but the different policy frameworks that were developed by government to develop and interpret that diversity. DIAC's statement is that multiculturalism is:

… a coordinated long range response to migration patterns that have resulted in diverse people and cultures occupying the same locality, who share the aim of making a home for themselves and their families in a community within a safe, stable and cohesive nation. Over time the term has come to refer to: the demographic fact of cultural diversity; a set of policies, programs and services; as well as a concept that articulates normative ideals about society.

Australia's first national policy of multiculturalism followed the recommendations of the Galbally report in 1978. That report was a milestone in the Fraser government, a government that founded the SBS network that we know today and introduced many of the multicultural policies. That Fraser government initiative and that report about migrant services and programs had 14 key principles enunciated, that:

… all members of society are to have equal opportunity to realise their potential and have equal access to programs and services; every person to be able to retain his or her culture without prejudice or disadvantage and be encouraged to embrace and understand other cultures; migrants' needs are to be met by mainstream services, but special services and programs are to be in place at first; and there be full consultation with clients in design and operation of services with a focus on migrants becoming self-reliant quickly.

That policy represented a distinct shift away from the assimilation approach that dominated in the 1940s and 1950s. It was a new era and a new cultural policy, recognising that migrants could retain their cultural identity and successfully integrate with support over time.

In 2011-12, the total number of people that have had citizenship conferred on them in Australia was 95,776, which was up from 85,916 in 2010-11. Australia has one of the highest uptakes of citizenship anywhere in the OECD, with nearly 80 per cent of Australia's population becoming citizens.

With all of this work that was done in the past, there is always room for improvements and it is always good to be able to contribute to this particular inquiry. There are areas that the committee recommended needed more work. I fully support the fact that migrants should have access to English classes at every opportunity, and that our AMEP program should be flexible to allow for as many people as possible to learn English. It should be relevant, particularly in enabling many of our migrants to get jobs and have greater linkages to our Job Network providers. There were many submissions provided on skills recognition and the fact we need to do much, much better in that particular area to recognise the incredible skills that people bring—particularly people who have migrated to Australia—and how we need to recognise those skills so that people can work in the area that they have been trained for. There are many areas of federal policy that overlap state policy and it was important to ensure that we work with our state and local government authority to make sure that CALD
communities are provided with assistance in every possible way, particularly in housing and in health and aged care. We made a number of recommendations that more work needed to be done in CALD communities, that it needed to be a whole-of-government approach and that the department should advise and integrate with its social inclusion agenda and interact closely with the Multicultural Council in its roles of providing research and advice on multicultural affairs and policy and strengthening that access and equity. It is really important that we have a research unit. There was no doubt that much of our immigration policy has been difficult to formulate because we have not had that independent statutory body that collects information about regional migration and other aspects of the immigration program.

All of the committee was in unanimous support that that should be set up to provide accurate and up-to-date data in order to identify trends in migration and multiculturalism and to measure and address CALD-related disadvantage. We need to know how our program is doing. We need to know whether our refugee and humanitarian settlement, particularly in regional areas, is working well. We need to know if employment opportunities have been realised and if people have had good and positive settlement outcomes. It is very important that we establish such an institute and have that up-to-date information. I enjoyed listening to a range of submissions and from a range of multicultural groups providing input particularly on the job network and how the JSA can be made much more outcome-focused in this area. A lot of work needs to done in the area of refugee and humanitarian settlement. It is still a sad fact that after five years there are many original humanitarian program settlers who are still without a job, and I think we need to make sure that we have greater integration of those programs.

All in all, the report was very intensive. It took many submissions, and I want to commend again the secretariat for their fine work. I want to thank everyone who took part. I have taken part in a number of reports in this place and I have to say that this report is based on great cooperation between members of all parties. I commend the report and I look forward to the government taking up many of the recommendations.

Mr GEORGANAS (Hindmarsh—Second Deputy Speaker) (16:53): At the outset of this, can I thank you, Deputy Speaker, for assisting me in taking the chair so I can have the opportunity to speak on this report from the inquiry into migration and multiculturalism in Australia. Australian multiculturalism is a success story. There is no doubt about that and it was a common theme throughout the inquiry. I have to say it is here to stay with great benefit to our nation. That is the resounding conclusion of this report. I am very glad that we have completed the report and that the report has been tabled. It was a mammoth effort with 32 recommendations, 513 submissions, and 27 public hearings all over the country—regional areas and major cities. It included my own city of Adelaide and a visit in my electorate to the Thebarton Senior College, which assists many migrants to settle into the country. The college assists them through education, training, certificate courses, et cetera. The inquiry was chaired by my colleague, the member for Calwell and the deputy chair was the member for Brisbane, whom we have just heard. I would like to congratulate both of them and the committee for their hard work—and my South Australian colleagues. This committee had a bit of a South Australian edge to it because we formed the majority on the committee. I would like to recognise the member for Grey, who contributed greatly to the report. He is here in the Federation Chamber with us. I also recognise Senator Gallacher, and the member for Makin.
It is important to make that point because in South Australia many years ago under Premier Don Dunstan multiculturalism was an area that was recognised well before it was recognised in other parts of Australia. It was good to see so many South Australians on this committee, working on this report.

The report is unique in that it has bipartisan support, as we have heard today from the member for Brisbane and from other members on the government side. That is something worth celebrating. Today this report highlights the great degree to which we, as Australians, share the values and the same vision for the future. We agree that multiculturalism in Australia is a very good thing. We agree that migrants and refugees and new arrivals need support in and from our community and we agree that migration enriches our society. We agree that diversity is not something just to be accepted but to be celebrated. We agree that not only is there a role for every Australian in helping to create a welcoming country but that every Australian stands to benefit greatly from doing so. We have seen that throughout the history of Australia with its waves of migrants. It is very encouraging to be here today knowing that whilst there are often heated debates in this Federation Chamber and in the main chamber downstairs, there are also times when we unite to support a common set of principles.

Getting to this point has been no easy path. When the inquiry was announced we had hundreds of submissions pouring in from all over Australia, with many, many different views with different solutions and different plans. We all saw that. It was good and that is what diversity is all about—getting all those different views in and listening to all those people have their say. It was the task of this committee to carefully consider every submission in order to craft this report. Having been a committee chair myself, as have many others, I know how important it is to ensure that no stone is left unturned. That is what is so powerful about this report. It is bigger and more comprehensive that any report taken in this area. It will provide a way forward for all of us to consider and to refer to when we are discussing issues of multiculturalism. There are key recommendations, and I was pleased to see that many of them took special care to recognise the uniqueness of multiculturalism as a long-term cultural orientation.

The chair of the committee said earlier today, and she said it quite well, ‘Settlement is a long-term and intergenerational process. Successful multiculturalism can’t and won’t happen overnight and Rome wasn't built in a day.’ That is so important. Multiculturalism does not happen by accident. It is only through deliberate and constant effort that we have done so well in this country in this area. Successful multiculturalism requires the support of millions of people across our nation: neighbours, for example, extending the hand of friendship over the backyard fence, as has been the case here in Australia for many years; NGOs getting new arrivals set up and settled into their new homes; schoolchildren who welcome people from other lands into their classrooms; government services providing orientation sessions to new migrants; and community groups helping people to navigate confusing landscapes, transport, services, housing, social security and a range of other things. Multilingual media sources keep people informed of important developments in a language that they can understand so they can fit into the community and be able to access services and be part of the community.

We see the many sides of multiculturalism—the restaurant owners bringing the taste of their homelands to our kitchen tables, introducing us to new tastes and textures; and
musicians playing their songs at festivals and concerts and sharing exotic new sounds with us. As the member of a seat in which well over 100 different languages are spoken and which has many ethnicities, I regularly attend different functions on weekends, and I know that you do as well, Deputy Speaker Symon. There are many different ethnic groups in my electorate. All of this is to be celebrated. So many people are contributing to the fabric, the tapestry, that makes Australia a successful nation.

I would like to make a very quick mention of an organisation in my electorate which exemplifies this commitment, and that is Thebarton Senior College. The committee visited the college to speak to people there and to see the things that they do. Thebarton Senior College is like a little global village, with students from all over the world attending it. They are well supported while they learn English and do other courses, including certificate courses, so that they can fit into the community, gain employment and live productive, successful lives and contribute to our nation. It is a magnificent college which does a lot of work in the community. I congratulate Kim Hebenstreit, who is a magnificent principal and so committed to assisting new arrivals to get the services that they require, the training that they require and the certificates that they require in English et cetera so that they can become productive within our society and live, as I said, good lives and contribute to this wonderful nation.

Many organisations gave evidence to the committee, and we visited many of them as well. All of them try their hardest to do all that they can to support new arrivals—people with language difficulties and certainly people who, perhaps without these organisations, without these services, would find it very difficult to cope and fit in—and to ensure that they do get employment and access to the services which we spoke about. So I congratulate all of those people who gave evidence to our inquiry.

In looking forward together on these issues, it is quite nice to reflect on how far we have come on the issue of multiculturalism. The difference between where we have come from and where we are today was quite stark during the inquiry. Just as a quick example: in my case, my parents came over in the early fifties. They left Greece to seek a better life in Australia. They had very few English skills. They worked in the lowest-paid jobs that were on offer. In those days, Australia was a very different place from what it is now. I remember quite clearly, as a young child, when they took out their citizenships at the Thebarton council—I still live in the immediate area—and how important that day was. I still have that memory. Certainly, it is something that will stay with me forever and a day. Australia was a very different place in those days, when I think of the period when my parents received their citizenship. Australia still had the white Australia policy. The majority of people who were there that night receiving their citizenship would have been predominantly from Europe, Greece and Italy—not the UK, because they did not need to obtain citizenship in those days. So it was a very different place. We have moved on from those days for the better.

We know that one in four Australians were born overseas. As I said, there are people from more than 150 countries, and there are more than 200 languages spoken in my electorate alone. It was so important that this report looked at all the issues that affect our migrants, because at the end of the day what affects them affects us as well. We have to do all we can to ensure that we provide the services that are required for those people to lead those productive lives. I know that Australia's strength lies, as I said earlier, in its diversity. In other parts of the world, people are fighting over ancient differences. Our nation grows stronger and stronger
every day through its people working harmoniously together. For these reasons, Australia's multiculturalism is an absolute role model for others around the world, and we can all be rightly proud of it.

I hope all migrants and refugees feel welcome when they are here and welcome to add their own stories, experiences, energies and talents to our nation and to make the very best contribution that they can. The report that was tabled today in this parliament will do that, and I congratulate all the committee on its tabling today.

Mr RAMSEY (Grey) (17:05): The inquiry into migration and multiculturalism in Australia has been exhaustive. We have been working on this for a very long period—I think close to two years, so pretty much the length of this parliament. Others before me have spoken about the number of hearings we have had around Australia. I will perhaps start where others have finished by thanking the secretariat for their diligent work during this process and the other members of the committee for their high level of cooperation.

It was one of those inquiries that had stories within it that touched all of us. There were programs out there that we were all pleased to see and there were failures and the consequences of failures that we collectively deplored.

There were 32 recommendations in total, and we have managed after quite some time to come to a unanimous decision to endorse all of the recommendations. I think that is a good thing and a good message to the people of Australia. There are some additional comments by the coalition members who are concerned that some of the recommendations, if they were adopted, may lead to an immediate lift in government expenditure. It is not the time or place in this debate to talk about Australia's economic state and why we are in that position and how we might get out of it. Suffice to say, we were not prepared to support recommendations in the short term that may lead to an increase in government expenditure.

Migration and the movement of people around the world is a fact. People can say they are not in favour of migration or they do not want people coming to our country but, in fact, the kind of world we live in, and the connectivity, the movement of people around the planet, including Australians—at any given time, there is anywhere up to a million Australians overseas—means we are integrated in a world where people move at the drop of a hat. We are part of that, and countries that deny that kind of movement to their people are by far the poorer for it. If you look around the world, it is not hard before you find countries that put up barriers at their borders and, generally speaking, they have very poor democratic outcomes. These countries are nearly always poor and far the poorer for the experience. We stand to gain from those that open up to the rest of world at every level, and those countries that do that are the same.

Call it what you like. You can call that multiculturalism, which is what we do here in Australia, but there are any other number of names for being welcoming to our friends and neighbours around the world. Some would just call it plain good manners. Some would call it actions within your own interests, but in Australia we call it multiculturalism.

It was pointed out to us in the inquiry that the type of multiculturalism that we have adopted in Australia is quite different to many other countries, and some of the difficulties perhaps in Europe at the moment were highlighted. There have been some high-level rejections of multiculturalism within Australia. We recently met with a German member of
parliament and were talking about the arrangements in Germany. They have had large groups come to Germany on working visas and there they are there generations later and they are still a people apart rather than being a people of Germany.

That is not the method we used in Australia. We have said to the people of the world: 'If you come to Australia and meet our migration arrangements, we'll welcome you but we want you to be Australians.' Consequently, people have come here from other countries, including ancestrally—I would say everyone of us in this room has come to call Australia home, not other places. We see this as our first point of allegiance. That is a distinct difference in the way we do things in Australia.

By far the highest profile subject within this inquiry is the fact that we got 513 submissions. And in my estimation—and I read through them—roughly 400, or a little less, you would have to say were anti-Muslim and anti-Islamic in tone. Some were thoughtfully so, let me say; some were constructive arguments and put forward in moderation. Others were not, it must be said. That is a cause for concern within itself. Throughout the inquiry I said continually to the other members and senators that we just could not make out that these submissions were not happening, and that we had to address it in the report. I believe we have done so. It is a concern that that number of Australians are worried about Australia's current direction and future direction. But, as I said in my opening remarks, to think that you can just hold back the tide, that you can disassociate yourself from something that you do not particularly like, is foolish.

We actually have to concentrate on what we do to make sure that we achieve a good outcome for those people who are feeling unsettled by the immigration patterns, for those who have emigrated here and for the population as a whole, to make sure that we have one community—one community that works together. I believe that we have addressed that within the recommendations.

It was also significant that the committee focused on improving English language services and felt that perhaps what we are doing at the moment is not totally adequate, because English language is the tool that unlocks the best of Australia for those who choose to come here. English language proficiency is also an expression, to those in our community who feel uneasy about those people who might be living in our midst, of the newcomers wanting to be part of Australia. So English proficiency is a very important thing for our newcomers to achieve. We should, as a nation, make sure the services are available so they can get those skills and, with those skills, come to better understand the responsibilities of being an Australian—that it is not all one way, and it is not just Australia looking after you; it is about you, the person coming to Australia, adopting Australia as your home and saying, 'This is where I want to be, and I want to be part of your cultural structure.' So English language is an important tool, and I hope that we can do better in that area in the future.

We also recommended that an independent institute be established to provide better information, to governments in particular but to all people in the community, about how best to structure those services and address those hot spots. We should make sure that the people who have come here are welcome, feel welcome, want to be culturally part of Australia and, as I said, accept the responsibilities that come with being a citizen of Australia—to endorse our institutions and the way that we wish to operate in Australia, and not to oppose what we consider to be Australian. By and large the report is good. It is certainly large! And I have to
endorse the comments of those people who said that it was a good committee to work on, and I thank the chair for her diligence. I hope that the report will provide some kind of guidance for future governments in Australia to deal with these issues.

Debate adjourned.

Sitting suspended from 17:14 to 18:30

PRIVATE MEMBERS' BUSINESS

Superannuation

That this House:

(1) notes:
(a) the growth of self-managed superannuation schemes investment structures by Australians seeking to grow their retirement savings;
(b) that there is $1.4 trillion in Australian superannuation assets;
(c) self-managed superannuation funds are the largest single sector in superannuation; and
(d) the severe hardship caused to investors in Trio Capital, which collapsed as a result of fraudulent activity and which was the largest superannuation fraud in Australian history, with around $176 million lost or missing;
(2) acknowledges that while investors in the Australian Prudential Regulation Authority (APRA) regulated superannuation funds were eligible for compensation through a member-funded levy under Part 23 of the Superannuation Industry (Supervision) Act 1993, no such member-funded compensation scheme exists for investors in self-managed superannuation schemes;
(3) notes the legal and resource limitations regarding supervision and detection of fraud by government regulators and prosecutors such as the APRA, Australian Securities and Investments Commission and Australian Federal Police in respect of failed offshore financial investment vehicles; and
(4) calls on the:
(a) self-managed superannuation sector and policy makers to work together to achieve consensus on the establishment of a member-funded compensation scheme for self-managed superannuation scheme investors who have been subject to fraud; and
(b) Government to work with regulators to enhance fraud detection and prevention in the superannuation system.

Mr STEPHEN JONES (Throsby) (18:30): The collapse of Trio Capital was the largest superannuation fraud in Australian history. Around $176 million of superannuation funds were lost and are unlikely to be recovered. Nearly 6,090 Australians invested in Trio, and through Trio, in a number of managed investment schemes. Two hundred and eighty-five of those investors put their money in Trio through self-managed superannuation funds.

Self-managed superannuation funds are the largest single sector of Australia's $1.4 trillion superannuation assets and are the fastest-growing sector. Many of the 285 SMSF investors in Trio are located in the Illawarra and, over the course of the last two years—almost the entire time I have been in this place—the member for Cunningham and I have been meeting with and corresponding with the many men and women who have lost some or all of their life savings as a result of this corporate fraud. That is 285 personal stories of severe financial shock and the ensuing personal devastation that flows from this.
The facts are stark: by investing in SMSFs they were not eligible for compensation under part 23 of the Superannuation Industry (Supervision) Act. Most of the SMSF investors I have met have told me they were unaware of the difference between an SMSF arranged investment and APRA regulated superannuation. Indeed, that was the nature of the evidence that was given to the Parliamentary Joint Committee on Corporations and Financial Services that inquired into this fraud and collapse.

It is clear that the SMSF investors in Trio relied heavily on the advice of their financial advisers. They also had confidence in Australia's system of financial regulation. However, a strong regulatory system does not eliminate the challenges of dealing with deliberate and complicated, indeed sophisticated, fraud. This case demonstrates that we need greater fraud detection and prevention measures and I urge the government to work with regulators to take action in this area.

Since 2007 Labor has tightened the regulation of the financial services sector by putting in place better protections for consumers. The Future of Financial Advice reforms, the FOFA reforms, have implemented a number of important measures which, if they had been in place in 2007, might have prevented some of the Trio losses that we are talking about tonight. This is because they require a financial adviser to put their clients' interests first. They also ban kickbacks and commissions. For example, in the Illawarra it has been said that a local financial adviser, Mr Tarrant, received in excess of $840,000 in payments and commissions from Trio staff for putting his local investors into Trio through an SMSF.

While the Future of Financial Advice reforms are measures that greatly strengthen our financial system, I believe that more can be done. I believe that we should develop a last resort compensation scheme for cases of corporate fraud in order to provide better protections for SMSF and managed investment scheme investors. The question of a last resort compensation scheme is considered in a report commissioned by the Minister for Financial Services and Superannuation, conducted by Mr Richard St John and released in April last year. The recommendations by Mr St John were also discussed in the aforementioned PJC report.

One scenario where a last resort compensation scheme might apply is when there is a financial loss due to misconduct or insolvency by a financial services licensee. Such a proposal was supported by some industry bodies, including the SMSF Professionals Association of Australia and the Association of Superannuation Funds of Australia, amongst others.

In the case of Trio, a fraud occurred offshore where the investment funds were allocated to hedge funds with overinflated assets that may or may not have even existed. The Trio scenario was a failure of the investment strategy of a managed investment scheme. This failure can be the result of a number of causes—in the case of Trio, it was fraud. The investment itself was risky; the investment strategy was flawed; or, as in the case of Trio, a fraud was committed. Whatever the scenario, the outcome was the same from the investors' perspective: they have lost their money, in many cases their entire life savings.

I believe there is a flaw in our financial service sector when it comes to SMSF investors. In the case of failed investments SMSF investors are left to fend for themselves and to bear the cost themselves for any misconduct or insolvency by a financial services licensee for any corporate failure. The assumption here is that the SMSF investors are themselves the trustees.
and therefore they have both the power and the knowledge about their investments—the vehicles and the assets in which they invest their money—and therefore bear the risks associated with those investments, having both the power and the knowledge that separates them from those investors who invest through an APRA regulated fund in which they are not themselves the trustee. For that reason other insurance-like arrangements exist for those APRA regulated funds.

Under our existing system, some investors in Trio—those in APRA regulated funds—could get compensation while those in SMSFs got nothing. It is a pretty tough message for these investors to accept. Given the importance of Australia’s system of workplace superannuation and occupational superannuation, and the personal devastation that results from these significant financial losses, I believe that SMSF investors need a last resort compensation scheme. There are many issues raised by such a proposition. Managed investment schemes in particular are under increasing scrutiny now due to a number of high-profile examples of investment failure. Many questions have been rightly raised about the lack of regulation and lack of accountability by trustees around these schemes.

In his report, Mr St John considers that the regulation of managed investment schemes such as those invested in by Trio are not yet on a sufficiently solid framework on which to transfer to other licensees the requirement to pay compensation. Improved regulation and accountability in this area should be a priority for ASIC and for government.

There is one important issue to consider, which was acknowledged in the PJC report: that providing full compensation for the failure of risky investments creates a moral hazard. That is, who should bear the cost of a failed investment? Some who have lost their money in Trio believe that taxpayers should now chip in to compensate them for the failure of their investment. This is a difficult proposition unless it can be proved that the loss was the direct result of government fraud or negligence, and I have as yet seen no evidence of this. Any determination of a claim such as this should be made by an independent body with access to all the relevant evidence. Indeed, that is why we have courts of law. It is proper that a court—an independent body—makes such an adjudication, not the government itself, particularly when an allegation may be raised against the government or government instrumentality.

Another question is: should investors in a scheme that is well managed and financially prudent bear the cost of compensation for failed investment schemes that were not. I believe one approach to this is to consider the approach adopted in the United Kingdom where a last-resort compensation scheme already operates, known as the Financial Services Compensation Scheme. This UK scheme applies where claims for compensation through professional indemnity insurance, or minimal capital requirements for financial services licences, are inadequate. Under the UK scheme, payments of compensation are capped and calculated in accordance with a formula, such as 70 per cent of the first $50,000 lost, plus 70 per cent of the next $80,000 and 50 per cent for the next $80,000, or something along similar lines.

Therefore, in a similar vein to the conclusions of the PJC report, tonight I am calling for the federal government to take active steps towards developing a compensation scheme of last resort by placing a levy on managed investment schemes. This would operate in a similar way to the existing scheme for APRA supervised superannuation, where a levy also applies in the event of fraud and the activation of that part of the act.
For Australian investors to maintain their confidence in our financial system and for investors to be better protected against fraud and maladministration, it is time to look in more detail at these matters. Those on the other side have an inbuilt antipathy towards any sort of government regulation. Indeed many within the industry have a similar antipathy, but what is at stake is too great; it warrants a bipartisan approach. On this side of the House, we believe that it is the role of government to get the regulatory system right so that investors can invest with confidence.

Mr FLETCHER (Bradfield) (18:40): I am pleased to follow the member for Throsby on this important motion and to pick up one of his closing comments, which is that this is an area which is so important that a bipartisan approach is called for. I note that the report of the Parliamentary Joint Committee on Corporations and Financial Services into the Trio collapse did produce a bipartisan set of recommendations. I do want to comment on his thoughtful motion. I do not agree with this policy recommendation but I want to make three points in the time available to me. First, we can all agree that Trio is a tragedy. Second, I think we should be careful of mis-characterising the role of self-managed superannuation funds. And third, I would like to come briefly to the measure which is contemplated in this motion.

Firstly, I think it is uncontentious that what happened in Trio was a tragedy, $176 million lost. A significant number of my constituents lost money investing through their self-managed superannuation schemes, particularly into the ARP Growth Fund. Because they are self-managed superannuation funds, they are not eligible for compensation, as the member for Throsby said. Quite large balances were lost, on average $700,000 per self-managed super fund investor. It is clear that there was outright fraud and criminality involved in this scandal.

I want to particularly mention Mr Paul Gresham, who subsequently changed his name to Mr Tony Maher, the financial adviser serving the northern suburbs of Sydney, who ripped off a number of my constituents. Some of them trusted him for nearly 20 years. At some point it seems that he went bad. He moved their money from professional pensions PST where it was invested in reputable funds managers like Maple-Brown Abbott, and put it into the ARP Growth Fund. It was then, as the member for Throsby describes, sent offshore and the money subsequently disappeared. It appears Mr Gresham was also involved in the original transaction under which, in 2004, a reputable funds manager in Albury was taken over by what we now know to be a criminal syndicate. This was unambiguously a tragedy. The policy issue we are wrestling with is: what is the right response?

The second thing I would like to come to in the brief time available is we ought to be careful of mis-characterising self-managed superannuation funds. For people who understand the nature of the vehicle, they are, in my view, a very good and flexible vehicle for people to accumulate retirement savings. I think the market evidence suggests that with now over $450 billion of the $1.5 trillion in superannuation in self-managed funds. They offer great flexibility and autonomy, and that I would suggest is why they are growing so rapidly. But people do need to understand the risks that are involved and the fact that, if you take on the responsibility for managing your retirement savings, you are taking on that responsibility. Quite a lot goes with that, including, as the member for Throsby has highlighted, the fact that you do not have the benefit of the provisions in the Superannuation Industry (Supervision) Act which apply to APRA regulated funds in the case of fraud and theft.
I do caution that there are a number of powerful players in the superannuation sector who
are not too happy about the quantum of funds which is now moving into self-managed
superannuation funds. It suits them to suggest that there is some flaw with the self-managed
superannuation fund vehicle. As policymakers, we ought to be very conscious that there is a
degree of self-interest involved on the part of some of those who make arguments which
might lead to quite onerous regulation applying to self-managed superannuation funds and
compromising their effectiveness as a retirement savings vehicle.

What I also think is very important, that we should draw as a conclusion from the Trio
collapse, is that our $1.5 trillion superannuation savings pool is a honey pot for international
criminals. We must make sure that there is adequate regulatory scrutiny and proactive action
to protect against that threat. One conclusion of the committee's investigation in the Trio
collapse is that our regulators have perhaps not been as proactive as they ought to be.
Recommendation 14 of the report was that the Australian Federal Police should consider the
options to create an organisational focus on matters pertaining to superannuation fraud,
working in cooperation with the Australian Crime Commission.

Thirdly, let me now turn to the specific measure that the member for Throsby has proposed
in his motion this evening. I am going to speak specifically about the wording of the motion,
which talks about a member funded compensation scheme for self-managed superannuation
scheme investors. I note that in his remarks the member for Thorsby talked about a levy on
managed investment schemes. That would actually be a different type of policy measure that
would apply to managed investment schemes into which self-managed superannuation funds
and other kinds of investors invested. Let me restrict myself to what is described on the face
of the motion—that is, the idea that if a particular self-managed superannuation fund loses
money due to fraud or theft, then other self-managed superannuation funds should be in some
way levied to compensate for that or potentially that there ought to be a levy across the entire
sector. I think both of those are potentially contemplated by the kind of language that is in the
motion. I certainly acknowledge the genuine policy intent to deal with this serious problem,
but I do not think this is the right solution.

Firstly, the whole notion of self-managed superannuation, as I have referred to, is that you
choose to take on, as an individual, the responsibility for managing your retirement savings—
the pool of funds built up to fund your retirement income—together with the savings of up to
four other people, usually members of your close family. That does bring with it greater risks.
The policy basis that has applied for the last 20 years or so is that one of the risks is that you
do not have the benefit of the last-resort compensation scheme that applies in the case of
APRA regulated funds.

Secondly, for people who have consciously chosen to—as it were—go it alone rather than
relying upon a professional investment manager, a corollary is that if it goes well you capture
the benefits. If it does not go well, you bear the losses. Those are losses from making poor
investment choices, as well as losses from fraud and theft. That is not a very palatable
message if you do badly—it is quite an attractive message if you do well—but it is inherent in
the nature of self-managed superannuation funds. If you do not want to take that risk, and I
would argue that the majority of people are probably not well advised to take that risk and are
probably not in a good position to do so, then do not choose a self-managed superannuation
fund.
The third point I would make is that any such scheme must only be available in extremis, where there has been fraud or theft proven. As the member for Thorsby indicated, one of the real policy challenges in this area is moral hazard. In other words, if there is a last-resort scheme available then people who lose money will have a very strong incentive to take advantage of that scheme and they might also have an incentive to take risks or be less careful than you would be if such a scheme did not exist.

In the case of APRA regulated funds, where such a scheme does exist, the first resort is the professional skills and capacity of the management team which is running the fund into which individual investors have put their money. Therefore, a policy decision that says, 'We will have a last-resort scheme in the case of fraud or theft,' has that initial safeguard that you have a team of professionals managing the money in the first place. In the case of self-managed super funds, it is by definition a collection of people who do not do this as their main job. This is, in essence, something they are choosing to do for themselves, but they are not generally professional investors.

Therefore, it becomes quite a challenging public policy notion to say, 'You can manage your own affairs, but a corollary of doing that is that you are liable—at least to some extent—if any one of the other several hundred thousand people who are also doing this ends up being defrauded or having money stolen from them. Then, you will have some of your own money taken to fund the compensation to that person.' That is a difficult policy approach.

I do not doubt the good intentions behind the member for Throsby's attempt to grapple with this serious policy problem. It is a problem we should have a continued focus on, but I do not think that the proposed policy solution of a scheme that applies across all SMSFs is a good one. In essence it really undercuts what is the core idea of a self-managed super fund—that you take responsibility with the ups and downs. If that is not something that suits you, you are probably better advised to be in a different investment vehicle.

Ms BIRD (Cunningham—Parliamentary Secretary for Higher Education and Skills) (18:50): I take the opportunity this evening to express my support for the intent of the private member's motion which has been moved by my colleague the member for Throsby about self-managed superannuation. I want to start by acknowledging the point that was made by a member in point (1)(d) of his motion, which is that this House notes:

… the severe hardship caused to investors in Trio Capital, which collapsed as a result of fraudulent activity and which was the largest superannuation fraud in Australian history, with around $176 million lost or missing.

A significant number of the victims of this fraud, as the member for Throsby indicated, live in my electorate. Some of them have personally come to see me or have written to me about the devastating financial and very often emotional toll that this has had on them and their families. Without exception these people had dedicated significant effort and resources over their working life to saving for a secure and quality retirement. Their concerns were only to provide for themselves in their retirement age, to not be a burden to their families or communities but to continue the independence that had been a feature of their working life and which they aspired to continue in their retirement.

The member for Throsby's motion seeks to address one aspect of this terrible circumstance: the lack of coverage for those individuals whose funds were in self-managed superannuation rather than the Australian Prudential Regulation Authority regulated superannuation funds. In
supporting this motion, I first want to acknowledge that there are wider matters that have been raised by this fraud, but I believe the specific matter that this motion seeks to address is very important for the future, while acknowledging it does not provide a solution for those who have already been affected. However, I should acknowledge that many of the locals to whom I have spoken have been at pains to make it clear to me that they also are concerned to see reforms put in place to provide stronger protections for other people in the future.

The difficulty that this motion addresses is the fact that some of the victims of this fraud were eligible for a compensation scheme whilst others were not. The Superannuation Industry (Supervision) Act 1993, under section 23, creates a provision that comes into effect where fraudulent conduct or theft has caused a loss for a superannuation fund's member. However, section 1AA(2) specifically exclude self-managed superannuation funds. This section allows an application to the minister arguing that an eligible loss has occurred to activate, on determination by the minister, that the public interest requires a grant of assistance where compensation is paid and recovered through a levy on all APRA regulated superannuation funds and approved deposit funds. This mechanism was triggered in the Trio case, and in April 2011 the federal minister announced that approximately $55 million in financial assistance would be made available to the eligible investors, and the cost would be recovered through the levy. There were, however, direct investors in self-managed superannuation funds who were not covered by this section of the act and the compensation mechanism. Regularly, some of my local constituents have indicated to me that they were not aware that the scheme they were involved in did not have this protection in the case of fraud or theft and that they would have been willing to carry an additional cost to provide such protection.

The remaining mechanisms under professional indemnity insurance are problematic for many of these investors. The issue of the provision of a compensation scheme for these investors has been canvassed on several occasions over the years since the Wallis inquiry in 1997 and up to the Richard St John review commissioned by the federal government which reported in May last year and the joint parliamentary committee report tabled on 16 May 2012. I acknowledge that all of these inquiries came to the conclusion that the introduction of a compensation scheme by a levy on SMSF investors, generally on the basis of the potential for moral hazard, which my colleague covered, would have the effect of 'decreasing responsibility for appropriate caution and prudence' to quote the words of the report. However, I feel it is appropriate, as this motion suggests, for the self-managed superannuation sector and policymakers to address this issue in order to find an appropriate and effective way for member-funded compensation schemes to be developed for circumstances of fraud or theft affecting members of self-managed superannuation funds. I endorse the final point of the motion, which calls on the government to work for enhanced fraud detection and on regulators to enhance fraud detection and prevention in this evaluation system.

Mr McCormack (Riverina) (18:55): I commend the member for Throsby on this motion and also the members for Bradfield and Cunningham for their speeches on it. It is very difficult to represent people who have been ripped off and people who have had their superannuation nest egg taken away in unfair and illegal circumstances. Tonight gives me the opportunity to speak about important superannuation matters and I agree that the government should be working with regulators to enhance fraud detection and prevention in the superannuation schemes.
The Trio inquiry has highlighted the considerable financial losses and the physical and dreadful emotional toll suffered by hundreds of Australian investors who were defrauded in the largest superannuation fraud in this nation's history, costing them $176 million in retirement savings. The parliamentary joint committee inquiry has also exposed the failure of key checks and balances in the Australian regulatory system, with regulators missing some important signals or failing to identify the fraud or to act rapidly enough to shut it down and protect investors. The coalition has welcomed the release of the committee's report on the collapse of Trio Capital and has called on the government and regulators to act on its recommendations. We expect the Australian Securities and Investments Commission, the Australian Federal Police and the Australian Prudential Regulation Authority to act decisively and seek justice on behalf of those investors who have suffered greatly due to the collapse of Trio Capital.

The government needs to provide ASIC with appropriate funds to enable the liquidator of Trio to properly investigate the various offshore companies into which the Trio funds were invested. The government must also appropriately resource the AFP to establish a dedicated superannuation fraud squad which will provide valuable protection for Australians in the superannuation system from criminal activity in the future. We heard from the member for Bradfield about the potential for international theft of the $1.5 trillion pool of superannuation funds.

I spoke today with Trevor Ion, a financial planner from Wagga Wagga, about his thoughts on this motion and superannuation matters. He advised me he has been in the industry since 1986 and has seen many different types of fraud and collapses with investments within the superannuation environment as well as with investments outside the superannuation environment. The questions Mr Ion asks about any scheme are ultimately about the structure, the cost, whether there choice to opt in and how much will the scheme cost to administer. His company gives choice to clients who are prepared to pay the cost to protect their investments from market volatility. Therefore, should trustees have the choice to pay these costs? Mr Ion advised me that they have clients who are trustees of self-managed super funds with secure investments who would object to paying for a cost they may not benefit in and thus subsidise the trustees who have higher risks.

The government also needs to stop playing with people's superannuation. Only last month there was a report in the Australian about the government's plans to ramp-up taxes on self-managed super even further. People who have done the right thing by working hard and saving to achieve a self-funded retirement so that they are not a burden on the public purse are being penalised by this government. We should be supporting these people and encouraging them; not raiding their retirement savings. The government should not be placing tax grabs on people's retirement savings to try to get some cash to make up for deficits, the $120 billion in unfunded promises and the collapse of the mining and carbon taxes.

As of 30 June 2011 there were 442,528 self-managed super funds with a total of 841,283 members. Indeed, self-managed super funds held 30 per cent of all assets in superannuation at the same time. This is a total of about $407 billion. When in government, the coalition worked hard to protect Australians' superannuation and to ensure they understood the benefits of superannuation and that they had options. We removed the confusing and discriminatory reasonable benefit limits and simplified the superannuation laws. We introduced reforms to
allow Australians to choose their own superannuation fund, including the freedom to choose a self-managed fund. We increased contribution caps to allow people to voluntarily save for their retirement at a stage of their lives when they can better afford additional contributions and when they are more focused on their retirement needs. We also encouraged superannuation saving for low- to middle-income earners through the co-contribution scheme.

We have unfortunately seen increased taxes, however, on voluntary savings by changing concessional contribution caps from $50,000 to $100,000, down $25,000 across the board. Anyone who wishes to save more than $25,000 per annum, which includes the compulsory contribution, has to pay more tax. This is an important motion. I commend the member for Throsby for introducing it, because people should not have their nest eggs ripped off through fraud.

Debate adjourned.

BILLS

**Fair Work Amendment (Tackling Job Insecurity) Bill 2012**

The DEPUTY SPEAKER (Hon. DGH Adams) (19:01): The question is that the motion be seconded.

Mr BANDT (Melbourne) (19:01): I believe that the second reading of the Fair Work Amendment (Tackling Job Insecurity) Bill 2012 has been moved and seconded and is now for debate here. There is a significant problem in Australia when we have researchers working in scientific and health fields, teachers and staff who work in universities being unable to get a mortgage or plan their lives with sufficient certainty because they do not know from year to year, or in some cases from month to month, whether they are going to have a job. When we have a quarter of employees in this country who do not have any access to paid leave, it is clear that we have a problem. I have spoken to many teachers, who are responsible for educating our children, who have told me that they can find themselves nearing the end of the school year not knowing whether their contract is going to be renewed for the next year, despite the fact that the school needs teachers and always will.

Australia is a particularly bad offender when it comes to insecure work. We are second only to Spain in the OECD for the number of people in temporary forms of work. Of course, Spain has a very large rural workforce employed on short-term contracts. We can do something about it and we should do something about it, because the burden of risk that comes with globalisation and the changes in the workforce that we have seen over the last three decades primarily is falling on working Australians and their families. This is having huge consequences not only in terms of people being able to plan their lives but also in terms of their health.

This bill proposes a solution to fix one part of the problem. It is a multifaceted problem which will not be solved simply by one piece of legislation, but it does need legislation in order to be fixed. This bill is based on the path-breaking work of the inquiry into the nature and the extent of the problem of insecure work in Australia and some solutions conducted by a former Deputy Prime Minister, Brian Howe. One of the central elements of this bill is to give the Fair Work Commission the power to lay out pathways for people to transition from insecure work to ongoing employment arrangements. This bill also exempts small businesses from its operation. There are a number of reasons for that to do with the particular needs of
small businesses, but one thing that is important to know is that it is in our high-employment sectors in government—in education in particular—that this problem finds itself most graphically expressed.

It happens with teachers, as I have referred to, but also amongst university staff. On one recent report, up to one-third of university staff, including lecturers and all the other staff there, find themselves in non-standard employment arrangements. Of course, there will always be universities; they will continue to be funded. There is absolutely no reason there should be such a high level of short-term work.

What this bill does is say, 'Well, in certain circumstances we will leave it up to the Fair Work Commission to decide whether it is appropriate that people should be on insecure work arrangements or not; if not, there will be a process for transition. We will also allow the Fair Work Commission to look at some of those other areas of non-standard work—for example, labour hire—and to say what is an appropriate use in this particular sector or in this particular industry.

This bill has been to an inquiry; we have received a number of submissions. I am very pleased that the ACTU supports it. I am very pleased that the union that represents staff who work in universities supports it. I guess the real question will be whether Labor supports it as well. We have an opportunity, before this parliament rises, to take some real action to fix the growing problem of insecure work. Brian Howe has laid out the road map and we should follow it.

The DEPUTY SPEAKER: Is the motion seconded?

Mr BANDT: Deputy Speaker, the seconder is not here because the previous practice has been that, for bills referred to the Federation Chamber, the mover and seconder do not need to be in here when it happens; only in the House.

Mr Champion: I am not going to second it, Mr Deputy Speaker. I will speak on it.

The DEPUTY SPEAKER: We will move on. Thank you.

Mr CHAMPION (Wakefield) (19:07): Back when the member for Melbourne was learning Marxism at university—I went to university as well—I was a trolley collector, many moons ago. It taught me everything I needed to know about the perils of insecure work and the perils of dealing with small businesses. It was that experience that led me to wind up, after a little while, working for the shop assistants’ union.

We dealt with many employers who had vast numbers of casuals—in retail—and had very similar problems to the ones that the member for Melbourne talks about. I can remember Coles, for instance, had about 80 per cent casual employment; and it would have been the same for Woolies. We spent a lot of time bringing this up with the companies over and over again. We brought up the fact that it was completely unfair on employees, and those employees had all the same problems that the member for Melbourne talked about: they could not get loans; they faced varying hours from week to week; they were insecure even after years of employment. These were very serious matters. But, in the end, the companies worked out that this was an economic cost on themselves, because of course when you have high levels of casual or impermanent work, you get the associated cost of a very high turnover.

That is a very big cost to companies, because you lose skills and you spend vast amounts of money on training, on providing uniforms and doing all sorts of things. You have this churn
within your organisation. None of that is very good in the modern workplace; for skill formation, for productivity and for a settled workforce. So any company that looks carefully at excessive casualisation of their workforce will find that turnover is a cost and they should take that into account. I would be a bit surprised if universities did not have a bit of a think about this and work out that it is a very big cost with a teaching workforce as well. The point is we resolved that issue through workplace negotiations and that is where I think this matter should properly be left. We have in place the Fair Work Act and that act promotes bargaining at the workplace level and it puts in place a number of job protections which help people to bargain, and it has a number of provisions which help people to collectively bargain in areas such as cleaning and other areas where contracts come and go.

We know that people can bargain and that issues around employment security have been brought up at least in a number of awards and agreements. A number of those agreements contain the matter of conversion from casual to permanent employment. This is a process that operates under the Fair Work Act, so to come over the top with legislation which, on the member for Melbourne's own admission, only applies to big organisations, which tend to have these clauses in them anyway and completely exempts small business, where we would all acknowledge most of the job creation goes on in any event, seems to be somewhat problematic. He seems to be promoting a solution that would not work and would, I think, potentially complicate industrial relations a great deal in this country, because it is not clear when the orders were made and how that would affect individual employees and whether they would be put on some new set of conditions after this bill is enacted—

Honourable member interjecting—

Mr CHAMPION: No. Listen. At the moment there are conversion clauses in the award. What you are talking about is putting legislation over the top of that, so we might make a whole new set of conditions which is not necessarily the thing to do.

The experience with Coles is that they got so carried away, they had some stores with 100 per cent permanency options, and of course we found that that did not suit everybody. So some people do opt to remain casuals even after years of employment because they prefer the flexibility, sometimes to the frustration of the employer. While this bill is well meaning, I think it tends to go over the top of the Fair Work Act and over the top of workplace bargaining, which I do not think is welcome.

Due to a lack of a seconder, the motion lapsed.

PRIVATE MEMBERS' BUSINESS

Human Rights: Vietnam

Debate resumed on the motion by Mr Hayes:

That this House:

(1) notes that:

(a) there are reports of human rights violations in the Socialist Republic of Vietnam (SRV) including evidence of continued house detention and imprisonment of notable human rights activists including the Nobel Peace Prize nominee the Most Venerable Thich Quang Do, Patriarch of the Unified Buddhist Church of Vietnam Reverend Nguyen Van Ly, from the Vietnamese Catholic Church Dr Nguyen Dan Que, Jurist Dr Cu Huy Ha Vu, and a popular young peace songwriter Vo Minh Tri (known as Viet Khang);
(b) the Vietnam Government's treatment of human rights activists, including the recent trial and conviction of 14 human rights activists in January 2013, appears to be inconsistent with Vietnam's obligations under the International Covenant on Civil and Political Rights, as well as the provisions of the Universal Declaration of Human Rights relating to freedom of expression and due process;

(c) trade union organisers Doan Huy Chuong, Do Thi Minh Hanh and Nguyen Hoang Quoc Hung have spent more than two and a half years in custody convicted for 'national security' charges which emanated from their involvement in organising workers at a shoe factory;

(d) despite the SRV being a signatory to the International Covenant on Civil and Political Rights, human rights activists say that they are often denied a fair trial and prevented from defending themselves or calling upon witnesses for their defence; and

(e) on 10 December 2012, a petition was handed to the Australian Government as part of the Million Hearts, One Voice Campaign, containing more than 15,000 signatures from local Vietnamese communities in Australia, and more than 135,000 signatures worldwide, drawing attention to the ongoing human rights violations in Vietnam; and

(2) calls on the Australian Government to:

(a) take all appropriate steps to convey to the Vietnamese Government that Australia expects Vietnam to honour the undertakings it freely entered into when it became a member of the United Nations and a signatory to the International Covenant on Civil and Political Rights;

(b) continue Australia's engagement in bilateral and multilateral contexts with Vietnam on human rights; and

(c) ensure that the matters contained in this motion are brought to the attention of the 2013 Australia Vietnamese Human Rights dialogue.

Mr HAYES (Fowler) (19:12): As the member for Fowler, I have often raised in this place the human rights situation in Vietnam. In May last year, I raised a private members' motion that drew attention to a number of human rights abuses that existed then and I asked members on both sides of the House to put aside their political differences when considering human rights. As the Australia-Vietnam Human Rights Dialogue will take place around June or July this year, I have chosen to raise another motion in the House recognising the Vietnamese government's continued human rights abuses. My stance on human rights has been clear. I believe in a world where people's fundamental human rights are respected and I have always shown great admiration for those who are brave enough to stand up for human rights.

Since becoming the member for Fowler, I have often been approached by the Vietnamese community to voice their concerns about human rights to this parliament. I have seen it as an honour and a privilege to represent them on such an important issue. Over the past three years, I have brought to the attention of this House the increasing reports of gross human rights violations in Vietnam. I have shared the stories of some of the incredible and courageous human rights advocates who have risked their safety and their lives in the fight for a higher cause. I have spoken about the convictions of many of the bloggers and activists, including the legal advocates Dr Cu Huy Ha Vu, Vo Thi Thu Thuy, Nguyen Van Thanh and Ta Phong Tan, and the singer-songwriter Viet Khang.

I have questioned several procedural irregularities that seem to be apparent in the Vietnamese justice system. I have also paid tribute to the families of the human rights defenders—the husbands, the wives, the mothers, the fathers, the children of these brave men and women who remain incredibly affected not only because of the denial of their human
rights but because they have been let down by a legal system which fails to honour fairness and equity for those who speak out.

Today I would like to bring to the House's attention the plight of a fellow called Paulus Le Son. He is a bright and very inspiring young person who has an ambition to change the world and the courage to make it happen. Paulus is a passionate member of the Vietnamese community, having been an activist organising for issues such as HIV and public education and served as a member of the John Paul II group for pro-life. He is a prominent writer for *Vietnam Redemptorist News* and is a popular young blogger who covers various issues, in particular social justice, human rights and sovereignty.

At the age of 27, Paulus is not much younger than my youngest son Jonathan. Paulus is full of potential, energy and capability, yet his vision and courage is beyond what can be expected from anyone of that age, in my humble opinion. Paulus is one of 14 human rights activists recently tried in Vietnam in the People's Court of Nghe An Province. He has been detained since 2011 and, in January this year, was sentenced to 13 years prison followed by a further five years of house arrest upon his release.

The sentences resulting from these trials were among the highest given to any political dissident in Vietnam over recent years. They demonstrate a disturbing trend in Vietnam, particularly in respect of the suppression of human rights.

I have recently been advised that a few days ago the families of the 14 activists who were tried along with Paulus Le Son met in the Canadian embassy in Hanoi and had meetings with the ambassadors for Canada, the United States, Sweden, Switzerland and Norway. The families have gathered 28,480 signatures from around the world demanding the release of their relatives. There will be a retrial of this case over the next few days, I understand—I believe it is imminent—and I request the Australian embassy in Vietnam to closely follow these proceedings.

At the conclusion, I wish to table a document signed by 3,716 Australians condemning the treatment that was handed out to these 14 activists. I am in a very fortunate position of being kept informed of the human rights abuses in Vietnam by the representatives of the Vietnamese community in Australia, by Colonel Vo Dai Ton, Father Paul Van Chi, Father Francis Van Tuyet and Vietnam Sydney Radio as well as Viet Tan. These people and organisations have shown much passion and commitment to improving the human rights situation in Vietnam.

I have much respect for the Vietnamese people. Over the past three years I have had many opportunities to work closely with the Vietnamese community to learn their culture and customs but, more importantly, to represent their voice in the federal parliament.

The Vietnamese people are some of the most generous and hard-working people I have ever met, and we have all seen their enormous contribution to this country over the last 38 years that they have called Australia home. When Vietnamese people speak to me about their journey, they have such strong emotions attached to the value of freedom. These strong emotions are indicative of their compassion and hope for millions of Vietnamese people.

I, too, have great hope for the 80 million people living in Vietnam and therefore I have raised this notice of motion in the hope of bringing greater national attention to this very important issue. I believe that, as a trading partner and a significant aid donor to Vietnam,
Australia has a moral and legal responsibility to require Vietnam to abide by its international obligations imposed by virtue of Vietnam's membership to the United Nations and also its being a signatory to the International Covenant on Civil and Political Rights.

I recognise that 30 April is fast approaching. Significantly, it is a commemoration of the fall of Saigon. The Vietnamese community in Australia will gather at the Vietnam war memorial in Canberra and pay respect to the thousands of Vietnamese and, importantly, the 521 Australian soldiers who gave their lives in the fight for freedom and democracy.

I would like to take the opportunity to pay my respects to the human rights defenders, past and present, and to make a commitment to doing whatever I can to advocate for the human rights position in Vietnam. I believe that, on any reasonable analysis, the Vietnamese government's treatment of the individuals that I have named in this notice of motion is absolutely inconsistent with that country's obligations under the International Covenant on Civil and Political Rights as well as the provisions under the Universal Declaration of Human Rights, particularly relating to the issues of freedom of expression and due process.

These are issues that cannot be taken for granted, and we on all sides of this parliament wish Vietnam to have a strong and prosperous future. But, to do that, it must first take steps to recognise the dignity of its own people and institute, through all organs of government, including the judicial system, respect for the value of human life and restoration of human rights. Therefore, I will remain committed to doing whatever I can to advocate for human rights in Vietnam.

In the short time I have left I would like to table a document, which I have referred to earlier. It was given to me this week and it relates to the trial of the 14 young Catholic activists and the retrial that is likely to occur over the next week or so. This document was signed by 3,716 Australian Vietnamese. It shows the depth of concern that Vietnamese people living in Australia have about what is occurring in Vietnam at present. What is consistent is that people want fairness and decency in the treatment of human life. We can certainly expect more from the government of Vietnam, particularly if they want to be taken as a serious player in trade with the West and to open up a greater avenue for expansion and their involvement in terms of world trade. I commend this motion to the House and seek leave to table this document relating to the 14 Catholic activists.

Leave granted.

Mr SIMPKINS (Cowan) (19:23): I welcome this opportunity to speak on matters concerning human rights and freedoms in Vietnam, and I thank the member for Fowler for bringing this motion forward. This is my 15th speech in the parliament on matters to do with freedom and rights in Vietnam. I do have a history of being critical of the government of the Socialist Republic of Vietnam. On principle, I do not believe that a single-party state—Communist Party or whatever—represents a democracy in any way, and I do not believe that the people of a country such as that can be represented appropriately when the government cannot be held to account and, as a result, completely changed by the will of the people.

For many Australians, Vietnam is becoming a popular tourist attraction. It is vibrant, colourful, picturesque and interesting. Yet clearly the standard of living is very low. While all that is clear to anyone who visits the country, what is not clear is that there is political discontent and dissatisfaction amongst increasing numbers of people. That discontent has
manifested in ways that it can be, when so much of the print, television and radio is under the control of the government. In many ways, it falls to the internet and to bloggers to hold the government to account, and many have been put in jail for being caught. Given the risks involved from the law, such as even suggesting a multiparty state being an offence, I am surprised by the courage shown by so many Vietnamese people.

The protestations of Vietnamese people include the basic, as I deem them, demands for democracy: freedom of speech, freedom of religion and freedom of association. Yet beyond that there are many that protest about the giving away of sovereignty over the Paracel and Spratly Islands. There are those that protest about the mining and business concessions in Vietnam given to Chinese sovereign owned businesses, and there are also protests about the environmental damage caused by Chinese bauxite mining in the highlands of Vietnam. With regard to religious based protest, there has also been government seizure of land from churches and the parishioners protesting about those losses.

On 30 January this year I asked DFAT to seek for me a visa to visit Vietnam in April, thinking that around three months would be a good time period to allow the processes to work. In what would be my third visit to Vietnam, I sought to visit in jail the 14 recently jailed young Catholic activists Dang Ngoc Minh, Dang Xuan Dieu, Ho Duc Hoa, Ho Van Oanh, Le Van Son, Nguyen Dang Minh Man, Nguyen Dang Vinh Phuc, Nguyen Dinh Cuong, Nguyen Van Oai, Nguyen Xuan Oanh, Nong Hung Anh, Thai Van Dung and Tran Minh Nhat. They were tried and convicted in Nghe An Province on 9 January 2012. I also asked to be able to visit Cu Huy Ha Vu and Le Quoc Quan.

These brave people have my profound respect, as do their families. They have sacrificed their freedom in pursuit of a just cause. I suspect that life inside a Vietnamese prison is unpleasant and the path of least resistance would be to renounce their cause, but it is a testament to their courage that they continue to serve the cause by not recanting. In a visit next month, I hope to at least get a glimpse of what they have to endure, but, given that it has been two months since my request was submitted and there has still been no result, I suspect that there will never be such a result.

In October 2012 I spoke in the parliament about a campaign called Million Hearts, One Voice. This is a campaign for democracy in Vietnam and calls for the release of all political dissidents. The campaign was launched about a week before my speech and has been strongly supported by many prodemocracy organisations and groups. At that time around 40,000 people worldwide had signed the petition, with 100,000 targeted by International Amnesty Day on 10 December 2012. In the end, 135,000 people signed the petition, 15,000 of them in Australia, including me.

I know that the Vietnamese community in WA joined the campaign and many groups in WA actively supported it. The petition seeks international investigation of the situation of arbitrary detention, inhumane prison conditions and a lack of political processes in Vietnam. It also demands that the government respect the Universal Declaration of Human Rights and repeal vague national security laws which are often the pretext for arbitrary arrest and detention. Finally, it urges the Vietnamese government to immediately release all political prisoners.

I take this opportunity now to speak on the specifics of certain individuals that are not free as a result of the repression in Vietnam. I thank the Viet Tan, or Vietnam Reform Party, for
highlighting these causes. On 27 November 2011, social activist Bui Thi Minh Hang was arrested for causing public disorder. She had been a constant presence at the weekly anti-China protests in Hanoi and Saigon during the summer and fall of 2011. She was detained by police while demonstrating in support of other peaceful protesters who had been recently arrested. She was sentenced to two years of re-education without a trial or any due process. Police have also harassed her son and family friends.

A resident of Can Tho, Cao Van Tinh, has been involved in land rights campaigns since 2011. He participated in a 27-day peaceful sit-in outside government offices in Saigon in 2007. On 22 February 2011 he was arrested and in May 2011, after being charged with attempting to overthrow the government, was sentenced to five years imprisonment with a further four years of house arrest after that. In 2011 the UN Working Group on Arbitrary Detention ruled that the Hanoi government's detention and conviction of Tinh and six other activists is in violation of international law. Despite that, he remains in a detention centre.

Cu Huy Ha Vu is a prominent government critic and human rights lawyer. He filed unprecedented lawsuits against the government, including suing Prime Minister Dung for violating laws on environmental protection, national security and cultural heritage by approving a Chinese-run bauxite-mining project in the central highlands. His law firm provided legal assistance to democracy activists and, prior to his arrest, to six Catholics from Con Dau parish who protested at government confiscation of properties. He was arrested in November 2011 and, in April 2012, was sentenced to seven years imprisonment followed by three years house arrest, having been charged with propaganda against the socialist state. His current address is Prison Camp 5, Thanh Hoa Province.

The next person that I will speak of is even more special for me because of my personal connection through a visit to his church. I speak of Duong Kim Khai, who is a leader of the Cow Shed congregation. A member of Viet Tan, Pastor Khai has been active in helping farmers petition for the return of confiscated lands. He was arrested on 16 August 2010 and, on 30 May 2011, he was sentenced to six years imprisonment, followed by five years house arrest, having been charged with attempting to overthrow the government.

On 5 September 2011, Ta Phong Tan was arrested and remains detained without trial and for unknown charges. A former police officer and Communist Party member, she is a prolific blogger with more than 700 articles to her name. She began her writing career as a freelance journalist in 2004 and, since then, her articles have appeared widely online. With her knowledge and experience of police work, she provides insightful observations about widespread abuse of power by the security police. She is a recipient of Human Rights Watch's Hellman/Hammett award. She is at Phan Dang Luu Prison in Saigon. These are just some of the examples of very many that highlight the restrictions on freedom of speech and the undemocratic standing of the Communist Party and its governance of the Socialist Republic of Vietnam.

As stated earlier, I asked at the start of the year for a visa to visit activists who are in jail in Vietnam. The Communist government is not providing an answer in an attempt to delay me or to make me give up. Until such time as they make a decision, I will continue to ask the Department of Foreign Affairs and Trade to pursue the matter.

In the same way, it is right that we continue to raise these matters in the Australian parliament. Continually raising these matters and the cases of individuals such as the ones I
have spoken of today, which exist amongst many others, helps to maintain the pressure on the Communist government in Vietnam. As is mentioned in this motion, clearly the point that Vietnam is a signatory to the International Covenant on Civil and Political Rights means nothing with their draconian and antidemocratic laws. They can sign what they want but that is all for show when the international community identifies these terrible flaws and harsh application of those laws and processes that see people arrested and detained without even a trial for years.

Once again, I thank the member for Fowler for this motion. I welcome the opportunity to speak about the need for a better future for Vietnam. Finally, I would say that any government that is confident in its belief that it governs in the interests of its people should not fear an alternative. It is only when a government knows it is not doing its best for its people that democracy is opposed and alternatives are suppressed.

Debate adjourned.

BILLS

Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013

Second Reading

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

Mr KEENAN (Stirling) (19:33): I rise in support of the Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013. The bill was moved by my colleague the shadow minister for immigration and citizenship and is in line with the coalition's long-held belief that we need to return to the successful border protection policies of the Howard government if we are to regain some control over our borders and have some control over who comes to our country.

There was an announcement by the government about an hour ago that there was another illegal boat arrival today. That means that there have been more illegal boat arrivals this financial year alone—and bear in mind that we are only three-quarters of the way through this financial year—than occurred under the whole 11 years of the Howard government. That is just an indication of the unprecedented wave of illegal boat arrivals that we have been experiencing because of the failed border protection policies that have been pursued by the Labor Party since they have come to office.

Given that very serious record of failure, it strikes me as very strange that the Labor Party will not return to the point where they broke the system. That was when they came to office and did things like repealing the issue of temporary protection visas and abolishing the Pacific solution. They refused to implement their stated policy for the 2007 election, which was to turn the boats around. It strikes me as very strange that the Labor Party do not go back to the point of August 2007 when they broke the robust system of border protection they had inherited from the previous government. When they made those policy changes they sent the message loud and clear to criminal gangs of people smugglers that Australia was once again a soft touch, that Australia was once again refusing to have the resolve to stand up to their evil trade.
In September 2008, literally a month after those changes had been made—the abolition of the Pacific Solution and the abolition of temporary protection visas—the people smugglers went back into business. In September 2008 we had the first wave of illegal boat arrivals come down to Australia again. They came in what was, in hindsight, only a trickle. Subsequently, at the end of 2008 and in 2009, 2010, 2011, 2012 and this year the unprecedented rate of arrival has been continuing to increase to the point where we have had over 14,000 people arrive illegally this financial year alone, and almost 240 illegal boats. That is getting very close to one illegal boat arrival per day. That is not a rate that we can sustain in Australia. As a result, even though the detention network has been massively expanded to cope with this influx, the government has been forced to release people into the community to live on welfare, with no entitlement to work, in a way that I think is detrimental to them and also to the Australian taxpayer.

This bill is an attempt to rectify some of the damage that the Labor Party has done, and it makes perfect sense to me and my colleagues in the opposition that we should seek to reinstate the strong border protection policies that the Howard government used to solve this problem when we were faced with it in very similar circumstances in the decade up until the year 2001. Prior to 2001 we had a substantial increase in every given year of illegal boat arrivals. Success breeds success with people smuggling: the more the people smugglers could get people down here illegally the more people would seek out the services of the people smugglers and the more people would arrive in Australia illegally. The Howard government was faced with very similar circumstances. Success bred success and the number of illegal boat arrivals continue to increase in the late 1990s and in the year 2000. In the year 2001 the Howard government said: 'Enough is enough. We are not going to accept people smugglers controlling our immigration system. We are going to do what is necessary to close that trade down.'

People smugglers are not some sort of modern-day Oskar Schindlers; they are the most diabolical criminals who cared absolutely nothing for the human cargo they smuggle down here, to the point where you can hear dreadful anecdotal stories about people who have employed the services of the people smuggler only to be left in the high seas where the crew abandoned ship. We will not know the extent of the people who have been lost trying to take this journey because it is impossible to get an accurate understanding about the number of people who have lost their lives taking this journey. Certainly, it would be in the hundreds. There is no doubt that hundreds upon hundreds of people have died trying to make this journey—hundreds of adult women and men and also children and babies.

It is not the case, as the government would have people believe, that there is nothing we can do about this, that we have to accept that there is nothing we can do to close down people smuggling, that it is going to be ever-present and that it is going to continue to increase. That is not the case. The reason we know that is not the case is we have solved this problem in the past. The Howard government was faced with very similar circumstances. In 2001 it took tough but necessary decisions that were controversial within the Australian community at the time. What you cannot argue is that they were not successful. Once those measures were taken they essentially completely and utterly closed down people smuggling.

In the years after 2001-2002 and up until 2008 when those policies were reversed, we had an average of three illegal boat arrivals per year. Three per year; that is one every four
months. If you want to put that into context, last weekend we had six illegal boat arrivals. So, we used to have three a year under the Howard government's successful border protection policies and now we can have double that arrive on one given weekend under the Labor Party's failed border protection policies.

The way we are going to reverse this is to go back to those successful policies that have actually worked. A very successful part of those policies was temporary protection visas. Temporary protection visas work incredibly well because they undermine the product that people smugglers are selling. People smugglers are selling permanent residence in Australia. If you undermine the ability of people smugglers to sell permanent residence in Australia you undermine their ability to go out into the international community and to sell their product for a very large sum.

You can understand how permanent residence in Australia is a very lucrative product. Temporary protection visas undermine the ability of people smugglers to do that, and that is why they are such a successful part of a successful border protection regime. That is why it is vitally important that this parliament embrace measures to return to temporary protection visas so that we can once again control who comes to Australia.

This bill would restore two classes of temporary protection visa: subclasses 785 and 447. Both of these subclasses of visa were available under the former coalition government, and they are of course also in keeping with Australia's obligations under the refugee convention.

The temporary protection offshore entry visa would be for a term of up to three years. That term would be set by the minister or his or her delegate. This visa gives the holder the right to work and to special benefit payments, and also access to Medicare. I do think that the right to work is particularly important because at the moment we have the situation which I think is the worst of all worlds both for the people concerned and also for the Australian taxpayer. That is where people are released into the community with only the right to live on welfare. This seems to be the absolute worst of all worlds for all policies.

Government members interjecting—

**Mr KEENAN:** We have interjections from the members opposite. What we do know is that we used to have a successful border protection regime in this country. Astonishingly and stupidly they reversed that when they took office in 2007. As a result, we have the catastrophe that has unfolded on our borders ever since: 14,000 people this financial year alone on almost 240 illegal boats. And yet, foolishly the Labor Party refused to embrace measures that we know will work to stem the flow of illegal boat arrivals and will work to stop people smuggling.

That is what this bill will give effect to. Temporary protection visas, in conjunction with turning the boats around and a serious effort at offshore processing, will restore the policies of the Howard government. If we restore the successful policies of the Howard government we can again control who comes to Australia and we can again exercise some control over Australia's borders—something that has been completely lacking under the weak regime of the Rudd and Gillard governments.

Government members interjecting—

**The DEPUTY SPEAKER (Mr S Sidebottom):** Order! The Acting Deputy Speaker is speaking! Show some respect for the chamber, please, members.
Mr GEORGANAS (Hindmarsh—Second Deputy Speaker) (19:43): I say from the outset that this Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013 to reinstate TPVs is a bad policy. It was a bad policy when it was introduced in 1999 by the then Howard government. We repealed TPVs in 2008 and they are still a bad idea in 2013. We hear the issue of migration raised continuously in this chamber and in the other chamber, and we hear about refugees constantly.

One point I really want to make is that for many, many years in this country, people have been arriving by boat. My parents arrived by boat after World War II. The place they came from was absolutely devastated by a world war, by a civil war and then by an economic crisis. As a child, sometimes I would ask my mother why on earth she came to this country: 'Why would you leave everyone behind? Why would you leave your family, your siblings, your mother, your father and everything you have known your entire life to go to the other end of the world, where you knew nothing?' She said to me, 'The answer is that, as human beings, we need the ability to dream and I did not have that ability in Greece at that point in time.'

We made our way to Australia, just to have the ability to be able to dream and perhaps realise those dreams. That is why millions of people have made their way here to Australia. In her case, she had a choice and she took that choice. But many of the people who are coming today—what we call 'unauthorised boat arrivals'—do not have that choice. Their only choice is to stay where they are: to be executed, to be discriminated against, to see their children suffer and to know that there is absolutely no hope in the world for them. What we have done here in this place, over the last 10 years or so, is make this an issue for political gain—without thinking of those human lives and those human beings.

When I go overseas I make a point of always asking politicians, mayors and people in authority about the refugee issue in their country. Throughout Europe, wherever I have been, I ask that very same question: 'What is the approximate number of unauthorised people that have crossed your borders?' In one instance, in Athens last year, when I met with the Mayor of Athens, I found that 500,000 people living in the city of Athens had gone there without any papers; they had found their way there. In Italy, there were 6,000 arrivals per day. In Spain, there were similar numbers. Yet, here in this place, we make an issue of a few thousand per year. Why? Because of what I said earlier—for political gain.

This is a bad policy. Temporary protection visas were a bad idea in 1999 and they are still a bad idea today in 2013. That is why I do not support the bill. At the time of their introduction, TPVs did not exist anywhere else in the world and were subject to widespread criticism. The worst feature of the TPVs is that asylum seekers found to be owed protection have to undergo the entire assessment process again every three years. This is very unfair and I find it very inhumane.

Let me read to you a direct quote from Ebrahim, who lives in Adelaide in South Australia and who was a temporary protection visa holder. These are his exact words:

Who could explain the unfairness of TPV better than myself who had to live over 5 years of his life in absolute uncertainty of what future holds.

It wasn't the length of time away from my family, but the uncertainty of whether this country would recognise me a refugee before I have lost my whole family.

My hope went so down and life got so dark that at one point human beings started seeming so careless about my suffering and my beautiful kids' right to life.
As a result of total mental breakdown I was forced to try ending my own life. I couldn't see no future and no life ahead neither for myself and nor for my kids.

Ebrahim

That gives you a small insight into what we were doing to people in their mental capacity and their mental suffering. The people on these visas can never have certainty of a new life in Australia. A total of around 11,200 TPVs were granted between 1999 and 2008, when they were abolished, as I said, by the incoming Labor government. A relatively small number of unauthorised air arrivals were granted a TPV—around three per cent. The remainder were granted to irregular maritime arrivals. Temporary protection visas did not lead to people leaving Australia. That is fact. The vast majority of people holding temporary protection visas were ultimately granted permanent protection and are still here today. More than 95 per cent of people ever granted a temporary protection visa were found to be genuine refugees and granted a permanent visa—95 per cent. So we know that they do not work as a way of sending people back, as we heard from the previous speaker. And we also know that they never worked as a way to stop people coming to Australia in the first place. Whilst there is destruction, whilst there is famine, whilst there are wars and catastrophes around the world, refugee and people movements will continue, no matter what you put in place. As I said earlier, those people are leaving because they have no choice. That is why they get on a boat and come here.

The fact is that the TPVs were a spectacular failure. In the year they were introduced by the former government, there were 3,722 unauthorised boat arrivals. During the next two years there were 8,459 unauthorised boat arrivals, including 5,520 arrivals in 2001—that is, after TPVs were introduced. In summary, TPVs have been tried and were a failure. They only succeeded in keeping mostly genuine asylum seekers in years of limbo, as we heard from Ebrahim, with the prospect of being returned to the place of persecution hanging over their head.

Let me read out another comment, which was provided to me today by the CEO of the Australian Refugee Association in Underdale in my electorate, by Peter Laintoll. He says:

From ARA’s perspective there were a number of key issues that were raised and voiced on a number of levels regarding TPV’s. In the early days of TPV’s being issued, asylum seekers were told they may never have access to permanent residency. This had a catastrophic effect on the mental health of many asylum seekers as they were in a continual state of insecurity and felt they did not belong in Australia, knowing they could not return to their home country.

So, not only were they still suffering from the stress and anxiety of having to leave behind family and country, they were exposed to many years in detention with few support services (at least this has changed over the years) but they were released into a community where many could not speak the language with very minimal support.

They also were unable to access trauma counselling so this compounded their isolation and mental health issues making it even more difficult to successfully settle into Australian society.

Another issue of TPV’s was the inability to access family reunification, meaning more women and children were risking their lives in the ocean to be reunited with their husbands, fathers, families, etcetera.

Often TPV’s were also excluded from English classes and job training, making it near impossible to access meaningful employment. Further their trade skills were not recognised in Australia. The positive
of the TPV story is that, whilst most were told early on that they would not be able to access permanent residency, most if not all received their protection visa.

These words are from the CEO of the Australian Refugee Association.

TPVs are not good enough for our nation, and we can do better. That is why, unlike those opposite, we engaged the best in the business to give us expert recommendations on the best and fairest way to process asylum applications made by people coming to Australia. I am not saying it is perfect, because in a perfect world people would not have to flee for their lives. And in a perfect world no-one would have to make the terrible choice to stay in an unsafe place— (Time expired)

Mr LAMING (Bowman) (19:54): Tonight is an opportunity for dispassionate debate about a very sensitive issue and I acknowledge the strong feelings held by members on the other side of this chamber, one of whom has just spoken. I recognise his strong feelings on this issue, but the debate around temporary protection visas is one for which we do have to peel away the emotive and look at the essence of the debate. Yes, he is correct that there are significant movements between countries and between areas that are at war, engaged in hostile internal disputes, many of which will qualify for, and seek out, protection.

But tonight is a chance for us to improve that system and not to stick with the system that we are experiencing under the current government. I do not think that tonight is an opportunity for us to pick through the remnants of what has been a disastrous management of this issue by the Rudd government and subsequently the Gillard government, most clearly exemplified by the fact that, if this were truly a more compassionate approach that had been carefully planned and orchestrated by this government, we would not have seen the economic blow-outs to managing our borders, because this government would have planned for them in advance. It is clear that it did not.

From that first budget blow-out of $2.3 million in 2008-09, which became $233 million the following year, which became $1.3 billion for the following two years and this year already is in excess of $2.1 billion, this has not been a compassionate government, carefully unpicking Howard's successful border protection laws. No, this is a government that did it unknowingly and is now reaping what it sowed, which is complete incontinence of its border protection arrangements. That is no better illustrated than by any table available in the public domain of the arrivals, which have blown out since 2008.

This proposal to introduce a 785 and a 447 visa that provide temporary protection is a simple one that has already been outlined by our previous speaker. It is quite simply that those who seek the protection that Australia's obligations entitle them to, those who will come through secondary countries, those who have illegally arrived without a visa—by definition illegally—on Christmas Island, Cocos island or Ashmore Reef, those who pass a health and character check, are eligible for a temporary protection visa.

I was so interested in the previous speaker's allusions to Ibrahim, who gave a very impassioned plea in favour of permanent protection, because, in that somewhat mangled case, in that very, very emotional quote, came at the start an appeal for the safety of his family, and it finished with an economic case for the future of his family. When we tease that apart, the great irony of this government's argument is that 8,000 people like Ibrahim's family languish in border camps, unable to apply for a humanitarian visa because of the lack of control that this government has demonstrated. That is correct. Let me say it again: Ibrahim's family, for
whom he hopes so much, are trapped in border camps unable to come to Australia because this government lost control of its protection arrangements. That is 8,100 and even more now—the number is counting—potential applicants crowded out by the loss of control over the borders and the arrivals that we have seen.

Family reunification is an important part of the current sugar that entices people to travel, as is permanent residency. They are the two major issues that, if you ask arrivals, they will tell you they are seeking more than anything. We do not blame people for seeking that protection, but the point is that there are many people just as worthy who cannot make the trip, and at some point a state has to be able to step back and say, 'We consider these arrivals on the basis of need, not simply who is closest, not simply who engages our protection, not simply someone who turns up on a reef and not simply someone who has the money to pay for the trip.' It has been made very clear before that the great majority of these arrivals travel commercially by air to other Islamic nations where they do not need a visa, so none of these people turned up with no means. None of these people effectively fled their home and put in an appeal for asylum. No, in many cases they have already passed through nations where that protection is already offered and it has not been sought, nor have they necessarily sought protection from the local UNHCR office. These are simple observations and I know that they are, in many cases, generalisations, but every one of us here can only speak from our personal experience.

It is simply not enough to say that as a politician you have travelled around to meet other politicians and you have asked them for their views on immigration. It is simply not enough to turn up in Afghanistan and look through a bus window and make observations about what a border camp is like. It is not simply enough to travel in a delegation of colleagues and to be basically led around by the hand and have the suffering explained to you. You have to go and live in that country to understand.

I have been lucky enough to work with minorities in northern Afghanistan for a number of months and actually live in the country concerned. Those people, when you ask them, will tell you a very different story. You will not hear of these people coming to Parliament House. Their story will not be told here by minority groups in this country; no, you need to go to the source—to the situation in which they live—and listen.

She has not been to that town. She has not toured the parts of Afghanistan directly affected. She may well have had all the conversations over a cup of tea in Western Sydney about this issue, but the other side of this chamber is completely removed from the economic deprivations going on in many of those countries and the fact that the great majority of them can never countenance making a trip such as this.

All one can ask of a state is to treat those people equally, to treat those who are stuck within the borders, making their first appeal as they cross—because they cannot make it from within their own boundaries—and those who make a journey equally. But, until you cease offering permanent residency as the end result, you will continually have a problem where those who can assemble the resources are the ones who take priority and necessarily squeeze out the rest.

The figures were fairly simple: over six years of the Howard government, there were 16 boats with 272 people. It was not that hard to assess those people in great depth. The problem is that when you start getting 8,000, even 10,000, arrivals per year, suddenly it becomes very
challenging to assess them meaningfully under the treaty. It becomes extraordinarily difficult. The previous speaker, the member for Hindmarsh, said about 90 per cent of these applications are actually being approved. That says to me two things: firstly, how can they seriously consider these cases, and in depth; and, secondly, that is the system working.

I do not have a problem with people being properly assessed; what I do have a problem with is large proportions of people at even greater risk being completely excluded. I have a problem with Ibrahim's family, from the previous speaker's contribution, being stuck in a border camp, not able to apply. No, they cannot. They will sit there and never be able to lodge an appeal.

Ms Smyth interjecting—

Mr LAMING: Okay. That is fine, because there are plenty of people who are not yet in your electorate who would also like to be looked after by this country, preferably those who are in greatest need. You have ignored them, Member for La Trobe. She has ignored them, Mr Deputy Speaker Adams. She has ignored them by hanging on to this notion of permanent protection without considering the most important part of the Howard government interventions, which was temporary protection visas.

If we peel all of this back and just look at the treaty, we are obliged to provide protection—you are nodding on the other side. We are not obliged to provide permanent protection. I think every person on the street would realise that in half of the world, at some point, there is some form of internecine, tribal, religious, political or ethnic destabilisation or form of violence going on. You name a part of the world and I will tell you the country where it is happening. It is happening in most nations around the world. By definition, everyone is eligible for asylum? No, they are not; they have to make that case.

Ms Smyth interjecting—

Mr LAMING: That is right. At this stage, you on the other side leave those people languishing without help and your government will only look at those who turn up on Ashmore Reef, and that is not good enough. There are 8,100 people who have been squeezed out and crowded out by a government that cannot run this policy effectively.

Mr Neumann interjecting—

Mr LAMING: Okay. I take the interjection from the member for Blair about increasing the amount. We will increase it to 13,750; what does that achieve? It has simply blown out your budget by $2.1 billion. So, no matter how many times you increase that number to make it look like this is orderly migration, the fact is that this is a government that has never been able to budget for these increases.

Mr Neumann interjecting—

Mr LAMING: It is patently clear that you have lost control of the borders. This government has never been able to budget ahead for the true cost of the arrivals—again, evidence that they have completely lost control of the borders, which is a basic requisite of being in power. It is a basic requisite of being able to run a nation. Providing figures from Greece and Italy as evidence, saying, 'If nations like Italy and Greece can handle half a million arrivals then so can Australia'—well, that one needs to be sold in Parramatta and in Ipswich. The members of parliament opposite are very bold in this chamber but are suddenly very reluctant to debate it when in their own electorates. TPVs are the future. They are the
Howard formula that worked in the past; they will work again with a newly elected coalition government.

Ms SMYTH (La Trobe) (20:04): What the previous speaker's contribution reveals to me is what I had long anticipated and that is that those opposite would rather resile from convention obligations internationally and ultimately have no concept of them. It gives me a considerable degree of concern about their capacity to have Australia under their watch represented on the international stage. It is extremely troubling.

When I came to this place I had hoped for something more than the absolutely scurrilous offerings that pass for public policy from those opposite on the question of asylum seekers. Yet again we are served up this evening the dross that passes for their proposed legislation in this place.

Temporary protection visas introduced by the Howard government were a resounding failure on any measure: humanitarian or practical. They failed from the point of view of providing protections to refugees. They failed as an effective means of dissuading people from making the perilous journey to Australia to seek refuge. They failed from the point of view of the mental health impacts on those who were held on temporary protection visas. They failed then; they will fail now. This is simply garbage public policy that is being pushed here this evening by those opposite.

What I ultimately aspire to—and I should say this at the outset of this debate—is a regional arrangement which affords asylum seekers convention protections, which treats them fairly and consistently and which engages countries in our region that are not currently convention countries to become convention signatories or adopt substantially the protections afforded by the convention. That kind of role is the role that Australia has typically played in advancing its perspective on human rights and humanitarian obligations right around the world. It is the right push for Australia to make.

I realise that that will require detailed work. I realise that it will require relationship building in the region and time, and I certainly understand the efforts that have been made by successive ministers for immigration from this side in the Bali process and otherwise to try and achieve that outcome. In the meantime, while I certainly cannot say that I have been comfortable with everything the panel report has recommended—and that would be well known—it has presented recommendations which allow that important work to be carried on.

But TPVs have utterly no place in the panel's recommendations and they have utterly no place in Australia's response to the circumstances of asylum seekers. It should be made clear that neither in the recommendations of the Houston panel report or in its commentary does it sanction the use of temporary protection visas, and there is very good reason for that. Indeed its comments on TPVs are confined to referring to them as merely historical measures at page 91 of the report. It is worth while noting that the report refers to the rules associated with the Howard government's TPV arrangements being 'difficult to interpret and apply'. It concludes by saying that 95 per cent of asylum seekers arriving by boat who are granted temporary protection visas were ultimately granted a permanent visa in Australia—these are the facts.

The opposition has long claimed that TPVs act as a deterrent to asylum seekers travelling by boat to Australia. The facts simply do not bear that out. Around 11,200 temporary protection visas were issued between 1999 and 2008 and, of that number, around 380 people
actually left Australia—that is around 3½ per cent. In addition, following the introduction of TPVs, there was a rise in the proportion of women and children on those vessels which arrived in Australia carrying asylum seekers since the new visas did not permit family reunions.

On practical grounds, TPVs simply fail, but the crux of this evening’s debate is that refuge is not refuge and cannot be refuge if it is permanently qualified, forever able to be taken away. How can people ever be expected to feel safe when their claim for asylum, though accepted at one point in time as a well-founded fear of persecution, is only ever treated as a temporary stay?

The cruelty of TPVs is that, even if an asylum seeker is found to be owed protection under the convention and our laws, they would face the entire assessment process again before the expiry of the three-year period for which they are applicable. The bill would then put the onus on refugees to demonstrate that their well-founded fear of persecution prevailed.

Under the bill before us a person in genuine need of protection who has travelled through a country that is a refugee convention country will be permanently barred from applying for a permanent protection. There are many reasons why people move between countries, and this provision is simply a penalty. It means that those people could remain without any kind of certainty for an unknown period of time.

The Liberals' previous version of this was that a TPV holder would be ineligible for permanent protection if, in their travel to Australia, they resided in a country for a minimum of seven days where they could have sought protection. And as the Houston report said, and as I remarked earlier, this was difficult to interpret and apply because of what was meant by 'could have sought and obtained effective protection'. The bill before us this evening uses precisely the same language as the original—in other words, the Liberals have learnt absolutely nothing from the failure of their original attempt at TPVs. So it fails on practical grounds and it fails in its drafting.

But the most important issue for me, and for many others on this side of the chamber, is the question of the hardship faced by those who were placed on TPVs during the Howard government's term. And they ought to be remembered in this place. I refer particularly to the findings of some research done by researchers at UNSW in 2004 which ultimately found that TPVs increased the risk of their holders developing post-traumatic stress and depression. I quote one of the co-authors of the study, Zachary Steel, who has said:

Unless somebody has the sense of safety, all of the basic survival mechanisms that tell a person that they need to escape from danger don't get turned off, they stay on, and so the individual stays locked into this perpetual state of alarm that at any time in the future they're facing immediate life threat. So they're living with basically executioner's axe over their head, and it just doesn't provide an environment that allows them to recover and begin to rebuild their lives.

So we have TPVs failing as a practical measure to dissuade people from coming to Australia. We have TPVs in fact prompting more women and children to get on boats and come to Australia. We have TPVs failing when those people arrive in Australia. We have 95 per cent plus of the people who have been issued TPVs ultimately arriving here and staying here. And then we have the extraordinary hardship and the mental anguish—the real mental health impacts, verified by researchers—that arise from TPVs. What a wonderful policy move!
a well-thought-through initiative! What a humanitarian approach to take! What an extraordinary approach, and what a feeble response.

I really must say that this is a disgraceful debate that has been brought on by those opposite. Ours is a nation that is engaged in conflict for humanitarian reasons. We are engaged in peacekeeping. We have been a participant in international peacekeeping missions. We have been involved in post-conflict state building. So it is surely not too great a leap for us to realise that conflict has implications for the large-scale movement of refugees. To my mind, if we have the will to engage in conflict then we really must have an equivalent will to provide refuge for those who seek it.

What the debate this evening has revealed to me about those opposite is that they have no intention of honouring the convention obligations. So I invite them to reflect on why they think it is important for Australia to sign up to conventions, because you simply cannot pretend to be an internationalist, a responsible international participant, and yet resile entirely from your convention obligations when you are back at home. But this continues to be the approach taken by those opposite.

This is an extremely troubling debate from the point of view of the mental health circumstances of asylum seekers. It is an extremely troubling debate because it provides no practical response to the circumstances of asylum seekers arising here. It is at odds with the Houston panel's report, and it is at odds entirely with all of the facts that were borne out during that period of time that the Howard government had TPVs in place. Indeed, this is a callous debate brought on by those opposite, and I think it will be revealed to be so by the very many people who will remark on it, I suspect, in the days which follow.

Mr HAWKE (Mitchell) (20:14): I rise to follow the member for La Trobe's extraordinary contribution to this debate on the Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013. I think perhaps the member for La Trobe has spent too long in Canberra. If she went outside to her electorate and asked them, 'What is one of the top concerns you have in relation to federal politics at the moment?' then she would hear from the people that they are most concerned about the complete mismanagement of the borders of our country.

It is a fact that in the last six years of the Howard government, just 272 people arrived illegally on 16 boats. Since 2007 we know that under Labor's watch 32,600 people have arrived illegally on more than 555 boats. It is appalling that government members lecture us on humanity. How is it more humane under the Labor Party's system that more people, who arrive illegally, take the positions of people and places in the refugee and humanitarian program reserved for offshore applicants? That is what has happened under this government.

That is why this bill is before us today. The coalition is going to reserve a minimum of 11,000 places in the 13,750 places under the refugee and humanitarian program for offshore applicants. The real story, the story that Labor will not tell you, the story that in their lamenting about humanity they will not get down to is: what about the mental health of people waiting in those refugee camps whose applications have been reversed because they have not got a place? The trend under Labor where the number of places available for offshore refugee and humanitarian entrants fell to 6,718 places in 2011-12. That is the first point I would make.
Mismanagement has serious consequences. The member for La Trobe and all of the Labor members who have participated in this debate ought to reflect on this. They abolished the Pacific solution and replaced it with a system that has caused this problem. That is what the government did when they came to office. The then minister, Chris Evans, said it was one of his proudest moments in parliament, yet all we have seen in the five years since is complete mismanagement, the dismantling of the regime that was able to effectively ensure people did not get on those boats, that people smugglers did not have a product to sell to those people looking to get on the boats. All we have seen since is a rush to get back to the Howard government era.

The member for La Trobe, who laments at how we should reflect on this hideous evil of TPVs, ought to reflect that she has adopted about 95 per cent of a policy from the Howard government—there is five per cent missing. What is that five per cent? That five per cent is temporary protection visas, a critical component—not the solution by itself as Labor members have disingenuously suggested. We are not saying that this is the entire answer but it is yet another component and a plank of a system that worked.

Why do temporary protection visas work? Because under our proposal, the refugee status of a temporary protection visa holder will be reassessed on the expiration of the visa. It is a humane system. You get a three-year temporary protection visa and then, if circumstances allow for your return to a country, that is a reasonable basis for people to make a decision, denying people smugglers the trade in which they so evilly conduct themselves. That is why it is a sensible suggestion. That is why we have put it up two or three times in this place, because we know it is part of a system that can stop these boats from coming, stop these illegal arrivals, stop these people taking the places of legitimate offshore arrival applicants.

If you were concerned about the humanity of the situation, that ought to be one of your primary concerns. I do not hear Labor members saying, like the coalition has guaranteed, that a minimum of 11,000 places out of the 13,750 will be reserved for offshore applicants. I have not heard that. Where is the humanity in that? In fact, all we have heard about is their focus on this five per cent of the policy. They are holding out on the very big hope that this is the end of the Howard era.

When the Labor Party picked up the Howard government era policies in a rush to fix the problems they had created and put them into a xerox machine, they missed the final page, which was temporary protection visas. You re-adopted 95 per cent of the Howard government era policies—that is the reality—but you missed a page. The page was temporary protection visas, a component of a system that worked, a reasonable and humane system that treated people with rights and allowed for them to be returned if it was acceptable. It denied people smugglers the product that has caused this whole problem. The member for La Trobe should reflect that it is not in her policy now but it probably will be in a few months.

Ms OWENS (Parramatta) (20:19): A page was left out by the expert panel as well because it is well and truly an abomination. It was in the Howard years and, if it is ever introduced again, it will be again. We are, of course, talking about a very complicated matter here. I know that the member for Berowra has a great deal of experience with this. For a start, we should understand that of any 100 people that the UN assesses as being suitable for resettlement in a third country, only one is actually resettled. For every one we settle, there
are 99 that we do not. So the idea that somehow picking this one or that one creates fairness is just nonsense.

We have an incredibly difficult situation to deal with. Temporary protection visas did not work in the Howard years and they will not work now. They did not stop the boats—in fact, the boats increased—and they were not temporary. The vast majority of these people stayed permanently. The visas were cruel beyond belief, and they led to an increase in the number of women and children on boats. So at every level they simply did not work.

The visas were introduced in 1999 by the Howard government in response to a surge in unauthorised maritime arrivals. In that year, there were 3,722 unauthorised boat arrivals. In the two years following the introduction of temporary protection visas, there were 8,459 unauthorised arrivals. There were 3,700 in 1999, when temporary protection visas were introduced, and more in 2000 and then more in 2001. Again, they did not work. The number of refugees in the world in the years following the introduction of this visa actually decreased. To say that the result in Australia was due to temporary protection visas is as irrational as saying that the number of people fleeing to the US or Canada was because of Australia’s temporary protection visas. The numbers around the world dropped, and they dropped here as well.

Following the introduction of temporary protection visas, the number of unauthorised boat arrivals actually increased to 8,459 and then there were 5,500 in 2001—and they were also not temporary. Of the TPVs issued between 1999, when they were introduced, and 2008, when they were abolished by Labor, 88 per cent of arrivals had already been granted permanent status, and of the 1,000 left, 815 were granted permanent status. In fact, only 3.4 per cent, or 379 people, actually went home. So they were not temporary. They did not work. The boats increased. They were not temporary: people were given permanent residence.

But on the way to permanent residence there was this incredible cruelty—and we are talking here about people like those in my electorate. They are children who, if you asked them to line up at school, crawl under the desk and wet themselves because the last time they did that terrible things happened. They are the parents whose two-year-old child was forcibly taken from their arms as they fled, and they have no idea where they are. I know a young woman who has been raped so many times in her life that she did not even know it was wrong until she came to this country. I have a man whose sister was arrested at the age of 16 for reading a book and whose eyes were gouged out. A month later, after her torture, he was allowed to collect her body if he paid to do so. People who have lived these kinds of lives were asked to live here in uncertainty and reapply every three years. The cruelty of that—particularly when, at the end of it, you gave them permanent residence, after you damaged these broken people incredibly with this abomination of a policy—is quite astonishing.

That we would talk about reintroducing something under which the boats increased anyway, under which people became permanent, not temporary, and under which they were treated so cruelly is astonishing. It is astonishing that we are talking about this. But the worst thing for me was the change in the range of people who sought to get on boats after temporary protection visas were introduced, because they denied family reunion. You could not leave Australia to visit your family and you could not attempt to bring your family over here. People were separated from their children and their partners for eight years under this policy. So what happened? They put their families on boats.
In 1999, over 12 per cent of asylum applications from people from Iraq and Afghanistan who had come by boat were for women and children. Just two years later it was 42 per cent—from 12 per cent to 42 per cent in two years. Three-quarters of the passengers on the SIEVX, which sank tragically in October 2001—there were 353 on board and 288 were women and children—had family members who were TPV holders in Australia. This is an abomination. At every level this policy failed and at every level it was cruel beyond belief.

Mr RUDDOCK (Berowra) (20:24): Thank you very much for the opportunity to speak briefly on the motion for the second reading of the Migration Amendment (Reinstatement of Temporary Protection Visas) Bill 2013, which I support. I do speak on these issues from the background of somebody who has taken a very considerable interest, over a long period of time, in the plight of refugees. In fact, if you go back and look at my earlier career, I was involved with the Khmer, the Afghans and the Romanians out of Europe. When I became minister, I was involved with the programs that bought Sudanese and others to Australia. I do not come to any debate about these discussions with any hostility to refugees.

I do have a commitment to running immigration programs with integrity. I think one of the problems that the government has at the moment is that people around Australia no longer believe that the programs are being conducted with integrity. I could have a long debate about what that means; but when you have lost control of your borders you find that the support for immigration and even the support for resettling refugees diminish. I think that is a great tragedy.

I am one who believes that we can target our resources most carefully, for those who are most in need, if we are able to manage our borders effectively. The member for Parramatta ran this argument that there is no queue. I have a mischievous sense of humour and I am sure my colleagues will understand when I say this: if the approach that we are taking now is that those people who have enough money to pay people smugglers get priority of place as refugees, because of the refugee convention, then I would suggest that the government ought to—in relation to the remaining places—go to refugee camps around the world and say, 'Who has got $10,000 to pay?' We could give it to those who have the money. I imagine you would look at me with horror and say, 'No government would do that.' Yet, at the moment, the people who get the priority are those who have the money to pay. They may be driven by what they think are their needs, but it is money that is the determining factor.

If you come to a view that it is better to have an orderly process in which you can make an objective assessment about who needs help the most then you have to address the issue of how you manage your borders. It is not easy; I have had to do it. But what I can say is that those who suggest that there is one miracle cure available do not understand the dynamics. I say, with great personal confidence, that we needed all of the measures that we put in place to be able to bring this trafficking to an end.

It is argued that the trafficking came to an end because the push factors were not as great. I tell you, the push factors were just as great from Afghanistan and Iraq when we were in government as they are now. The main determinant factors that have changed have been the pull factors. The Indonesians recognise it. You have Indonesian ministers and public officials saying, 'What have you done about the sugar?' Their willingness to cooperate and work with us, which is an important factor that we need, is determined by whether they think we have
done everything that we can to deal with this issue—and they do not. They saw the unwinding of the policy in relation to TPVs as unwinding our willingness to address these issues.

TPVs are very simple: they give people the protection which they are guaranteed under the refugee convention, but the refugee convention says nothing about giving people permanent residency. Opposition members say—and I heard it again tonight—that, when we would take away TPVs and give people permanent residencies, no women and children would be getting on boats. Yet all the evidence is that women and children are still getting on boats even today. In my view, all of the measures that the Howard government pursued need to be implemented. TPVs are one of those and that is why I support the bill that is before the chamber.

Mr NEUMANN (Blair) (20:29): We are a nation of migrants as the Prime Minister has outlined on numerous occasions: the Chinese, the Irish, the ten-pound Poms, even the Germans like me, the Greeks, the Italians—we came from all over the world. After World War II we saw seven million people come to this country—4.4 million of them have become Australian citizens. We took 35,000 Jewish people after the Holocaust at the end of World War II.

Eighty-five per cent of people who come to this country become Australians within 10 years, so we have a long history of being a compassionate country. Our country has been diminished by those opposite in the last 10 years in the way they have dog whistled their way for political advantage in terms of the number of people across the world who are refugees or displaced persons.

Back in 1951 when the office of the United Nations High Commissioner for Refugees was established, there were 1.5 million refugees internationally. At the end of 2011, there were 42.5 million forcibly displaced persons, including 15.2 million refugees under what we call the definitions in relation to that. There are 895,000 asylum seekers and 26.4 million internally displaced persons.

This is a massive problem and, in global terms, the number of people who have come to this country is relatively small. In America there are approximately more than 500,000 unauthorised arrivals each year. In Italy alone there were 61,000 irregular arrivals by sea from North Africa, Greece and Turkey, and yet those opposite seem bent on exploiting this issue for political purposes and have done election after election.

The member for Berowra and others opposite talk about deterrence. I say to them: if they were interested in proper deterrence, they would agree to the Malaysia solution. The UNHCR was involved in that process—agree to it. But, no, they do not and, as speaker after speaker on the government side has outlined, the TPVs did not work and there was subsequently an increase in the number of people who came. The expert panel did not recommend TPVs be reintroduced. It recommended a number of the policies akin to the Howard government’s policies be recommended to be reintroduced but not TPVs.

I would have more respect for those opposite if there were fewer sound bites and more substance, and fewer slogans and more solutions. We see the word ‘illegal’ used again and again and again. They would not use that word unless they focus-grouped it. They use that again and again and again for the very purpose of political advantage: to scare people and make them frightened. That is why they use it. They use a whole host of phrases, like ‘turning
back the boats'—when 2003 was the last time any boats were turned back. They know the model has changed.

They talk about the fact that they would tow the boats back. They talk about the facts that they have all these great policies. They do not have the courage to even mention it to the Indonesians. When the Leader of the Opposition in October last year met with the President of Indonesia, Susilo Bambang Yudhoyono, he did not even mention the policy—he forgot about it. The reality is they are courageous here but when they go to meet with the leaders of countries in the region, they seem to forget about their policies. It is one voice here, one voice back in their electorate for base political purposes and another voice when they meet with international leaders.

They know their policies will not work and the truth is all about slogans—and the member for Berowra has form on this. The Leader of the Opposition screams and shouts in front of the media, in front of the cameras, but when he comes in front of other countries, he forgets about his own policies because he knows they will not work. He knows they did not work when it came to the TPVs and he knows they will not work again. That is the truth of the matter. Guess what? They are lions here but mice back in Indonesia when they go and meet with Susilo Bambang Yudhoyono.

They know that TPVs did not work and they talk about humanitarian programs. We have seen a number of speakers—the member for Mitchell mentioned this: we are raising through the humanitarian program up to 20,000 people being taken, brought into this country, given its wealth and opportunity, given opportunity in a great land. Guess what? They supported it then opposed it; then they opposed it and supported it. They flip-flopped all over the place—

(Time expired)

Debate adjourned.

PRIVATE MEMBERS' BUSINESS

Human Rights: Bangladesh

Debate resumed on the motion:

That this House:

(1) notes the tremendous contributions of Australia's Bangladeshi community;
(2) shows concern at reports of human rights violations in Bangladesh, and claims that political activists and journalists are being targeted for persecution, abuse and physical violence; and
(3) encourages the Australian Government to engage with the Bangladeshi Government to progress democratic reform within that country.

Mr HUSIC (Chifley—Government Whip) (20:35): At the outset I seek leave to amend my own motion by omitting paragraph (2) and replacing it with a new paragraph as circulated in my name:

(2) shows concern at recent violence and reports of human rights violations in Bangladesh, expresses regret at the loss of life and injuries involved, and calls on all parties to exercise restraint and to advocate non-violence; and

Leave granted.

Mr HUSIC: One of the great privileges I have enjoyed as a member of parliament over the past few years has been the opportunity to get out amongst the various communities in the
Chifley electorate, to get to know how people who have come to call Australia home have set up their new lives and to hear their stories. One such community, relatively small in number but undeniably big in spirit, is the Bangladeshi community.

Perhaps because of the circumstances they have left behind, the Bangladeshi community, I have found, is particularly community minded and very generous in spirit. The community often gets together to raise funds to send back to Bangladesh to assist those in less fortunate circumstances and help those affected by issues that I want to raise tonight, but they also extend that generosity to their new home, Australia.

I mention at this point the energetic contribution of Dr Abdul Haq, who each year hosts the Biggest Morning Tea at Blacktown's Village Green. I have been to a number of these events now and I have seen how the community has rallied to raise much-needed money to fund the Cancer Council's vital research, prevention programs and support services. My colleagues the members for Parramatta and Greenway have also attended and supported these functions, and we have also been delighted to sample the spread of Bangladeshi food and warm hospitality.

Dr Haq and the community have also been active in raising funds for those in need back in Bangladesh. I particularly want to commend the community for the money they have helped raise to lift the quality of health care and services in Bangladesh. Their latest project has been focused on harnessing local donations to support the construction of a new hospital—a sizable venture but one they are determined to see become reality. Another person I have been pleased to meet with is Dr Nargis Banu, an environmental scientist who lives in the electorate of Chifley and who, along with her work in this field, hosts a community radio program on SWR FM 99.9, based in Blacktown. The program has run since 2004 and is called the Voice of Bangladesh. Through this program—and I have had the pleasure of participating in the program—Dr Barnu works to raise awareness of various sociocultural issues such as women's rights, domestic violence, multiculturalism and the value of civic participation.

Through my connection with the community, I have also come to know of some of the circumstances which resulted in Bangladeshis leaving their homeland to make a new life for themselves in Australia. This nation of over 160 million people only came into being in 1971, but has struggled with division and terrible conflict over the decades.

As a country that is often subjected to terrible flooding, it is challenged by the impact of climate change. Despite the economy growing between five and six per cent per year since 1996, political instability, massive problems with income disparity, infrastructure deficiencies and unreliable power supply have all combined to hold back this nation from what it can truly be. Given these circumstances, the best thing that could help ensure Bangladesh to lift itself from its economic and social challenge is widespread political and economic reform.

The Bangladeshi Australians I have spoken with express their alarm at human rights violations that have occurred, and in particular war crimes that have been committed in conflicts past. As is often the case, the instance of true reconciliation within nations torn by fierce conflict can only happen in part with a commitment to recognise and acknowledge these events and also to hold to account those who have clearly crossed the line of humanity and engaged in truly horrific acts.

The Bangladeshi government that came to power in 2009 set up tribunals to deal with these war crimes, and longstanding tensions have re-emerged in the community dating back to the
bitter war of independence. While one can appreciate why this might occur, Bangladesh cannot afford to move away from the need to continue the pursuit of justice for the benefit of longer term reconciliation. I remain concerned by the reports I hear, particularly those that have claimed that in the last few weeks over 140 people have been shot dead, with about 25,000 opposition leaders and activists implicated in different cases and arrested. These are matters of great concern, and there can be no winners in the current political climate. I call on all parties to advocate restraint and nonviolence to ensure that reconciliation can occur in a country that has been marred by conflict.

The DEPUTY SPEAKER (Ms O'Neill): Is the amendment seconded?

Mr Laurie Ferguson: I second the amendment and reserve my right to continue my remarks later.

Mr SIMPKINS (Cowan) (20:40): I welcome this opportunity to speak to the motion as amended. Having undertaken some study of the history of the subcontinent, I can understand that the same dramas and the same conflicts that have afflicted the entire subcontinent have come to exact a terrible toll on Bangladesh. The partition of India and Pakistan, which originally included an East Pakistan, resulted in lots of enmity. In particular, post partition the way in which so much of the political power and resources were centred in the west of Pakistan gave rise to dramas, problems and resentment from the east. That is a short synopsis of how in 1971 there was a war of independence.

What resulted from that war and the subsequent instability between 1971 and 1991, when democracy was restored, was great enmity between the sides: the Awami League, which is the current government of Bangladesh, and the Jamaat-e-Islami. The current government has established an international crimes tribunal. It is no great surprise that people are keen to see someone held to account for the excesses and the terrible things that occurred, even though it has been many years since they occurred in the liberation war in 1971. What we have seen are allegations of great violence enacted by the security forces, suggestions that the Awami League has been involved as well, and the counter allegations that Jamaat-e-Islami has reacted or at least egged on its supporters to push back.

The reason there has been a lack of confidence in the international crimes tribunal set up by the Awami League is that it has been alleged that when the Awami League has been faced with results that it did not agree with it put forward amendments within the parliament for the ICT law to be changed to allow prosecution to appeal for sentences that have been passed and to decrease the time for an appeal to be completed. So they have changed the rules, after having originally come up with the laws to support the International Crimes Tribunal. But, faced with verdicts they did not agree with, the government party has then decided to change; to appease their supporters and to support their version of events, they decided to bring forward these amendments.

That of course has received widespread international criticism. It is important that, when faced with these fairly young democracies, they realise that there is a need for the rule of law to be upheld and that if indeed you do not like the result then you have to live with the fact that the judiciary has been given the opportunity to pass judgement on these matters. Once the judgement has been passed, it is not right that it be revisited in an attempt to get a result that they think is politically desirable.
Mr LAURIE FERGUSON (Werriwa) (20:45): I am afraid there are different analyses to that of the previous speaker regarding what is going on in Bangladesh at the moment. I adhere to Amnesty International's analysis of 'a wave of violent attacks against Bangladesh's Hindu minority'. I am concerned at the vandalism and destruction of 40 temples and the destruction of shops and houses. To quote Amnesty International, the situation of the Hindu minority 'is at extreme risk'. Amnesty has further commented that the government must ensure that they receive the protection they need. We have a situation where courageous students at Jahangirnagar University have joined with people of all religions to resist this latest onslaught.

I am not for a moment saying that the International Crimes Tribunal is perfect. There was the dismissal of a previous judge of the tribunal because of his improper consultations with the prosecuting side of the case. Similarly, there have been other issues. However, after the death sentence was placed on Delwar Hossain Sayedee, Jamaat-i-Islami, an extreme Islamist group that has a very bad track record within the country, went on what was essentially a campaign of attacks upon minorities.

Khaleda Zia, the opposition BNP leader, has certainly lifted the heat in this dispute by speaking of 'genocide'. In Bangladeshi politics, the use of this language refers very much to the 1971 struggle for independence. As I said, I do not for a moment say that this crimes tribunal has been a perfect instrument. I totally oppose the death penalty as I do in its instigation in this case. However, we have a situation where things are accelerating. What worries me even further are recent pronouncements by the BJP in India, where they are utilising the events in Bangladesh to say that this has been totally instigated by the Pakistani government and its security apparatus the ISI, saying that they are behind the scenes—and I do not accept that for a moment, but this is typical of the escalation that can occur in these situations. The Economist of 9 March stated that the opposition BNP was 'behaving more like an insurgency than a political party'. Children are being 'as human shields' and the eyes have been gouged out of policeman.

I do not for a moment defend excesses by civilian police forces; however, we have a situation where there have been attacks on police stations throughout the country. We have a situation where minorities are being assailed. At the end of the day, I do not care if somebody is a leader of a political party and that he is a religious leader. I do not care what his current position is; the situation is that this country should investigate fully those people guilty of murder, abduction, rape, torture and persecution during the heroic struggle for independence in 1971. Equally of course, we have on the other side of the fence, dissatisfaction by some people aligned with the Awami League that Molla only got a court sentence.

We have situations where many of the attacks that have occurred on the Hindu minority are followed immediately after Jamaat-i-Islami demonstrations. So you have a big rally; you all get around protesting about this death sentence; and then coincidentally, strangely, a few moments later, the Hindus are attacked, et cetera.

I am proud to be the chair of the Bangladeshi Friendship Group. My electorate has Sydney's greatest concentration of Bangladeshis. I associate with all of them, regardless of their religious beliefs, and I have had significant number of Muslims ringing me, expressing concern at the current situation. We have a situation where the Jamaat-e-Islamists and the extreme measures they are undertaking endanger democracy in the country. They endanger
the secular history of the country, and it is important that I put on the record tonight that this is not simply an attempt by the Awami League to somehow manipulate some upcoming election. It has nothing to do with that whatsoever. The real crisis in the country is that the BNP has unfortunately associated itself with this extreme militancy, this attack on civil institutions and this defence of people who are war criminals.

Mr CRAIG KELLY (Hughes) (20:50): I welcome the opportunity to contribute to the debate on this motion moved by the member for Chifley, and I congratulate him for it. The member's motion notes, in its first paragraph:

(1) the tremendous contributions of Australia's Bangladeshi community;

The paragraph which is amended, which I also support, is:

(2) shows concern at recent violence and reports of human rights violations in Bangladesh, expresses regret at the loss of life and injuries involved, and calls on all parties to exercise restraint and to advocate non-violence;

The third paragraph is:

(3) encourages the Australian Government to engage with the Bangladeshi Government to progress democratic reform within that country.

According to our 2006 census, there are around 20,000 Bangladeshis in Australia, and many Australians of Bangladeshi origin have found their homes in Sydney and Melbourne, where the larger communities are found. Bangladeshi Australians have certainly made a tremendous contribution to our nation, as correctly noted in this motion, and have seamlessly entered into and participated in the broader Australian community.

The Australian and Bangladeshi people share a history within the Commonwealth, not to mention a love for cricket. They say that the captain of the Australian cricket team is one of the most important jobs in our nation. No doubt this is also the case of the Bangladeshi cricket captain. Bangladesh is a full member of the International Cricket Council, gaining status as a full test-playing nation in the year 2000, the 10th nation to achieve this status, with Bangladesh playing their first test match against India in 2000 in their capital, Dhaka.

The region of Bengal is one of the most densely populated regions on the earth, with a population density exceeding 900 people per square kilometre. Most of the Bengal region lies in the Ganges Delta, the world's largest delta. The southern part of the delta lies in UNESCO heritage-listed lands, the largest mangrove forest in the world and the home of the Bengal tiger.

Our two nations are fostering a growing economic relationship, but our two economies are only the infancy stage of our growing trade links. Our exports to Bangladesh for the last year were $542 million, consisting mainly of fertilisers, cotton, vegetables and wheat, while the total value of imports in Australian currency increased from $190 million in 2008 to $305 million last year, an increase of 156 per cent in just three years. As a good neighbour in our region, Australia provides duty-free and quota-free access on all imports from Bangladesh.

The country does face a number of challenges, including poverty and population pressures, but it has been noted by the international community for its progress on the Human Development Index. The country has greatly increased life expectancy, achieved gender parity in education, reduced population growth and improved maternal child health. However, Human Rights Watch, in an article titled 'Bangladesh: Government Backtracks on Rights:
Year Marked By Flawed Trials, Continued Impunity, Pressure on NGOs', discussed its World Report 2013, which was handed down on 1 February this year and paints a worrying and concerning picture of the conditions faced on the ground in Bangladesh. Sadly, it also painted a picture of 2012 as being a year in which the human rights situation went backwards, obviously a concerning trend.

However, there is a tale of hope in the story for Bangladesh. We see a growing economy along with the saplings of democracy that need to be nurtured. As a responsible neighbour in our region, we must be forthcoming in encouraging and demanding the government of Bangladesh to do better. They only need to look to themselves for inspiration. Consider the story of Nobel peace prize laureate Mohammed Younis, the Bangladeshi banker and economist who received the Nobel Prize for efforts through microcredit to create economic and social development. He was the first Bangladeshi to win this prestigious award.

In summary, we do note the tremendous contribution of the Bangladeshi community here in Australia. However, we are concerned about the violations of human rights currently in that country and as the Australian parliament we should use our voice to encourage the Bangladeshi government to progress the democratic reform as soon as possible.

Debate adjourned.

GRIEVANCE DEBATE

Question proposed:
That grievances be noted.

Goulburn-Murray Water Authority

Dr STONE (Murray) (20:56): I wish to talk about a very significant grievance I have about what is occurring in northern Victoria in my electorate of Murray. One of the most often repeated and strongly stated messages from across the Murray-Darling Basin has been the irrigators' plea to stop the water buybacks. Numerous evaluations of the impact of the buybacks have noted the stranded assets, lost on-farm food manufacturing and transport jobs, less sustainable communities, collapsed land values and environmental degradation where dried-off farms blow dust in summer and sprout weeds the rest of the time. People who have been away for a while walk into my office at Shepparton and talk about their shock at seeing the changes. They cannot believe the sight of all those abandoned dairies that were once a continuous lush landscape of highly productive irrigated agriculture.

Ten years ago the Goulburn-Murray water area had 1,900 gigalitres producing billions of dollars worth of beef, cereal, dairy and fruit production annually. This productivity supported more than 20 food factories and a thriving irrigation services sector. Five years ago water sales out of the district had reduced this volume to 1,600 gigalitres. This volume has now been sold down to 900 gigalitres. If 100 megalitres creates one job and there are 1,000 megalitres in a gigalitre, there is little wonder that we have seen a major exodus of workforce directly and indirectly employed in agribusiness, and along with them go their families.

The Victorian government has now taken a lead from Senator Penny Wong and Minister Burke in targeting irrigators to sell off more of what is left of their high security Goulburn-Murray irrigation water. This is a further blow to the recovery of northern Victoria from seven years of drought. On Friday the minister for water—or is that the minister for selling water—announced that he wanted the strategic purchase of another 25 to 50 gigalitres of water from
irrigators as part of the Goulburn-Murray Water Connections project. What does strategic purchase mean? It is supposed to mean the carefully planned purchase of water from one or more irrigators which is not found to have detrimental third-party impacts, for example on the economy, and which can be justified on the grounds that it improves the efficiency of remaining irrigators or better sustains the environment?

According to Victorian minister Peter Walsh and his Department of Sustainability and Environment, drying off farms on spur channels, some half of the system, is 'strategic'. Others argue, however, that this is no way to try to save the skin of the deeply indebted, inefficient and grossly overstuffed Goulburn-Murray Water Authority. This is not about farmers and the strategic use of their water; this is about trying to save a large number of public service jobs. Astonishingly, the current Victorian government has chosen to follow the Bracks and Brumby governments which took water off drought-stricken food producers in northern Victoria to flush down the north-south pipeline to Melbourne. The pipeline was stopped after a massive community backlash which saw the Labor state seat of Seymour change to Liberal to give the one-seat majority to the coalition in that most recent cliffhanger election.

Irrigators thought that they and their communities had been saved with the new coalition state government. But the new Minister for Water has chosen instead to try to save the indebted and ailing state run Goulburn-Murray Water. Minister Walsh should have drastically downsized the 700-person workforce—now hopelessly mismanaging the irrigation system. It should be noted that the bigger and more efficient New South Wales irrigator-owned cooperatives only need some 250 staff to do the same job. Instead, on the advice of his department, Minister Walsh has chosen to downsize the irrigation system itself, reducing its footprint to half, destroying the production security and economies of scale which are essential for sustaining the local food manufacturing sector.

No amount of reciting the big new food export opportunities in Asia can alter the fact that the capacity of Victorian northern irrigators is being deliberately and rapidly reduced, as their high-security water is being traded to the Commonwealth Environmental Water Holder. This new environmental water is not being used to sustain the environment. Gross mismanagement of this water or failure to use it at all is leaving the community scratching its head and leaving others simply in despair.

In the joint press release issued on Sunday on this new so-called strategic purchase program for water, Minister Walsh said:

This will be a voluntary strategic purchase program for eligible spur channel irrigators from the Goulburn-Murray Irrigation District areas of Central Goulburn, Murray Valley, Loddon Valley, Rochester-Campaspe, Shepparton and Torrumbarry.

The program, which opens from Monday—

that is today—

will offer frequent opportunities for sales in the coming months.

... ... ...

Federal Minister for Water Tony Burke said the Connections Project was the largest Commonwealth Government investment in irrigation infrastructure, with more than $2 billion of State and Federal funding committed to date.
Let me remind everybody that this connections project aims to halve the irrigation system and reduce therefore exponentially the capacity of this area to produce volumes of food, particularly to sustain a food manufacturing sector.

The joint press release further states:

The Connections Project offers a number of choices, including connecting to an upgraded backbone, developing shared supply infrastructure, relocating closer to the backbone, or transitioning to a non-irrigated farm.

Let us talk about what that really means. Connecting to an upgraded backbone usually involves pumping water and it involves the costs of energy, either electric or diesel pumps that were never before required, and so will substantially put up the price of irrigation for farms.

Developing shared supply infrastructure means that you are supposed to cluster with your five, 10, 15 or maybe 25 fellow irrigators on a spur and together you are meant to manage the water scheduling, the system maintenance and the delivery of that water. You are supposed to hold your water entitlement together in common. Together, you are liable for any accidents or non-payments for that water. You are supposed to act as if you are a small irrigation system all by yourself, except of course you do not have the economies of scale and you do not have the spare capacity to run the system yourself unless you employ someone to do that. The costs for you are going to go up exponentially.

In terms of relocating closer to the backbone, irrigators regularly come to me complaining that they have been forced to consider doing this. This means selling their current property, which might be an 800-cow dairy which your family has developed over several generations. You are meant to have that property dried off—the water taken off—and it would then be worth a fraction of its value. You are meant to consider buying an alternative irrigation property that typically has been dried off some time ago and that, typically, would require a bank loan. The most recent case I have been working with involved a bank loan of at least another half a million dollars to shift from one perfectly viable, highly desirable irrigation farm to another closer to the backbone and involved a substantial new debt that no-one in agriculture anywhere in Australia wants.

The final option, transitioning to a non-irrigated farm, means you substantially devalue your property and take the irrigation water and its infrastructure off your farm. Your farm then becomes virtually unsaleable. Also, it means that on your dried-off farm, you are going to depend on local rainfall, which in my area is less than 15 inches a year. If you fail to agree to any of those options—and I have numbers of letters from irrigators given these ultimatums—and you are one of the last on the spur to cave in to the demands of this new so-called connecting project then you are told that in one year and one day you can see your water cut off, you can see your situation taken out of your hands and you will lose your irrigation water under the new regulations of the state government.

This is the most heinous situation in terms of irrigated agriculture being destroyed in northern Victoria, all in the name of trying to salvage the wreckage of the Goulburn-Murray Water authority. This is unconscionable. It is not about trying to find water for Victoria's in-valley targets of 650 gigalitres. What happened to previous notification that that was only 627 gigalitres? The whole thing seems to me to be desperate measures for a desperate situation. And the victims of all of this are food producers in northern Victoria, jobs, communities,
families and a whole culture of people working for themselves, developing something from nothing and producing some of the finest and cleanest and greenest food available anywhere in the world. It is about not trusting individuals to modernise their own properties. This is a shocking situation. (Time expired)

New South Wales Seniors Week

Ms HALL (Shortland) (21:06): This week, New South Wales celebrates Seniors Week. It is an opportunity for all communities in my home state to celebrate the achievements of our senior citizens and to let them know how much we appreciate their achievements and contributions. It is important that members ensure that seniors in their electorates know how much we value them. I am passionate about creating a positive message around senior Australians, one that recognises their achievements and ongoing contributions.

Governments and the media in advertising have often opted to create a negative stereotypical image of older Australians, rather than promoting a positive image of these wonderful people. For instance, the Intergenerational report commissioned under the Howard-Costello government looked at the costs of an ageing population. It looked at health and age expenditure, fragility, workplace participation and pension, and how these issues placed costs on the Australian economy, rather than looking at society and the contribution that older people make to our country. Australian 2050: future challenges identifies ageing with spending pressures. It states:

Ageing of the Australian population will contribute to substantial pressures on government spending … It goes on to project increases in age related spending to 27.1 per cent of GDP in 2049. The report continues along the same lines throughout its pages.

Every approach from the Howard-Costello government, in the report that I referred to, looks at the cost of ageing. At no stage does it look at the benefits from older Australians and the contributions that they make to our society. It uses words like ‘frail’, dependent’, ‘slow’, ‘dodderly’ instead of looking at ‘active’, ‘caring’, ‘connected’, ‘vibrant’—all things that older people are. In this place during Seniors Week in New South Wales, it is important for us to put on the record that we believe that older Australians make an enormous contribution to our society.

Whilst I talked about the negative literature that surrounds older Australians, I have looked for some more positive articles. To be quite frank with you, I could find very little that details the contribution of older Australians. There is vague reference to volunteering and child care, but nowhere does it set down very definitely their enormous contribution.

Some figures I found in the Productivity Commission report refer to the fact that volunteering does contribute to our economy—and we all know that. I think every member of parliament would recognise the enormous contribution volunteers make to their community. The report mentioned that about $21 billion to $30 billion was contributed to our economy by work done by volunteers. That is $21 billion to $30 billion of free work by volunteers in our community. It goes without saying that the majority of those volunteers are 45 years and older. Whilst we talk about the cost of an ageing population to our society, we also have to look at the benefits to our society—what those older Australians give to our society. With regard to those figures for volunteering, if you factor in informal childcare arrangements, the
figure goes up to $42 billion. That is a $42 billion contribution that older Australians make to our society, which is quite a contribution.

Many senior Australians would still like to be employed, even after reaching the official retirement age. Unfortunately, there are many negative stereotypes about older Australians in the workplace which act as a barrier to employment for them. If you look at industry advertising, you can see it is based on younger-looking people, whilst more mature members of society are portrayed as tired and worn out. It is a myth that ageing equals sickness, disability and dementia, when two out of three people aged 65 and older rate their health as 'good or excellent'. Eighty per cent of people aged 70 and over live independently, without help from care services. It is also a myth that the ageing of the population is a looming crisis. People are living longer, and many are enjoying an active and healthy old age.

We need to harness the skills and expertise of these older Australians and mature-age workers. When we recognise that older Australians have such skills and can still contribute to the economy, and incorporate them into the workforce, then we as a nation will be a richer place. As I said, it would be good for our economy, and they would be able to make a contribution to the long-term viability of our society.

Now, while there are older Australians who contribute in every possible way, there are some older Australians who need a little extra help, and I think it is important that as a government we provide that help and provide it in a variety of ways—preferably so that they can maintain their independence even longer than they do at the moment. In saying that, it is really important to know that it is actually only about seven per cent of older Australians who need residential care. So the majority of older Australians live in our community and, as I have already highlighted, many of them continue to contribute to that community.

The changes to the pension have given older Australians more freedom than they have had previously. The massive increases to the age pension delivered by Labor—by the Rudd government in 2009 and the Gillard government since—have led to a greater degree of financial security for older Australians than they have had in the past. Coupled with the changes to superannuation that are designed to increase financial independence, these measures have all helped older Australians. The increase in the total pension rate for age pensioners from 20 March will be $35.80 for singles and $54 for couples. It is interesting to note that the pension rate for couples has increased from $898 per fortnight under the Howard government to $1,218.80 under the Labor government. The pension rate for singles has increased from $537 to $808.40. That is an enormous increase in disposable income.

Pensioners stimulate our economy through their activities. For instance, they have holidays and they are involved in hospitality through going to cafes. In doing so, they are generating income within the community. By rewarding them and giving them more financial security, we are in effect stimulating our economy. The work bonus being paid to pensioners who earn money increases their ability to participate in the workforce.

In this week of New South Wales Seniors Week, it is really important that we in this House acknowledge the fine work of senior Australians. I highlight that the three people in Shortland electorate that were awarded an Order of Australia were Robin Gordon, over 65; Keith Grahame, over 65; and Roger Greenham, over 65. They were all awarded an Order of Australia for their fine volunteer work in the community. (Time expired)
Petition: Child Abduction

Mrs MARKUS (Macquarie) (21:16): I rise today to table a petition that was presented to me by a constituent in my electorate of Macquarie, Mr Daniel Wass. This petition represents the culmination of several years of hard work undertaken by a father separated from his child. Daniel presented this petition to me during the last sitting period and undertook a touching and memorable journey to this place. Along with extended family and friends of the Wass family, Daniel set off from Springwood in the Blue Mountains on Saturday, 2 February and cycled all the way to Canberra, collecting signatures for his petition along the way. Daniel and his crew of supporters arrived at Parliament House on the morning of Tuesday, 5 February, and I was delighted to be able to meet them at the steps of this place. The Wass family was warmly received by both me and the shadow minister for foreign affairs, and Daniel presented us both with the petition.

I first met Daniel several years ago, shortly after the abduction of Sean, and I was instantly struck and inspired by the determination of this father to find out what had happened to his son. Any parent will instantly be touched by the plight of Mr Wass and can readily sympathise not only with his grief but with his considerable anxiety to know that his child is safe and well. Daniel has not heard anything of his son since his removal in 2010, and one can readily imagine the tremendous toll this separation and uncertainty would have on any parent.

I rise therefore not only to table this petition but to congratulate all those involved in the search for Sean. At the beginning of this year and after many delays and countless representations made by me and my office, we were delighted to hear that Sean had been placed on the Interpol yellow watch list, a significant escalation of the fight to find him. Shortly before this, Daniel informed me of his plans for both this petition and his awareness-raising journey to this place, and I readily offered my support. We have therefore opened 2013 with some positivity, and, hopefully, reinvigorated spirits as the search for Sean continues.

Today marks the culmination and fruition of a small part of what has been, and will continue to be, an exhaustive and lengthy process. It is to be hoped that the great love, compassion and support that has been offered to the Wass family by the local Springwood and Blue Mountains community will continue to inspire and help to assist them through the next stages of the search Sean. I present the petition.

The petition read as follows—

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

This Petition signed by concerned Australians and International Citizens draws the attention of the house to; an Australian Citizen abducted without notice and during family court proceedings to Japan by his Mother on the 10 May 2010. He has been missing and unaccounted for since his abduction with neither his father nor the Australian Authorities being able to make contact with his mother to confirm his safety, welfare or location.

His abduction to Japan and the concealment of his location, welfare and confirmed safety is a violation of his Human Rights and of serious concern. These rights have been formally recognised by the Australian Government not only through Australia's Family Law and the formation of the Australian Human Rights Commission, but also internationally with Australia's ratification of both the UN's 1989 Convention on the Rights of the Child & The 1980 Hague Convention.

FEDERATION CHAMBER
Request:
Both the Australian and Japanese Governments have a responsibility to ensure and maintain the rights and safety of all children no matter where in the world they may be. We therefore ask the House to refer the matter to the Australian Prime Minister and or the Foreign Minister insisting they take action to intervene and demand that the Japanese Government confirm the safety, welfare and location of my son.

from 4,556 citizens.

Petition received.

Aged Care

Mr MELHAM (Banks) (21:21): When this government came to office, the state of aged care was parlous. The coalition government failed to deliver a plan for a sustainable aged-care system during the long 11½ years it was in office. The previous government failed to deliver a substantial pension increase during their time in office. Contrast that with this government's historic pension reforms by increasing the age pension and the introduction of the extra benefit as part of the Household Assistance Package. In my electorate of Banks, over 20,000 pensioners benefited from these increases. We know that these increases would be ripped away should the coalition win government. We have already seen the New South Wales government increase the cost of public housing rents as a result of the increase to the Commonwealth's income supplement. I doubt that the rent rises will be reversed if a future coalition government removes the increases in benefits.

Over one million Australians will receive aged-care services by 2050. Over 3.5 million Australians are expected to use aged-care services each year. Over the past 100 years life expectancy has increased by 25 years. The country needs to ensure that the needs of this ageing population are met. The system we inherited in 2007 was simply not sustainable. As our health and medical services improve, older Australians want to stay at home for as long as possible, while being able to access care and support as well as appropriate and convenient health services. Older Australians should be able to contribute to their own care, based on their capacity to pay. Let us not forget that it was the Labor Party under Prime Minister Fisher that introduced the age pension. It was a Labor government that introduced compulsory superannuation to assist Australians to prepare for a dignified post-retirement life. It is Labor that will always support Australians throughout the different stages and transitions of their lives.

Specifically in aged care since the government was elected in 2007, there have been an additional 25,849 residential care places, 13,052 home and community care places and 2,000 transition care places allocated nationally. We will provide nearly $13.6 billion for aged care in 2012-13, compared to $7.8 billion in 2006-07. Since 2007 the government has embarked on an extensive reform of aged care. Overall, this government is delivering a $3.7 billion plan to deliver more choice, easier access and better care for older Australians and their families. This is the largest ever investment in aged care.

As part of its Living Longer Living Better program the government has pledged $1.9 billion to deliver better access to aged-care services, $1.2 billion over five years to tackle critical shortages in the aged-care workforce, $80.2 million to improve aged-care linkages with the health system, $54.8 million to carers, $268.4 million to tackle dementia and $192 million to support the diverse care of Australia's ageing population.
On 4 March I was pleased to host the Minister for Mental Health and Ageing, the Hon. Mark Butler MP, on his visit to my electorate. The minister made himself available at a seniors forum I conducted at the Peakhurst Bowling and Recreation Club. He was able to outline some of the significant reforms that the government has introduced as well as answer questions on seniors matters generally and more specific aged-care matters. There was a very positive response.

As the minister said:
"We're replacing an aged care system designed a quarter of a century ago and which is now ill-equipped to meet the needs of retiring baby boomers and their parents who are living longer and healthier lives."

"People want services that respond to their individual needs so we are re-orienting the system on a consumer-directed model."

One of the people attending said that she found it difficult to access information on what assistance and services were available for her ageing mother. She really had to rely on seeking information from her neighbours or friends who had experience. It is satisfying that another government initiative, the My Aged Care website, will be established to assist with precisely that issue. The government is providing $198.2 million over five years to progressively established a gateway to aged-care services. The first step will be establishing a website, together with a national call centre service, as the main entry point for the aged-care system. This will be followed by reforms to assessment arrangements and establishing a new linking service to help the vulnerable in our community to access services.

Receiving appropriate levels of support at home is increasingly important for seniors. From 2012, the Australian government has directly funded and administered the home support services for older people currently provided under the Home and Community Care Program in most states and territories. Over the next five years, the government will provide $75.3 million to integrate these services with other Commonwealth programs to create and grow a new home support program.

The government currently funds more than 58,000 home care packages. Demand for these packages far outstrips supply, leaving many people forced to wait a long time for care. The government will more than double the number of home care packages available across Australia over the next 10 years, with more than 80,000 new packages by 2021-22. The government is committing $880.1 million over the next five years to expand care in the home, reducing the emphasis on residential care.

Earlier I mentioned the visit of Minister Butler to my electorate on 4 March. He also visited Penshurst on 5 March to make an important announcement. I have already referred to the government's commitment to the carers of the aged. This of course includes those who work in the aged-care sector. Aged-care workers have been amongst the lowest paid workers in Australia. They perform the vital task of looking after our older citizens, often in the various aged-care facilities. While this group of workers pursue their careers for more than financial reward, pay rises would no doubt be a further incentive to work in a growing industry.

On his second visit to Banks, Minister Butler announced a landmark agreement to provide higher wages, better conditions and more rewarding careers for the 350,000 workers in the aged-care industry. The funding will flow from July through a workers supplement, delivering
pay rises for aged-care nurses, care workers and others in the aged-care industry. An additional one per cent pay rise will be available above minimum annual wage increases or other wage rises negotiated through the enterprise bargaining agreements for workers employed by aged-care providers that meet the requirements of a workforce compact. This means that a personal care worker currently paid the award rate who is employed by an aged-care provider that meets the requirements would effectively see a pay rise of up to 18.7 per cent over four years. Enrolled nurses would receive 25 per cent higher pay and registered nurses 29.9 per cent higher pay in the same situation.

The workforce supplement will be paid to providers that meet the conditions of the workforce compact, which was developed in consultation with providers and unions. Providers will be required to pass the supplement on as higher wages. Workers employed by providers that meet the terms of the compact will receive not only increased wages but also enhanced training and education and improved career pathways and development. One aim of the workforce compact is to improve the capacity of the aged-care sector to attract and retain staff through higher wages, improved career structures, enhanced training and education opportunities, improved career development and workforce planning, and better work practices.

The second part of the Addressing Workforce Pressures initiative is the aged-care workforce development plan, which will begin later this year. An expert advisory group will be established to focus on better ways to support the aged-care workforce. This group will seek to ensure that, on top of wage increases, aged-care workers get the other benefits, including improved career structures, better training and education, and better work practices, including lowering the high rate of workforce injuries in aged care.

I am proud to be part of a government that continues the Labor tradition of social reform and social justice. The reforms to the long-neglected aged-care sector are extensive and go to the heart of the industry's needs. These measures are in the great Labor traditions of equity, fairness and social justice. This is where the difference between Labor and the Tories is self-evident.

Our ability to combine idealism with pragmatism has allowed us to make a real difference to Australian society. Throughout its history, the Australian Labor Party has been the only party that has been able to deliver benefits to working Australians and real economic and social reform. We have done this by virtue of our ideas and vision. We should not do it at the expense of one section of the community to benefit the other. What we need is dignity in retirement. We should not take advantage of the goodwill of a lot of people in the sector and pay them slave wages. Those arguments are long gone. People need fair wages. We need to accept, as a government, whatever political party is in government, that we have to provide dignity in retirement for our aged people and dignity to the workers in that sector, because we rely on them enough as it is; they do put in a lot more than they are paid.

Small Business

Mr VAN MANEN (Forde) (21:31): I would like tonight to take the opportunity to touch on the lack of confidence in the small-business sector as a result of this government's policies. A recent Sensis Business Index survey of small and medium enterprises showed that only six per cent of small business people believe that the Gillard government's policies support the
sector. Tonight I wish to speak on behalf of the 94 per cent of small businesses who are dissatisfied with the government's policies on small business.

It is instructive to just have a look at some of the facts that underpin our small to medium business sector. Some 99.7 per cent of all actively-traded businesses in Australia are SMEs—businesses that employ between five and 200 employees. They employ some 70 per cent of the Australian workforce and, on the latest figures, from 2008-09, they invested some $5 billion in research and development. Those facts quite clearly point to what an important sector this is in our economy.

As a result of Labor's policies, the small business sector's share of the private sector workforce has contracted from 51.3 per cent to 45.7 per cent. Small business confidence, conditions, profitability, cash flows and employment are all in negative territory, according to the latest NAB quarterly SME survey. Furthermore, the number of people employed in small business has declined under Labor from some 5,061,000 to 4,800,000—a loss of some 243,000 jobs. And the number of employing small businesses has also declined under Labor, from 749,000 to 739,000, a loss of some 10,000 employing small businesses.

These findings speak directly to the negative effect of the government's policies on the small-business sector—disastrous policies such as the introduction of the carbon tax, leaving small business exposed to the world's greatest carbon tax with no direct compensation and no analysis of how the tax would impact these small businesses. According to an article in the Daily Telegraph, the carbon tax is contributing to a record number of firms going to the wall, with thousands of employees being laid off and companies forced to close factories that have stood for generations. Soaring energy bills caused by the government's climate change schemes have been called the straw that broke the camel's back by company executives and corporate rescue doctors who are trying to save these ailing firms. New data from the corporate regulator reveals that insolvencies have hit a record high in the past 12 months, led by widespread failures in manufacturing and construction, which account for almost one-fifth of all collapses. The article goes on to say:

The Australian Securities and Investment Commission is reporting there are some 10,600 company collapses for the 12 months to 1 March, averaging 886 per month, with the number of firms being placed in administration more than 12 per cent higher than during the global financial crisis.

There is more. There is the Prime Minister's job plan, the Australian industry participation plan, a plan which, according to the IPA, seeks to suffocate small businesses with more red tape. It is almost like a scene out of War of the Worlds. It is like the tentacles of the red Martian weed creeping through the Australian economy as this government envelops small business and the broader community in an endless array of red tape and bureaucracy. To date, over 20,000 new regulations have been enacted but only 104 have been repealed. This is a far cry from the one-in, one-out policy promised by Labor at the 2007 election. A recent article featured on the IPA website notes that the Australian industry participation plan is a recipe for increased red tape. Rather than making it easier for foreign businesses to operate in Australia, this plan will punish those who do business here. It will create public service jobs in Canberra. The bureaucrats will be allowed to second-guess business choices. This government has never understood that make-work schemes detract from profit-making and so deter business.
Small business is the workhorse of the economy but what can the Prime Minister promise? She wants to make it easy for small business to raise finance. However, as with many things we see with this government, she has provided no detail but hinted, merely hinted, at a grant system. This is just picking winners. In my electorate of Forde there are around 11,400 small businesses. I recently invited these businesses along to a forum to address and speak about the challenges businesses are facing in our own backyard. I can tell you now that the lack of consideration and care from policymakers in regard to Australia's small-business sector rated high on the complaint list during the business forum which I hosted with the shadow minister for small business, the honourable member for Dunkley.

I would like to digress here for a moment to compare and contrast our dedication to the small-business sector. For starters, our shadow minister for small business has been meeting with small-business people across Australia since 2007 developing considered plans that will take the burden off and support the success of small business. We compare this to the government's efforts and see that they have had the fourth labour minister in 14 months with little interest or background in the sector that employs almost half the private sector workforce. It is interesting to note that when the government's small business minister appeared on ABC Lateline recently during the Prime Minister's visit to Western Sydney he did not even mention once small business despite the fact that there are some 160,000 small businesses located in Western Sydney.

It is no surprise that the small-business sector continues to be treated this way under Labor, especially when the Prime Minister's own department has revealed that she rarely concerns itself with small-business issues. This further demonstrates the Gillard government's neglect of the sector. Asked whether the Prime Minister has met with the inaugural Small Business Commissioner, Mark Brennan, a representative from the Department of Prime Minister and Cabinet retorted that the Prime Minister's focus is on the priority issues of today. 'Small-business issues do not often come up in terms of issues that are before the Prime Minister or the cabinet. I guess our focus of resource tends to focus on those issues that are before the PM or the cabinet. So I guess we would have to move our resources in accordance with the priorities.' That was what Marie Taylor, first assistant secretary for the industry, infrastructure and environment division, told the Senate Finance and Public Administration Committee.

The government cannot even properly report on the effectiveness of its own dealings with small business. The 2012 Australian government payments to small business report remains outstanding nine months after the end of the financial year.

This is a report which documents how effective the government is in meeting the 30-day payment threshold for goods and services received from small business. As I was explaining earlier, during the small business forum, we had businesses in the room that have suffered too long under this government. Even long-serving Labor voters who have been trying to keep their business afloat and employing some 80 people under these conditions have said they will never vote Labor again—and rightly so. That particular business has since gone into liquidation with those staff now looking for work.

This sadly is not an uncommon turn of events for many small business operators around the country when the small business sector's share of private sector workforce has contracted
from 51.3 per cent to 45.7 per cent of the workforce under the five years of this Labor government.

The coalition has real solutions and will seek to double the rate of small business growth by scrapping the carbon tax and cutting $1 billion worth of red tape. I can say to the small business community: small business is a central part of the coalition's real solutions plan to create one million new jobs in five years and two million jobs within a decade.

Our plan, which includes abolishing the carbon tax, reducing compliance costs and making sure small business is represented on key economic and regulatory bodies, is envisaged to create the framework to increase productivity and double the rate of small business growth for the future wealth of our country.

**Dairy Industry and Beef Industry**

Mr OAKESHOTT (Lyne) (21:41): I grieve tonight about the amount of substantial legislation and regulation along with a government funded independent body to protect competition and consumers in this country, in particular with regard to milk and beef prices, and the need for more consideration and more work on behalf of the farmers and the suppliers in the retail market we currently have in Australia.

I acknowledge the ACCC works hard to balance the competing needs of retailers, consumers, producers and processors. All the stakeholders seem to think there is an imbalance in the system, even despite that work from the ACCC. We have had Senate inquiry after Senate inquiry. We have had good intentions expressed. We have had all the rhetoric from all the various players within politics. The ACCC brings case after case, yet these fundamental concerns are growing, not reducing, under the current legislative regime.

Firstly, dairy farmers in my electorate as a group are angry. They start work at 4 am; they finish after dark. They do not get a day off 365 days a year, including Christmas Day. They have to invest heavily in land and infrastructure, and a reasonable return on the value of that land and infrastructure is by and large unachievable on the capital itself. They are totally at the mercy of natural events. Recently no rain for months meant there was no feed on the ground. Rising grain costs cut into their already tight profit margins. When the rain arrived, it resulted in two flood events in a month which meant some who were happy for the rain to come—and then it came too hard—were left having to dump their milk due to isolation and the poor quality of local roads.

In the end, you have to get these stories out of the farmers themselves. They do not complain about these events: they are part of life for them. What they complain about is the playing field, and I hope what the majority of MPs in this place consider to be the unfair, the uncompetitive and the unsustainable playing field that they have.

When the dairy industry in New South Wales was regulated, it was inflexible to the needs of farmers. Still, I stood at Taree West club with a Queensland MP and member of Katter's Australian Party, Bob Katter, over a decade ago and with many others to express worry about how transition would occur and what it would mean for local dairy farmers and the number of farmers on the ground. Despite the nice theory, on paper, about the value of deregulation, when regulation was removed it increased the flexibility of the industry but it also removed a large number of the smaller, less capital intensive farmers on the ground—many of whom were generational farmers in their 50s and 60s who were thinking about handing the farm
over to another family member but were jammed in this change from a regulated environment to a deregulated environment.

This was all based on a view that deregulation assumes you are launching a player into a level playing field, but a decade later this certainly has been demonstrated to be not the case. I hear the same thing across many sectors, from not only dairy farmers but also beef producers and suppliers up the supply chain: the ACCC’s powers are not effective at addressing the real issues; the ACCC ask for evidence when the true evidence is in the hands of the retailers themselves, not the industries being affected; and the ACCC want processors and primary producers to provide information about major retailers when they are just not in a position to do so. When the powers under our fair trading laws to expose abuse of market power are not used, that in many ways demonstrates the problem itself—the abuse of market power is in the silence that comes from the suppliers on the ground.

Processors and primary producers tell me they have seen those who complain through this complaints process cut from the only markets available to them despite the existence of market power laws. I hear agreement that a simple look makes it appear a consumer is benefiting, and one might ask how can lower prices not benefit consumers? In the long-term, the end gain becomes important—what is a sustainable position for consumers and for competition? The worry is that the ACCC consider only the short-term rather than the long-term impacts of consumer and competition issues.

I also hear the view that milk is an international product, and therefore the appearance of competition exists. But the story of suppliers is that they cannot access the international market at all. I do query our marketing of beef and milk to the emerging middle classes throughout the Asia-Pacific region. Newspapers in the south of the Philippines and newspapers read by many Asia-Pacific families—families that are now coming out of poverty and seeking protein—run ads and stories about how parents can fatten their children; how they can improve their children's access to protein. That is culturally completely different from what happens in Australia.

Why are we not, from an economic and a moral position, tapping those markets? Why are we not building cold store solutions and building a supply chain to these emerging markets? Why are we not considering how refrigeration can play a role in economic development not only for these emerging economies but for Australia's economic benefit as well? It has me stumped—with all the intelligence we have in the farming community and in government, why have we not been able to develop those links better than we have so far?

At the moment we rely on AusAID, we rely on good organisations like ACIAR, the international agricultural research arm of government, but we are still exposed to some very immature trade links with emerging economies that are up for grabs. There are people who want beef and milk. We are a country of beef and milk yet we cannot develop the link between us and them, for some unknown reason. So where is the work to develop these new markets as well as to expand existing markets? This is where I raise the question: where are the levies paid going? What about the R&D? There is plenty of focus on the 'R'; I worry that there is less focus on the 'D' and the development of these new and emerging markets.

I also raise the question of revisiting the issue of the supermarket duopoly. There are many problems facing our producers. The current system either needs reworking or amending to achieve the results our community needs. Instead, we enable the major retailers to continue to
increase their market share: from supermarket to petrol to hardware to brewing to videos to liquor—the list is endless. We allow it because in the short term it benefits the consumer.

So, while this market share grows and while big boxes are dropped into many communities around Australia in what is really a battle over market share and title related to market share, in the end, producers and farmers leave their industries in droves. I ask the question whether in the future the retailers sadly will be the farmers and the producers, and the consumer will lose in the long term unless we start to address some of these issues.

I know on the table there is the proposal for a grocery ombudsman. I know there are issues of voluntary or mandatory codes of conduct. I hope they are progressed for all the issues of benefiting the long-term interests of Australia and the long-term interests of what I hope is being part of Australia: a beef and dairy industry as part of the Australian story.

Debate adjourned.

Federation Chamber adjourned at 21:52
QUESTIONS IN WRITING

Carbon Pricing
(Question No. 1340)

Mr Fletcher asked the Minister for Climate Change and Energy Efficiency, in writing, on 5 February 2013:

In respect of the Governments carbon price assistance package insert in utility bills sent from late 2012, (a) which utility companies/billers provided the inserts, (b) in how many bills were inserts provided, (c) what sum did the inserts cost to print, and (d) what sum did the Government pay to have the inserts provided (i) in total, and (ii) per biller.

Mr Combet: The answer to the honourable member's question is as follows:

(a) Nineteen energy retailers distributed the electricity bill insert:
- ACTEW AGL;
- PowerDirect;
- AGL Energy;
- Alinta Energy;
- Neighbourhood Energy;
- Australian Power and Gas;
- Click Energy;
- Dodo Power and Gas;
- Lumo Energy;
- Origin Energy;
- Integral Energy;
- Country Energy;
- QEnergy;
- Momentum;
- Red Energy;
- Sanctuary Energy;
- Simply Energy;
- TRUenergy; and
- Energy Australia.

(b) A total of 9,215,000 inserts were provided to participating energy retailers for distribution to their customers based on the number of inserts each requested.

(c) The cost of printing the bill insert distributed by participating energy retailers was $118,030 (excluding GST).

(d) Participating retailers agreed to bear the cost of distributing the bill insert to their customers along with their regular electricity bills or as part of their regular billing processes.
State-based Firearms Registries  
(Question No. 1357)

Mr Oakeshott asked the Minister for Home Affairs, in writing, on 13 February 2013:

(1) Are the State-based firearms registries integrated into the Computerised Operational Police System (COPS); if not, why not.
(2) Is it a fact that the State-based firearms registries have recently been compromised.
(3) Do Commonwealth agencies have access to the State-based firearms registries in the COPS; if so, which agencies.

Mr Clare: The answer to the honourable member's question is as follows:

(1) NSW Police hold their firearm and licence information within COPS and other NSW Police systems. NSW police access national firearm and licencing information from the National Firearms Licencing and Registration System (managed by CrimTrac) through COPS. The national data is not stored on COPS.

(2) The Commonwealth is not aware that any State-based firearms registries have been compromised.

(3) CrimTrac does not have access to the State based firearms registries in COPS. The NSW Police Force provides data from COPS on firearm owners and firearm licence holders to the National Firearms Licencing and Registration System that is managed by CrimTrac.

Forrest Electorate: Trade Training Centre  
(Question No. 1359)

Ms Marino asked the Minister for Tertiary Education, Skills, Science and Research (transferred to the Minister for School Education, Early Childhood and Youth), in writing, on 13 February 2013:

In respect of the Bunbury Regional Trades Training Centre, (a) what is the current (i) planning status, and (ii) sum of funding that the Government will provide, and by when; (b) when will student courses begin; (c) what schools are currently linked to the Centre; and (d) where will it be located.

Mr Garrett: The answer to the honourable member's question is as follows:

(a) (i) Funding agreement negotiations with the Western Australian Government for the Bunbury Regional Trade Training Centre (TTC) are in the final stages.

(ii) Total approved funding is up to $11 580 000. Payments to the Western Australian Government will be provided progressively as certain construction milestones are reached.

(b) The current timelines for the project indicate that it is anticipated that trade training will commence at the TTC at the start of the 2014 school year (i.e. February 2014).

(c) Manea Senior College is the lead school for this cross sector project and the following 13 schools have clustered with Manea Senior College to establish the Bunbury Regional TTC:

Bunbury Cathedral Grammar School
Bunbury Catholic College
Donnybrook District High School
Bunbury Senior High School
Grace Christian School
Australind Senior High School
College Row School
Newton Moore Education Support Centre
Georgiana Molloy Anglican School
Hope Christian College
Eaton Community College
Ocean Forest Lutheran College
Dalyellup College
(d) The Bunbury Regional TTC will have three campuses located at:
1. Manea College, Robertson Drive, Manea WA,
2. Eaton Community College, Recreation Drive, Eaton WA, and
3. Bunbury Catholic College, Picton Road, Bunbury WA.