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SITTING DAYS—2011

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FORTY-THIRD PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

House of Representatives Office holders
Speaker—Mr Harry Alfred Jenkins MP
Deputy Speaker—Hon. Peter Neil Slipper MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP
Members of the Speaker’s Panel—Ms Anna Elizabeth Burke MP, Hon. Dick Godfrey Harry Adams MP, Ms Sharon Leah Bird MP, Mrs Yvette Maree D’Ath MP, Mr Steven Georgean MP, Ms Kirsten Fiona Livermore MP, Mr John Paul Murphy MP, Mr Peter Sid Sidebottom MP, Mr Kelvin John Thomson MP, Ms Maria Vanvakinou 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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<td>Calwell, VIC</td>
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<td>Wilkie, Andrew Damien</td>
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**PARTY ABBREVIATIONS**

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

### Heads of Parliamentary Departments

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

Prime Minister                      Hon. Julia Gillard MP
Deputy Prime Minister, Treasurer   Hon. Wayne Swan MP
Minister for Regional Australia, Regional Development and Local Government
Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Minister for School Education, Early Childhood and Youth
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Minister for Foreign Affairs
Minister for Trade
Minister for Defence and Deputy Leader of the House
Minister for Immigration and Citizenship
Minister for Infrastructure and Transport and Leader of the House
Minister for Health and Ageing
Minister for Families, Housing, Community Services and Indigenous Affairs
Minister for Sustainability, Environment, Water, Population and Communities
Minister for Finance and Deregulation
Minister for Innovation, Industry, Science and Research
Attorney-General and Vice President of the Executive Council
Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Minister for Resources and Energy and Minister for Tourism
Minister for Climate Change and Energy Efficiency

[The above ministers constitute the cabinet]
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<td>Minister for Privacy and Freedom of Information</td>
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<td>Minister for Sport</td>
<td>Senator Hon. Mark Arbib</td>
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<td>Assistant Treasurer and Minister for Financial Services and Superannuation</td>
<td>Hon. Bill Shorten MP</td>
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<td>Minister for Employment Participation and Childcare</td>
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<td>Minister for Defence Materiel</td>
<td>Hon. Jason Clare MP</td>
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<td>Hon. Warren Snowdon MP</td>
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<td>Minister for Mental Health and Ageing and Minister Assisting the Prime Minister on Mental Health Reform</td>
<td>Hon. Mark Butler MP</td>
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<td>Minister for the Status of Women</td>
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<td>Minister for Home Affairs and Minister for Justice</td>
<td>Hon. Brendan O’Connor MP</td>
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<tr>
<td>Minister for Human Services</td>
<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Cabinet Secretary</td>
<td>Hon. Mark Dreyfus QC, MP</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>Senator Hon. Kate Lundy</td>
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<td>Parliamentary Secretary to the Treasurer</td>
<td>Hon. David Bradbury MP</td>
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<tr>
<td>Parliamentary Secretary for School Education and Workplace Relations</td>
<td>Senator Hon. Jacinta Collins</td>
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<tr>
<td>Minister Assisting the Prime Minister on Digital Productivity</td>
<td>Senator Hon. Stephen Conroy</td>
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<tr>
<td>Parliamentary Secretary for Trade</td>
<td>Hon. Justine Elliot MP</td>
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<td>Parliamentary Secretary for Pacific Island Affairs</td>
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<td>Parliamentary Secretary for Infrastructure and Transport and</td>
<td>Hon. Catherine King MP</td>
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<td>Hon. Julie Collins MP</td>
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<td>Parliamentary Secretary for Sustainability and Urban Water</td>
<td>Senator Hon. Don Farrell</td>
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<td>Minister Assisting on Deregulation and Public Sector Superannuation</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Minister Assisting the Attorney-General on Queensland Floods Recovery</td>
<td>Senator Hon. Joe Ludwig</td>
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<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
<td>Hon. Dr Mike Kelly AM, MP</td>
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<td>Minister Assisting the Minister for Tourism</td>
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<td>Leader of the Opposition</td>
<td>Hon. Tony Abbott MP</td>
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<td>Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade</td>
<td>Hon. Julie Bishop MP</td>
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<tr>
<td>Leader of the Nationals and Shadow Minister for Infrastructure and Transport</td>
<td>Hon. Warren Truss MP</td>
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<tr>
<td>Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations</td>
<td>Senator Hon. Eric Abetz</td>
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<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts</td>
<td>Senator Hon. George Brandis SC</td>
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<tr>
<td>Shadow Treasurer</td>
<td>Hon. Joe Hockey MP</td>
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<tr>
<td>Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House</td>
<td>Hon. Christopher Pyne MP</td>
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<tr>
<td>Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals</td>
<td>Senator Hon. Nigel Scullion</td>
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<tr>
<td>Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate</td>
<td>Senator Barnaby Joyce</td>
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<tr>
<td>Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee</td>
<td>Hon. Andrew Robb AO, MP</td>
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<tr>
<td>Shadow Minister for Energy and Resources</td>
<td>Hon. Ian Macfarlane MP</td>
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<td>Shadow Minister for Defence</td>
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<td>Shadow Minister for Communications and Broadband</td>
<td>Hon. Malcolm Turnbull MP</td>
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<td>Hon. Peter Dutton MP</td>
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<td>Shadow Minister for Families, Housing and Human Services</td>
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<td>Shadow Minister for Climate Action, Environment and Heritage</td>
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<td>Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship</td>
<td>Mr Scott Morrison MP</td>
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<td>Shadow Minister for Innovation, Industry and Science</td>
<td>Mrs Sophie Mirabella MP</td>
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<td>Shadow Minister for Agriculture and Food Security</td>
<td>Hon. John Cobb MP</td>
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<td>Shadow Minister for Small Business, Competition Policy and Consumer Affairs</td>
<td>Hon. Bruce Billson MP</td>
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[The above constitute the shadow cabinet]
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Shadow Minister for Employment Participation
Hon. Sussan Ley MP

Shadow Minister for Justice, Customs and Border Protection
Mr Michael Keenan MP

Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation
Senator Mathias Cormann

Shadow Minister for Childcare and Early Childhood Learning
Hon. Sussan Ley MP

Shadow Minister for Universities and Research
Senator Hon. Brett Mason

Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Indigenous Development and Employment
Senator Marise Payne

Shadow Minister for Regional Development
Hon. Bob Baldwin MP

Shadow Special Minister of State
Hon. Bronwyn Bishop MP

Shadow Minister for COAG
Senator Marise Payne

Shadow Minister for Tourism
Hon. Bob Baldwin MP

Shadow Minister for Defence Science, Technology and Personnel
Mr Stuart Robert MP

Shadow Minister for Veterans’ Affairs and Shadow Minister Assisting the Leader of the Opposition on the Centenary of ANZAC
Senator Hon. Michael Ronaldson

Shadow Minister for Regional Communications
Mr Luke Hartsuyker MP

Shadow Minister for Ageing and Shadow Minister for Mental Health
Senator Concetta Fierravanti-Wells

Shadow Minister for Seniors
Hon. Bronwyn Bishop MP

Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate
Senator Mitch Fifield

Shadow Minister for Housing
Senator Marise Payne

Chairman, Scrutiny of Government Waste Committee
Mr Jamie Briggs MP

Shadow Cabinet Secretary
Hon. Philip Ruddock MP

Shadow Parliamentary Secretary Assisting the Leader of the Opposition
Senator Cory Bernardi

Shadow Parliamentary Secretary for International Development Assistance
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Roads and Regional Transport
Mr Darren Chester MP

Shadow Parliamentary Secretary to the Shadow Attorney-General
Senator Gary Humphries

Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee
Hon. Tony Smith MP

Shadow Parliamentary Secretary for Regional Education
Senator Fiona Nash

Shadow Parliamentary Secretary for Northern and Remote Australia
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Local Government
Mr Don Randall MP

Shadow Parliamentary Secretary for the Murray-Darling Basin
Senator Simon Birmingham

Shadow Parliamentary Secretary for Defence Materiel
Senator Gary Humphries

Shadow Parliamentary Secretary for the Defence Force and Defence Support
Senator Hon. Ian Macdonald
SHADOW MINISTRY—continued

Shadow Parliamentary Secretary for Primary Healthcare
Dr Andrew Southcott MP

Shadow Parliamentary Secretary for Regional Health Services
Mr Andrew Laming MP
and Indigenous Health

Shadow Parliamentary Secretary for Supporting Families
Senator Cory Bernardi

Shadow Parliamentary Secretary for the Status of Women
Senator Michaelia Cash

Shadow Parliamentary Secretary for Environment
Senator Simon Birmingham

Shadow Parliamentary Secretary for Citizenship and Settlement
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Immigration
Senator Michaelia Cash

Shadow Parliamentary Secretary for Innovation, Industry, and Science
Senator Hon. Richard Colbeck

Shadow Parliamentary Secretary for Fisheries and Forestry
Senator Hon. Richard Colbeck

Shadow Parliamentary Secretary for Small Business and Fair Competition
Senator Scott Ryan
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Tuesday, 13 September 2011

The SPEAKER (Mr Harry Jenkins) took the chair at 12:00, made an acknowledgement of country and read prayers.

BILLS

Veterans' Entitlements Amendment Bill 2011

Returned from Senate

Message received from the Senate returning the bill without amendment or request.

Clean Energy Bill 2011

First Reading

Bill and explanatory memorandum presented by Ms Gillard.

Bill read a first time.

Second Reading

Ms GILLARD (Lalor—Prime Minister) (12:01): I move:

That this bill be now read a second time.

This House has been debating climate change for decades. Parliamentary debate of this issue predates this building itself. My predecessor as member for Lalor, Barry Jones, once said this about climate change, 'If we are only prepared to plan five years, 10 years, 15 years or 20 years down the track all the dangers that are feared can be avoided.' Those words were spoken 24 years ago next week.

We have now had decades of heated public argument and political opinion. Alongside decades of enlightened scientific research and economic analysis.

After all those opinions have been expressed, most Australians now agree:

- our climate is changing
- this has harmful effects on our environment and on the economy
- and the government should act.

And after all that analysis has been done, most economists and experts also now agree:

- The best way is to make polluters pay by putting a price on carbon.
- So that is the policy of the government I lead.
- And that is the plan which is before the House now.

A plan for a carbon-pricing mechanism which means around 500 big polluters pay for every tonne of carbon pollution they put into our atmosphere.

A plan to cut carbon pollution by at least 160 million tonnes a year in 2020.

A plan for tax cuts, increased pensions and increased family payments.

A plan for clean energy jobs and investment. A plan for a clean energy future for our country.

Today we move from words to deeds. This parliament is going to get this done.

There will be a price on carbon from 1 July 2012.

The carbon-pricing mechanism which begins its course through our parliament today is the product of years of public policy discussion and development.

In the late 1990s, the Australian Greenhouse Office published papers setting out how a carbon price might work and sought public submissions.

Then the National Emissions Trading Taskforce established by the states and territories, and the Shergold report set up by the Howard government, embarked on extensive consultation processes.
Each generated wide-ranging recommendations on designing the mechanism for a carbon price.

Further consultation on detailed design issues occurred through the Garnaut review, the green and white papers, and in response to draft legislation supporting the former Carbon Pollution Reduction Scheme, defeated in the Senate.

In September 2010, the government convened the Multi-Party Climate Change Committee to agree a way forward.

In February this year, the government released a climate change framework for public discussion.

In July, the government announced the carbon-pricing mechanism and, later that month, released draft legislation.

We received over 300 submissions on the draft bills and had extensive discussions with businesses, non-government organisations, other governments and legal stakeholders.

All adding to the literally thousands of submissions which have been made to the government on this issue over the years.

Many advocates and advisers have worked enormously hard.

I am grateful for the tremendous energy and seriousness with which so many have treated these exhaustive—even exhausting—discussions.

All part of the years of research and analysis which underpin the policy embodied in the legislation I introduce today.

I firmly believe no stone remains unturned, no voice unheard.

So this is the plan for Australia’s carbon price.

A modern policy approach, with efficient allocation and incentive to innovate, linked to global markets.

A fixed price for the first years—a well designed market from 2015.

Assistance for emissions-intensive trade-exposed industries.

Evidence based emissions targets.

Abatement at the lowest economic cost.

All adding up to a new bottom line: where polluters pay.

The legislation before the House

Let me turn to the main features of the Clean Energy Bill 2011.

Application of the mechanism

The bill provides that the carbon price will be paid by liable entities, which have facilities that emit 25,000 tonnes or more of carbon pollution a year.

It will also cover landfills that emit 10,000 tonnes or more, where these are within a specified distance of landfills that emit 25,000 tonnes or more.

Large users of natural gas will be liable parties in their own right, while natural gas suppliers such as retailers will pay a carbon price for the emissions that arise from the use of natural gas by smaller customers.

Around 500 entities will have mandatory liabilities under the carbon pricing mechanism.

Around 500 polluters will pay

To determine liability, the carbon pricing mechanism will draw on information reported under the National Greenhouse and Energy Reporting System, an established measurement system for greenhouse gas pollution developed under the Howard government and which commenced on 29 September 2007.

The carbon pricing mechanism will not apply to agricultural emissions, legacy emissions from landfill facilities and emissions from landfill facilities closed before 1 July 2012.
The bill recognises that there are different ways in which businesses structure their affairs.

It specifically deals with joint ventures—a common feature of resource and energy projects.

And it allows businesses to transfer liability under the mechanism within their corporate groups.

**Moving from a fixed to a flexible price**

The bill provides for a fixed carbon price for three years, starting at $23 per tonne of carbon pollution.

A fixed carbon price, set out in legislation, provides businesses with certainty as our plan begins—and allows for a manageable transition to carbon pricing.

After three years, the scheme automatically transitions to a fully flexible cap-and-trade emissions trading scheme.

From this time on, a cap will be placed on national emissions and the carbon price will be determined by the market.

The bill also provides for a price cap and a price floor to apply for the first three years of the floating price period.

This will limit market volatility and reduce risk for businesses as they gain experience in having the market set the carbon price.

**Pollution caps**

At the heart of our emissions trading scheme is a cap on carbon pollution.

These caps will guarantee reductions in carbon pollution and allow us to achieve our long-term target of an 80 per cent reduction from 2000 levels by 2050.

Achieving this target will take more than 17 billion tonnes of carbon pollution out of the atmosphere between now and 2050.

In 2050 this will cut nine out of every 10 tonnes of pollution compared to what would happen without our plan.

Under the arrangements that this bill would put in place, pollution caps will be set by the government with advice from the expert, independent Climate Change Authority.

If caps are not set, then default caps will apply, which reflect Australia’s unconditional, bipartisan commitment to reduce our greenhouse gas pollution by five per cent below 2000 levels in 2020.

To provide stability and notice for business, cap-setting regulations will be made well in advance.

**International linking**

The bill makes provision for the Australian carbon-pricing mechanism to interact with credible international efforts to reduce carbon pollution.

International linking gives liable parties access to a broader range of abatement opportunities, which helps contain costs and helps promote international action on climate change.

Liable parties will be able to meet up to half of their obligation through the use of international carbon units.

This will ensure that only robust, environmentally credible international units are allowed to be used for compliance.

**Jobs and Competitiveness Program**

The government understands that there is nothing more important to families than having a job.

So we will take special measures to support jobs and keep Australia competitive internationally.

The bill makes provision for certain industry assistance measures, which will ensure that our industries are in the best
position possible to manage a smooth transition to a clean energy future.

The Jobs and Competitiveness Program will assist emissions-intensive, trade-exposed industries in making that transition to a low-emissions economy, while protecting Australian jobs and competitiveness.

It will allocate around 40 per cent of the revenue raised by the mechanism to this purpose.

The effectiveness of the program will be subject to ongoing review by the independent Productivity Commission.

The many activities the program may cover are dealt with in regulations, to be published in draft by the Department of Climate Change and Energy Efficiency later this month.

These regulations have been designed in close consultation with the affected businesses and can be adapted over time as needed.

**Energy security**

The move to a low-emissions economy will pose an adaptive challenge for our energy supply industry.

The government will implement measures to underpin a successful energy market transition and maintain secure energy supplies.

The bill provides for an energy security fund to provide assistance to Australia's most emissions-intensive coal-fired generators.

This will underpin ongoing confidence in the sector and support new—and much needed—investment in new energy sources and infrastructure. Assistance will be conditional on meeting tests relating to maintaining energy security, as well as publishing clean energy investment plans setting out their intentions for new investments and other matters.

In addition to these legislative measures, the government will seek to close around 2,000 megawatts of highly polluting generation capacity by 2020.

Closing down some of our high-pollution coal fired capacity makes room for investment in low-pollution plant and starts the transformation of our energy sector in a responsible way.

**Governance**

The carbon pricing arrangements will be supported by robust and independent governance arrangements.

The Clean Energy Regulator will work with liable entities to ensure compliance with the mechanism and is specifically charged with educating and advising them about it and how they may comply.

The regulator will have appropriate and proportionate powers to monitor compliance and, where problems emerge, to take action to address them.

Enforcement and penalties are focused on those who have obligations under the mechanism—not on the general public.

The regulator is a public body, bound to act in the public interest and in accordance with the constraints imposed by the bill and by other Commonwealth laws.

**Reviews**

In addition to the specific advice to be provided to the government on issues like pollution caps, the bill provides that the mechanism will be reviewed over time by the independent, expert Climate Change Authority.

This scrutiny will ensure its ongoing relevance, robustness and integrity.

**Package of Bills**

This bill is part of the government's total package of clean energy legislation
implementing the carbon pricing mechanism and related reforms.

The Clean Energy Bill 2011 sets out the core provisions of the carbon pricing mechanism—its architecture and its review arrangements.

Consequential amendments are made to other Commonwealth laws to integrate the carbon pricing mechanism with existing laws on climate change, economic regulation and taxation.

These changes are set out in the Clean Energy (Consequential Amendments) Bill 2011.

The implementation of an effective carbon price on transport through the fuel taxation, customs and excise system is achieved through the Clean Energy (Fuel Tax Legislation Amendment) Bill 2011, the Clean Energy (Excise Tariff Legislation Amendment) Bill 2011 and the Clean Energy (Customs Tariff Amendment) Bill 2011.


The price impact of the government's plan will be modest—but I know family budgets are always tight.

So most of the money raised from the carbon price will be used to fund tax cuts, pension increases and higher family payments.

The government has taken the opportunity to give pensioners extra help.

Every older Australian who relies solely on the pension will be among the four million Australian households who get a 'buffer' for the budget, with the extra payments being 20 per cent higher than their average extra costs.

And the government has taken the opportunity for tax reform as well.

We have more than tripled the tax free threshold.

Combined with other changes, this means that 450,000 people—who earn between $16,000 and $20,500—will have all their tax cut. They will now pay no tax.

A tax reform which rewards work—which builds on our budget changes to lift workforce participation and spread the benefits and dignity of work to every Australian.

The assistance to households provided through the tax and transfer system is delivered through the Clean Energy (Household Assistance Amendments) Bill 2011, the Clean Energy (Tax Laws Amendments) Bill 2011 and the Clean Energy (Income Tax Rates Amendments) Bill 2011.

The Climate Change Authority is set up by the Climate Change Authority Bill 2011, which also sets out its functions. Similarly, the Clean Energy Regulator is established by the Clean Energy Regulator Bill 2011.

Australia's clean energy future

We govern in a world of change, a world that is transforming.

My task as Prime Minister, my party's task in government, this parliament's task as it meets today, is to lead our country through this transformation.

Not to hide from change … to make change work for us.
To use our strength today to build strength for the future.

The jobs of the future are clean energy jobs.

Employment is projected to grow strongly with a carbon price.

Around 1.6 million jobs to be created to 2020 ... a further 4.4 million to 2050.

The investment of the future is clean energy investment.

All up, the carbon price will support $100 billion worth of investment in renewables in the next 40 years.

The Australian economy will continue to prosper while cutting carbon pollution.

Real gross national income per person is expected to increase from today's levels by around $9,000 per person to 2020 and more than $30,000 per person by 2050.

If we can do all this:
Cut carbon pollution.
Keep our economy growing.
Keep growing jobs.
Why wouldn't we act?
So the government will act.
And the parliament should support us.

The right side of history

There is a reason votes on legislation in this House are recorded.

There is a reason these matters are decided in an open vote.

It is so every member in this place can be judged.

Judged on the decisions they make here ... judged on where they stand on the great issues of our national debate.

Judged by every Australian.

Judged now ... judged in the future.

Because the final test is not: are you on the right side of the politics of the week or the polls of the year?

The final test is: are you on the right side of history?

And in my experience, the judgement of history has a way of speaking sooner than we expect.

To newer members of this place—and I see some in front of me—I say, just ask those more senior members who sit opposite.

Ask those who voted in this House against Medicare in 1983.

How smart did that look in 1984?

How smart did that look in 1993?

How smart did that look in 2007?

Yes, the judgment of history comes sooner than we expect.

And the demand for policy leadership comes hard on its heels.

Nothing hard ever gets easier by putting it off.

And if you do not do what is right for the nation then you should not be in this parliament.

It is time to deliver the action on climate change we need.

It is time to do what is best for Australian families, what is best for future generations, what is best for this country.

To act on climate change.
To cut carbon pollution.
To build a clean energy future.
To create clean energy jobs.
I see a great clean energy future for our great country.
I know we can get there.
I commend the bill to the House.
Debate adjourned.

Clean Energy (Consequential Amendments) Bill 2011
First Reading
Bill and explanatory memorandum presented by Mr Combet.
Bill read a first time.

Second Reading
Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (12:24): I move:
That this bill be now read a second time.

An incident having occurred in the gallery—
The SPEAKER: Order! The gallery shall come to order!

Mr COMBET: The Clean Energy (Consequential Amendments) Bill 2011 contains consequential and transitional provisions relating to the clean energy package of legislation.

These amendments along with the associated bills the government is introducing today will give effect to our plan to move our economy to a clean energy future.

The science of climate change is clear. Peer-reviewed science is clearly telling us that climate change is occurring, that human activity is contributing through carbon pollution, and that we need to respond by cutting pollution and driving investment into clean energy.

Scientists are also clear that Australia faces huge economic costs from climate change across a range of sectors including energy supply, water, agriculture, and infrastructure.

No responsible government can ignore these facts or this advice.
Therefore the question is not should we cut our pollution, but what is the best way to cut our pollution at least cost and to ensure continuing economic growth.

Mainstream economists are clear in their verdict. A carbon price is the cheapest and most effective way to cut pollution and to drive investment in clean energy.

It allows us to fulfil our obligation to future generations, to do all we can to leave them a better place—that is, to act on our responsibility to achieve intergenerational equity.

Put simply, we should never lose sight of our responsibility as parliamentarians to leave our nation in a better place than we inherited it for future generations.

We have been debating these issues for decades. The time for inaction has long passed—it is now time for this parliament to show leadership and to take action on climate change.

It is time to make an economic reform to end the years of uncertainty around carbon pricing policies.

The business community needs certainty so that it can respond to innovative and new clean energy and renewable energy opportunities. Investors need to make long-term investment decisions.

Investors know a carbon price is coming but need clarity about the rules they need to apply for investing in assets with lives of 30, 40 or 50 years. And until this reform is made, and this legislation passed, these investments will be stalled.

This legislation provides the transparency and detail that industry needs.
And the package the government is introducing today provides a holistic
approach by encompassing renewable energy, energy efficiency and land measures.

It is a package that recognises the need for action now, that recognises that delay will just cost us more.

It is a package that will maintain strong economic growth and provide new opportunities for industry. In fact, by 2020, while our carbon pollution will have reduced, national employment is projected to increase by 1.6 million jobs.

A broad-based, market-driven mechanism like a carbon price is the cheapest and most effective way to cut our pollution.

Carbon pricing sends a clear market signal to investors and consumers about the pollution content of goods and services. A carbon price will drive structural change in key sectors of the economy. At the same time industries will continue to grow.

The measures in this bill bring together in a coherent way the existing programs under the National Greenhouse and Energy Reporting Act, the Office of the Renewable Energy Regulator, and the soon to commence Carbon Farming Initiative, under the responsibility of a single clean energy regulator. The bill provides consistent reporting arrangements, equitable taxation treatment, and greater security for investors and businesses.

**National Greenhouse and Energy Reporting**

The National Greenhouse and Energy Reporting System (or NGERS) is the national framework for the reporting of information on greenhouse gas emissions, energy consumption and energy production. It was put in place by this parliament in 2007 when those opposite still believed in taking action on climate change and had a commitment to heed scientific and economic advice. In fact, the act was specifically intended to underpin an emissions trading scheme to start no later than 2012. Consistent with the government’s commitment to the streamlining of reporting of greenhouse and energy data, the National Greenhouse and Energy Reporting Act 2007 will be the starting framework for monitoring, reporting and assurance under the carbon pricing mechanism.

This system provides a sound structure for monitoring, auditing and compliance. A rigorous compliance framework is essential to underpin the carbon pricing mechanism.

A number of changes are proposed to strengthen the act and align it with the requirements of the carbon pricing mechanism. Under the amendments, a single report will satisfy both an entity’s reporting requirements under the mechanism, as well as the current reporting requirements under the act.

**Coverage of synthetic greenhouse gases**

As part of the carbon pricing package, synthetic greenhouse gases will be subject to an equivalent carbon price using legislation. Amendments are made to the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989, and associated legislation, to give effect to that commitment, using the existing import and manufacturing levies in place. The levies will be adjusted annually to reflect the prevailing carbon price. This parliament first brought synthetic greenhouse gases under the ozone protection regime in 2003 on the basis of implementing our obligations to the United Nations Framework Convention on Climate Change.

The provisions ensure that the destruction of waste synthetic greenhouse gases which are imported into Australia is not affected. This is important because Australia has the only approved destruction facilities in our region and deals with the destruction of
gases on behalf of a number of our Pacific neighbours.

**Establishment of the Clean Energy Regulator and Climate Change Authority**

The bill contains a number of consequential amendments relating to the establishment of the Clean Energy Regulator and the Climate Change Authority.

As well as administering the carbon pricing mechanism, the new regulator will take over administration of greenhouse and energy reporting, the renewable energy target and the Carbon Farming Initiative. This necessitates a number of legislative amendments to replace three existing statutory office holders—the Office of the Renewable Energy Regulator, the Carbon Credits Administrator under the Carbon Farming Initiative, and the Greenhouse and Energy Data Officer—and it transfers their functions to the new Clean Energy Regulator.

**Measures to prevent market manipulation and misconduct**

The amendments to the Corporations Act 2001 and the Australian Securities and Investments Commission Act 2001 will provide a strong regulatory regime to reduce the risk of market manipulation and misconduct relating to emissions units.

Australian emissions units and eligible international emissions units are to be financial products for the purposes of chapter 7 of the Corporations Act 2001 and division 2, part 2 of the Australian Securities and Investments Commission Act 2001. The bill amends these acts accordingly.

Responding to industry feedback on the exposure draft legislation, there are also measures to provide greater security of title for holders in good faith of Australian carbon credit units, carbon units and eligible international emissions units.

**Taxation amendments**

Schedule 2 of the bill amends various taxation laws to clarify the income tax and goods and services tax treatment of emissions units, and to provide a refundable tax offset for certain depreciating assets used in conservation tillage farming practices.

The main consideration in designing the tax treatment of units is that the tax treatment should not compromise the main objectives of the scheme. This means that tax should not influence decisions between purchasing, trading and surrendering units or alternatively reducing emissions. The preferred tax treatment will help implement the scheme and reduce compliance and administration costs for taxpayers and the Australian government.

For income tax, the amendments establish a rolling balance treatment of registered emissions units which is similar to that for trading stock. The result of the treatment is that the cost of a unit is deductible, with the effect of the deduction generally being deferred through the rolling balance until the sale or surrender of the unit.

The proceeds of selling a unit are assessable income with any difference in the value of units held at the beginning of an income year and at the end of that year being reflected in taxable income. Any increase in value is included in assessable income and any decrease in value allowed as a deduction.

The bill also amends the goods and services tax law to make a supply of an eligible emissions unit GST free. The amendments will promote certainty about the application of the normal GST rules to scheme transactions and reduce compliance costs for businesses. While the agreement of the states and territories to this approach has been sought, not all jurisdictions have yet responded. For this reason the
commencement of the GST-free treatment for eligible emissions units will be contingent on an announcement being made through a notice in the Gazette that the agreement of all states and territories has been obtained.

The conservation tillage offset, also provided for in the bill, will provide primary producers with a refundable tax offset for 15 per cent of the cost of a depreciating asset that is an eligible no-till seeder (as defined in the bill). To claim the offset, a primary producer will need to hold a research participation certificate to demonstrate that they have completed a survey about their farming practices.

**Conclusion**

The consequential amendments contained in this bill are important for the efficient and effective operation of the carbon pricing mechanism. They seek, where possible, to streamline institutional and regulatory arrangements and minimise administrative costs within the scheme.

The government's objective in its Clean Energy Future plan is to implement the cheapest and most effective way of moving our economy to a clean energy future—of providing our children and their children the future they deserve.

This package of legislation has been designed to secure our environmental and economic security at least cost. There is no credible alternative.

We need to act now in order to mitigate and reduce the risk posed by climate change for the future of our economy, our environment and our society. I therefore commend the bill to the House.

Debate adjourned.

**Clean Energy (Income Tax Rates Amendments) Bill 2011**

**First Reading**

Bill and explanatory memorandum, and explanatory memorandum to the Clean Energy (Tax Laws Amendments) Bill 2011, presented by Mr Swan.

Bill read a first time.

**Second Reading**

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (12:37): I move:

That this bill be now read a second time.

The Clean Energy (Income Tax Rates Amendments) Bill 2011 is part of a package implementing the carbon pricing mechanism and related reforms to build Australia's clean energy economy for the future.

This bill, and the related Clean Energy (Tax Laws Amendments) Bill 2011 that I am also introducing today, deliver on the government's determination to assist households with the cost of living impacts of a carbon price.

But these bills do much more than that. These bills deliver major personal tax reform, by tripling the tax free threshold from $6,000 to $18,200.

This builds on the $47 billion in personal tax cuts already delivered by the government, and our broader tax reform agenda that includes:

- cutting business tax,
- boosting superannuation savings,
- making tax time simpler for small businesses and individuals,
- and addressing unintended incentives in the tax system.

So the first point I make is that the reforms in this bill significantly advance the government's ambition for a stronger, fairer, simpler personal tax system.
This $8 billion package delivers new tax cuts for millions of Australians, allows more people to keep all of their wages in their regular pay packets, and means fewer people will need to file a tax return at the end of the year.

We can cut pollution and have Strong Economic Growth

Australia is a nation that has not been afraid to face up to tough economic reforms.

Under the previous Labor government, we took significant steps to secure our economic future by floating the dollar and bringing down the tariff wall.

Not to mention steps to secure the retirements for millions of workers, by introducing compulsory superannuation.

These reforms were undertaken in the face of a fierce scare campaign from those opposite not too dissimilar from what we see in relation to these bills today.

In implementing these overdue reforms we are embarking on a great day in the history of national economic reform.

Today we take a vital step—a long awaited step—to secure our environment for the next generation of Australians, by acting on carbon pollution.

The government's package is underpinned by a determination to leave a better Australia for coming generations.

This reform is all about creating new jobs for Australians and attracting investment in the clean energy technology industries of the future.

It is all about securing our international competitiveness as the world moves to cut its emissions.

The truth is that if we want to prosper in a first rate economy into the 21st century, then it cannot be anything other than a clean energy economy.

That is why the best thing we can do for Australian businesses and families is to put in place the fundamentals of a modern competitive economy, powered by clean energy.

All the credible analysis—all the way back to the Stern report—shows that we can make big cuts in carbon pollution and have strong economic growth.

If we delay, if we shirk from this key reform, we will undermine our future competitiveness and leave a much larger challenge for future generations.

Under a carbon price, we will see 1.6 million new jobs created by 2020.

By 2020, around 460,000 new jobs are expected to be added in Queensland. Just under 400,000 new jobs will be created in both New South Wales and Victoria. There will be about 230,000 new jobs in Western Australia, while 70,000 jobs will be created in South Australia and 10,000 in Tasmania.

These new jobs that are created as the carbon price drives innovation and investment in renewable energy and new technology are absolutely critical to the future.

A carbon price is essential if we are to take advantage of the great economic opportunities that are already emerging.

The low-carbon goods and services sector is already estimated to be worth about $5 trillion globally, and to employ 28 million people.

We want to secure our share of this growing economic opportunity.

This is a Labor package right down to its bootstraps—strong economic growth, more jobs and rising incomes.

Under a carbon price we will see average incomes growing strongly, rising by about $9,000 per person by 2020 in real terms.
It is a plan that responds to the climate science, and it is a plan that grows incomes and strengthens our future economy.

It is a plan that empowers the market, not the government, to drive economic and behavioural change.

This ensures the transition towards cleaner energy technology is achieved in the least cost and in the most effective way.

That is why we hear support for a carbon price from respected economic institutions both here and overseas—the Treasury, the Productivity Commission, the OECD and the IMF, just to name a few.

It avoids unnecessary costs that those opposite would foist on businesses and households—$1,300 for every household with no compensation whatsoever.

**Assistance to households**

We have dedicated more than half of the revenue raised from pricing carbon pollution for assistance to households—targeted to low- and middle-income households that need it most.

What enables the government to do this, to provide this assistance to nine out of 10 Australian households, is that we are committed to assisting people whilst we deal with carbon pollution.

The assistance package has been carefully and methodically designed so that it accounts for the entire estimated average impact of the carbon price for all low-income households.

In numerical terms, this means that almost six million Australian households will receive assistance that meets or exceeds their expected average additional costs.

And over four million households—almost half of all households—get assistance that is at least 20 per cent more than their average expected price impact.

This assistance will be delivered through a combination of permanent tax cuts, increased payments and increased pensions across the board. The Clean Energy (Income Tax Rates Amendments) Bill 2011 contains the amendments to the personal income tax rates and thresholds that will enact these tax cuts.

The related Clean Energy (Tax Laws Amendments) Bill 2011, which I will also be introducing today, contains amendments to offsets and levies in the personal tax system to ensure nobody pays more tax as a result of these changes.

These bills will mean that all taxpayers with taxable income up to $80,000 will get a tax cut from 1 July 2012. Most will get at least $300.

And from 1 July 2015, all taxpayers with taxable income up to $80,000 will get another tax cut that brings the total tax cut to at least $380 for most.

**Tax cuts through tax reform**

Let me be very clear: these changes are not just tax cuts, they are genuine and enduring tax reform.

The personal tax cuts will be delivered in a way that has at its core the principle of rewarding hard work.

They are a major step towards the vision for a simpler, more transparent personal tax system, as identified in the *Australia's future tax system review*.

The changes reward hard work by more than tripling the tax-free threshold from $6,000 to $18,200 on 1 July 2012, and to $19,400 from 1 July 2015.

When the remaining low-income tax offset is taken into account, this means that from 1 July 2012 workers will not start paying personal tax until their income exceeds $20,542.

This important change will especially benefit part-time secondary earners. For
example, the Mum or Dad who is taking the kids to school each day.

By delivering tax assistance through the statutory scales, we will deliver more timely tax relief.

Regular wage and salary earners with income below the new tax-free thresholds will be able to keep every cent of their pay from their regular pay packets.

This means more immediate and tangible rewards for hard work.

These reforms will free over one million Australians from having to lodge a tax return.

Less time doing tax returns means more time to spend on things that Australians like to do, like spending time with their families.

The tax reforms in these bills will make the tax system more transparent.

Currently, a large amount of tax assistance is delivered through the low-income tax offset. And, of course, assistance through the LITO is not transparent.

Many people would not realise how much benefit they receive from the low-income tax offset.

Many also do not understand that the withdrawal of the low-income tax offset at 4c in every dollar of income between $30,000 and $67,500 means the effective tax rate they face is four percentage points higher than their statutory tax rate.

These reforms will roll most of the low-income tax offset into the statutory rates and thresholds.

While some statutory rates will be higher, the combined changes mean this will better match the effective rates and thresholds that many low- and middle-income people currently face.

Under these changes all taxpayers under $80,000 will pay less tax.

A taxpayer on $65,000 will face the same effective tax rate of 34 per cent, plus Medicare levy, as they do today, and the higher tax-free threshold means they will pay $303 less in tax.

**Major economic reform**

So pricing carbon is part of a long and proud tradition of market based economic reform in Australia over the past 25 years. Australia has always undertaken the critical reforms that have set up our economy and our country for generations to come.

The reforms of the 1980s and the 1990s transformed Australia into a vibrant, outward-looking economy.

Just imagine, if we had refused to make those tough decisions back in the eighties and nineties, where would our nation be today?

The world would be entering into the Asian century while Australia would be subsidising uncompetitive domestic industries.

We could have missed all of the opportunities of mining boom mark II.

Instead, to our nation's great fortune, the tough decisions were taken that have allowed Australia to advance substantially in the way which we see today.

These reforms laid the fundamentals which enabled Australia to come through the global financial crisis in a better position than just about any other advanced economy.

So today the government introduces bills that deliver the next crucial step in this history of reform.

We will reform our economy with the changes Australia demands to secure a clean energy future for our children, and for their children.

We will do it because the national interest demands it.
And, in doing so, we do it in a way which helps households, with nine out of 10 receiving assistance.

And we do it in a way which rewards secondary income earners and will mean that one million Australians will no longer have to lodge a tax return.

These are the fundamental reforms required to build the Australia of the future.

Full details of the measures in this bill are contained in the documents I have circulated. I commend the bill to the House.

Debate adjourned.

Clean Energy (Household Assistance Amendments) Bill 2011

First Reading

Bill and explanatory memorandum presented by Ms Macklin.

Bill read a first time.

Second Reading

Ms MACKLIN (Jagajaga—Minister for Families, Housing, Community Services and Indigenous Affairs) (12:51): I move:

That this bill be now read a second time.

Introduction

The Clean Energy (Household Assistance Amendments) Bill 2011 is an essential part of the Australian government's plan to build a clean energy future.

The responsibility of government is to govern for today, with a clear eye to tomorrow.

An eye to the challenges and the opportunities of tomorrow, as well as those we face today.

This is a responsibility that we on this side of the chamber take very seriously.

It's the responsibility we brought to the introduction of superannuation—so that our children would face retirement assured of a regular income.

It's the responsibility we brought to the introduction of paid parental leave—so that today's children would derive an enduring benefit from spending those precious first weeks and months with their parents. And it's the responsibility we bring to building a clean energy future for our country, by putting a price on pollution.

Our responsibility to face the challenges and to embrace the opportunities.

This plan that we bring to the parliament delivers on this responsibility, and it does so with a clear head and a very strong heart.

A clear head, because this plan will transition our economy to a clean energy future, strong and resilient and ready to face the challenges of climate change and to embrace the opportunities for growth. It puts a dollar value on pollution, by making the big polluters pay a price for the pollution they put into our atmosphere—which, until now, they have done for free.

And a strong heart, because we bring to this responsibility sound principles, our own Labor values. It is the big polluters who will pay for their pollution, and not Australian families and pensioners.

Principles for household assistance

This bill makes sure it is the big polluters, and not Australian families and pensioners, who pay for the pollution they put into our atmosphere.

This bill supports Australian families and pensioners to be a part of building a clean energy future for our country and for our children and grandchildren.

It gives effect to these important principles by directing revenue raised from putting a price on carbon to Australian families and pensioners through increases to their payments.

It gives effect to these principles by making sure that increased payments are
permanent and indexed, so that payments keep pace with the cost of living now and into the future.

And it gives effect to these principles by making sure these payment increases have no strings attached, so that Australian families who make small changes at home to reduce their energy use keep the full amount of the increase to their payments and can end up ahead.

The Prime Minister has written to all premiers and chief ministers outlining our expectation that the clean energy supplement and clean energy advance be permanently excluded from the calculation of public and community housing rents—as other pension supplements are.

The government's household assistance is for households, not state government housing authorities.

Details of the bill

This bill provides for increased payments to pensioners, allowees, veterans, self-funded retirees and Australian families.

These payments are designed to put many Australian families and pensioners ahead, by providing assistance greater than the average expected price increase from putting a price on carbon.

The bill provides for an initial lump sum advance payment to be made to eligible households before the commencement of the carbon pricing scheme. The advance amount will vary by household type—for example, it will be $250 for single pensioners, and up to $110 per child for those who receive family tax benefit part A.

The advance will be paid over a rolling period from 14 May 2012, with most payments to eligible recipients to be made by 1 July 2012.

The clean energy advance will be paid automatically to those eligible and receiving payments in May and June 2012—people will not need to apply.

Families who choose to claim their family tax benefit at the end of the year can, at any time, apply for their payments fortnightly and they will receive their clean energy advance at this time.

If an individual becomes eligible for a relevant payment after 1 July 2012 and before the clean energy supplement commences, they will receive a pro rata clean energy advance. If an individual moves onto a higher rate of payment—for example, they reach age pension age or have a new baby—they will receive a top-up on their advance.

The clean energy advance will cover a period of between nine and 18 months from the start of the carbon price on 1 July 2012, depending on when the normal indexation of a recipient's underlying transfer payment starts to incorporate the impact of the carbon price on the consumer price index.

At that point, this increase to transfer payments will be delivered as a new ongoing clean energy supplement. This supplement will be a new component of the rate of pensions, allowances and family tax benefit.

The supplement will constitute a 1.7 per cent increase in payments to age, disability and carer pensioners, allowees, veterans, self-funded retirees and Australian families.

This 1.7 per cent comprises:

- the expected additional impact on the consumer price index from carbon pricing—0.7 per cent; and
- an additional increase of one per cent.

The annual amount of the clean energy supplement will be around $338 for single pensioners, and up to $110 per child for recipients of family tax benefit part A. The exact amounts of the supplement will be subject to future indexation increases to each
payment between now and when the clean energy supplement starts to be paid.

Around eight million Australian households will receive assistance either through payment increases or tax cuts, or both.

More than four million households will get assistance that is at least 20 per cent more than their expected average price impact.

The clean energy supplements will generally be paid fortnightly, in line with regular payment cycles, although the person may elect to receive them as quarterly payments in arrears.

The clean energy supplement will be permanent, and indexed, to maintain its value in real terms.

For families with shared care arrangements, the advance and supplement will be shared in accordance with normal rules.

Families on a single income will also benefit from the single income family supplement, a payment of up to $300 at the end of each year. This supplement will make sure that families on a single income will receive similar assistance to dual income families, who may benefit from tax cuts to both incomes. Self-funded retirees who hold a Commonwealth Seniors Health Card will receive automatic assistance before the carbon price starts through an advance payment of $250 for singles and $190 for each member of a couple. This advance payment will be paid in May to June 2012.

Then, from 20 March 2013, Commonwealth Seniors Health Card holders will be paid their own version of the clean energy supplement. This will be paid on an ongoing quarterly basis at the same time as the seniors supplement. Each year, Commonwealth Seniors Health Card holders will receive around $338 for singles and around $255 for each member of a couple in this supplement. This will be the same assistance as received by age pensioners.

This bill also includes provision for new payments for low-income households and households with higher than average electricity costs.

Low-income households that do not receive adequate assistance through the tax system or government payments, including self-funded retirees who do not hold a Commonwealth Seniors Health Card, may be eligible for the low-income supplement.

The low-income supplement will be paid annually as a lump sum of $300, from 1 July 2012. Claims for the supplement can be made with Centrelink from 1 July 2012, closer to when the carbon price is introduced.

A new essential medical equipment payment will be available for households that have significantly higher-than-average electricity costs due to a medical condition, ageing or disability. These are costs that are unavoidable and essential to their health.

These households include those with eligible concession cards where people are using life-support equipment in their homes, as well as people who are unable to self-regulate their body temperature and who therefore have to use additional energy for heating and cooling.

The essential medical equipment payment can be claimed by either the person with medical needs, or their carer if they share a residence.

Arrangements will also be made to ensure that household assistance will be shared fairly between aged-care residents and their aged-care facilities. The new clean energy advance and supplement paid to pensioners and Commonwealth Seniors Health Card holders will be shared with aged-care
providers through an increase in the basic daily fee payable by a resident of an aged-care facility. From 1 July 2012, the aged-care fee will increase from 84 per cent to 85 per cent of the total basic pension amount.

These arrangements mean that pensioners and Commonwealth Seniors Health Card holders living in aged-care homes will get to keep any tax cuts they receive in addition to keeping almost 50 per cent of the assistance paid through their pension or seniors supplement.

Aged-care residents who are not eligible for the age pension, service pension or the Commonwealth Seniors Health Card and who are living in an aged-care home on 30 June 2012 will not be disadvantaged by fee increases due to the carbon price. A new Australian government aged-care subsidy will be paid to aged-care homes in respect of these residents so that the residents will not pay the increased daily fee. These new arrangements will start from 1 July 2012.

This assistance is complemented by tax cuts, delivered by separate bills in this package, which amend the tax laws to deliver tax cuts to taxpayers with taxable income up to $80,000. The government will deliver an $8 billion package of tax cuts over the next four years as part of its plan for a clean energy future.

The increase to payments provided for in this bill, together with tax cuts, mean that nine out of 10 Australian families will receive assistance to meet the costs of putting a price on carbon.

The household assistance provided through this bill will give most assistance to the Australian households that need it most, including pensioners and low- and middle-income earners, but we should remember that many prices, particularly for food, will hardly be affected by the new carbon pricing arrangements.

On average, we expect weekly spending to rise by around $9.90 per household, including $3.30 per week on the average electricity bill and $1.50 per week on the average gas bill. On average, food will go up by less than $1 per week for households.

Households will receive, on average, $10.10 a week in assistance.

This is more assistance than the expected average price increases from putting a price on pollution, which means families end up ahead.

**Conclusion**

This bill ensures that, as we meet our responsibility to build an Australia ready to face the challenges and embrace the opportunities of the future, we put Australian families and pensioners first.

Passage of this bill means it is the big polluters, and not Australian families and pensioners, who will pay for their pollution.

Passage of this bill means that Australian families and pensioners will receive support to meet the expected average price increases of putting a price on carbon, and in many cases will end up ahead.

This support will be permanent and will increase over time to make sure that payments keep pace with the cost of living and Australians get the help they need to balance the family budget.

And with this bill, Australian families are supported to play a part in building a clean energy future for our country and for our children. I commend the bill to the House.

Debate adjourned.

**Clean Energy (Tax Laws Amendments) Bill 2011**

**First Reading**

Bill presented by Mr Combet.

Bill read a first time.
Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:07): I move:

That this bill be now read a second time.

The Clean Energy (Tax Laws Amendments) Bill 2011 contains consequential amendments to offsets and levies in the personal tax system to ensure nobody pays more tax as a result of the amendments contained in the Clean Energy (Income Tax Rates Amendments) Bill 2011.

This bill is part of a package implementing the carbon-pricing mechanism and related reforms.

The Clean Energy (Tax Laws Amendments) Bill 2011 is required to cash out assistance currently provided by the low-income tax offset into direct assistance through the statutory tax scales.

This delivers assistance in a simpler, more transparent and timely way.

From 1 July 2012, $1,050 of assistance will be shifted from the low-income tax offset into the tax scales. A further $145 will be delivered through the tax scales instead of the offset from 1 July 2015.

This bill will roll the pensioner tax offset into the more generous senior Australians tax offset to create the new seniors and pensioners tax offset.

This bill will also increase the Medicare levy low-income thresholds and phase-in limits to ensure that people are not required to pay the Medicare levy before they have a tax liability.

The low-income threshold for a single individual with no dependants will increase from $18,839 to $20,542.

A single individual with no dependants who is in receipt of the new seniors and pensioners tax offset will have a low-income threshold of $32,279.

Full details of these amendments are contained in the explanatory memorandum. I commend the bill to the House.

Debate adjourned.

Clean Energy (Fuel Tax Legislation Amendment) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:09): I move:

That this bill be now read a second time.

This bill will establish, through the fuel tax system, a cent-for-cent impact on businesses, equivalent to the price on the carbon content of the transport fuels they use.

This bill will amend the Fuel Tax Act 2006 such that the business fuel tax credit entitlement will be reduced by an amount reflecting the price on the carbon emissions of the transport fuels they use had transport fuel emissions been liable emissions under the carbon-pricing mechanism.

The heavy on-road, agricultural, forestry and fishing industries will be exempted from the carbon reduction to their fuel tax credit entitlements.

This means that the agricultural, forestry and fishing industries will not pay an effective carbon price on emissions from their off-road use of transport fuels, including fuels used in stationary plant and equipment.

In addition, this bill provides that no effective carbon price will be payable in respect of emissions from heavy on-road transport.

It is the government's intention that separate arrangements will be made after the
next election so that heavy on-road transport will become liable for a carbon charge after 1 July 2014.

While transport fuel emissions will generally not count towards an entity’s liable emissions under the carbon-pricing mechanism, large carbon emitters will have the choice to opt-in to the carbon-pricing mechanism for their fuel emissions. In return they will not be subject to the carbon reduction to their fuel tax credit entitlement.

Full details of the Clean Energy (Fuel Tax Legislation Amendment) Bill are contained in the explanatory memorandum. I commend the bill to the House.

Debate adjourned.

Clean Energy (Customs Tariff Amendment) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:12): I move:

That this bill be now read a second time.

This bill is part of the clean energy legislative package, which sets up the carbon-pricing mechanism as part of the government’s climate change plan.

It will establish, through the fuel tax system, a cent-for-cent impact on aviation and non-transport compressed natural gas equivalent to the price on the carbon content of the transport fuels they use.

This bill will amend the Customs Tariff Act 1995 to increase aviation fuel excise equivalent customs duty by an amount reflecting the price on the carbon emissions of the fuel had aviation fuel emissions been liable emissions under the carbon-pricing mechanism.

The amendments will also apply excise equivalent customs duty for non-transport compressed natural gas on a cent-for-cent basis equivalent to the carbon emission price on the fuel had compressed natural gas emissions been liable emissions under the carbon-pricing mechanism.

Full details of the Clean Energy (Customs Tariff Amendment) Bill are contained in the explanatory memorandum. I commend the bill to the House.

Debate adjourned.

Clean Energy (Excise Tariff Legislation Amendment) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:14): I move:

That this bill be now read a second time.

This bill is part of the clean energy legislative package.

It will establish, through the fuel tax system, a 'cent-for-cent' impact on aviation and non-transport compressed natural gas equivalent to the price on the carbon content of the transport fuels they use.

This bill will amend the Excise Tariff Act 1921 and related acts to increase aviation fuel excise by an amount reflecting the price on the carbon emissions of the fuel had aviation fuel emissions been liable emissions under the carbon pricing mechanism.

The amendments will also reduce the excise exemption for non-transport compressed natural gas on a 'cent-for-cent' basis equivalent to the carbon emission price
on the fuel had compressed natural gas emissions been liable emissions under the carbon pricing mechanism.

Full details of the Clean Energy (Excise Tariff Legislation Amendment) Bill are contained in the explanatory memorandum. I commend the bill to the House.

Debate adjourned.

**Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011**

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:15): I move:

That this bill be now read a second time.

This bill is part of a package implementing the carbon pricing mechanism and related reforms.

The Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Act 1995 (the 'import levy act'), together with the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989, provide the framework to apply levies to the import of ozone-depleting substances and synthetic greenhouse gases.

This bill provides that imports of Kyoto protocol synthetic greenhouse gases, namely hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride, both as bulk gases or as a gas present in equipment, will be subject to the carbon charge by way of the existing levy structure. The carbon charge will be calculated based on the carbon dioxide equivalence of the gas, multiplied by the applicable charge. The carbon price will be in addition to the existing levy imposed by the import levy act.

This bill also enables the minister to determine that a licensee is exempt from paying either the total levy or the carbon price component of the levy where the minister is satisfied that the circumstances prescribed in the import levy act, or the circumstances prescribed in regulations made for the import levy act, have been met. These circumstances include, for example, where the gas is imported for use in medical equipment or if it is impracticable to impose the levy. I commend the bill to the House.

Debate adjourned.

**Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011**

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:18): I move:

That this bill be now read a second time.

This bill is part of a package implementing the carbon pricing mechanism and related reforms.

The Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Act 1995 (the 'manufacture levy act') together with the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 (the 'ozone act') provide the framework to apply levies to the manufacture of ozone depleting substances and synthetic greenhouse gases.

This bill provides that the manufacture of Kyoto protocol synthetic greenhouse gases, namely hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride,
will be subject to the carbon price by way of the existing levy structure. The carbon charge will be calculated based on the carbon dioxide equivalence of the gas, multiplied by the applicable charge. The carbon price will be in addition to the existing levy imposed by the manufacture levy act.

This bill also enables the minister to determine that a licensee is exempt from paying the levy where the minister is satisfied that the circumstances prescribed in the manufacture levy act, or circumstances prescribed in regulations made for the manufacture levy act, have been met. Once again, these circumstances include the manufacture of medical equipment or if it is impracticable to impose the levy. I commend the bill to the House.

Debate adjourned.

Clean Energy (Unit Shortfall Charge—General) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:20): I move:

That this bill be now read a second time.

This bill imposes the charge payable, under the carbon pricing mechanism, by a person to the Commonwealth for a unit shortfall as a tax within the meaning of section 55 of the Constitution.

The bill imposes the charge, but only to the extent the charge is neither a duty of customs nor a duty of excise.

A liable entity is under no obligation to pay a unit shortfall charge if it can surrender sufficient units to meet its liability under the mechanism. I commend the bill to the House.

Debate adjourned.

Clean Energy (Unit Issue Charge—Auctions Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (00:00): I move:

That this bill be now read a second time.

This bill anticipates the possibility that, under the carbon pricing mechanism, the charge payable by a person to the Commonwealth for the issue of a carbon unit as the result of an auction is a tax within the meaning of section 55 of the Constitution.

Applying abundant caution, the bill caters for the possibility that a unit issue charge is, in whole or in part, a tax. In those circumstances, this bill imposes the charge, but only to the extent the charge is neither a duty of customs nor a duty of excise. I commend the bill to the House.

Debate adjourned.

Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:23): I move:

That this bill be now read a second time.

This bill anticipates the possibility that, under the carbon pricing mechanism, the charge payable by a person to the Commonwealth for the issue of a carbon unit...
for a fixed charge is a tax within the meaning of section 55 of the Constitution.

Applying abundant caution, the bill caters for the possibility that a unit issue charge is, in whole or in part, a tax. In those circumstances, this bill imposes the charge, but only to the extent the charge is neither a duty of customs nor a duty of excise. I commend the bill to the House.

Debate adjourned.

Clean Energy (International Unit Surrender Charge) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:24): I move:

That this bill be now read a second time.

This bill imposes the charge payable by a person to the Commonwealth for the surrender of an international unit in the years beginning on 1 July 2015, 2016 and 2017, as a tax within the meaning of section 55 of the Constitution.

The bill imposes the charge, but only to the extent the charge is neither a duty of customs nor a duty of excise. The charge will ensure that a minimum charge—or in economic terms, a ‘price floor’—applies to all units that are surrendered by liable entities for the first three flexible charge years of the carbon pricing mechanism, whether they are domestic units or international units. I commend the bill to the House.

Debate adjourned.

Clean Energy (Charges—Customs) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:26): I move:

That this bill be now read a second time.

This bill anticipates the possibility that, under the carbon pricing mechanism, the charge payable by a person to the Commonwealth for issue of a carbon unit as the result of an auction, or for a fixed charge, or on a unit shortfall, is a duty of customs within the meaning of section 55 of the Constitution.

Applying abundant caution, the bill caters for the possibility that such a charge is, in whole or in part, both a duty of customs and a tax that is not a duty of customs by providing for the imposition of such a charge under the bill. I commend the bill to the House.

Debate adjourned.

Clean Energy (Charges—Excise) Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:27): I move:

That this bill be now read a second time.

This bill anticipates the possibility that, under the carbon pricing mechanism, the charge payable by a person to the
Commonwealth for issue of a carbon unit as the result of an auction, or for a fixed charge, or on a unit shortfall, is a duty of excise within the meaning of section 55 of the Constitution.

Applying abundant caution, the bill caters for the possibility that such a charge is, in whole or in part, both a duty of excise and a tax that is not a duty of excise by providing for the imposition of such a charge under this bill. I commend the bill to the House.

Debate adjourned.

**Clean Energy Regulator Bill 2011**

**First Reading**

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

**Second Reading**

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:29): I move:

That this bill be now read a second time.

This bill will establish the Clean Energy Regulator—a new statutory authority that will be responsible for administering the government’s carbon price mechanism. It is a key part of the package of bills to establish the scheme.

The regulator will be responsible for auctioning and allocating emissions units, maintaining the national registry of emissions units and ensuring that firms comply with their obligations under the scheme, the National Greenhouse and Energy Reporting Act, the Renewable Energy Target and the Carbon Farming Initiative. This transfer of functions is brought about through the Clean Energy (Consequential Amendments) Bill 2011 that I presented earlier. The government’s intention is to establish a best practice effective, efficient and independent regulator. The regulator will be a body corporate headed by a chair with between two and four other members. Through the chair, it will employ Australian Public Service employees on behalf of the Commonwealth.

It will have a modern set of information-gathering, inspection, and enforcement powers, conferred on it by the Clean Energy Bill 2011.

The regulator will be at arm’s length from government. As with other independent regulators, the minister will only be able to provide directions on general matters and there are limited grounds on which a member of the regulator may be removed from office.

The regulator will also be required to produce three-yearly corporate plans and annual reports, and to comply with the Financial Management and Accountability Act 1997.

The Clean Energy Regulator will have a suitable range of powers to ensure that scheme obligations are complied with. The government is determined that deliberate breaches and fraud are properly and effectively dealt with and makes no apology for giving appropriate powers to the regulator to see that this happens. These powers, far from being excessive, are very similar to those given to other business regulatory agencies.

The regulator will also have an important role in advising and assisting persons in relation to their obligations under the scheme—something that is formally reflected in the regulator’s functions.

The Clean Energy Regulator will be expected to treat its stakeholders fairly and consistently. It will be expected to use its resources effectively and efficiently. It will have a commitment to continuous improvement in the quality and reliability of its services. It will act appropriately to
pursue non-compliance. It will be expected to develop wide-ranging outreach and information programs to help all the organisations with which it deals to comply with their responsibilities. While it acts independently, it does so in a transparent and fully accountable way. The Clean Energy Regulator will be an example of best practice public administration.

I commend the bill to the House.

Debate adjourned.

Climate Change Authority Bill 2011

First Reading

Bill and explanatory memorandum presented by Mr Combet.

Bill read a first time.

Second Reading

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:32): I move:

That this bill be now read a second time.

This bill will establish the Climate Change Authority—a new statutory authority that will provide independent advice to the government on pollution caps, carbon budgets, the credibility of international units, the performance of the carbon pricing mechanism and review other climate change mitigation initiatives.

With many similarities to the United Kingdom’s Climate Change Committee, the authority will provide the highest quality advice on our climate policy, taking into account expert scientific and economic advice and developments in the international arena.

This means that climate change policy will be directed by evidence and facts, rather than fear and political opportunism. It will take the politics out of the debate. Successive governments in the United Kingdom have already benefited from such advice.

Australians also deserve an approach to tackling climate change that respects the scientific and economic consensus, where facts and not fear set public policy.

The Climate Change Authority will provide this advice, on the basis of the available scientific and economic evidence. It will then be for the government and the parliament to decide how to respond to this advice in determining the best course of action.

The authority will undertake regular reviews of the carbon pricing mechanism and will make recommendations to the government on future pollution caps. The authority will also be responsible for periodic reviews of the National Greenhouse Energy Reporting System, the renewable energy target and the Carbon Farming Initiative. The authority will also undertake special reviews as requested by the Minister for Climate Change or the parliament.

The authority will be a body corporate headed by a chair and eight other members. One of these members will be the Chief Scientist in an ex officio capacity. It is expected that the membership of the authority will comprise individuals of the highest calibre and expertise. The day-to-day operations of the authority will be managed by a chief executive officer and the authority will be staffed by Australian Public Service employees.

The authority will be independent from government. The minister will be able to provide direction on general matters only and there are limited grounds on which a member of the authority will be able to be removed from office. The minister will not be able to direct the authority in relation to the conduct of a particular review or the content of a report of a particular review.

To ensure openness and accountability, the authority will be required to hold public
consultations as part of its reviews. This may include public hearings and a process of public submissions.

It would be expected that the authority will enter into formal arrangements with other parts of government on information and research sharing, particularly with regard to access to modelling by the Treasury, the Productivity Commission and other research conducted by the Department of Climate Change and Energy Efficiency. These arrangements will preserve the independence of the authority in terms of its findings while avoiding unnecessary duplication of data collection and analysis.

The government expects the advice of the authority will be informed by the facts, be balanced, and be communicated to the wider community. The evidence base on which it relies should be made as explicit as possible. In conducting research, it will be expected to examine multiple options and to advise on which of these would be most suited to Australia’s national circumstances.

Its corporate plan will form the basis of its business planning activities and encompass the responsibilities under the legislation, together with any other priorities requested of it by the government.

The authority will have the opportunity to examine best practice models for its own corporate governance, risk management, and for ways of conducting its operations as efficiently as possible.

At least in the early years of its operation, it would be expected to avail itself of shared corporate services, recognising that, as a relatively small agency, it should aim to keep overheads to a minimum.

The bill also delivers on the government’s commitment to establish by legislation the Land Sector Carbon and Biodiversity Board, an advisory body which is to provide high-level advice to the government on the implementation of land sector measures contained in the Clean Energy Future plan. The Land Sector and Carbon Biodiversity Board will report annually on the progress of implementing the land sector and biodiversity measures, in particular the proposed Biodiversity Fund, which will provide almost $1 billion support for the restoration and protection of biodiverse carbon stores over its first six years. It will also advise on the coordination of research to reduce duplication across the research community, target gaps and enhance the independence of research advice to government.

The board will play a key oversight and review role to ensure, in particular, that the Biodiversity Fund is well targeted and ensure the $1.7 billion land sector package unlocks the vast opportunities in our landscape and effectively complements the Carbon Farming Initiative. I commend the bill to the House.

Debate adjourned.

Steel Transformation Plan Bill 2011
First Reading
Bill and explanatory memorandum presented by Mr Combet.
Bill read a first time.

Second Reading
Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (13:39): I move:

That this bill be now read a second time.

The government is committed to action on climate change and the need to reduce our carbon pollution.

This is because the government accepts the science and understands both the damage that unmitigated climate change would cause to Australia and the opportunities for our economy if we take action.
Putting a price on carbon is the cheapest and fairest way to cut pollution and build a clean energy economy for the future. The government also recognises that there are sectors in the economy which are particularly exposed to a carbon price and may not be able pass these costs on as a result of their trade exposure. This is why the government has carefully designed the Jobs and Competitiveness Program which provides these exposed industries with transitional assistance while still maintaining the incentives to reduce emissions.

Australian steelmakers currently face considerable pressures from factors other than a carbon price, including international competition, the high Australian dollar, increases in raw material costs and subdued growth in the Australian construction industry.

In response to these issues, this bill will enable the government to make a Steel Transformation Plan, which will be referred to as the 'plan', to help the sector transform into an increasingly efficient and sustainable industry in a low-carbon economy.

The steel plan will provide assistance worth up to $300 million over six years from 2011-12 to encourage investment, innovation and competitiveness in the Australian steel manufacturing industry.

The plan is designed to improve the environmental outcomes of steel manufacturing and promote the development of workforce skills.

Funding under the plan will be in addition to assistance for steelmakers under the Jobs and Competitiveness Program, which is part of the Clean Energy Future plan.

**Importance of the steel industry**

Australia is ranked 22nd in the world for steel production and consumes around seven million tonnes of steel domestically each year.

The Australian steel manufacturing industry operates in a mature, open but relatively small domestic market, with ongoing import and export activity. Australia produces steel using two main production methods: integrated steel production using blast furnaces; and electric arc furnaces based on scrap steel.

The Australian steel industry provides inputs into the infrastructure, energy, defence, transport, automotive, communications, construction and consumer goods industries.

The Bureau of Steel Manufacturers of Australia estimates that in 2006-07 all major Australian steel manufacturing activities employed a total of over 91,000 employees and had revenues of $29 billion.

Australia typically exports around two million tonnes and imports two to three million tonnes of steel annually. In 2010, Australia exported $2.13 billion and imported $4.36 billion of iron and steel products.

Australia’s export markets for iron and steel are diverse, with over 100 different countries regularly purchasing Australian products. The United States and New Zealand dominate Australia’s steel export market, with other products exported to Asia.

As many members would know, Australia’s primary steel production is based at:

- Port Kembla, Sydney and Newcastle in New South Wales;
- Laverton and Westernport Bay in Victoria; and
- Whyalla in South Australia.
Economic factors affecting the steel industry

During the global financial crisis in 2008-09, world steel production dropped 15 per cent. For the same period, Australian demand for steel products dropped by 29 per cent.

The collapse of demand during the global financial crisis caused world steel production capacity utilisation rates to drop below 60 per cent in early 2009 from pre-GFC rates of 85 per cent. In addition, average world composite steel prices collapsed by over 50 per cent, from a high of US$1,160 per tonne.

Following the global financial crisis, in 2010, total world crude steel production hit a record of 1.41 billion tonnes. In 2010, the top 10 steel producers—China, the EU, Japan, the US, Russia, India, Korea, Ukraine, Brazil and Turkey—collectively produced 81 per cent of all steel. In recent years, there has been a marked shift from Western Europe and the United States to North-East and South Asia as the major steel producing countries.

According to the OECD, global steel demand was at a historically high level in the third quarter of 2010. However, advanced countries’ steel demand is still below pre-GFC levels, while emerging markets’ demand is higher.

Steel manufacturers are also facing raw material input cost increases primarily due to strong demand for iron and coking coal. Raw material costs as a proportion of industry revenues have increased from approximately 35 per cent in 2003 to over 60 per cent in 2010.

Steel manufacturers are also facing a high Australian dollar. The Australian dollar is currently trading above parity with the US dollar, driven by the terms of trade, and is well above its long-run average against the US dollar. There is also soft demand in steel producers' target market segments for value-added products, notably residential and non-residential building construction in Australia, which represent more than 50 per cent of domestic steel use.

Overview of the bill

This bill is a framework bill.

The Steel Transformation Plan will encourage investment, innovation and competitiveness in the Australian steel manufacturing industry in order to assist the industry to transform into an efficient and economically sustainable industry in a low-carbon economy. This will be achieved in a way that improves environmental outcomes for the industry and the promotion of workforce skills.

The steel plan will contain two elements. The first is a $300 million entitlement scheme that will operate over the five years from 2012-13. The second element will provide for competitiveness assistance advance payments, which will be referred to as advances, up to the value of $164 million in 2011-12. Entitlements under the plan would be reduced by the value of any advance payments made.

The plan

The bill provides the government with the power to make the plan and sets limits on how the plan can be designed. The plan itself will be contained in a legislative instrument, which will be made in consultation with industry and relevant trade unions and which, of course, is reflected in the bill.

Assistance will be limited to $300 million over the five years of the plan, with a maximum of $75 million in each year. Guaranteeing this level of funding through a standing appropriation provides the steel manufacturing industry with certainty in respect of the amount of assistance it will be entitled to receive through the plan.
The bill sets out the matters to be contained in a legislative instrument, including: the registration of participants, the making of payments under the plan, the recovery of amounts by the Commonwealth, the payment of interest on overpaid amounts, the review of decisions, and other matters required or permitted to be included in the plan.

The bill also includes a strong monitoring regime. These provisions will support the delivery of the plan through a self-assessment entitlement program to facilitate effective monitoring and to ensure the integrity of the plan. This is balanced with the inclusion of provisions that protect the rights of occupiers of premises.

**Advances**

The advances will be to assist eligible corporations to undertake activities that will significantly enhance the competitiveness and economic sustainability of the Australian steel manufacturing industry in a low-carbon economy.

Any assistance paid as advances will be deducted from future entitlements that any eligible corporation can receive in later years under the plan.

Conditions for the advances would be at the discretion of the minister.

Commencement of this bill will be contingent on the passage of the clean energy future legislation. However, this bill does not form part of the clean energy legislation that was agreed by the Multi-Party Climate Change Committee.

**Additional assistance measures**

In addition to the payments provided under this bill, the government has committed to task the Productivity Commission to undertake two separate reviews of the steel industry, if they are requested by industry participants. The Productivity Commission Act 1998 already provides the government with sufficient legislative power to commission these reviews.

First, at any time prior to the lapsing of the plan, eligible corporations may make a request to the government that a review be undertaken by the commission into the impact of carbon pricing on the competitiveness of the steel industry. The review would take into account the lapsing of the plan, the industry's broader circumstances including a range of factors related and unrelated to the carbon-pricing mechanism that are affecting the competitiveness of the industry. The review would make recommendations to the government about whether it should adjust support to the industry and the appropriate mechanism for that assistance. This review would not reduce the assistance provided to the eligible corporations already committed under the plan as it is set out in this bill.

Second, at any time during the period that steel manufacturers are entitled to assistance under the Jobs and Competitiveness Program one or more of the companies conducting these activities may notify the government in writing:

- that there are reasonable grounds to believe that one or more suppliers of coal have passed through or are proposing to pass through cost increases resulting from the application of the carbon-pricing mechanism to the coal suppliers' businesses; and
- that they request a review of this situation.

The government commits that if it receives such notice, it will refer this matter to the Productivity Commission for review. The Productivity Commission would be asked to make a finding as to whether there are reasonable grounds to conclude that carbon costs are or will be passed through,
and if such a conclusion is reached it will specify the amount of pass through it has identified. The government will decide whether it should adjust support to the industry and the appropriate mechanism for that assistance, and will respond in a timely way. Any assistance provided by the government to offset the carbon costs of coal suppliers will be taken into account.

The government has also agreed that from 2016-17 the government will provide an additional 10 per cent increase in the baseline for the two steel manufacturing activities that have been defined for the purposes of the Jobs and Competitiveness Program. Subject to passage of the Clean Energy Bill 2011 the government will make regulations for the purposes of the Jobs and Competitiveness Program by March 2012, which will include this commitment.

This bill will support existing direct Australian government measures to support the steel industry, including the Steel Industry Innovation Council, the Steel Supplier Advocate, the Industry Capability Network National Steel Manager and collaborative relationships between the steel industry, the CSIRO and cooperative research centres and other Commonwealth funded research agencies.

**Conclusion**

In conclusion, the steel manufacturing industry is, of course, very important to this country. The recent announcements by BlueScope Steel in relation to their Port Kembla blast furnace and Western Port hot strip mill demonstrate the significance of the steel industry to specific regional communities.

The government is committed to working with the steel industry and local communities to maintain a successful industry and to support steelworkers jobs.

Taking into account assistance to be provided under the Jobs and Competitiveness Program, the carbon price will not have a significant impact on the steel industry. The industry has confirmed this is the case. However, the range of factors unrelated to the carbon price currently affecting this industry requires a firm government commitment to support this industry and the regional communities that rely on it, and that is what is represented by this bill and the commitment of this government.

I commend this bill to the House. Debate adjourned.
fit, of appropriate age and have access to a regulated recruitment and placement system.

Importantly, the MLC addresses various conditions of employment for seafarers, to ensure that they have a fair employment agreement and are paid; have regulated hours of work and rest; have adequate leave, are able to return home and are compensated when a ship is lost; work on board ships with sufficient personnel, with safe, efficient and secure operation of the ship; have decent accommodation, food and drinking water provided under hygienic conditions; and have access to medical services on board and ashore.

The MLC will come into force in international law 12 months after the date on which it has been ratified by 30 ILO members with a total share of the world's gross tonnage of ships of 33 per cent. Countries with over 50 per cent of the global tonnage have already ratified the MLC, with the most populous flag states, such as Panama, Liberia and the Marshall Islands, already completing the ratification process. However, at this point, 30 ILO member countries have not ratified—in fact, to date it is only about half that many. However, it is my understanding, from consultation with industry stakeholders, that a number of other countries, including China, Japan and the member states of the European Union, are actively pursuing ratification, and it is believed that the MLC will reach the 30 member state requirement by the end of this year.

The implications for Australian shipping should the MLC come into force and Australia not have ratified its provisions are significant, and for that reason the coalition will not oppose the bill. But when a Labor government implements changes to labour arrangements on ships, everyone has good reason to be suspicious. Sweetheart deals and union thuggery over the years have delivered an Australian shipping industry which has been uncompetitive and in decline. There are now only 22 Australian-flagged ships left. In spite of the important role that shipping can play in both domestic freight and as a national carrier in our international trade, our shipping industry has been in steady decline.

It is, in my view, important that we express our confidence in the Australian industry and do what we can to make it return to competitiveness. That is especially important as our national freight task grows. Every time a ship retires from service or is not replaced it means more trucks on the road. So, in my view, if we had ships better servicing our capital cities, it would take pressure off the national highway system, and that would have major national advantages. I am concerned that this legislation, the government's carbon tax and its announcements about shipping changes last week do not hasten the demise of the Australian shipping industry and leave our nation's volume exports more exposed to low-priced competition.

The bill will remove inconsistencies between the MLC and the Navigation Act and will provide for the issue of declarations of maritime labour compliance and maritime labour certificates to Australian ships. In Australia, the MLC will apply to Australian ships of 200 gross tonnes and over, whether on domestic or international voyages. However, the requirement to carry documentation as evidence of compliance with the MLC applies only to ships of 500 tonnes and over engaged in voyages to or from ports outside their country of registration. The declaration of the maritime labour compliance certificate will list the requirements that must be met by a particular ship to meet the standards set out in the MLC and will list the proposed measures that must
be undertaken by the shipowner for initial and ongoing compliance with the MLC.

The maritime labour certificate will be issued after the ship has been inspected and found to meet the requirements of the MLC. They will be subject to periodic evaluation and will last a maximum of five years before they must be renewed. The bill also establishes an inspection regime whereby all ships in Australian ports will be inspected by surveyors employed by the Australian Maritime Safety Authority to ensure that the ships comply with the requirements of the MLC. AMSA will undertake inspections of foreign ships at Australian ports during routine port state control inspections to ensure compliance with the MLC. But ships carrying out the relevant certifications are considered to have prima facie evidence of compliance with the MLC. Australian ships will be subjected to the same requirements at foreign ports that are party to the MLC.

Australian law and practice generally already comply with the MLC, which means that ratification should have a relatively low regulatory and cost impact on the Australian shipping industry in order to comply. However, if Australia fails to ratify the MLC and it does come into force as expected, Australian ships in foreign ports could experience significant delays due to the extensive inspection requirements imposed on ships not carrying appropriate documentation. This would only occur in ports in countries that have ratified the MLC. Should Australia not ratify the MLC, ships would encounter delays at the ports of some of our major trading partners—for example, both China and Japan have indicated that they will be pursuing ratification. This would hinder our export business and could potentially make Australia a less attractive trading partner.

The SPEAKER: Order! It being 2 pm the debate is interrupted. The member will have leave to continue his contribution when the debate is resumed.

CONDOLENCES
Jull, Hon. David Francis

Ms GILLARD (Lalor—Prime Minister) (14:00): I move:

That the House express its deep regret at the death on 13 September 2011 of the Hon. David Francis Jull, a member of this House for the Divisions of Bowman and Fadden from 1975 to 2007 and Minister for Administrative Services, and place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement.

Members were saddened to learn today of the death of David Jull, a member of this House of very long standing, and a friend to many in this place on both sides of the parliament.

David Jull was born in October 1944 in a place fabled in Australian politics: Kingaroy. He was a Liberal and a lifelong member of the Liberal family. I know that the Leader of the Opposition will make some remarks on behalf of the Liberal family today. First elected in 1975 as a young MP, only the Hawke juggernaut of 1983 could deny him victory in elections. He was elected 11 times to this parliament, retiring just four years ago in 2007. He gave good years of service to the committees of this parliament, both to the House and to the parliament's joint committees. Most especially he served on committees for foreign affairs, defence and trade and intelligence and security. Many members in the parliament today would have worked alongside him on those parliamentary committees. As a minister David Jull experienced what Hasluck called 'the chance of politics', but he remained a
faithful servant of the Howard government through the whole of its four terms.

David suffered ill health while still here, and I am sure we all remember that. Many friends of his on both sides of the House shared his great relief, and his family's great relief, at overcoming the cancer which he suffered in 2005. After 30 years of public service I am sure that he and his loved ones hoped for a much longer retirement than just four years.

On behalf of the government I offer my condolences and the government's condolences to his family, his friends and his former colleagues on this day.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:03): I think all members of parliament were shocked and saddened to hear of the death earlier this morning of our friend and former colleague David Jull. I thank the Prime Minister for her gracious words of appreciation for his life and service.

David was the member for Bowman in this place from 1975 to 1983. After a brief interruption he was the member for Fadden from 1984 to 2007. When he left the parliament he was the fourth longest serving member of this parliament. In some respects, but not in all, the highlight of his public life was his service in 1996 and 1997 as Minister for Administrative Services. In those days this was a large and complex portfolio dealing with the multifarious operations of government. As a minister in a cost-cutting government, David was required to find savings and he used to tell the story that in those days any government driver who was on the road for more than seven hours was apparently entitled to a new pair of pyjamas at the taxpayers' expense. David rescinded this edict, but he never wanted to say how government drivers subsequently slept.

He was always disappointed never to have been minister for tourism, because tourism was his great love. He was a former deputy manager of the Queensland Tourism Corporation, but the fact that he was never the minister did not stop him from providing copious, welcome and helpful travel tips to all of his colleagues who sought them.

He did not languish in the parliament after leaving the ministry. For a decade from 1997 to 2007 he was the chairman of the ASIO committee, subsequently the intelligence and security committee. He chaired this committee during a tumultuous time for our country, a time when the security and intelligence services necessarily expanded massively to cope with the threats subsequent to September 11, and the war on terrorism. The fact that Australia has avoided any direct terrorist outrages in this country over this difficult period is in some way a credit to his good work as chairman of this committee.

David was a gentleman member of this parliament in every sense. He had a great temperament. He was, for instance, never bitter about the circumstances of his leaving the ministry, although many in similar circumstances would have been. He was great company, particularly when he had a cigarette in his hand—as he did perhaps more often than was good for him. Above all else, he had great judgment. He said back in 2007 that he entered parliament after 'the nation was absolutely wrecked by Whitlam, and I leave it during a tremendous John Howard-led period'. What wise words. It has been a lesser parliament since he left. On behalf of the coalition, I mourn his passing. I offer deepest condolences to his former wife, Erica, to Jay and Michael Goldman, to his sister, Gwen, to his brother, Peter, and to Peter's sons, Stephen and Andrew. We will miss him. He made a great contribution.

The SPEAKER (14:07): I join the Prime Minister and that Leader of the Opposition in
expressing my condolences to the family of David Jull. I think that Jully left this place a friend of all, no matter what their political persuasion. When I say 'all', he left as a friend of all of those that worked in this place. I do not think that there would have been a Comcar driver that regretted the pyjama story. It is hard to believe that no longer will an aircraft registration number be put into his travel diary. On behalf of all members who have not spoken, but will perhaps get an opportunity to do so later, I express my condolences to his family and friends. As a mark of respect, I invite members to signify their approval by rising in their places.

Honourable members having stood in their places—
Debate adjourned.

Reference to Main Committee

Mr ALBANESE: by leave—I move:

That the resumption of the debate on the Prime Minister's announcement of the death of the Honourable David Francis Jull be referred to the Main Committee for further debate.

Question agreed to.

MINISTERIAL ARRANGEMENTS

Ms GILLARD (Lalor—Prime Minister) (14:10): I inform the House that the Minister for Foreign Affairs will be absent from question time today for personal reasons. The Minister for Trade and acting foreign minister will answer questions on his behalf. The Special Minister of State and the Special Minister for Public Service and Integrity will also be absent from question time this week for personal reasons. As is known by members of both sides of the parliament, he is unwell. The Minister for Home Affairs, Justice, Privacy and Freedom of Information will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Asylum Seekers

Mr ABBOTT (Warringah—Leader of the Opposition) (14:10): My question is to the Prime Minister. I remind the Prime Minister of her former view that offshore processing was costly, unsustainable and wrong in principle. I remind her of her current view that people have to be sent to Malaysia in order to destroy the people smugglers' business model. I ask: is she now admitting that the Rudd-Gillard government was wrong to dismantle the Howard government's 2008 border protection policies, policies that worked?

Ms GILLARD (Lalor—Prime Minister) (14:11): In answer to the Leader of the Opposition's question, what the government has done is work through a new and innovative solution—that is, the Malaysia agreement—a transfer agreement, not something done under the Howard government, but something that according to the best possible advice that we have received is the strongest deterrent available to us now.

Opposition members interjecting—

Ms GILLARD: To the Leader of the Opposition I say this: it is important that the Leader of the Opposition and the members of his front bench who are interjecting now absorb the facts of what is happening with people smuggling and asylum seekers. I know the word 'facts' always causes the opposition to guffaw because actually absorbing and understanding the facts is never their strong suit.

But the facts are these: we have the clearest possible advice from the same experts who advised the Howard government that the strongest deterrence message we can send now is the agreement with Malaysia. We have the clearest possible advice to that
effect. We have the clearest possible advice that having offshore processing on Nauru without having other measures like the Malaysia agreement would not have the deterrence value that we seek. We have the clearest possible advice to that effect. But I understand, that in this parliament and beyond, it will be controversial between the government and the opposition as to whether the best solution for people-smuggling issues is to have the Malaysia transfer arrangement or to have processing on Nauru.

The government will maintain, standing on the basis of the best possible advice available to us, that we should implement the Malaysia arrangement. I expect the Leader of the Opposition to maintain that he opposes the arrangement with Malaysia and he seeks to have processing on Nauru. That debate will continue, but the issue that will come before the parliament and the issue that needs to be determined is whether or not executive government, any executive government, should have the power and authority it needs in order to put in place and beyond legal doubt offshore processing measures. I will be seeking to amend the Migration Act so that that legal authority is there. We will use that legal authority to implement the arrangement with Malaysia and to have a processing centre in Nauru. I fully understand if the Leader of the Opposition were ever elected Prime Minister of this country he would use that power in order to have processing on Nauru.

Mr Hockey: Processing on Nauru—that's what the Prime Minister said?

Ms GILLARD: Sorry, Malaysia and PNG. The Leader of the Opposition supports processing in Nauru.

And so the question that the Leader of the Opposition needs to answer is not whether he agrees with the government about Malaysia and PNG—

Mr Simpkins: Failure after failure!

The SPEAKER: The member for Cowan is warned.

Ms GILLARD: The question he needs to answer is whether he will support legislative amendments that enable executive government to make decisions about offshore processing. We await his answer, and I hope he answers that question not in the spirit of the interjections today but in the national interest.

Visit of President of the United States of America

Mr DANBY (Melbourne Ports) (14:15): My question is to the Prime Minister. Will the Prime Minister update the House on the forthcoming visit to Australia of the President of the United States of America?

Opposition members interjecting—

The SPEAKER: Order! The Prime Minister has the call.

Ms GILLARD (Lalor—Prime Minister) (14:15): I think it is truly disappointing that this announcement cannot be met with support from both sides of the House. It is truly disappointing that that partisanship and bitterness have so overtaken the opposition that they are unable to welcome a visit to this country by the President of the United States. But I am in the happy position—

Opposition members interjecting—

The SPEAKER: Order! The Prime Minister will resume her seat. The Prime Minister has been asked a question. The Prime Minister has the call. She should be heard in silence.
Ms GILLARD: Thank you very much. I am in the happy position to confirm that President Obama will visit Australia on 16 and 17 November. I welcome that, the government welcomes that and, I believe, the Australian people will welcome that. President Obama's visit will come immediately after he chairs the APEC meeting in Honolulu, and it will occur just before he proceeds to the meeting of the expanded East Asia Summit in Indonesia. I believe he will enjoy a warm welcome here.

When I had the opportunity to speak to President Obama earlier this year, I of course renewed Australia's invitation for him to visit. I said to him he would be welcome any time he was able to visit our country. He indicated to me that he was looking forward to visiting—he was looking forward to doing that because of the shared objectives that our countries have but also because he has very fond personal recollections of Australia from his visits here when he was a child. So we will be welcoming President Obama.

In terms of the objectives of the visit, it could not come at a better time given we will be proceeding to the East Asia Summit, an important piece of regional architecture, and President Obama will be attending it for the first time. It could not come at a better time because we do have the 60th anniversary of our alliance to celebrate and commemorate. It could not come at a better time because it is 10 years since 9/11, something that I believe Australians marked and reflected upon over the weekend. To have President Obama here 10 years on is very important. It could not come at a better time because we continue to see instability in global markets and we will be working towards the G20 and looking forward to discussions at the G20 to consolidate global growth. It could not come at a better time because our nations are working in discussions as the United States works through its global force posture review. It could not come at a better time because we do have the important issue of transition in Afghanistan, where our soldiers fight today, to discuss together.

I trust that when we receive President Obama it will be done genuinely by this parliament in a spirit of bipartisanship. I am disgusted it has got off to such a ridiculous start.

Mr Albanese: Mr Speaker, I rise on a point of order that goes to standing order 94 and behaviour in the House. Quite clearly the interjections against the Prime Minister on such an issue are quite extraordinary. It is one thing for there to be interjections on partisan issues, but I would have thought the US alliance and the visit of the President of the United States was above that sort of partisan nonsense. Clearly, if they have had testosterone pills prior to question time then there are sanctions available to be used and they should be used.

Asylum Seekers

Mr MORRISON (Cook) (14:21): My question is to the Prime Minister. I refer the Prime Minister to this media release issued in 2008 by the then Minister for Immigration and Citizenship regarding the outcome of the Pacific Solution. In it he confirms 30 per cent of asylum seekers were returned to their home countries, 27 per cent were resettled in other countries and only 43 per cent were resettled in Australia. Will the Prime Minister now admit that her claim in this
parliament yesterday that over 90 per cent of asylum seekers sent to Nauru were resettled in Australia was false?

Ms GILLARD (Lalor—Prime Minister) (14:22): In respect of the shadow minister's question, yes, I did err yesterday; I should have said, 'Australia and New Zealand'. But the point, of course, is: will the opposition support the right of executive government to have offshore processing or not? Yes or no?

Honourable members interjecting—

The SPEAKER: Order! Comments made by the Leader of the House earlier apply to both sides of the House, and often the justification is provocation. The House will conduct its affairs as is expected by those who view us from outside. It is just intolerable that when people come into this chamber they believe that, as competitors in some sort of blood sport, they can behave in the way that they want. There are important issues in the minds of people before the House. They should then treat them as important issues, by listening and contesting ideas, not personalities. The Leader of the Opposition.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:24): On a supplementary question to the Prime Minister, Mr Speaker, will the Prime Minister now confirm that 30 per cent of all boat people sent to Nauru went back to their home countries? Will she therefore reconfirm that what she said yesterday to the House was false and accept that Nauru was an effective deterrent to the people smugglers?

Ms GILLARD (Lalor—Prime Minister) (14:24): I have answered the shadow minister's questions, and what I confirm to the Leader of the Opposition—as he knows, because we have made the briefing available to him—is that there comes a time in this parliament when the Leader of the Opposition cannot come in here and pretend that facts are not facts. He received a briefing—

Government members interjecting—

The SPEAKER: Order! The question has been asked.

Mr Baldwin interjecting—

The SPEAKER: For the sake of those who sit behind him, the member for Paterson interjected on an utterance that I made, and he is now warned. I hope that that is clear to all.

Ms GILLARD: There comes a point when the Leader of the Opposition cannot come into this parliament and pretend facts are not facts. Yes, I freely concede that I made an error yesterday and I should have said 'Australia and New Zealand', but the facts are also—

Opposition members interjecting—

Ms GILLARD: And, thank you; no amount of yelling changes this fact. No amount of abuse from the opposition changes the fact that the opposition has had access to advice—

Mrs Bronwyn Bishop: Mr Speaker, I rise on a point of order relating to relevance and direct answers. Whilst it is interesting to listen to the whingeing and the whining of the Prime Minister, it is necessary that she actually answer the question that was asked.

The SPEAKER: The member for Mackellar will resume her place. She is warned.

Opposition members interjecting—

The SPEAKER: The member for Durack is warned, only because I am not sure that he was the actual culprit. If I knew he were the culprit he would be out for one hour. The member for Mackellar, the member for Durack and others can rise and use the one point of order that is allowed under the standing orders, but there is an
expectation that they have a point of order and not a debating point.

On the point of order, I remind the member for Mackellar that the standing orders do not talk about direct answers. They require the answer to be directly relevant. I have indicated my concern that those are the standing orders, but if the member of Mackellar would like to get them changed, she can make a submission to the Procedures Committee. The Prime Minister has the call. She is responding to the question.

Ms GILLARD: Thank you very much, Mr Speaker. In direct response to the Leader of the Opposition's question, given I was asked about Nauru and conclusions about processing on it, let me confirm to this parliament something the Leader of the Opposition cannot deny. He has been given access to a briefing from the same experts that advised the Howard government when they were in office, and that briefing has said very clearly to them that Nauru will not work; it will not have the deterrent effect of the Malaysia arrangement.

Now, I fully understand that the Leader of the Opposition is free, if he chooses to do so, to receive advice and to reject that advice. What he should not do is misrepresent that advice. He had that advice; that is a fact. It is undeniable, full stop. He has that advice. Now he may choose to receive that advice and to walk away from it and not accept it. That is a matter for him, and he can take that to the court of public opinion and have that argument, and he can take that policy to the next election and have that argument. My issue with the Leader of the Opposition is not that. He can keep arguing Nauru until the cows come home; that is not the question. The question is whether or not the opposition will join with the government to amend the Migration Act so executive government, this government or any government in the future, has the ability and power it needs to implement the solutions it believes best. I fully accept that the Leader of the Opposition, for a reason best known to himself given the advice he has received, has determined that his attitude is that he wants to do processing on Nauru. That is a matter for him, but he cannot deny the fact that currently, if he were elected as Prime Minister in this country at any time, he would not be able to implement that solution, beyond legal doubt—and in that regard I refer to the Solicitor-General's advice. Once again, twisting and turning and denying the facts—

Mr Morrison interjecting—

The SPEAKER: The member for Cook is warned!

Mr Bowen: What would a QC know?

The SPEAKER: The Minister for Immigration and Citizenship is warned!

Ms GILLARD: The Solicitor-General's advice is what I am referring to. On the basis of that advice, if the Leader of the Opposition believes that a government should implement Nauru as a processing centre, the legislation needs amending. We are asking the opposition to stump up to that decision and to stop twisting, stop turning, stop misrepresenting, stop spinning, and answer the simple question: should executive government have the power to determine offshore processing? We say: yes. What do you say?

Mr MORRISON (Cook) (14:30): Mr Speaker, I seek leave to table the press release from Senator Evans of 8 February 2008. It contains the facts that the Prime Minister seeks to spin away.

Leave not granted.

DISTINGUISHED VISITORS

The SPEAKER (14:31): Before giving the call to the member for Deakin, who has
been very patient, I note that we have in the gallery this afternoon the Hon. Simon O’Brien, the Western Australian Minister for Finance, Minister for Commerce and Minister for Small Business. On behalf of the House, I extend to him a warm welcome.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Mr SYMON (Deakin) (14:31): My question is to the Treasurer. Will the Treasurer outline for the House the importance to our economy and the jobs of the future of putting a price on carbon pollution? How has this approach been received, and what is the government’s response?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:32): I thank the member for Deakin for that very important question, because tackling dangerous climate change is one of those fundamental economic and environmental reforms for our nation but most particularly for the jobs of the future. This year Australia is experiencing its 20th year of continuous economic growth. One of the reasons why we saw in the last national accounts that there was a resilience in the Australian economy, despite all of the headwinds we can see in the international economy, is that governments in this country, over the past 25 years, have fronted up and dealt with the fundamental economic reforms that are required to strengthen our economy and to meet the challenges of the future. That is why everyone on this side of the House is so proud of the clean energy package introduced into the House today—because this is all about the jobs of the future. We on this side of the House understand that in the 21st century you cannot hope to be a first-rate economy unless you are powered by cleaner energy, particularly renewable energy. That is why we need a price on carbon.

We on this side of the House accept the fact and accept the evidence that a price on carbon is the cheapest and most efficient way of driving that investment in cleaner energy and in renewable energy, because we will face up to the future. We will not turn our backs on the 21st century like those opposite. We understand the need to drive fundamental reform in our economy. If you look at the modelling that has been done you will see that it forecasts 1.6 million jobs through to 2020 in our economy, building on the nearly three-quarters of a million jobs that have been created. But those opposite are carrying on. They are dismissive of the importance of employment and they are dismissive of the importance of fundamental economic reform to drive the jobs of the future.

This government has a reform agenda when it comes to coping with the big changes that are going on in our global economy—the movement from West to East in the global economy, and the mining boom. That is why we are investing in skills and education; it is why we are putting in place the NBN; and it is why we understand that we need to put a price on carbon, like so many other countries around the world. It is also why we understand the need to spread the opportunities that come from these fundamental reforms.

That is why the Household Assistance Package that has been introduced in the House today is so important. Nine in 10 households will receive a combination of tax cuts and increased payments. Of course, all of this assistance to households will be simply clawed back by those opposite, as the minister was explaining in this House yesterday, because those opposite do not understand the importance of fronting up to
fundamental reform and taking the people with them, nor do they understand the importance of fundamental tax reform. At the core of this package is the proposal to lift the tax-free threshold—to triple it to $18,000. This is a fundamental reform that recognises the hard work of so many people on low incomes, and in particular the importance of secondary income earners.

So what we on this side of the House are going to do is charge the large polluters and provide assistance to households and industry. Those on that side of the House are going to tax households $1,300 and hand it to the big polluters. That is just another one of their crazy policy propositions, which shows just how unfit for high office they all are.

Mr Melham interjecting—

The SPEAKER: Order! The member for Banks is not assisting me. The member for Tangney has quite correctly risen in his place to get the call. He now has the call.

Asylum Seekers

Dr JENSEN (Tangney) (14:36): My question is to the Prime Minister. Will the Prime Minister confirm that in February 2008 the Department of Immigration and Citizenship warned the government in writing that closing Nauru would lead to an increase in people smuggling?

Ms GILLARD (Lalor—Prime Minister) (14:37): I was anticipating a question on the science of climate change but the member has chosen to ask me about something else. Can I say to the member, the issue for the parliament now is whether you believe executive government should have the power to engage in offshore processing—yes or no? That is the question.

Mr Pyne: Mr Speaker, on a point of order: the question was a very specific one about advice received in August 2008.

An honourable member: February.

Mr Pyne: The Prime Minister cannot redefine the question to the one she wants. The question was whether she received advice in February 2008 in regard to the closure of—

The SPEAKER: The Prime Minister knows that she must relate her material in a directly relevant manner to the question.

Ms GILLARD: I am very prepared to speak about advice on the question of Nauru. The advice we have received and made available to the opposition is it will not work. The advice we have received is that the Migration Act needs amending. What we are waiting to hear from the opposition is whether they will join with the government in doing that.

An opposition member: It is 20 to three and—

The SPEAKER: Order! The member for Cowper won't last until 20 to three. So he sits there quietly.

War Graves

Mr WILKIE (Denison) (14:39): My question is to the Prime Minister. The remains of World War I diggers are often uncovered during routine earthworks on farms and building sites in France and Belgium. There have been concerning reports that these remains are sometimes ploughed back into the ground or simply ignored when they are uncovered. I understand the government's position is that this practice does not occur and it would cite Fromelles as an exemplar of what does occur when remains are found. Given the numerous reports documenting this occurrence, will the government look afresh at this issue and work with the French and Belgian governments to give greater protection to the remains of our World War I diggers?
Ms GILLARD (Lalor—Prime Minister) (14:39): I thank the member for Denison for his question. It is a very serious one and I am sure all members of the parliament will have an interest in the answer. We are all committed in this parliament, this government, all Australian governments, to remembering and honouring our war dead. It is one of the things that has bound us together as a nation over a very long period of time. It is part of the contract between our nation and those who have served for us in battle. It is a commitment that I take very seriously.

The treaties that Australia and the Commonwealth have with France relating to our war dead are amongst the strongest treaties of their kind. French and Belgian officials and those who own and farm the land in which remains are sometimes found understand the desire of Australians to ensure that any remains are dealt with sensitively and they share our concern about treating our war dead with respect.

I am advised that there is no evidence that French farmers are guilty of ploughing human remains back into their fields, as has sometimes been asserted in media reporting. In recent years most if not all remains of Australian soldiers have been discovered at a depth greater than that which is uncovered by routine ploughing. They are further underground. In almost every instance those remains were discovered during deeper excavations—for example, when people are digging trenches for gas pipelines, so they are working further underground.

As all Australians know, tens of thousands of Australians fell in battle across the Western Front. There are about 18,000 Australians who lost their lives and for whom there is no known grave. The government will continue to do all it can to find and identify the remains of our war dead. The member for Denison referred to Fromelles, for example. We continue to identify and commemorate the remains of 250 soldiers. Those remains were discovered in 2009. The government has set up a new unit known as the Unrecovered War Casualties section to specifically investigate missing-in-action cases.

Finally, I want to recognise—and I think members of the House would join me in this—the respect and gratitude and constant acts of remembrance that the people of France and Belgium pay to Australia. People who have visited there comment on it, not only in terms of the memorials they see but also in the attitudes of the people they meet. We continue to be grateful for seeing that emotion from the people of France and the people in Belgium towards our soldiers lost at war.

Climate Change
Ms ROWLAND (Greenway) (14:43): My question is to the Prime Minister. How is the government proceeding with its plan to create a clean energy future, what are the facts behind the plan and how is this a real solution in taking action on climate change?

Ms GILLARD (Lalor—Prime Minister) (14:43): I thank the member for Greenway for her question. I was very pleased earlier today to introduce into this parliament, alongside the Minister for Climate Change and Energy Efficiency, the legislation to put a price on carbon and realise a clean energy future.

An incident having occurred in the gallery—

The SPEAKER: Order! The gallery will come to order. The attendants will deal with the gallery. The House will come to order. The Prime Minister has the call.

Ms GILLARD: Thank you very much, Mr Speaker. In seizing this clean energy
future we will always be guided by the science and we will always be guided by the facts. The scientists are telling us—and we accept the science—our climate is changing. That change is caused by human induced carbon pollution and we need to act to reduce that carbon pollution. I know on the other side of the parliament they deny the science. We do not; we accept the science. And we accept the advice of economists that the cheapest way of reducing carbon pollution is to put a price on that carbon pollution, to ask the big polluters to pay. The legislation we have brought before the parliament will do just that.

In asking the big polluters to pay, we recognise that innovative Australian business people who have a price on carbon pollution will innovate and change the way that they do business. They would work to reduce the price they pay for carbon pollution by reducing that carbon pollution itself. They will introduce new ways of working. We have innovative business people in our nation and we will see them respond and adapt as we put a price on carbon. This is a price that the biggest polluters pay and the revenue raised from that price will be used to protect Australian jobs, to ensure that we look after Australian households and to make sure that we innovate and seize a clean energy future.

There is nothing more important to this government than people having jobs. We cannot afford to have our nation left behind as the rest of the world moves to seizing a clean energy future. By putting the price on carbon we will seize that clean energy future, we will seize those clean energy jobs. We will also work with Australian households and families and with pensioners to make sure that we are assisting them with the flow-through impacts of asking the biggest polluters to pay a price on carbon pollution.

I am very proud that we have been able to associate with putting a price on carbon a major tax reform which will better value work, will send a clearer signal about the benefits of work and will send a clearer signal about moving from welfare to work, which will enable low-income Australians to see the benefits of the work that they do.

We will always be guided by the science and the facts. I know that the opposition are taking a different approach. They have distributed this document of deceit to get their members out there telling Australians things that are not the truth. They are about fear, not facts. They are about slogans, not substance. We will deliver the change this nation needs for a clean energy future, for clean energy jobs, as the Leader of the Opposition continues his campaign of deceit.

**Asylum Seekers**

**Mr VASTA** (Bonner) (14:48): My question is to the Prime Minister. How can the Prime Minister claim that the Malaysia solution, with its 800-person ceiling, is an effective deterrent to people smuggling when a thousand asylum seekers have arrived since the Malaysia deal was announced and 400 have arrived since it was signed?

**Ms GILLARD** (Lalor—Prime Minister) (14:48): I thank the member for his question. I claim it on the basis of expert advice, but I do not ask the member to agree with me on that. That is not the point, and no amount of screaming and shouting by the opposition frontbench will change this fundamental fact. I do not ask the member who has asked the question, the member for Bonner, to agree with me on that; I do not ask him to accept the expert advice. I understand that the opposition is in a mode in the modern age where it trashes the view of every expert—scientists knocked aside, economists knocked aside, senior public
servants treated with disrespect. I understand that is the present attitude of the opposition.

That is as it may be, and the opposition may choose to pursue a solution about people smuggling that is not recommended on the basis of expert advice. That is a matter for it. What is squarely before the member who asked the question and squarely before the Leader of the Opposition is not endorsing the government’s arrangement with Malaysia—I do not seek that; I do not expect that. What I do expect is the opposition to join with the government to amend the Migration Act to put beyond legal doubt the ability of executive government to have processing offshore. That is what I expect.

In pursuit of that objective we have made briefings and advice available to the Leader of the Opposition from senior public servants. He has marched out the door and he has deliberately misconstrued what he has been told. We have made available to the Leader of the Opposition the advice of the Solicitor-General. He has misconstrued that in the parliament today. But, despite all of that, we will continue to provide advice and information to the Leader of the Opposition and we are specifically offering a briefing on the proposed legislation.

At some point the opposition is going to have to stop this kind of carry-on in question time and actually answer what in truth is a very simple question: will you vote for changes to the Migration Act that empower executive government to act and to implement its preferred solution and its preferred offshore processing arrangements? Will you do that? Won’t you do that? No amount of carry-on in question time is going to get you away from that decision. That decision has to be made. And when it is made I trust that the Leader of the Opposition spends some time reflecting on the national interest rather than his narrow political interest, because most days the Leader of the Opposition can be negative and reckless without consequence but this is not one of those occasions. This is an occasion where negativity and recklessness would have a cost for our country.

Mr Laming interjecting—

The SPEAKER: The member for Bowman!

Ms GILLARD: Our country should not have to pay that cost.

Mr Laming interjecting—

The SPEAKER: The member for Bowman is warned!

Ms GILLARD: The Leader of the Opposition should instruct members of the Liberal Party and the National Party to vote in favour of this legislation and to vote in favour of the national interest, just for once.

Carbon Pricing

Ms SMYTH (La Trobe) (14:52): My question is to the Minister for Climate Change and Energy Efficiency. Will the minister update the House on the introduction of legislation that will transition our economy to a clean-energy future? What other views have been put forward and what is the government’s response?

Honourable members interjecting—

The SPEAKER: Order! I think we have had a long enough discussion.

Honourable members interjecting—

The SPEAKER: Those that are quick to give advice should think about giving themselves some advice because they will be out of here pretty quick from now on. The Minister for Climate Change and Energy Efficiency has the call and he is the only person with the call. People will read standing order 65.

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency)
Today I was very pleased to be able to support the Prime Minister in introducing the carbon price legislation. Eighteen bills were introduced prior to question time in what is one of the most important economic and environmental reforms undertaken in the country. It is the culmination of a debate that has been running for the better part of two decades. We have seen 35 parliamentary inquiries into climate change since 1994. Indeed, there has been a lot of discussion on this issue in this House. Even during this year alone there have been around 250 questions asked on carbon pricing and over 15 separate MPI debates. The fact of the matter is that the time to act is now. There has been lengthy debate, lengthy inquiry, lengthy argument, the policy has been developed, there has been lengthy consultation—

Mr Ewen Jones interjecting—

The SPEAKER: The member for Herbert will leave the chamber for one hour under standing order 94(a). I could not have been clearer in my warnings!

Mr COMBET: The fact is that it is imperative that we begin the transformation of our economy in this way. This transformation will begin with the passage of the clean energy legislation. We need to put in place the incentives for business to invest in clean energy technologies that will allow Australia to maintain its economic growth at the same time as it cuts its pollution. The countries that pioneer the clean technologies of the future will be those that achieve this change and they are the countries that will see strong and consistent economic growth through the next century. They are the economies that will have the competitive edge.

The alternative to this is the Leader of the Opposition's prescription, his position of saying 'no' and doing nothing about it. It is pretending that climate change is not occurring. It is attacking the scientists, who say that climate change is occurring. It is attacking the economists, who state that a carbon price is the most efficient way of tackling this problem. By refusing to grapple with the challenges and the opportunities of a carbon constrained world, the Leader of the Opposition would rather see our economy become stagnant and fall behind our competitors.

This morning I had the opportunity to meet with a number of experts in the climate change and emissions trading fields who are visiting this country, including representatives from China, India, Denmark, and the United States, and in particular the state of California. Emissions trading will start next year in California—an economy larger than our own. China is on track to pilot six emissions trading schemes from 2013 covering 230 million people and a combined gross domestic product of more than US$1,500 billion. These are extremely important developments in the Asia-Pacific region and Australia must be part of it.

A transition to a low-carbon economy is inevitable. The only question is whether we do it in a steady gradual manner that will see tax cuts and protection for jobs, as will occur with the passage of the clean energy legislation, or whether it will be forced upon our economy by external circumstances at far greater cost and with a far more difficult adjustment. The relentless negativity of the Leader of the Opposition would condemn the Australian economy to a much more painful, much more sudden, much more costly shift to a low-carbon economy. It is imperative this parliament carries this legislation.

Member for Dobell

Mr PYNE (Sturt—Manager of Opposition Business) (14:58): My question is to the Prime Minister. I refer the Prime
Minister to the promise made by the member for Dobell last week that he would make a full explanation to the parliament regarding the allegations of his misuse of union funds. When will the Prime Minister ask the member for Dobell to keep his word?

Ms GILLARD (Lalor—Prime Minister) (14:58): As I have said on many occasions publicly, parliamentary statements by members of parliament are a question for those individuals.

Carbon Pricing

Mr FITZGIBBON (Hunter—Chief Government Whip) (14:58): My question is to the Minister for Infrastructure and Transport, and the Leader of the House. Will the minister update the House on the government's plan to facilitate an open and transparent parliamentary debate on the clean energy bills and the opportunity for all willing members to participate? What obstacles might frustrate this participation?

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:59): Indeed, prior to question time, the Prime Minister, the Minister for Climate Change and Energy Efficiency, the Treasurer, and the Minister for Families, Housing, Community Services and Indigenous Affairs introduced legislation into this parliament to ensure that Australia could move to a clean energy future. We have done that in a way which is transparent. We gave notice of it a week ago. We gave notice yesterday of the process that would be proceeded with, and there are motions on notice that will be considered this afternoon in order to facilitate that process.

We have indicated that discussion on the legislation will begin tomorrow. Tomorrow, it is the first item and we will go through all of this week and all of next week. We have said that we are prepared to sit extra hours, an offer that at this stage is being opposed by those opposite. They say that we do not have enough time to debate the bills but they are opposed to sitting extra hours. I indicate to the House that we will be bringing forward resolutions to the House that will facilitate extra hours, and those opposite, if they wish to oppose them, can do so. But they certainly cannot have it both ways, and the Manager of Opposition Business confirms his hypocrisy by saying that they will oppose these bills.

We have given one month's notice until the votes will be determined finally on 12 October—one month. This compares with eight days that they gave for the Work Choices legislation, where member after member, including me, was excluded from participating in that debate. Indeed, we had an exposure draft of the bills released on 28 July, with 300 submissions received. The MPCCC had 1,300 submissions received. There have been 35 parliamentary reviews in 19 years and a range of expert reviews, including the Shergold review, the Garnaut review, and the CPRS green and white papers. So we have had a lot of debate. But it is now time to decide. Do we go forward into the future to a clean energy future, or not?

Of course we know that those opposite have one tactic, which is to oppose. Those opposite have one tactic, which is to destroy everything that they touch. Today we have seen their behaviour in this House, which is one thing. But it has moved up another step. Some of those who have been escorted out of the gallery had lunch with a number of the members prior to today. The members opposite are now not just inciting their backbench; they are inciting the gallery with their little people's revolt.

Honourable members interjecting—

The SPEAKER: Order! The minister will return to the question.
Mr ALBANESE: There is no decency from those opposite. I notice that the member for Indi is not here. She is probably outside my office, as she was two weeks ago with the banner 'Tolerance is our Demise'. All the outrageous slogans and activities that were there were flown up at taxpayers' expense in order to engage in that sort of grubby behaviour.

This government is determined to provide every opportunity to have debate. We are not frightened of a debate about ideas. We know that on the science, we will listen to the scientists; on the economics, we will listen to the economists; and we know what those opposite have said about the carbon tax. The Leader of the Opposition says that if it comes in, 'take it off and resist to the death this thing coming in'. That is their position. They say they want more time, but how much time does it take to say no, no, no! (Time expired)

Union Funds

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (15:03): My question is to the Prime Minister. Does the Prime Minister agree with this recent statement by the Minister for Human Services: 'It is inappropriate for any business, any union, to use shareholder funds or members' funds to purchase sexual services'?

Honourable members interjecting—

Mr Ripoll interjecting—

The SPEAKER: Order! The Prime Minister has the call. Order! The member for Oxley is warned!

Ms GILLARD (Lalor—Prime Minister) (15:03): Yes, I agree with the Minister for Human Services.

Clean Energy Future Plan

Mr CHEESEMAN (Corangamite) (15:04): My question is to the Minister for Human Services and for Social Inclusion. Will the minister inform the House how the government intends to deliver assistance for households under the clean energy future plan? How has this been received? What is the government's response?

Ms PLIBERSEK (Sydney—Minister for Social Inclusion and Minister for Human Services) (15:04): The government understands that, despite the Australian economy being the envy of the world, there are some families who are feeling the pinch and, though parents want a low-pollution future for their kids and grandchildren, they need to balance the family budget today. That is why, while we are talking about our clean energy future, we are also talking about household assistance that will be available for Australian families.

Just as age pensioners, disability pensioners, carers and others will receive household assistance, so too will families who are receiving family payments. For those families, carbon price assistance will be paid as a separate supplement through Centrelink. Eligible recipients will not have to fill in any forms; they are going to get that benefit automatically into the bank account, the same way the family payments are paid. Our household assistance package will ensure that families have that money in their pockets before the carbon price takes effect. Every family payment recipient will receive some or all of their first year's assistance up-front through a lump-sum payment, the clean energy advance. This advance will be paid by Centrelink between May and June next year, before the carbon price is implemented on 1 July 2012.

On top of that, every taxpayer earning under $80,000 a year will get a tax cut from 1 July next year. So in the electorate of Corangamite, 50,000 taxpayers will receive a tax cut and more than 40,000 people will receive additional income support or family
assistance payments. What that means for a typical family—say, mum, dad, and three children aged four, seven and nine—is that if dad is earning $52½ thousand a year and mum is working part time and earning $17½ thousand a year, a total of $75,000 a year, the family will get $332 extra in government payments and $982 as a tax cut. So, in total, that family receives around $1,300 a year extra. That is $700 a year on top of any expected price impact on that family. That $700 a year extra can go towards buying energy efficient appliances, just as an example of something that family could do to further lessen any price impacts on them. That is a very stark contrast to those opposite, who not only want to claw back that $1,300 of assistance, not only want to rip back that tax cut and those family assistance increases, but actually want to slug that family an extra $1,300 a year to subsidise big polluters. They want to take money from that family—tax dollars that could be used on education, health, training, roads or whatever it may be—and subsidise the big polluters.

We have a month of debate ahead of us. Nobody really believes that the Leader of the Opposition needs a month to make up his mind. We know that he has already made up his mind and that what is coming is a big fat no on this. In fact, that is why people have started calling the Leader of the Opposition the minus sign of Australian politics—whenever you put him into the equation, the result is a negative.

Union Funds

Mr Pyne (Sturt—Manager of Opposition Business) (15:08): My question is to the Prime Minister. I refer the Prime Minister to the allegations surrounding the misuse of HSU members’ funds by a member of the national executive of the Labor Party, Mike Williamson. Does she have full confidence in Mike Williamson, a member of her national executive, as she does in the member for Dobell?

The SPEAKER: This question now goes much further than what has been allowed in the past. The Prime Minister is not responsible for organisational matters. In the past, matters to do with party have been ruled out of order. In this case that is my view.

Mr Pyne: Mr Speaker, I rise on a point of order. With due respect to your view, I couched the question in terms of whether she had the same level of confidence as she does in the member for Dobell, which gives her the opportunity, if she wishes to answer it, to express her confidence in the member for Dobell, as she has previously in this parliament.

The SPEAKER: That is not a point of order; it is an opinion. There are precedents and I have ruled the question out of order.

Climate Change

Mr Sidebottom (Braddon) (15:09): My question is to the Minister for Climate Change and Energy Efficiency. Will the minister outline the importance of formulating climate change policy based on objective evidence and facts? How does this compare with other methods of policy formulation? What is the government’s response to these?

Mr Combet (Charlton—Minister for Climate Change and Energy Efficiency) (15:10): I thank the member for Braddon for his question. When debating matters of national importance, such as carbon pricing and tackling climate change, it is important that governments and oppositions take account of the facts and base their argument on those and the evidence, not on fear. Since the government announced a framework for a carbon-pricing mechanism, the government has methodically undertaken analysis and
modelling, presented evidence, prepared reports and consulted with stakeholders—all of which has shown that a carbon price is the most economically efficient and environmentally effective way of cutting pollution. In contrast, those opposite and their state colleagues in fact have mounted a political campaign that has been based on misrepresentation, misinformation and deceit, aimed at only one thing—inciting unfounded fear in the community about this issue.

An article in today's *Sydney Morning Herald* reveals that, rather than engaging genuinely on climate change, those opposite have been told to parrot a series of untruths and distortions from this document: 'Carbon tax legislation talking points', which has been distributed amongst the opposition. They have been handed those talking points. I have looked through them and they are a classic exercise in deception. They claim, for example, that the government's modelling of the impact of a carbon price on families and on pensioners used a carbon price of $20 a tonne, not $23 a tonne, which is the starting price for the scheme. That is a lie, and they know it is a lie.

**The SPEAKER:** The minister should be very careful in the way he couches allegations.

**Mr Pyne:** Mr Speaker, I rise on a point of order. We have been routinely required to withdraw such a claim in the past. I ask you to ask the minister to withdraw it.

**The SPEAKER:** If the Manager of Opposition Business is seeking a withdrawal, the minister will withdraw.

**Mr COMBET:** I withdraw, but it is clearly deceit because the modelling of the impact of a carbon price on households and on pensioners used a $23 carbon price, and that is well known. The talking points circulated by the opposition also claim that there will be 126,000 jobs lost as a result of a carbon price. That is another exercise in deceit. The Treasury modelling demonstrates clearly that there will be growth of 1.6 million jobs to the year 2020 under carbon pricing.

The coalition's talking points also claim the government will spend $3.5 billion in taxpayers' funds to buy international carbon credits in the year 2020. That is a disgracefully misleading claim designed to foster the protectionist xenophobia that the Leader of the Opposition traffics in. The blatant misinformation does not stop there. It extends to the New South Wales Premier, Barry O'Farrell. He too has been caught out deliberately exaggerating the impact of a carbon price on public transport. Premier O'Farrell claimed not so long ago that public transport fares would increase by around 3.6 per cent. Now that we have access to the real New South Wales documents we find that his own modelling states that the impact will be less than 0.5 per cent.

All that the Liberal Party and the National Party are prepared to engage in on this fundamental issue of economic and environmental reform is misinformation and deceit. It is time that the parliament passes this legislation and implements this important reform. The Australian people will see through the deception on the other side of this House.

**Climate Change**

**Mr HUNT** (Flinders) (15:14): My question is to the Prime Minister and in fact follows on from the answer by the Minister for Climate Change and Energy Efficiency. I refer the Prime Minister to her 10 July press release that promised updated Treasury modelling would be available ahead of the introduction of the carbon tax legislation precisely because the modelling wrongly assumes a $20 carbon tax when the actual
tax is 15 per cent higher at $23. Given that the government has now introduced that legislation without the updated modelling, why has she broken her promise and when will she keep it?

Ms GILLARD (Lalor—Prime Minister) (15:15): I thank the shadow minister for his question. No. 1—and I think this is very important because it was clear to me even as the Minister for Climate Change and Energy Efficiency was delivering his answer that there is confusion about this on the opposition front bench—the modelling of the household impacts and the government's household assistance package is based on a $23 starting price.

Mr Hockey: Business.

Ms GILLARD: The shadow Treasurer did not seem to understand that before, so I did want to clarify that.

Mr Hockey: I said 'business'. You're just deaf.

Government members interjecting—

The SPEAKER: The member for North Sydney will cease interjecting and everybody else will ignore his interjections.

Ms GILLARD: I am clarifying this because it appeared to me that the shadow Treasurer was confused. The household assistance package is modelled on a $23 starting price. Yes, the Treasury modelling of the macroeconomic indicators is based on a $20 starting carbon price. As the shadow minister has indicated, the government is having the modelling updated—

Opposition members interjecting—

The SPEAKER: Order! The Prime Minister will resume her seat. Order! The standing order requires the responder to be directly relevant to the question. When the Prime Minister is being directly relevant to the question I cannot hear the answer because those on my left, who are supporting the person who asked the question, are all talking at once. The Prime Minister has the call. She should be listened to in silence.

Ms GILLARD: In answer to the shadow minister's question, the updated modelling will be available next week well before the parliament votes on this legislation. Let's be frank, the updated modelling will not change anybody's mind in the opposition because they are not interested in the facts.

Mr Hunt: Mr Speaker, I seek leave to table the Prime Minister's press release—

The SPEAKER: Leave is not granted.

Mr Hunt: pledging updated modelling before the legislation—

The SPEAKER: Leave is not granted and the member for Flinders ain't got the call. The member for Flinders no longer has the call so his comments are drifting off into the ether.

Asylum Seekers

Mr LAURIE FERGUSON (Werriwa) (15:17): My question is directed to the Prime Minister. Can the Prime Minister outline to the parliament why it is important that the Migration Act be amended to ensure the integrity of Australia's migration system?

Mr Hockey interjecting—

The SPEAKER: Order! The member for North Sydney should sit there quietly.

Ms GILLARD (Lalor—Prime Minister) (15:18): I thank the member for Werriwa for his question. It brings us to a matter that was the subject of discussion a little earlier on in question time. This is a matter that is very important to the national interest and a matter in which it is very important that this parliament and every member within it proceeds understanding the facts.

The facts are these: after the High Court case of recent weeks, the government has received legal advice from the Solicitor-
General which deals with the outcome of the High Court case and makes it abundantly clear that for executive government—for this government; for any government in the future—to have the power beyond legal doubt to process or transfer asylum seekers to countries outside Australia, the Migration Act needs amending. It is the intention of the government to bring to the parliament amendments to the Migration Act that achieve that. They will not be country specific. They will enable executive government—this executive government; any executive government in the future—to implement the decision it believes is best in the national interest.

I understand that there is a sharp difference of opinion between the government and the opposition on what should be done based on that kind of power. The government is committed to the arrangement we struck with Malaysia and to a complementary centre in PNG. The opposition has a different view. It has a view about Nauru. Clearly, in question time a little bit earlier we were contesting those two policies and the merits and advice that leads to them. The government maintains that the expert advice leads it to the Malaysia arrangement as having the best deterrence value. Of course the opposition is at complete liberty to take a different view even when they have received expert advice. If they make a determination that policy is different, that is a matter for them. But we are asking the opposition in the national interest to step forward and work with the government to amend the Migration Act so that executive government—this executive government; any executive government of this nation in the future—has the power that it will need to transfer asylum seekers to third countries.

Members of the parliament may have seen an exchange between me and the Leader of the Opposition following a discussion of these questions. The Leader of the Opposition said to me: 'Do you really expect me to accept an invitation couched in these terms? All I get is bile from you.' That was what the Leader of the Opposition said to me. Let me make it absolutely transparent to this parliament—and I believe it needs to be on the public record—that, yes, I do expect the Leader of the Opposition to accept an invitation couched in these terms because it is in the national interest. I do not expect the Leader of the Opposition to allow his tender feelings to interrupt a proper consideration of the national interest. If the Leader of the Opposition has problems with statements made by me, well, poor petal, but we will have a political contest about those. What should not happen is that this nation's national interest is held hostage to the monstrous arrogance of the Leader of the Opposition. He should work with the government to amend the Migration Act. That is in the national interest and he should get it done.

**Carbon Pricing**

Mr HAWKE (Mitchell) (15:22): My question is also to the Prime Minister. I refer the Prime Minister to the assumption in the carbon tax modelling that the United States will be part of a coordinated international carbon trading scheme by 2016. Can the Prime Minister advise this House of any statements by leading members of the US Congress, whether Republican or Democrat, US cabinet minister or White House official, that support this assumption?

Ms GILLARD (Lalor—Prime Minister) (15:22): I thank the member for his question. As he is probably aware, in the United States various states are taking their own actions in relation to climate change, at the same time that President Obama is driving a very ambitious clean energy
agenda. What that should cause the member to reflect on is whether it will be this country that has the clean energy jobs of the future or whether it will be other nations. I am for having the jobs in this country. That is why we are moving for a clean energy future.

Asylum Seekers

Mr MITCHELL (McEwen) (15:23): My question is to the Minister for Immigration and Citizenship. Will the minister outline to the House the implications of the recent High Court decision on offshore processing? How is the government responding to this decision and what other approaches have been proposed?

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (15:23): I thank the honourable member for his question. The House is well aware of the High Court judgment on 31 August, which changed what was well accepted and understood on both sides of the House as to the interpretation of the changes to the Migration Act which the member for Berowra introduced in 2001. The clear understanding, until that High Court decision, was that they enabled the minister for immigration of the day to nominate a country for third-party processing, where the minister had made a determination that the protections in place were appropriate. Under that legislation, a declaration was made for Nauru and for Papua New Guinea by the former minister, the member for Berowra, which, until very recently, was held to still be in force and still be valid.

The strong legal consensus, at least amongst anybody who does not have the name 'George Brandis', is that not only did the High Court judgment rule out the Malaysia arrangement but also that the declarations made by the honourable member should now also be regarded as being invalid. We have had five Senior Counsel or Queen's Counsel provide written advice to that effect: Gagaler SC, Lloyd SC, Kennett SC, Estcourt QC and Merkel QC. Merkel QC, for example, said: 'In respect of both Nauru and PNG, there must be great doubt that a declaration by the minister would be valid.' From Stephen Estcourt QC: 'Any declaration of Nauru or Papua New Guinea under section 198A(3) would, notwithstanding the obvious point of distinction, likely meet the same fate as the recently invalidated declaration in respect to Malaysia.' Or we have the international law expert Professor Don Rothwell, who said: … offshore processing in Malaysia, as per the High Court's decision, and in Nauru or Papua New Guinea, would not be legally permissible.

But it seems that, not content with ignoring climate scientists and not content with ignoring economists, alone they are now ignoring the lawyers as well. We have had the member for Cook denying that legislation will be necessary for a processing centre at Nauru.

They seem to base this on the advice of Senator Brandis, the Liberal Party's spokesman on legal issues, who sits in his office, stroking his chin, saying, 'Should I advise that Liberal Party policy is legal or illegal as shadow Attorney-General? As the Liberal Party spokesman on legal matters, should I say the Liberal Party would be in breach of the law or not?' He weighs these matters up very carefully, I am sure. But, clearly, if the Liberal Party are to be regarded as fair dinkum, they will accept the consensus of legal opinion, just as they will accept the consensus of opinion on the effectiveness of Nauru.

Earlier in question time, we had the member for Tangney talking about an FOI request released as recently as six months ago—they were right on to it, as quick as a flash. What the member for Tangney did not
quote was another segment of that FOI, which said:

... the vast majority of those who arrived at excised offshore places and who were found to be refugees were settled in Australia or New Zealand.

That is direct advice from the department of immigration which confirms the advice that has been given to this government consistently, which the Prime Minister referred to yesterday. Over 90 per cent of those resettled from Nauru were resettled in Australia or New Zealand. The Leader of the Opposition may claim that being sent to New Zealand is a deterrent, but I am going to defend New Zealand. It is not a deterrent for people to arrive in New Zealand by boat; what it does show is that their policy continues to be a failure. They should act in the national interest and work with the government. This is a test for the Leader of the Opposition: will he act in the national interest or in his own cheap political interest?

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

STATEMENTS ON INDULGENCE

Visit of President of the United States of America

Mr ABBOTT (Warringah—Leader of the Opposition) (15:28): Mr Speaker, I seek brief indulgence to say something that I would have liked to have said earlier today in question time.

Mr Albanese interjecting—

The SPEAKER: Order! I am sorry, Leader of the House; indulgence is in the hands of the Speaker. I grant the Leader of the Opposition a brief indulgence.

Mr ABBOTT: I entirely accept your admonition, Mr Speaker. I say on behalf of the coalition that we warmly welcome the visit to Australia of President Obama. President Obama is the leader of the free world. He should always be welcome in this country and he will always be welcome as far as the coalition is concerned.

DOCUMENTS

Presentation

Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (15:29): Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings. I move:

That the House take note of the following documents:

Airservices Australia—Corporate plan for July 2011 to June 2016.

Australian Rail Track Corporation Limited—Statement of corporate intent for 2011-12.


Debate adjourned.

MATTERS OF PUBLIC IMPORTANCE

Border Protection

The SPEAKER (15:29): I have received a letter from the Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the government to maintain an effective border protection policy.

I call upon those members who approve of the proposed discussion to rise in their places.
More than the number of members required by the standing orders having risen in their places—

Mr ABBOTT (Warringah—Leader of the Opposition) (15:29): What an extraordinary performance we have seen from the Prime Minister today. The Prime Minister of this country is demanding that someone who is alternately a 'precious petal' and someone who is a person of 'monstrous arrogance' should help her out of a problem of her own making. Let me say this: it is not the opposition's job to support bad policy from a bad government. It is not the opposition's job to save the government from a mess of its own making when there is an alternative, and when that alternative has been proven to work.

I am not so inclined under the circumstances of today's performance by this Prime Minister to rescue her from her own difficulties. It is not the job of the coalition and it is not the job of the opposition to rescue a failed and failing government. It is interesting that the first sign of discomfort from this Prime Minister—the first sign of gracelessness from this Prime Minister, whose every day in this place betrays a bearing unworthy of the high office she holds—was when she started talking about the visit to this country of President Obama. Let me make it absolutely crystal clear that the coalition welcomes the visit to this country of President Obama. We will always welcome a visit to this country by the President of the United States. The big question is: will this Prime Minister be around to welcome the President of the United States when he gets here?

The coalition has a very, very clear policy. It is a policy that has been proven to work. Our policy, in a nutshell, is offshore processing at Nauru, it is temporary protection visas and it is the option of turning boats around where that can safely be done. Our policy is a policy that has been shown to work.

It did work. It did work in the past; it can work and it will work in the future. When the coalition's policy was put into practice by the former government between 2002 and 2007 we averaged just three boats a year in this country. Just three boats a year! Since that policy was junked by members opposite, led by the former Prime Minister and the current Prime Minister, we have had at some stages no fewer than three boats a week. Three boats a year under the coalition's policy and three boats a week under the government's policy. I say to the government: go back to the policy that worked. Drop the stubbornness, forget the pride, drop the 'anywhere but Nauru' policy and go back to the policy that worked. If you had any respect for the welfare of our country, if you had any respect for the safety of boat people and if you had any concern to preserve good relations with our neighbours you would go back to the policy that worked. That is what members opposite should do.

The Prime Minister used to delight—when she had another job, and in another time—in putting out press releases. The press releases were invariably headed 'another boat, another policy failure'. There were not very many press releases, I can tell you, Mr Deputy Speaker, because there were not very many boats. Since this government and this Prime Minister changed the policy there have been 240 policy failures; 240 boats and more than 12,000 illegal arrivals in this country—all the fault of this government.

It is all the fault of this government because this government was not magnanimous enough to leave well enough alone. All the riots in detention centres and all the terrible tragedies that we have seen
have arisen because this government was too arrogant, too proud and too stubborn to accept that its predecessors had it right. This is a disgraceful government—a really disgraceful government—and nothing better illustrates that than the squirming that we see from them now.

What have we seen from this government? We have seen a government find a solution and create a problem. We hear constantly from this Prime Minister the demand—she says she is asking—that the coalition adopt a particular policy. The Prime Minister is abusing us to adopt a particular policy. If she wants a bit of cooperation, what about facing up to some facts? The only reason the people smugglers have a business model is that this government created it. This government created the people-smuggling model when it abolished temporary protection visas and dismantled the Pacific solution.

The Prime Minister constantly says, ‘Take the expert advice’. I have two responses to this: what did the experts say to her before the High Court decision? What advice did she get before the High Court decision? If she was following expert advice, the expert advice turned out to be not very expert. The other question I have for the Prime Minister is: what did she do with the expert advice, that she was given repeatedly in 2008, that to dismantle the Pacific solution would put the people smugglers back in business? Why did the Prime Minister and her former prime ministerial colleague the now foreign minister, completely ignore the expert advice at this time?

What have we seen from this government is complacency followed by panic. First of all we had the processing freeze which just caused the numbers in detention to go up and up and up. Then we had the lurch to the right that the former prime minister so presciently warned us about. Shortly after the member for Lindsay’s jaunt round Darwin Harbour on a patrol boat, we had the East Timor solution—the solution that got lost somewhere in the Timor Sea. Then we had the Manus solution, a solution that was announced before it had been negotiated and which has never come to pass, followed by the Malaysian solution.

Let me say of the so-called Malaysian solution that yet again from this government we have had bad policy based on a lie. It is so typical of this government that we have had bad policy based on a lie—whether it is a carbon tax, whether it is boat people—

The DEPUTY SPEAKER (Hon. Peter Slipper): Order! The Leader of the Opposition will withdraw the word ‘lie’.

Mr ABBOTT: Bad policy based on a deception. Mr Deputy Speaker, you may care to listen to and mark these words of the Prime Minister spoken on 8 July last year, in the middle of the election campaign:

I would rule out anywhere that is not a signatory to the Refugee Convention.

I am not going to call that a lie, Mr Deputy Speaker, but it was certainly a gross deception—yet another gross deception.

Now this Prime Minister wants the coalition to connive at a policy based on gross deception. We will not connive at policies based on gross deception.

The Malaysia people swap is a thoroughly bad policy. What sensible government would go to another country and do a five-for-one deal? What decent government would send boat people to a country where they could be exposed to caning? Malaysia is a friend of Australia, but their standards are not our standards, and it is very wrong of Australia to send people who have come into our care, however briefly, to a country whose standards are so different from ours. Most of all, it is a policy that just does not work, has not worked and will not work. Look at the
facts: this so-called deterrent has not deterred 1,000 illegal boat people from arriving on our shores since it was first announced. Four hundred have arrived since it was signed. Why should the coalition consider supporting a policy which has so comprehensively failed?

Malaysia is a proven failure. Nauru is a proven success. Let us be crystal clear: this is a Prime Minister who came into this House and did not tell a lie, but did say something that was grievously untrue. She came into this House yesterday and said 90 per cent of those who went to Nauru ended up in Australia. Wrong, wrong, wrong, Prime Minister. If you cannot get your facts right in this House, how can we expect you to get your policy right for the country? Some 1,500 people went to Nauru under the Pacific solution. Fully 30 per cent of them were repatriated to their home countries, 27 per cent went to countries other than Australia and only 43 per cent came to Australia. Some of them came to Australia after a very long wait in Nauru and that is why, in conjunction with other policies, it was such an effective deterrent.

This Prime Minister just cannot help herself. There is almost nothing that this Prime Minister says which is consistent with what she has previously said. She was against offshore processing: it was 'costly, unsustainable and wrong in principle'. Now we must not have offshore processing but offshore dumping, because that is what will happen to the people that she wants to send to Malaysia. Back in 2002 she actually supported turning boats around. She said: The navy has turned back four boats to Indonesia. They were in sea-worthy shape and arrived in Indonesia. It has made a very big difference … Last year she said:

… 'turn the boats back'. This needs to be seen for what it is. It's a shallow slogan. It's nonsense. She supported turning boats around, she opposed turning boats around, but it is okay. Now she supports a virtual turnaround of boats. Just as Al Gore invented the internet: whatever policy she wants, she invented it.

First of all she supported temporary protection visas. Back in 2002, Labor’s policy was that an unauthorised arrival with a genuine refugee claim would in the first instance get a short temporary protection visa. At the beginning of last year she said, 'The Rudd government is proud of its reforms in abolishing temporary protection visas and in closing the so-called Pacific solution,'—which, at least in respect of Mannus, she wants to resurrect.

The Prime Minister was ferociously against more onshore detention centres during the election campaign. Since the election, in the absence of the BER, the only thing that she wants to build is onshore detention centres. Of course, we were never ever under any circumstances going to send boat people to countries that had not signed the UN refugee convention, but now she cannot wait to get people forced onto planes and off them in Malaysia, a country that has not signed.

This is a floundering, desperate Prime Minister at the head of a divided and directionless government. It is her responsibility to get her legislation through this parliament. She is the government.

Mr Danby: What about the national interest?

Honourable members interjecting—

The DEPUTY SPEAKER: The member for Melbourne Ports will remain silent, as will members on my left.

Mr ABBOTT: She should appeal to the other members of her government to support her. That is what she should do. If she is incapable of getting the members of her
Mr Danby interjecting—

Mr Secker: I request that the member for Melbourne Ports withdraw his comment.

The DEPUTY SPEAKER: I did not hear the comment, but the honourable member would assist the chamber were he to do so.

Mr Danby: I withdraw.

Mr BRENDAN O’CONNOR (Gorton—Minister for Privacy and Freedom of Information, Minister for Home Affairs and Minister for Justice) (15:45): I rise to oppose the assertions made by the Leader of the Opposition that this government is not strong on border protection. Indeed, it is a high priority of this government. That is why we dedicate more resources than ever before to ensuring that our borders are protected. That is why, for example, in relation to irregular maritime arrivals, we have interdicted vessels more successfully. There have been far fewer mainland arrivals that went undetected under this government compared with the Howard government. Almost one in 10 irregular maritime arrivals landed on the mainland of this country under the Howard government. They landed in places like Darwin or near Cairns. In fact, even the state of New South Wales received vessels undetected under the Howard government’s regime. I have to say, in defence of Customs and Border Protection and those great agencies that do such great work for this country, that they have indeed managed this issue very well.

Of course it is true to say that we are dealing with a significant challenge—a challenge that also confronted the Howard government and the Fraser government. It is a challenge about dealing with the movement of people globally, the displacement of people and their efforts to come to First World nations. Australia is one such nation—a nation which will indeed be a target for people who seek asylum—because we are signatories to the refugee convention. This is a country where people seek to come as they seek to go to Europe, the United States and other such countries. The fact is that we have been dealing with this issue for some time. It is true to say that this has been a very significant challenge for the government. What we are asking the opposition to do now is put the interests of this nation ahead of the interests of the Leader of the Opposition's career. What we are after the opposition to do now is join the government and ensure that the executive government of the day has the capacity to provide the best possible deterrent against allowing people-smuggling to continue in such a manner. That is all we are asking the Leader of the Opposition.

After the decision of the High Court it appeared, at least at that point, that the Leader of the Opposition was showing an uncharacteristic inclination to consider the situation by saying that he believed that the government of the day should be in a position to enact effective border protection policy. Unfortunately, since the time that he uttered those words he seems to have been walking away from his obligations to protect the interests of this nation. And that is a crying shame. We think that on this issue, where the Leader of the Opposition seeks to convince the people of Australia that he cares about border protection, he would join
the government to ensure we have the best possible deterrent against the scourge of people smuggling, that we have the best possible deterrent against people being lured onto unseaworthy vessels on perilous journeys, that he would work with the government to ensure that we protected the interests not only of those desperate passengers on those vessels but also the personnel of Customs and Border Protection. That is what we would have expected a responsible and honourable Leader of the Opposition to do, and we still hold out some hope that sanity will prevail within the opposition to ensure that this government has the capacity to put in place the most effective deterrent as advised by experts—the same experts that advised the Howard government when they were dealing with such a challenge.

But to date we unfortunately have not heard that level of consensus. I know that by inclination and reflex the Leader of the Opposition will oppose, but I think he has now an opportunity to show that he does put this country's interests ahead of his own. What worries me most, and what will worry the people of Australia, is that the Leader of the Opposition will not support the government legislation to enact the Malaysian plan not because it will not work, but because he believes it will work. What would worry the Australian people is that this opposition leader would put his interests so far ahead of the national interest that he would prevent a plan that he has been advised would be the greatest deterrent to endangering the lives of desperate people, to allowing the people-smuggling trade to continue and to endangering the lives of Customs and Border Protection personnel.

As minister responsible for those operational agencies I can say that it worries me every day when Customs and Border Protection personnel are on the high seas, interdicting vessels in the dark and in very serious sea states. They are placing their lives in danger. We saw in April 2009, with SIEV36, that an explosion that killed five passengers could well have also killed members of our Customs and Border Protection personnel. Indeed, we saw on 15 December last year that awful tragedy with the foundering of SIEV221, the vessel that was holding people seeking asylum. They foundered on the rocks of Christmas Island, and up to 50 men, women and children perished. That was a very awful tragedy—a tragedy that would have been worse if it were not for the heroic efforts, dedication and professionalism of Customs and naval personnel who went to the aid of those who were still in the water and saved 40 people, plucking them directly from the sea. To do that took great acts of courage, and it worries me still that we will see more deaths if we do not stop these arrivals. I believe that the government—and, indeed, every member of this House who has a capacity to change the arrangements to ensure a greater deterrence—has to take some responsibility if we increase the capacity for vessels to arrive in this manner. It worries me that we have men and women in these vessels surveilling thousands of kilometres of water and indeed dealing with very serious challenges. And I do believe it is incumbent, certainly upon the government but also upon the opposition, to consider that what we do or do not do has some bearing on the lives of our Customs and Border Protection personnel. I think that to date we have been fortunate that we have not lost a life from one of our agencies at sea.

I arrived on Christmas Island on 15 December to be told of that awful tragedy. And if not before, certainly from that day, I and of course other parliamentary and ministerial colleagues believed we had to put our entire focus on an arrangement that
would lead to the greatest deterrent possible in order to prevent more men, women and children dying and that would prevent our Customs and Border Protection personnel from endangering their lives any further.

Indeed, for some considerable months the Minister for Immigration and Citizenship, in particular, engaged with the government of Malaysia to embark upon what I believe is a very innovative approach to having the strongest possible deterrent and to stopping the people smugglers from being able to lure people on vessels with the promise that they can get to Australia. It is that lure, that enticement, that leads to these tragedies.

If the Leader of the Opposition will not listen to the advice of the department that says to him that this is the most likely way we will see a decline in, and a cessation of, vessels arriving in this way then it worries me that the Leader of the Opposition and the opposition themselves are putting their base political interests ahead of not only the national interest but, more specifically, the lives of men, women and children, and the personnel of Customs and Border Protection, who are confronted with these situations each and every day.

The Leader of the Opposition can continue to assail the Prime Minister and can continue to argue about what might have happened 10 years ago and five years ago. What we know is that in the last number of weeks—indeed, most recently last week—the Leader of the Opposition has been provided with the best possible advice that the government has received, which says to him that Nauru will not work. Whatever deterrent it may have had in some limited way at some point before the people settled in Australia, that is not an option now. The people smugglers see the Nauru option as the Christmas Island option, just closer to the mainland of Australia. Unfortunately, that cannot work, if it ever did.

I can run through all of the reasons why there were major deficiencies in that option. I can also, of course, point to the fact that there were thousands and thousands of people who arrived on our shores after the introduction of temporary protection visas. Right now, however, the most fundamental issue that the parliament has to consider with respect to border protection is whether we are going to have consensus around whether executive government should have the capacity to put in place the most effective deterrent to prevent the people smugglers continuing their trade.

We have to make sure we come together and put in the most effective approach to reducing the chances of men, women and children perishing at sea and ensuring that the chances of any of our own personnel losing their life at sea are reduced as much as possible. These are the things that now concern me as the minister responsible for the operational side of this public policy area, and I do not believe that it is incumbent upon the Leader of the Opposition to continue to play politics with this issue.

It is now time that the Leader of the Opposition thinks about what he is doing and considers the ramifications of not entering into an agreement to allow the passage of legislation that would give executive government in this country the opportunity to accept the advice of the experts from the departments who have dealt with this issue. That is something that I believe that the opposition leader must turn his mind to. If he is serious about wanting to be perceived in this country as a leader, as a person who puts the interests of the nation first, then he has no alternative, I would argue, than to stop putting his political interests ahead of the national interest.
So I have to disagree with the Leader of the Opposition; I do not believe it is the case that the Nauru option is viable. It did not work effectively, in my view. It also coincided with the greatest repatriation of people because of the fall of the Taliban in Afghanistan and indeed the fall of Saddam Hussein in Iraq. It was a combination of factors that led to some of the repatriation that occurred, but the fact is that the people smugglers know that those who were not repatriated were settled either here or in New Zealand. That is not a deterrent. That is not something that is going to deter one person seeking to get on a vessel in Malaysia to come here.

I think, in his heart of hearts, that Tony Abbott knows that. In his heart of hearts the Leader of the Opposition knows that the Malaysian plan is the best possible plan. In knowing that, I think it is reprehensible and unconscionable conduct for the Leader of the Opposition not to allow the government of the day to enact the most effective plan that will protect the interests of this country, protect the efficacy of our borders, protect the interests of those people—

Mr Broadbent: It's not going to happen; you're wasting your time!

Mr BRENDAN O'CONNOR: I hear the interjection by someone who supports onshore processing, which I do not think the Leader of the Opposition would be proceeding with. Mr Deputy Speaker, if I could continue without the interjections—

The DEPUTY SPEAKER (Hon. Peter Slipper): Order! The honourable member will remain silent.

Mr BRENDAN O'CONNOR: This has been an area that has unfortunately ripped through the nation. There has been serious discord in our society for many a year as a result of this issue. It is one that we should never play politics with. The lives of men, women and children, of course, are endangered if we do not find the most effective approach to protect them, and the best way to protect them is to smash the business model—which is, of course, to allow people smugglers to say to them, 'Get on that vessel and you will get to Australia.' If we do not do that, and if the Leader of the Opposition does not support the government in that approach, then Tony Abbott will rue the day if he did not accept the proposition that we have to put the greatest and strongest deterrent in place to smash the people-smuggling model and to protect the interests of men, women and children; protect the interests of the personnel of Customs and Border Protection; and, indeed, protect the interests of this nation.

The DEPUTY SPEAKER: Before calling the honourable Deputy Leader of the Opposition, I would remind the minister that under the standing orders he is supposed to refer to the Leader of the Opposition and all other members by their title and not by their name.

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (16:00): The debacle that is this government's border protection policy is a sorry tale of gross incompetence with shocking consequences of the type that has come to define this Labor government. The sad truth is that it was all avoidable: the revival of the people-smuggling trade; the overcrowding of the detention centres; the capsized boats; the deaths at sea; and the blow-out in costs as the government lurched from crisis to crisis. This was all of their own making. There was no shortage of advice—expert advice—warning this government that weakening the coalition's strong border protection laws would result in a boost to the people-smuggling trade. The boat arrivals had virtually ceased under the Howard government. The people-smuggling trade
had been disrupted. But the government could not leave well enough alone—oh, no. They had to dismantle the Howard government policies that had worked.

Documents released under freedom of information laws to News Limited showed that on 25 February 2008 the government was officially warned by the Department of Immigration and Citizenship about weakening the Howard government’s policies. The government was formally, officially warned by its own department that closing the processing centre on Nauru would lead to an increase in people-smuggling, and the government went ahead in any event. We know that the Australian Federal Police warned this government that changing the laws would make Australia a target for the international criminal syndicates behind the people-smuggling trade, but this government dismissed that expert advice. It could not resist the temptation to change the laws, such was its smug confidence that the coalition had got it wrong.

The government so took for granted the fact that the Howard government had stopped the boats and that there were about half a dozen boat arrivals in our detention network at the time the Rudd government took over that the government ridiculed and denigrated the Christmas Island arrangement. The member for Melbourne Ports, in July 2008, visited the Christmas Island detention centre, and this is what the member for Melbourne Ports had to say about the Christmas Island detention centre: he declared it to be akin to a stalag—a German prisoner of war camp—and to be an ‘enormous white elephant’. One wonders how the member for Melbourne Ports views the camps in Malaysia if that is how he described Christmas Island? Presumably the member for Melbourne Ports will vote against the Prime Minister’s Malaysia five-for-one people swap. How could he—or any member of the government who criticised Christmas Island, Nauru and Manus Island—now support this Prime Minister’s desperate and despicable attempts to cling to power by sending asylum seekers to Malaysia?

Within weeks of the visit by the member for Melbourne Ports, the government weakened the laws that had been in place since 2001, which reduced the boats to a trickle—in some years there were no boats. And then what happened upon Labor’s dismantling of the coalition policies? The boats started arriving almost immediately, as the government had been warned. The government reacted with assurances that the boat arrivals had nothing to do with the change in laws. Labor ministers argued that it was a coincidence that the changes in the laws occurred at a time when there was an increase in push factors. The driver, they argued, was push factors in other countries—factors beyond the control of the Australian government. But the boats kept coming, and in increasing numbers. Before long the ‘enormous white elephant’ on Christmas island had to be reopened, and still the boats kept coming. The number of arrivals soon swamped capacity on Christmas Island, and then work began on opening detention centres on the mainland. That was in clear breach of Labor’s pre-election promises and commitments. And still the boats kept coming.

The pressure from the people smugglers had grown and grown and grown on this hapless government. The impact of this government’s decision to weaken Australia’s border protection has started to impact on international relations, and that was an obvious consequence.
relationship with Indonesia was still recovering from this government's arrogant handling of the Oceanic Viking crisis in October and November of 2009 when this Prime Minister announced her ludicrous East Timor solution without informing the government of Indonesia. Given the blundering of her predecessor in this area, one could reasonably have expected the new Prime Minister to tread far more carefully and diplomatically in the regional minefield of people-smuggling and processing of asylum seekers. But not only did she not warn Indonesia of what she planned to do; she did not bother to tell East Timor. The Prime Minister clearly took no expert advice. She certainly did not take any advice from the Minister for Foreign Affairs, who had warned her on the very day that she took his job that plans to build a new regional processing centre in East Timor for asylum seekers would be very badly received in East Timor. But, with breathtaking ignorance and arrogance, the Prime Minister announced to the Australian media that East Timor would host a regional processing centre. Members will note that she pointedly singled out East Timor because it was a signatory to the United Nations Convention Relating to the Status of Refugees. In her speech, with the original title of 'Moving Australia forward', the Prime Minister spoke of East Timor as the place for a regional processing centre because it was a signatory to the UN convention on refugees. She did make one quick call to President Jose Ramos-Horta but was ignorant of the fact that the president was not the head of the government of East Timor. It might have come as a surprise to some, but the fact that the Prime Minister made only one phone call, and to the wrong person, just brought this government's ineptitude to a new level. It might have made her a laughing stock in East Timor, but at least the Prime Minister of East Timor showed the diplomatic skill that this Prime Minister lacked by quietly distancing his government from this proposal.

Then the Prime Minister revealed her really tricky side after it became clear that the East Timorese were impressed by neither her plan for their country nor the manner of its announcement. She claimed that she had not referred to East Timor as a location for the centre at all. This was too much for most people, even veteran press gallery journalist Laurie Oakes, who said:

Julia Gillard just looks silly and slippery and slimy and shifty in all that and it is a very, very bad start to her prime ministerial career.

It has only gotten worse. The Prime Minister attempted to back down from her back down, insisting that she was in fact in discussion with East Timor but with no other nation. Then the parliament of East Timor passed a unanimous resolution rejecting the Prime Minister's proposal. The East Timorese representatives made repeated statements, using careful diplomacy, that they did not want this regional processing centre foisted upon them, but the Prime Minister refused to acknowledge these concerns. Her behaviour verged on bullying as she maintained for months that negotiations were underway. One commentator dubbed it 'zombie diplomacy', an initiative that is technically dead but which the government is unable to officially kill because of the embarrassment and political fallout. Like Monty Python's parrot, the Prime Minister insisted the East Timor solution was not dead, merely resting.

This government has been caught out doing precisely what the Prime Minister said she would never do. She said that the government would reject any sending of asylum seekers to a country that was not a signatory to the UN Convention Relating to the Status of Refugees. In fact, the Prime Minister ruled it out prior to the last election. Now she has announced the Malaysia
solution. Malaysia is not a signatory to the UN convention on refugees. This is no solution. It is temporary. It is not legally binding. It is a one-off arrangement. It represents no long-term solution to ending the people-smuggling trade at all. It will be exhausted once 800 people are sent to Malaysia. This is such overwhelming hypocrisy. She ruled out sending any asylum seekers to a country not a signatory to the convention before the election and now she wants to only send asylum seekers to a country that is not a signatory. There are 144 countries that are signatories to the UN convention on refugees and this Prime Minister chooses Malaysia, which is not a signatory.

The Prime Minister once stated a belief in onshore processing, but now she is embracing offshore processing. The Prime Minister ruled out sending asylum seekers to a country that is not a signatory and now that is all she is doing. *(Time expired)*

Mr BRADBURY (Lindsay—Parliamentary Secretary to the Treasurer) *(16:10)*: This matter of public importance debate goes to the heart of the power of executive government. It is a debate that has arisen in the context of a decision of the High Court where the High Court has overturned what was believed to be the position of an act that was passed by this parliament. When an act is passed by this parliament—*I am not going to lecture people on the separation of powers—the courts will interpret matters in an appropriate way. When this parliament decides on a course of action it has democratic legitimacy.*

*Mr Frydenberg interjecting—*

The DEPUTY SPEAKER (Hon. Peter Slipper): Order! The honourable member for Kooyong does not appear to be in his place.

Mr Brendan O'Connor: And he's an idiot!

The DEPUTY SPEAKER: The parliamentary secretary will resume his seat and I require the Minister for Home Affairs to withdraw that statement.

Mr Brendan O'Connor: I withdraw.

The DEPUTY SPEAKER: I thank the minister.

Mr BRADBURY: When the member for Berowra introduced a bill which was duly passed by this House and which gave the Minister for Immigration and Citizenship certain powers those powers were exercised in good faith in the knowledge that the parliament had supported the position—the course of action that was being taken. That had the democratic legitimacy of any act of parliament that passes through this place and the other. When a court takes a decision to overturn that, particularly on a question that goes to the heart of the ability of executive government to protect our borders, then it raises considerable questions for the executive in the first instance but also particularly for the legislature. The legislature has to come to terms with whether or not it intends to amend the legislation so that its original intention is to prevail. That is indeed what this government intends to do.

There is a whole range of excuses that are being offered by the opposition—and it has not yet made its decision—as to why it says it may not go down the path of supporting this government in its efforts to ensure that the executive government has the ability to take the necessary action to protect our borders. There are two wings within the opposition on this question: there is the wing of respectability, those that feel the need to make a respectable argument, and then there is that wing led by the Leader of the Opposition that simply says that this is a question of how best to wreck a government
and the very institutions of governance, and that is what it is going about doing. The Leader of the Opposition came in here earlier this afternoon and said, 'It is not the responsibility of the opposition to get the government out of trouble.' I tell you it is the responsibility of the opposition and every single member of this parliament to act in the national interest. In the same way as the member for Berowra brought forward that legislation before a previous parliament, members on all sides—and on our side of the chamber back then—joined with the member for Berowra in passing that legislation.

*Opposition members interjecting—*

**The DEPUTY SPEAKER:** The member for Forde and the member for Forrest are not in their seats.

**Mr BRADBURY:** They did that not because they saw that they were getting the government out of trouble; they did that because they saw, as elected members of parliament for their community, they had an obligation to act in the national interest. That is the challenge that each and every member of this parliament faces on every bill that comes before them. The challenge for the opposition will soon be upon them, and they will have to make the decision as to whether they go down that path.

The Leader of the Opposition came in and said: 'We will wreck. I don't care about what this does for future governments when it comes to the ability of executive government to act, and to act decisively, to secure our borders.' In a desperate pursuit of short-term gain, which must only be about trying to bring this government down short of its term, he said he would do that rather than empower the executive government to do what every Australian would believe to be its first and foremost responsibility—and that is to protect our borders and to manage our migration program. That is what is at stake.

The Leader of the Opposition came in here and said, 'We've got to get the facts straight,' and he pointed out a fact that he believed the Prime Minister had got wrong. Can I point out that the Leader of the Opposition said that 1,500 people were taken to Nauru under the Howard government's Pacific solution. He ought to get his facts straight, because 1,322 people went to Nauru and 315 went to Manus Island. If you cannot get your facts straight, do not come into this place and start accusing others of not getting their facts straight.

I mentioned there are two wings in the coalition. There is the 'let's wreck and bring the House down' wing. And then there is the wing that seek some fig leaf of respectability, and they argue that they cannot support Malaysia because it is not a signatory to the convention. I think the member for Cook likes to consider that he is the leader of that wing within the coalition, and we will hear more from him shortly, but those in that wing come forward and say, 'We cannot allow Malaysia because they're not a signatory to the convention.' I note that when this point was raised in relation to Nauru in the past, the member for Cook said it was a furphy. The Leader of the Opposition used the same word, saying it was a furphy. If that is the standard against which this government and any future government, an executive government, acting to secure the borders of this country, is going to be judged, then you should think very carefully about what that might mean for any future government when they seek to do what governments in the past have always sought to do and what governments in this country will always need to be able to do into the future.

The member for Cook, who likes to talk about how terrible this Malaysian arrangement is because they are not signatory to the convention and who is now...
holding up whether or not a nation is a signatory to the convention as being the key test—

Mr Morrison interjecting—

The DEPUTY SPEAKER (Hon. Peter Slipper): The honourable member for Cook will have his opportunity.

Mr BRADBURY: is the same person that, back in 2010, actually suggested that there are better solutions. He mentioned Pakistan. I must have missed something, but Pakistan, as far as I am aware, is not a signatory to the convention.

Mr Morrison interjecting—

The DEPUTY SPEAKER: The honourable member for Cook will remain silent for the rest of the parliamentary secretary's contribution. The parliamentary secretary has the call.

Mr BRADBURY: His so-called solution was to do what he now calls a 'people swap' with Pakistan or Iran. Pakistan is not a signatory to the convention. Iran might be a signatory to the convention, but the member for Curtin, who just had a bit to say in this debate, said at the beginning of last year: Iran continues to face domestic turmoil with ongoing security crackdowns on political dissent and reports that thousands of citizens have been detained while the media has been greatly restricted.

So Malaysia is such a terrible place and this arrangement is such an outrageous arrangement that they would be prepared to come into this place and strip the executive government of the power that it needs to act decisively on this matter, but they would be happy to see a similar arrangement entered into with Pakistan or Iran. These are the people who come into this place day after day talking about mandates. Well, an overwhelming majority of the members elected to this place went to the last election wanting to introduce offshore processing.

Indeed, each and every one of them not only wanted to introduce offshore processing; they wanted to introduce offshore processing in a country that was not a signatory to the convention. So do not come into this place and lecture us about the human rights side of this debate.

We as a government believe that it is entirely appropriate for executive government to act to try and provide the disincentives that will stop people from hopping on boats and taking that treacherous journey. We think that that is important. We believe that the Malaysian arrangement will work. If those on the other side are serious about their obligations to serve their communities, to serve this country and to serve the national interest, then they should ensure that the legislation is amended to give effect to what they sought to put in place when they were in government, what this government needs to be put in place so that we can achieve the outcomes that we want, and what any future government will need if they are to effectively tackle this question of irregular movements of people in our region.

(Time expired)

Mr MORRISON (Cook) (16:21): It is my understanding, and I think that of most people around this place, that the Minister for Immigration and Citizenship, after the recent decision of the High Court, offered his resignation to the Prime Minister. The member for Lindsay—the 'Commander', as he is known—may have just failed his audition to take his place. It is totally understandable that the minister would have offered his resignation, given the bungles and the disasters that have occurred in his portfolio, only equalled by those under his predecessor. However, it is not for his failure to have a crystal ball on the High Court that I believe he should chastise himself; it is for his failure of policy.
It is understandable that the Prime Minister did not accept his resignation because the Prime Minister would have well understood that the minute the minister walked out the door she would have to follow him straight afterwards. She was right not to make the minister for immigration the scapegoat for this government's failed policies, because she was equally culpable as the architect of this government's 'anything but Nauru' strategy that has taken them to this cul-de-sac, this dead end, of policy failure.

It really matters little though who the minister is, or even who the Prime Minister is, in this government when it comes to managing this issue of border protection because the result is always the same: it is just one big mess and that mess continues.

As people outside of this place speculate about who will be the Prime Minister of this country or who will be the minister for immigration, one thing is certainly true: you can shuffle this Labor deck all you want, every time you will pull out a joker.

The government say they want to break the people smugglers' business model. What they refuse to admit is that since the Rudd-Gillard government abolished the Howard government's border protection regime—against advice that they now come into this place and pretend is sacrosanct—Labor have become the people smugglers' business model in this country for the past three years. If you went to people-smugglers' boardrooms, you would find the pictures of the former minister and Prime Minister joined more recently by the current Prime Minister and the current minister. They would be the most popular policymakers in the people smugglers' fraternity throughout Indonesia. Where was the apparent respect for this advice, which this government now claims it has, when they were presented with the facts, when they were told, 'If you dismantle this you will encourage the people-smuggling business again'? There were just four people—less than the number of fingers on one hand—in the detention network who had arrived illegally by boat. Under this government it has exceeded 6,500.

Since they abolished the Howard government's regime, 12,262 people have arrived on 241 illegal boats, the most recent of which was the Prime Minister's own personal tonne of policy failure as the hundredth boat on her watch arrived and is now being unloaded at Christmas Island. What we have seen from this government, after it abandoned the processes and the policies that had worked so effectively, has been a procession of policy failures. Firstly, the asylum freeze, which they have gone very quiet about on that side. This was the most discriminatory immigration policy introduced to this parliament since we had the White Australia policy. That is what this government did. They introduced a policy which said; 'If you're Sri Lankan, if you're an Afghan, we will not process your claims. Your nationality would determine your assessment status before the Australian government.' And they have the hypocrisy to give lectures about non-discriminatory immigration policy! That was a very black day for Australia when the previous minister for immigration and the previous Prime Minister—supported by a cabinet that included the then Deputy Prime Minister and now Prime Minister—implemented that disgraceful policy. That was strike one.

Strike two was the East Timor farce, which the Deputy Leader of the Opposition has gone well into in her remarks here this afternoon. That was just simply embarrassing. Regional leaders were forced to endure the polite conversation of failed policy time and time again. Serious issues for our region had to be put on the
backburner while this Prime Minister went through this farce, this zombie foreign affairs as the Deputy Leader of the Opposition mentioned in her remarks. The East Timor farce became yet another policy failure.

Then, of course, we have the Malaysian non-solution. This solution, as it was described, has become exactly the opposite. Four hundred people have turned up on an 800 cap since it was signed and almost 1,000 since it was first announced. Why and how this government thought it was a good idea to announce this arrangement before completing any negotiations is beyond this side of the House. It really took the incompetence of negotiating to a whole new level and betrayed their complete incompetence as a government.

These failed policies have led to what we have seen: a detention network which has descended into chaos and riots. More than four critical incidents, which include self-harm, violence and even death, occur in the detention network every single day. We have had budget blow-outs. The government tried to lecture us on budgets on the weekend. This is a government that took a policy that was costing less than $100 million a year and turned it into a policy that is costing $1 billion a year—and they want to lecture this side of the House on how to manage these matters and how to manage costs!

The former minister and the current minister ignored warnings time and time again as the boats arrived. I would really like to know this: after how many boats did it take for this government to finally work out that it had to, as they like to say ad nauseam, break the people-smugglers’ business model, which is code for to reverse the pull factor effect, the magnetic effect, of their failed policies. After what boat was that? Was it after boat two? Because after boat two, the Canadian government introduced temporary protection visas. Was it after boat 100? Was it after boat 200? Was it after boat 230? After which boat did they finally work out that their policies were responsible for the mess that has happened on their watch?

They also ignored the warnings in our detention network. Last week I was part of the detention committee inquiry on Christmas Island where we learnt in October the minister, this minister, was on Christmas Island and was warned that the security fence connecting the two major compounds needed to be upgraded and CCTV cameras had to be put in the Aqua/Lilac compounds. That was the advice from Serco, from the Australian Federal Police and from the minister's own department. When riots broke out on 11 March that fence, which Minister Bowen did not fix, was the one they broke through. That fence was the one they fashioned weapons from. In that compound the CCTV cameras did not exist. And this is the minister who likes to lecture those on this side of the House about the need to listen to his department and take its advice. The Malaysian solution is being presented to this place and those opposite are expecting this parliament to overlook the policy failings of this government, the policy failures that are within the construction of this proposal, and simply give them a legislative blank cheque. I would consider that this minister has already abused the discretion he thought he had with these protections. These protections are an important principle within the Migration Act. It did not say that you could just declare a country and send them anywhere you like. It said there had to be protections in place. This is a minister who has sought to come back to this place and say, 'I do not need any more protections'—and in fact he said this in the House yesterday—'The protections are satisfactory.' He is happy with the protections that are in place, which see 94,000 people share one
clinic and children who are sent there not going to public schools, and he is happy to see them go to a country where for five years 16 people were caned every single day, on average, for immigration offences. But he is happy with the protections. This is what he wants to put in place.

He came back to their caucus and to this parliament and said, 'I am not going to fix the policy; I am just going to look for a legislative excuse to deal with it.' And the zombies on that side of the House, as they paraded into the caucus the other day, simply rolled over on their Prime Minister and let her do whatever she wanted. We are not going to necessarily give this government a legislative blank cheque on protections. They need to address their policy failures, and they are manifest. (Time expired)

Mr DANBY (Melbourne Ports) (16:31): I heard the word 'necessarily' from the member for Cook and was quite excited by his slip of the tongue. Yesterday we announced that we would seek to amend the Migration Act to allow for offshore processing. If passed by the parliament, these changes would—to use the rhetoric of the opposition—help to stop the boats. Given their past rhetoric, those opposite should support such legislation. After all, they campaigned for it at the last election. Who can forget the tawdry leaflets with the red arrows coming down, produced by the opposition—'Real Action on Immigration'! It reminds you of something from the 1950s.

Of course there is a place for offshore processing in Australia's migration policy. The former Liberal Prime Minister Malcolm Fraser had offshore processing in Hong Kong and Indonesia when we had the great surge of Vietnamese boat people. Offshore processing has its place in a comprehensive migration policy. It seems, however, that the opposition leader and his immigration spokesman, the member for Cook, who have huffed and puffed about stopping the boats, now will not support such legislation. Maybe his slip of the tongue in here, with 'necessarily', is an indication that they will.

This is despite the fact that the High Court has made a decision which should lead any cautious person—anyone who had the slightest doubt put into their mind by that decision—to at least change their mind, to think about it, to think that supporting such legislation might be necessary in the interests of the country, including the opposition's long-term interest.

Today the Editor-at-Large of the Australian, Paul Kelly, argued that refusing to support this legislation will mean that offshore processing will be doomed. Mr Kelly argued:

This week's Immigration Department briefings mean the onus falls on Tony Abbott to decide whether his aim is to stop the boats or merely sink the Gillard Government ... What is required now is obvious: Labor and the Coalition need to amend the Migration Act to restore power to the executive government to negotiate offshore processing arrangements in the region. It is an open and shut case—except for the politics.

What we effectively have now is the opposition in alliance with the Greens, saying that they will sink this legislation here or in the Senate.

Mr Kelly was not alone in his assessment. Yesterday, the Foreign Editor of the Australian, Greg Sheridan, wrote:

In rejecting legislative change to allow the Gillard government to revive its Malaysia deal for asylum seekers, Tony Abbott is making the biggest policy mistake of his life ... Abbott is in danger of performing a too-clever-by-half trick on himself, making sure that if he does become prime minister he will not have the legislative and administrative tools to fulfil his pledge to stop the boats.
The Leader of the Opposition, the member for Warringah, refuses to accept the proposed changes to the Migration Act, because instead of thinking about the national interest, indeed his own long-term interest, he has only one thing on his mind: short-term politics—"How can I best and most quickly get into the Lodge?"

Just this year the member for Warringah and the member for Cook wanted to play the game of fear rather than actually proposing a policy in the national interest. We heard the comments of the members for Warringah and Cook early this year on those who perished during the Christmas Island incident, with both making inappropriate and insensitive remarks about the funerals of those who died. These are the people who claim to be great humanitarians now, who are outraged about people being sent to Malaysia. What did the Leader of the Opposition say? 'It does seem a bit unusual that the government is flying people to funerals,' he told Melbourne Talk Radio on 15 February.

In an article from the Sydney Morning Herald on 17 February, it was reported that the member for Cook said that the Liberal Party should capitalise on the dislike of some of the boat people that were arriving in Australia. Mr Morrison told the shadow cabinet meeting of 1 December at the Ryde Civic Centre that the coalition should 'ramp up its questioning of "multiculturalism" and appeal to deep voter concerns about Muslim immigration and "inability" to integrate'. The Liberal Party's faux concerns about human rights and humanitarian conditions explained today are laughable given their history of using fear and their leaflets during the last election—the ones with the red arrows—about those people coming to our shores by boat.

We all remember the opposition's extraordinary ad with red arrows, indicating that hordes of people were coming to our shores from Asia and the Middle East. This was the official Liberal Party ad, 'Real Action'. Remember 'Real Action' from last year's 2010 federal election? I bet you that, if I asked my friend the member for Goldstein if I could table it, he would not let me table it. I seek leave, Mr Deputy Speaker Scott, to table the Liberal Party's ad from the last election.

Leave granted.

Mr DANBY: Excellent, thank you. Mr Abbott has claimed that his policies were necessary to prevent a 'peaceful invasion'. That is what he said in the Australian on 16 October 2009. An invasion? This kind of hyperbole is designed to win a few political points. It does not solve the complex national policy issues involved with border security and immigration. Those opposite do not seem to understand the complexity involved in this immigration policy. It is much more nuanced than just stopping the boats. Their solution, as outlined by Mr Morrison, the member for Cook, is to send those who come here to Iran and, as we heard today, Pakistan or to drag the boats back to sea.

Even more laughable is that the member for Warringah claimed during the last election campaign that he would have a 'boat phone' to ring border security as soon as a boat entered Australian waters. But even more astonishing is what the member for Cook said when interviewed by Leigh Sales on 7.30 on 28 June this year after he had visited Malaysia. He proceeded to criticise the Malaysian government. Leigh Sales said: You have just been in Malaysia and sat here and given me your assessment of the conditions there, in effect you are saying the Malaysian Government cannot guarantee the human rights of these people?
Mr Morrison said:

Well this is the practical reality, Leigh … and the Australian Government should not be going down this path when they know that that is the case. Now if they don't know that is the case then they should do what I've just done and I'm happy to share my experiences with them—

He is talking about the government. He continued:

I've been to Nauru and Malaysia and I know which is the more humane, cost effective and I know which is proven.

Unauthorised boat arrivals are an issue, but it is far from the end-of-days issue painted by the opposition.

Now we come to the business end of this issue. Will the opposition act in the national interest or will they pursue narrow, short-term objectives? The question is whether the opposition want to come together with the government. As the Prime Minister said, the executive arm of government has the right to make decisions on immigration and foreign policy. If the Leader of the Opposition does not believe this, he must explain to the Australian people why he is running away from his own announced policy. Why is he putting the immigration policy of Australia into total turmoil?

Our policy is about ensuring that Australia retains its rightful role in welcoming a reasonable number of the world's refugees while maintaining the security of our borders. In fact, we have a wonderful immigration policy under which we admit more than 100,000 people to this country. I strongly believe we are sent here to parliament to legislate not only for today but also with an eye for the future. We have a responsibility to look beyond short-term advantage and beyond the elections.

The opposition roared today with concern when I raised the prospect of the Liberal-Green alliance in the other place sinking this legislation. Plainly hatred of the Labor government outweighs any cool, rational examination of this issue, even from the point of self-interest by the member for Warringah. The member for Curtin was full of invective in her contribution today. The member for Warringah kept citing the following words, 'It's not in the opposition's interest to get the government off the hook.' But it is in Australia's interests, as Mr Kelly and Mr Sheridan pointed out. Neither the member for Cook, the member for Curtin nor the member for Warringah addressed the implications of the High Court decision. What happens if boats leave from Indonesia now without any legislation being in place to deal with the boats sitting in Indonesia about to come to Australia? The media and the people of Australia will judge the Liberal Party on this issue whether they back short-term interests or the national interest. It is a ridiculous situation when they are looking only at their own short-term interest, not at the national interest. (Time expired)

Mr LAURIE FERGUSON (Werriwa) (16:41): We have heard some grandiose language from those opposite today, from the member for Curtin and the member for Cook. We have heard phrases such as the 'dead end of policy failure', 'gross incompetence' et cetera. We have heard since the High Court decision comments by the self-styled and self-opinionated shadow Attorney-General about Nauru. For all of the opposition's criticisms leading up to the High Court decision, I do not recall the shadow Attorney-General pontificating that it would fail legally. I do not recall them saying that they knew the law, that they had expertise in that area and that it would fail on those grounds.

We did have the member for Cook parading around with a video outside some purported camps in Malaysia. This is the same man who in a Lowy Institute speech on
30 November 2010 put an alternative about Australian immigration. He talked of sending people back to Iran. I am not here today to defend Malaysia. It is, however, a democracy by any standards. It is a multicultural society. It is a former member of the Commonwealth and has some nuances of its court systems. We saw that a former minister who was victimised at least had some legal rights. We see these people parading around saying how dreadful it would be that people go back to Malaysia.

Obviously this government negotiated with Malaysia to ensure some protection for the people who were being sent back, but on 30 November last year the shadow minister for immigration, the member for Cook, said to the Lowy Institute that he would send people back to Iran and Pakistan—that he would have a ‘returns policy’. They have the effrontery today to say that Malaysia was the end of Western civilisation. I think the kinds of associations we have with Malaysia, for all its faults, are such that they would lead us to say that it is a preferable policy to that which he put forward. They talk about dead ends of policy, but I wonder where we would be if he had had the chance to operate those kinds of policies back then.

We also had them come in here today with crocodile tears about people drowning at sea, about people who are self-harming and about people who are rioting. Somehow they have forgotten about Cornelia Rau and they have forgotten about Solon; they have forgotten about the millions of dollars the Australian taxpayer has had to fork out for those kinds of failures in detention. They are ignoring, as they well know, the kinds of protections that have been brought in since the change of government are very significant. Another point I would turn to is this disgust at the dismantlement of their policies. They think everything has collapsed because we got rid of temporary protection visas and Nauru.

Mr Entsch: Yes.

Mr LAURIE FERGUSON: I want to cite the member for Murray, a friend of the person interjecting opposite, who was their spokesperson at one stage. On 1 December 2008 she said, and this is a very timely comment I have to agree, ‘The closure of Nauru and Manus Island … of course they had basically—what shall we say—outlived their need … I do not think we need to again have Nauru and Manus Island operating, because we've got of course Christmas Island.’ Today they are saying that this government must operate Nauru and no other alternative in the whole world. Back then, as I said, on 1 December on 2SM, a reputable station, she made the comment that Nauru had outlived its time.

Mr Entsch interjecting—

Mr LAURIE FERGUSON: If the member opposite is not satisfied with that—there might be some mistake in that quote, I do not think there is—she went further on 16 April 2009 in the Australian, a reputable source according to the member opposite. She said about the Pacific solution:

We no longer have that requirement because we've got an alternative place which is in our excised migration zone, Christmas Island.

Today and in the weeks past the opposition will not cooperate with this government to get a policy to have some controls on the entry of boats to this country, because we will not go along with Nauru, and yet in 2008 and 2009 there was no need for this alternative.
They were getting very excited today about whether or not the Prime Minister had said that 90 per cent of the Nauru people came to Australia or whether it was 70 per cent to Australia and 20 per cent to New Zealand. What a minor issue that is in this broad nationally important issue. Quite frankly, as members on this side have said, it was no disincentive to those claimants to be sent to New Zealand. We all know, for instance, that Fijian Indians predominantly went to New Zealand to come to Australia because of New Zealand's more liberal immigration policy on recognising claims from Fiji. We know, despite some toughening up in social security in recent years, that vast numbers of New Zealanders, which they would become, would eventually come to Australia. Even if for a moment we give them some concessions with regard to that statistical irrelevancy then it certainly would mean that most of those people came to Australia. They talk about a blow-out of costs; they talk about deaths at sea. I do not recall any concern by them when many people died under their policies.

The other point is that this government, like any government, needs to have some controls over immigration policy. If we are to have a humanitarian refugee intake which reflects the problems of the time then we, the Australian government, must have some controls about who is coming in in that 13,750 people each year. If we do not, if the opposition does not cooperate with us in getting the government some control in this policy area, again this country cannot respond to the United Nations or even the UNHCR when they come to this government and say to us, 'These Bhutanese have been in camps for 17 years in Nepal. Will you help us take some?' Australia, Canada, America and New Zealand can say: 'Yes, we will help you because we have some control. We will determine some of the people in that intake.' Australia turned around and took 1,000 Bhutanese over a three-year period.

To give credit to those opposite, equally when the UNHCR said: 'Australia has not been interested enough in Africa. We have crises in Congo, Sudan, Liberia, Sierra Leone. We have many widows with large families that have no protection,' the previous Liberal government could turn around and say, 'Yes, we will set aside one-third of Australia's refugee humanitarian intake for Africans.' Similarly, in the last year or so, the current government has reacted to the request, again from the UNHCR, that we should take Burmese. In years past the government of this country, when requested by the UNHCR—by the way, the UNHCR says this country has the best settlement process in the world—could turn around and say that we will take some Burmese Rohingyas who have been in camps in Bangladesh for long periods. We cannot do that if the opposition is making sure that we cannot do anything about boat arrivals. If they are digging in in some arrogant attempt at partisan politics to avoid supporting the national interest by giving the government of this country, Labor or Liberal, executive power to determine where we can negotiate agreements to send people offshore, then it is on their head. For all their rhetoric about security and migration policy which has international legitimacy, it is on their head if they do not cooperate with this government in making sure that the executive can indeed have power in this area.

We have seen, as I said, much rhetoric today from them. They talked also about non-discriminatory policy. They complained that for a period of time this government said that we would look at the situation in Afghanistan and in Sri Lanka before we will examine some cases. I know that during the election before last they went around to Middle Eastern Christian communities in the
presence of migration department officials and they said to those very biased, very bigoted groups who have had a bad experience in the Middle East, 'If you elect us, not one Muslim will be let in from the Middle East.' They knew that they could not legally do it, but they went around saying that they would determine our immigration policy on a discriminatory basis. They have the hide to come in here today and say that—because there were conflicting views from various NGOs about the situation of human rights in Afghanistan and Sri Lanka and we thought there was a need to slow down processing to see what the state of their internal human rights was—that is discrimination when they went around before that election—(Time expired)

The DEPUTY SPEAKER (Hon. BC Scott): Order! Before I call the Chief Government Whip, I note in the gallery a school from my constituency, the Nanango State High School, setting a great example of behaviour as well. I commend them for that and welcome them to the gallery. With those few words, I call the Chief Government Whip.

BILLS

Defence Legislation Amendment Bill 2011

Protection of the Sea (Prevention of Pollution from Ships) Amendment (Oils in the Antarctic Area) Bill 2011

Reference to Main Committee

Mr FITZGIBBON: by leave—Mr Deputy Speaker, we join with you in welcoming the local school. I am sure they enjoyed the member for Werriwa's fine contribution to the MPI. I move:

That the following bills be referred to the Main Committee for further consideration:

The Defence Legislation Amendment Bill 2011 and the Protection of the Sea (Prevention of Pollution from Ships) Amendment (Oils in the Antarctic Area) Bill 2011.

Question agreed to.

BUSINESS

Leave of Absence

Mr FITZGIBBON: I move:

That leave of absence for the remainder of the current period of sittings be given to the honourable member for Wills on the ground of parliamentary business overseas.

Question agreed to.

Mr ENTSCH: Mr Deputy Speaker, I also welcome your students from Nanango State High School. It is a wonderful town and I would like to remind those students of the wonderful local member they have.

The DEPUTY SPEAKER (Hon. BC Scott): You have the call now!

Mr ENTSCH: I move:

That leave of absence for the remainder of the current period of sittings be given to the honourable member for Moncrieff on the ground of parliamentary business overseas.

Question agreed to.

COMMITTEES

Economics Committee

Membership

The DEPUTY SPEAKER (Hon. BC Scott) (16:54): Mr Speaker has received advice from the Chief Opposition Whip that he has nominated Mr ADH Smith to be a member of the Standing Committee on Economics in place of Mr Ciobo.

Mr ALBANESE: by leave—I move:

That Mr Ciobo be discharged from the Standing Committee on Economics and that in his place Mr ADH Smith be appointed a member of the committee.

Question agreed to.
Regional Australia Committee
Membership

The DEPUTY SPEAKER (Hon. BC Scott): Mr Speaker has received advice from the Chief Opposition Whip nominating a member to be a supplementary member of the Standing Committee on Regional Australia for the purpose of the committee's inquiry into the fly in, fly out—FIFO—workforce practices in regional Australia.

Mr ALBANESE: by leave—I move:

That Mr Crook be appointed a supplementary member of the Standing Committee on Regional Australia for the purpose of the committee's inquiry into the use of fly in, fly out—FIFO—workforce practices in regional Australia.

Question agreed to.

Clean Energy Future Legislation Committee

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (16:56): I move:

(1) That a Joint Select Committee on Australia's Clean Energy Future Legislation be appointed to inquire into and report on the provisions of the following bills:

(a) Clean Energy Bill 2011;
(b) Clean Energy (Consequential Amendments) Bill 2011;
(c) Clean Energy (Income Tax Rates Amendments) Bill 2011;
(d) Clean Energy (Household Assistance Amendments) Bill 2011;
(e) Clean Energy (Tax Laws Amendments) Bill 2011;
(f) Clean Energy (Fuel Tax Legislation Amendment) Bill 2011;
(g) Clean Energy (Customs Tariff Amendment) Bill 2011;
(h) Clean Energy (Excise Tariff Legislation Amendment) Bill 2011;
(i) Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011;
(j) Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011;
(k) Clean Energy (Unit Shortfall Charge—General) Bill 2011;
(l) Clean Energy (Unit Issue Charge—Auctions Bill 2011;
(m) Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011;
(n) Clean Energy (International Unit Surrender Charge) Bill 2011;
(o) Clean Energy (Charges—Customs) Bill 2011;
(p) Clean Energy (Charges—Excise) Bill 2011;
(q) Clean Energy Regulator Bill 2011;
(r) Climate Change Authority Bill 2011; and
(s) Steel Transformation Plan Bill 2011.

(2) That the committee consist of 12 members, three members of the House of Representatives to be nominated by the Government Whip or Whips, two members of the House of Representatives to be nominated by the Opposition Whip or Whips, one Greens member, one non-aligned member, two senators to be nominated by the Leader of the Government in the Senate, two senators to be nominated by the Leader of the Opposition in the Senate, and one Greens senator.

(3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(4) That the persons appointed for the time being to serve on the committee shall constitute the committee notwithstanding any failure by the Senate or the House of Representatives to appoint the full number of senators or members referred to in this resolution.

(5) That the committee elect a Government member as its chair.

(6) That the committee elect a member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the
(7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That four members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include at least one Government member of either House and one non-Government member of either house.

(9) That the committee have power to call for witnesses to attend and for documents to be produced.

(10) That the committee may conduct proceedings at any place it sees fit.

(11) That the committee have the power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(12) That the committee report on or before 4 October 2011.

(13) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(14) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur with the action accordingly.

Today I am moving a motion to refer the bills that were moved earlier today to a joint parliamentary committee to enable closer scrutiny of the bills. Given the Multi-Party Climate Change Committee process and the extensive debate already conducted, the government considers this to be the appropriate mechanism. Carbon pricing and climate change policy have been widely debated in Australia for more than a decade, including through some 35 parliamentary committee inquiries. This will make No. 36.

The first review of emissions trading by an Australian government was in 1998, some 13 years ago. There was extensive policy work undertaken by the former, Howard government, most notably by Peter Shergold, which concluded that pricing carbon through a market based mechanism was the best approach. In addition, of course, Professor Ross Garnaut has conducted two major reviews on Australia's best policy options for tackling climate change. The government's Clean Energy Future package was developed through a parliamentary committee process, the Multi-Party Climate Change Committee, which met for nine months before completing its work in July this year. The federal coalition, the Greens and Independents were invited to participate in the MPCCC. Only the coalition declined.

Since the establishment of the MPCCC in September 2010, the government has engaged widely, including through the business and NGO roundtables. In February, the government released the framework for its carbon pricing policy and sought feedback. Draft legislation was released for consultation in late July and over 1,300 submissions were received. This contrasts with the coalition's introduction of Work Choices, where there were only eight days to make a submission to a Senate committee inquiry that reported back one week later. It was the most significant reform to workplace relations in Australian history—legislation that stripped away the rights of working Australians—but there was no opportunity to view the legislation before it was introduced into the parliament in 2005.

By contrast, we have had countless consultations, inquiries and reports. The time has come to deliver a low-carbon economy of the future and give business and investors the certainty they have been asking for. The Liberals certainly do not need another long inquiry to decide how they are going to vote. The whole country knows how Tony Abbott is going to vote: he is going to vote no. He continually says that that is the case. He has said that he stakes his political future on
opposition to this legislation. So spending months more on this is not going to tell us anything that we do not already know; it will just cost business the certainty that they need and that they are asking for. The Australian community want action on climate change. They want us to get on with it.

The government has been open, transparent and consultative about this process. We have shared with the Australian community all the available research that has informed our thinking. There was, of course, a time when the Leader of the Opposition believed in action on climate change. There was a time, towards the end of the Howard government and then in opposition, when all those opposite supported an emissions trading scheme. This is an opportunity for the opposition to demonstrate that they can put the national interest ahead of self-interest, but I do not think that will be the case.

Instead we will have, once again, the Leader of the Opposition—the walking vuvuzela—walking around just saying, 'no, no, no,' to any initiative of the government because there is just one sound that he makes. In his press conference today the Leader of the Opposition claimed that this legislation is being rushed through in spite of the fact that there will be a whole month of debate in this parliament about this legislation.

The government has also indicated to the opposition and the crossbenchers that we are more than prepared to sit extra hours in the coming fortnight in order to make sure that everyone can participate in this debate. I will leave it to those opposite, who say on the one hand that they want extra debate on this but who, on the other hand, say that they are opposed to sitting extra hours to facilitate that debate, to explain that process. Perhaps they will change their minds.

**Mr Pyne:** Are you going to move a motion about extra hours?

**Mr ALBANESE:** I will certainly move a motion about extra hours. I have attempted in my style as Leader of the House to get consensus. I have approached the Manager of Opposition Business about that to ensure that that is the case.

**Mr Pyne:** Mr Deputy Speaker, I rise on a point of order. This is a debate about a motion to establish a joint select committee of the House. It is not a motion about extra sitting hours. If the Leader of the House wants to move a motion about extra sitting hours then we will debate it when he does so. If he has run out of material he does not need to fill his time. I am happy to let him off the hook.

**The DEPUTY SPEAKER (Hon. BC Scott):** There is no point of order. The member for Sturt will resume his seat.

**Mr ALBANESE:** They are very desperate to oppose at every single opportunity. We will have the debate on this process. It will begin tomorrow. The debate will begin, the bills have all been introduced, members will be able to participate and people in the broader community will be able to make submissions and participate in the joint committee process. They will be able to do that.

I do note that unlike every single committee established by the former, coalition government, without exception, the government is not seeking to have a government majority on this committee. That is indicative of the approach which we have taken, which is an inclusive approach. It is one that has said, 'Let's get the submissions from scientists on the science,'—not the flat-earthers, but the scientists on the science. When it comes to the economists we think that there should be an opportunity for economists to make submissions about the
appropriate mechanisms to find the cheapest way to deliver a reduction in carbon emissions.

Those opposite, of course, would rather listen to the submissions of the Citizens Electoral Council and all sorts of flat-earth groups—the League of Rights—the sorts of people who were demonstrating outside my office with the member for Indi a couple of weeks ago. They were there with their signs, 'Tolerance is our demise,' outside an office in Marrickville Road. How to make friends with multicultural Australia: 'Tolerance is our demise' is their approach! It is little wonder that they are opposed to setting up this committee, which will add to the transparency.

There will be a process whereby the committee will report prior to any votes being held in the parliament. For those people who have been here a while, that never occurred under Work Choices or under the GST legislation. There was never the certainty provided that this government is prepared to provide. That is what this motion is doing. The fact is that this position will allow for proper participation. It will allow for that participation whilst the carbon bills are being discussed in the second reading debate.

I note that there have been some figures given by those opposite about the amount of time that would be allowed for debate per bill on this. We were allowed 30 seconds per member per GST bill before this parliament. Indeed, that was an improvement. That was the best practice of the former, coalition government, unlike what they did in the Work Choices legislation. We will allow members to participate.

Mr Robb: No-one should look backwards. You're looking in the past. Why don't you call an election on it?

Mr ALBANESE: I can understand that the member for Goldstein is humiliated by this issue, having taken on a job with the then Leader of the Opposition as the shadow minister for emissions trading. He was the shadow minister for emissions trading but he says he is against emissions trading. Unbelievable! It is like being a shadow minister for the environment who is against the environment, or a shadow minister for employment who is against employment. It is absurd; the member for Goldstein says that he never supported an emissions trading scheme but he was prepared to take on the job as the shadow minister for emissions trading. It is no wonder that the member for Wentworth gives character assessments on the member for Goldstein to anyone who asks for one.

Mr PYNE (Sturt—Manager of Opposition Business) (17:07): I rise to speak on the motion by Leader of the House to establish the Joint Select Committee on Australia's Clean Energy Future Legislation. The opposition will amend this motion and we will oppose this motion. We will vote against it even if our amendments are carried for the simple reason that the change to the climate and the need to have a carbon tax, according to the government post the election, is the most important crisis facing the country, so vitally important that it requires a broken promise from the Prime Minister to try and bring a bill into this parliament and pass it before the end of the year, to gag the debate and to truncate the process of this parliament which has established a selection committee process and a number of House committees.

So vitally important is this legislation that the Prime Minister said before the election, 'There will be no carbon tax under any government I lead' and the Treasurer said before the election that the suggestion that there would be a carbon tax was a 'ludicrous
proposition being put by the opposition'. What did we see after the election? We saw that promise junked by this Prime Minister and this Treasurer in very short order following the forming of this government. We have seen since that time a complete inability of the government to explain to the Australian people why we must have a carbon tax that will push up the cost of living, export our emissions as trade exposed industries move to overseas destinations, export jobs, attack the steel industry and the coal industry and, more importantly, put up the price of every good and service across Australia thereby pushing up the cost-of-living pressures that Australian families are already facing.

The government came in here today, having trashed the selection committee process and the House committee process, expecting this opposition and this parliament to establish a joint select committee on Australia's Clean Energy Future legislation. Why are they doing this? They are doing it because they know that the selection committee would refer these bills to the five specialist committees of this House that exist to scrutinise government legislation. This is a package of 19 bills—not one bill, 19 bills; more than 1,000 pieces of legislation—from a government that has been unable to answer questions in question time about the detail of this carbon tax legislation that we have routinely exposed over months. The government decided that it is very important that the specialist committees of this House are not given the opportunity to scrutinise this legislation. On this side of the House our view is that it is very important for the specialist committees of the House to scrutinise this package of 19 bills to try and finally get some answers for the parliament and the people who want to know the detail.

The Australian people could quite rightly assume that this is a government that is flying blind. This is a government without a rudder. It is a government without a captain who has authority and without a captain to guide the ship. The whole purpose of the House committees that the selection committee is responsible for is to scrutinise government legislation to ensure that the legislation reflects the government's promises. The Australian people expect an opposition and an entire parliament to properly scrutinise these 19 bills, but this government has decided to truncate that process. This government has decided to trash the selection committee process.

The crossbenchers have routinely stood up for the process of the selection committee. The crossbenchers stood in this House two sitting weeks ago on a Thursday morning and voted against sensible opposition motions to refer bills and to ask the member for Dobell to come into the House. One after the other they stood up and said the most important reform in this so-called new paradigm—they agreed on it with the Leader of the House and me after the last election—was to establish a selection committee process and a committee structure that would have specialist committees. Why this is so relevant is that we are now debating a joint select committee designed to truncate the selection committee process and the House specialist committees. That is why the opposition will not support it.

Out of the goodness of my heart I facilitated an early start of the parliament at midday today to allow these bills to be introduced. Yet again I made the mistake of believing that the government was acting in good faith. But that is done; the bills have been introduced. Now there is an opportunity for those bills to sit on the table for at least a week, as is the normal process in this parliament. Bills of such importance should sit on the table for at least a week to give the shadow minister, the back bench, the
government and opposition members the opportunity to formulate their ideas about such significant legislation.

Let us remember that this carbon tax will change our economy in a more fundamental way than any other change since Federation. Yet the government is gagging the debate and truncating the process of referrals to specialist House committees. The government should have allowed the bills to sit on the table. It should have started the debate next week. The selection committee should have had the opportunity to refer these bills to the specialist committees of this House for proper scrutiny so that the parliament does not make the inadvertent errors for which this government has become famous. One mistake after another has been made by the Labor government, whether under the prime ministership of the member for Griffith or under the current Prime Minister's watch. So I have absolutely no doubt that there will be mistakes; the government is famous for it. It is probably the most incompetent and inept government run by a group of the most inept and incompetent ministers since Federation, and that includes governments which have previously been described that way. Unfortunately, three members who have been described that way are sitting on the front bench of the government today—and aren't they looking as if they are embarrassed about this legislation and the performance of the government?

There are five specialist committees that the member for Flinders wanted to refer these bills to: the House of Representatives Standing Committee on Economics; the House of Representatives Standing Committee on Climate Change, Environment and the Arts; the House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry; the Standing Committee on Regional Australia; and the House of Representatives Standing Committee on Social Policy and Legal Affairs. Those committees would have had the necessary skills of members of both sides of the House—certainly there would be opposition members with the necessary skills—to scrutinise the most fundamental change to our economy in Australia's history. But this government said they would truncate that process and instead establish a joint select committee with the most ludicrous composition of a committee that I have ever seen.

The composition of this committee as proposed by the government would see the government having five members, the opposition having four members and the crossbenches having three members. I know that the government frontbenchers cannot count—I know the Leader of the House struggles with his arithmetic—but if we look at the composition of this parliament we find that in the House of Representatives 48 per cent of members are Labor members, 48 per cent are coalition members, 0.7 per cent are Greens members and 3.3 per cent are Independent members, including the member for O'Connor, who was elected on a coalition platform. In the Senate 40 per cent of the members are ALP members, 44.7 per cent are coalition members and 11.8 per cent are Greens members. The DLP is having another run in the park—they have 1.3 per cent of the members of the Senate—and the Independents have 1.3 per cent. In both chambers 45 per cent of the members are Labor, 46.9 per cent are coalition, 4.4 per cent are Greens, 2.2 per cent are Independents, 0.4 per cent are DLP and 0.4 per cent are independent National Party. So on any measure the composition of this committee that is proposed by the government—five members of the government and three members of the cross-
benches, giving them eight members; and four members from the opposition—is patently ludicrous. The opposition is to have 33 per cent of the members of this joint select committee, yet it represents 47 per cent of the members of both houses. I know the Leader of the House has rigged a few elections internally in the Labor Party over the years and has rigged a few outcomes, but this really takes the cake.

Mr Albanese: Mr Deputy Speaker, I rise on a point of order. He should withdraw and apologise. You cannot accuse someone of fraud.

The DEPUTY SPEAKER: The Leader of the House has made his point. The member for Sturt would assist the House if he withdrew that allegation.

Mr PYNE: I withdraw unreservedly.

Quite clearly this is Sussex Street comes to Canberra. This is Tammany Hall comes to Canberra. This is the kind of jackboot democracy we have come to expect from this Leader of the House and this government. We will be moving an amendment to this motion. Our amendment will be that, in paragraph 2, omit:

… two members of the House of Representatives to be nominated by the Opposition Whip or Whips, one Greens member …

and substitute 'three members of the House of Representatives to be nominated by the opposition whip or whips'.

That amendment would much more accurately reflect the make-up of the parliament. It would reflect five members of the government, five members of the opposition and two crossbenchers—one Greens and one non-aligned member. That amendment would at least make an attempt to properly reflect the composition of both chambers, and certainly the opposition would regard that as the kind of amendment that should be supported by the crossbenches. Hopefully, the government would see the merits of a composition of this joint select committee that was made up of five members of the government, five members of the opposition, one Greens member and one non-aligned member. That is the amendment that I will be moving at the end of my contribution.

In terms of the precedence for this, it is patently transparent that no joint select committee has been put together in this place that so inaccurately reflects the make-up of the parliament. When the CPRS bills were investigated by the Senate Economics Legislation Committee, there were three members of the ALP, four members of the coalition and two independents in 2009. There have been other examples in recent times where there were much better reflections of the chamber. So I ask the crossbenchers and even the government to support that amendment to this motion.

But I reiterate: if the government were being honest about their carbon tax legislation, their plan for a carbon tax, their change of policy and their breach of faith with the Australian people, they would do what John Howard did. John Howard changed his mind about a goods and services tax, so John Howard announced the policy. He held an election. He won the election. He received a mandate for a goods and services tax. He introduced the legislation. There were inquiries which lasted months—120 days was the length of the inquiry under the goods and services tax. The legislation was then voted on and passed in both houses. That is the process of a Prime Minister who has authority. That is the process of a Prime Minister who has confidence in their own ability and their own argument. He was prepared to take the goods and services tax to the people and ask the people to determine whether they wanted it—and the people said
yes. He received a mandate and he introduced a goods and services tax.

This government changes its mind in the dead of the night, decides to introduce a carbon tax, breaks a fundamental promise made to the Australian people before the election and then expects the opposition to support it. We will not. I move the following amendment:

(1) Paragraph 2, omit "two members of the House of Representatives to be nominated by the Opposition Whip or Whips, one Greens member", substitute "three members of the House of Representatives to be nominated by the Opposition Whip or Whips".

The DEPUTY SPEAKER (Hon. BC Scott): Is the amendment seconded?

Mr Robb: I second the amendment and reserve my right to speak.

The DEPUTY SPEAKER: The original question was that the motion be agreed to. To this, the honourable member for Sturt has moved an amendment. The question now is that the amendment be agreed to.

Mr COMBET (Charlton—Minister for Climate Change and Energy Efficiency) (17:22): I rise to support the motion in the terms moved by the Leader of the House. Today the government introduced 18 bills as part of the Clean Energy Future package. Of course, these bills will be debated concurrently and ample time will be made available in the period during which the House is sitting in coming days for members to have their say about those bills. It is entirely appropriate to establish a joint select committee in the terms that have been moved by the Leader of the House and on the basis of the structure that has been proposed by the Leader of the House as a manner to deal with this general policy question, which has, of course, been considered by this parliament on many occasions in the past.

In fact, the first inquiry that considered a response to climate change was conducted in the Australian Parliament in 1994—no fewer than 17 years ago. There have been no fewer than 35 parliamentary committee inquiries looking at the issue of climate change and the policy responses that are appropriate in the better part of the last two decades. It has been exhaustively discussed and debated; there have been successive and numerous committees of inquiry of this parliament having a look at this issue in considerable detail. Indeed, the Clean Energy Future package at the centrepiece of it is a carbon pricing mechanism, which is an emissions trading scheme. The first review of emissions trading by an Australian government was in 1999—no fewer than 12 years ago.

There was extensive policy work undertaken by the former Howard government. Those sitting opposite at present were members of that government. The most notable work was undertaken by Professor Peter Shergold—it was exhaustive—and he concluded that pricing carbon was the best approach. It formed the basis of a policy that the coalition took to the 2007 election, a policy that bears remarkable resemblance to many of the features of the government's Clean Energy Future package. It is not possible for those opposite to say that they are unfamiliar with the policy issues, that they have not participated in quite extensive public policy research work, evidence-gathering and stakeholder consultation over recent years, because the fact of the matter is that for the better part of 10 years the coalition have been actively engaged. So, too, have many other parties within this parliament, including, of course, the Greens and Independent members of this House, who have been very actively engaged, particularly over the last 10 months, in consideration of these issues.
There have been numerous inquiries external to the parliament and related to the policy development process. Professor Ross Garnaut has conducted and completed two major reviews on Australia’s best policy options for tackling climate change. The government’s Multi-Party Climate Change Committee, which includes representatives of the House and of the Senate, met for nine months to consider the development of the Clean Energy Future package. The coalition were invited to participate in the Multi-Party Climate Change Committee, and, of course, they refused. Notwithstanding all of this period—the many years of policy development and policy discussion; the 35 parliamentary inquiries into this area of policy; all of the work of the Shergold review conducted for the Howard government; and the detailed policy, including on emissions trading, that was taken to the 2007 election by the coalition—the coalition have now come to a position where they oppose this policy principle.

Indeed, the talking points that were adverted to in question time today—they were distributed amongst members of the coalition—are quite instructive because they demonstrate the abandonment of market principles in formulating their policy response to this issue.

Opposition members interjecting—

Mr COMBET: If we go back only two years, under the leadership of the member for Wentworth—and the shadow minister for emissions trading, as I recall it, may well have been the member for Goldstein at the time—the coalition entered into agreement with the government about the terms of the Carbon Pollution Reduction Scheme.

Opposition members interjecting—

Mr COMBET: I can only go on what I have been told. We understand it was considered by the coalition party room and there was agreement on this matter. In fact, I was involved directly in the discussions with the then Leader of the Opposition and the member for Groom from time to time about the nature of that consideration.

At that point in time the Liberal Party were still adhering to market principles in the formulation of economic policy—something, of course, that is fundamentally important and has been a guiding set of principles to the development of economic policy reforms in this country for many, many years. Where are they now? They have retreated to protectionism and xenophobia—absurd subsidies that will do nothing to deliver a price incentive in our economy to cut pollution and drive investment in clean energy. The coalition spent a long time going around the buoy on these policy matters over a very lengthy period of time.

The joint select committee is an entirely appropriate way for the parliament to consider the legislation that has been put forward here in the context of all of the history that I have outlined of the consideration of this particular policy issue. It is appropriately structured, it will consider evidence from various stakeholders—people from the community, businesses, non-government organisations and others who may wish to come forward, make a submission and provide evidence—but it will also be informed by the history that I have pointed to. The coalition members of that committee—those who may be appointed to the membership of the committee by the coalition—could well represent much of the understanding of this policy over recent years. The government members will be well versed in these policy matters. Members of the Greens are proposed, and an Independent member of parliament is proposed, in the structure of that committee.
This is an effective, efficient and appropriate way for the parliament to proceed to examine these bills in a time frame, reporting by 4 October, which also allows adequate opportunity for proper consideration of these matters, the conducting of the inquiries that the committee may wish to pursue and the taking of evidence and submissions. It provides an adequate opportunity for the bills to be properly considered and for all of the history of the evidence and consultation to be taken into account in formulating a report by the proposed reporting date of 4 October, which is in several weeks time. It will be an efficient way for the parliament to deal with the important consideration of these bills.

It is difficult to understand why those opposite would not recognise that that is an appropriate way of dealing with it, although, when one considers the fact that they have already made up their mind and have campaigned on the basis of fear, misinformation, misrepresentation and outright deceit, it is not surprising that all we are going to experience and hear from those opposite is delay, 'no', delaying tactics, and opposing everything the government puts forward to deal efficiently and effectively with these issues in appropriate transparency and accountability. So it is not surprising at all to see the resistance to the motion by the Leader of the House, because we all know that the coalition's mind is made up. It does not matter about the merits of the case. It does not matter about the science. The scientific evidence is absolutely clear that climate change is occurring—that warming is occurring—yet the Leader of the Opposition criticises scientists and will not accept the scientific evidence.

It is also absolutely clear that the most important way of responding to this very diabolical challenge, from a domestic economic and environmental standpoint, is to rely upon a market mechanism for dealing with this. That is the evidence. That is the opinion. That is the fact of the matter. That is what has been submitted by numerous economists for a considerable period of time. It was the subject of consideration by the shadow minister in his thesis 20-odd years ago—the importance of market mechanisms. Yet what do we hear from the opposition? They are not fairly prepared to consider the policy merits of a market mechanism in dealing with this issue. They are not prepared to engage. They are not prepared to be part of the Multi-Party Climate Change Committee, which would have afforded them the last nine months of policy involvement to be engaged in the policy design. They did not want to be involved in that. They now do not support the establishment of a joint select committee for dealing with this particular issue. They have never at any point in recent months been prepared to engage constructively on the policy question. All that they are about is tactics of opposing, of saying no and of refusing to cooperate. That is again informing their approach to the issue of the motion that has been moved by the Leader of the House.

There is a fair deal of hypocrisy in all of this as well, because, albeit I was not a member of the House at the time, I was certainly conscious from my engagement in the political processes of the way in which the Howard government often dealt with pieces of legislation and the way in which they approached their responsibilities when they sat on this side of the House. Many, many times debates were gagged on a number of bills, particularly by the current Leader of the Opposition in his then role as the Leader of the House. Debates were gagged on Telstra privatisation bills, on the Work Choices bill, on anti-terror laws, on migration amendments, on fuel tax bills, on other fuel tax legislation, on tax law...
amendments, on a new business tax system, on petroleum resource rent tax legislation and on the Australian Research Council. All of this is evidence of the hypocrisy engaged in by those opposite. If they wished to play a constructive role, they would support the motion that is before the House, engage in an efficient way in the consideration of these bills and contribute constructively to the business of this parliament. But all we see is negativity and opposition. I commend the motion to the House.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (17:35): I move an amendment to the amendment which has been moved by the Manager of Opposition Business:

That paragraph (2) be amended as follows:

That the committee consist of 14 members, four members of the House of Representatives to be nominated by the Government Whip or Whips, three members of the House of Representatives to be nominated by the Opposition Whip or Whips, one Greens member, one non-aligned member, two senators to be nominated by the Leader of the Government in the Senate, two senators to be nominated by the Leader of the Opposition in the Senate, and one Greens senator.

I will speak briefly to my amendment to the amendment. The amendment moved by the Manager of Opposition Business would seek to appoint an additional Liberal member from the House of Representatives to the committee but de-elect the Greens party member from that committee. The government are prepared to show how flexible and reasonable we are prepared to be by allowing an extra Liberal member to be elected to this committee. However, there are things we are not prepared to do, given that the member for Melbourne was an active participant in the MPCCC, something that the opposition declined to participate in. They declined to participate in the process. Now they come along here and, with the comments of the Manager of Opposition Business, have made it very clear that what they are about is just delay, delay and delay, and at the end of it all they will say no. That is their process. They sat on their hands for 12 years in government. They were frozen in time while the world warmed around them. They refused to participate in the processes. They did not just refuse to participate in taking action here in Australia, they refused—after signing the Kyoto protocol—to ratify the Kyoto protocol. This is in spite of the fact that Australia, under Minister Hill, got a very good deal out of the Kyoto protocol at the conference, whereby Australia's target under the Kyoto protocol was 108 per cent. That is because Australia is a high carbon economy.

That situation was acknowledged by the international community and Australia would have been permitted to increase its emissions based upon 1990 levels. But those opposite walked away from it. They said it would destroy the economy if we ratified the Kyoto protocol—and yet they say they met the target. They said it would destroy the economy if we tried to meet the targets—but we met them anyway. That is the illogicality of the position that they have held with regard to taking action on climate change.

Australia is prepared to take action now under this government. This amendment I am moving today will allow the additional member from the House of Representatives to participate in the committee but de-elect the Greens party member from that committee. We are pleased that the opposition has decided to get on board, get with the program, and participate in this joint committee but we will keep an appropriate balance. There will be a member of the opposition appointed and an additional member of the government in order to facilitate that process.

I noticed when the Manager of Opposition Business spoke about committees'
composition that the ones he referred to were ones of the Labor government. That is because there is no committee they can point to in the entire time in which they were in office in which the government did not have an absolute majority on that committee. Not one. Not one in 12 years—regardless of the composition in the Senate, regardless of the composition in the House of Representatives and regardless of the composition of the overall parliament. Not one. And we had to indeed take action with the crossbenchers to make sure that the crossbenchers got their share of questions during the parliament, because of the way that they responded.

We have not done that. The amendment to this amendment will ensure that there is proper participation from both houses. It will ensure that the government does not have an absolute majority, so we do not seek to have that imposed on the parliament, but this is a fair amendment to the amendment moved by the member for Sturt. I support the amendment. I will then support the amendment as amended by my motion and then will support the motion before the House.

Mr PYNE (Sturt—Manager of Opposition Business) (17:40): The opposition does not support the latest ruse of the Leader of the House. We do not support an amendment to the amendment because, transparently, adding one member of the opposition and one member of the government does not change the proportions. I know that the government is in hock with the Greens. I know they are in league with the Greens. I know the member for Marrickville is extremely sensitive about upsetting the Greens—

Mr Combet: Grayndler.

Mr PYNE: The member for Grayndler—which covers Marrickville—is particularly concerned about upsetting the Greens. We know that and we know that he will do anything in his power to ensure that the Greens maintain their overrepresentation on this committee.

Mr Oakeshott: One!

Mr PYNE: Two out of three crossbench members. The poor old member for Lyne is a bit slow. The reality is that the proposal being put by the government for this joint select committee establishes five members of the government, four members of the opposition and three members of the crossbenches. Of those three members of the crossbenches two are Greens—one in the Senate and one in the House of Representatives—and one is a non-aligned member. The last time I looked at the proportions in this place and in the Senate there were 10 Greens and seven non-aligned members. That does not equate to having two-thirds of the representatives on this joint select committee.

Transparently, the Leader of the House's amendment to my amendment is a pea and thimble trick. It is a three-card trick. It is designed to fool the crossbenchers into believing that somehow he is changing the proportions on this committee. I have nothing against the member for Melbourne. I do not share all of his political views but as a person I think he is a very fine representative. Of course, I would rather his seat had been won by a Liberal but I am sure he will make a contribution. But whether the member for Melbourne needs to be on this joint select committee—as well as a Greens senator—is, quite frankly in the opposition's view, over-eggung the omelette. There is nothing at all wrong with having a joint select committee, if it is to occur, that includes five members of the government, five members of the opposition and two other members that are one Greens senator and one non-aligned member. That
proportion more accurately reflects the breakdown of the parliament, including both the Senate and the House of Representatives. In fact, it is understating the representation of the coalition in this present parliament, because we actually have more seats and more senators than the government.

The Leader of the House's amendment to my amendment is designed to fool and trick the parliament and the crossbenchers and we will not support it. This change to our economy is a $27 billion tax raised over the forward estimates. It proposes expenditure of $31 billion and, in addition, a clean energy fund of $10 billion. Why on earth would the government quibble about the length of time that the committee should report? Why would it apply the gag motion to these pieces of legislation and why on earth would it now seek—in the petulant, schoolboy way that we are seeing from the Leader of the House—these Tammany-Hall tactics to amend the opposition's amendment that more accurately reflects the proportions of this parliament?

Of course we will be opposing the government's amendment to my amendment. We would still call on the House to support the amendment that I originally put, which would remove one member from the crossbenches while still maintaining a Greens senator and a non-aligned member and ensure that the opposition has five members and the government has five members. If the government were serious about getting the opposition on board on this policy, it would have no problem with having an inquiry with 12 members—five from the government, five from the opposition and two from the crossbenches.

The reality is that the government does not have the courage of its convictions. It does not have a mandate for a carbon tax. It went to an election on the basis of a policy where there would be no carbon tax—when the Treasurer and the Prime Minister both made that promise—and yet today we are debating a joint select committee being established to inquire into a carbon tax package of bills. Nothing could be a more fundamental breach of faith with the Australian people. We saw in question time today the anger that exists in the community—

Mr Albanese: In the Liberal Party!

Mr PYNE: I agree with the member for Grayndler on one thing: he should get out there and do more arguing the case against these people outside his electorate office. He should argue that case as much as possible, because it is doing the government no end of harm. As I am getting a reasonable score from the member for Windsor, I might take that as a hint he might support my amendment and cut out while I am in front.

Mr STEPHEN JONES (Throsby) (17:46): I rise to support the substantive motion and the amendment to the amendment. What we have seen in the course of this debate is the government doing nothing more than showing a generosity of spirit and a willingness to show flexibility and to engage with the opposition in an attempt to have a good debate on this legislation and to engage with the community on this legislation. What we are seeing from the opposition is nothing more than a continuation of their mindless opposition and negativity.

This morning in the parliament we witnessed a historic moment. We witnessed the Prime Minister introduce into this parliament a package of legislation which comes at the end of one of the most extensive debates that has gripped this community in over a decade. Over 18 pieces
of legislation form the CEF package, which will once and for all give the opportunity for this parliament to act on climate change and to act in a meaningful and positive way. This legislation will put a price on carbon, and we know that it is important to put a price on carbon because this is the most efficient and effective way for us to transform our economy and to ensure that we can reduce our dependence on carbon and transform our business processes.

But it is not only a package of legislation which puts a price on carbon; it is a package of legislation which assists households through that transformation process. It provides compensation to pensioners and households. It is a historic readjustment of our taxation system for wage and salary earners. The legislation introduced into the House this morning effectively means that over one million Australians will no longer have to put in a tax return because of the increase in the low-income tax threshold. It is a historic piece of legislation and what we are hearing from those opposite, in the context of an international race to modernise our economies, is that we should be handicapped, we should not move ahead to modernise our economy to ensure that we transform the economy in a way that gives us a low-carbon future.

We have a proposition today which enables this parliament to, in an orderly way, consider the package of legislation that comes after one of the most extensive debates that has gripped this parliament and the 42nd Parliament—a process which enables a joint select committee to, over the course of the next fortnight, consider and hear submissions in a detailed way on the legislation which is before the parliament and then report back and have an extensive debate here and in the Senate.

Those opposite oppose it because they are opposed to expertise, they are opposed to knowledge. They are opposed to economists, scientists and Public Servants. They are opposed to receiving any expert advice in this area. We say quite simply that they should get on board; they should get out of the way; they should stop their instinctive habit of just blocking, opposing, delaying, confusing and confounding. They should vote for this motion. They should get on board and vote for the package of legislation which will enable us to move forward.

You can contrast the approach that we are taking with the approach that they on the other side of the House have taken in the past with equally significant pieces of legislation. They rammed the GST legislation through the House without the capacity for debate. They rammed the Work Choices legislation through the House without the capacity for debate. We say that, when you contrast our approach to the approach that they have taken in the past, they are exposed as being nothing more than obstructionist and hypocrites in this matter. They should get out of the way. They should enable this legislation to be debated properly and they should support the motion before the House as amended.

Mr WINDSOR (New England) (17:51): I will speak briefly to the debate that is going on. I have listened with interest to the member for Sturt. We will all hear his voice quite often over the next few weeks, but I think I have come up with a way of shutting him down from time to time. If the member for Sturt does not object and if other members of the House are getting a bit tired of hearing his voice, I might raise that message board occasionally and hopefully he will respond accordingly.

I was a member of the Multi-Party Climate Change Committee. I think it has
been discussed already that there was an opportunity for the coalition to be involved—and it is a great shame they were not. Greg Hunt, in particular—as well as Malcolm Turnbull and others—would have been real assets in the debate on this very important reform. I think that history will probably show that they will regret not having been part of the multi-party committee process. I do not mean to say, though, that everyone on the committee agreed with everyone else. I think it is common knowledge that the minister and I had some disagreements over various road transport initiatives which, it was claimed, would have lead to some sort of behavioural change but which in my view would not have done.

But I think having been on the committee and having been part of what has ended up being quite a successful agreement has meant that, although there are still a couple of loose ends that will probably be tied up in the committee process and in the parliament itself, we have been able to come together and assist in getting a formula together. That is not an easy thing to do. It is not an easy reform and it is not short-term; it is very long-term in nature. Therefore, the way that we did it was different to the gratuitous political arrangements by which we normally do things in here for short-term benefit and for our own benefit as political players. With this legislation, parts of the parliament are trying to do something good for people—the future generations of this country—who have not even been born yet.

It is a great tragedy that the debate has been bogged down by the use of the words 'tax' and 'lie'. It is common knowledge that John Howard was going to apply a tax or fixed price leading into an emissions trading scheme. It is common knowledge that Malcolm Turnbull was going to have a fixed price—or a tax, as people prefer to call it now—leading into an emissions trading scheme. The situation is similar in the current parliament. I use the word 'parliament' because the government is in a minority position. I am sure that, like me, the Prime Minister would have preferred an emissions trading scheme to a fixed price. But, in order to get the institutional arrangements in place, there would still have had to be a period where there was a fixed price—and that, by the definition of economists at least, is strictly a tax. So, even though everybody is virtually on the same page, the debate is still being degraded by arguments about a 'tax' and a 'lie'. Although all that may be very interesting in terms of the politics of this place, I do not think it is very interesting in terms of the future of this country and particularly the future of the globe and the role that Australia can play.

I remember that under the former government this parliament went to war before the debate was finished, and I was offended by that as a member of parliament who was on the list to speak about whether we should go to war. The Prime Minister of the day declared war without representatives of various communities being given the chance to have their say. People may suggest that things do not happen in a hurry, but they occasionally do when there is a political advantage to be gained.

I say to the member for Sturt and others that, although there is a lot of talk about the representation of the various parties on the Multi-Party Climate Change Committee, the government do not have the majority. I give this undertaking: if the coalition or any other member of the parliament has a constructive agenda to address by way of amendments the real issue of climate change and how we can play a role in bringing in a cleaner future—I do not mean nonsense amendments to delay—I would be more than happy to look constructively at those amendments even if...
there is a requirement for an extension of time or for other arrangements to be put in place, and I am sure that others on the crossbenches would be happy to do so as well.

We are going to have a period of debate now about a very serious issue, and I think the debate should be serious—we should actually talk about this issue. It is a great shame that, due to the way that the Multi-Party Climate Change Committee was initially put together, the coalition did not want to be part of it. The constructive debate that took place there happened only among those who were involved, despite the fact that there were differences of opinion. I have given an undertaking to the member for Sturt and others provided that they have legitimate concerns and there is not sufficient time. However, if they are considering some sort of speak-it-out arrangement in order to delay, I will not be supporting any extensions. The ball is really in the court of the coalition members.

I know there are a number of coalition members, because a lot of them have come to see me, who are concerned about this issue, and I hope to hear very constructive contributions from them. I am sure that the minister would agree—though he may not—that those on the MPCCC do not pretend to be the holders of all knowledge on the subject. If there are legitimate issues that need to be addressed through the committee process or in the parliament during the third reading, let us see those issues come out as the debate takes place. In conclusion, when it comes to a vote, I will be supporting the amendment to the amendment.

Mr HUNT (Flinders) (17:58): We oppose the ruse by the Leader of the House. It is transparently an attempt to maintain a significant disadvantage for the opposition. I begin with simple facts: the ALP has 103 members or 45.6 per cent of the composition of the parliament; the coalition has 106 members or 46.9 per cent of the composition of the parliament; the Greens have 10 members or 4.4 per cent of the composition of the parliament; and the Independents have three per cent of the composition of the parliament. The ratio proposed for membership of this committee under the original situation contained within the Leader of the House's motion is that the ALP would have one member for every 9.1 per cent of the parliamentary representation. The coalition would have one member for every 11.7 per cent of our quota of the total parliament. The Greens would have one member for every 2.2 per cent—or five times more than the coalition has in terms of its ratio. The Independents would have one for every three per cent of the total quota of parliamentary representatives.

The change which we propose would maintain the ALP at one for every 9.1 per cent of the parliament. The coalition would improve, to one for every 9.4 per cent of our quota of the parliament—still the worst representation of any grouping within this parliament. The Greens would return to one for every 4.4 per cent, but still about 2½ times better on a ratio basis than the representation of the coalition. The Independents would maintain the best representation, at one for every three per cent of the total parliamentary quota. So, in terms of pure equity, we put ourselves in the most disadvantageous position—even with our amendment. The amendment proposed by the Leader of the House to our amendment simply enshrines a systemic disadvantage and a massive over-representation of the Greens. It is neither fair nor equitable; nor does it assist the business of this parliament in any meaningful way. This is the debate that you have when you do not have an election to determine a mandate based on an honest rendering of policy.
At the last election the Prime Minister of Australia said, on the Monday before that election, ‘There will be no carbon tax under the government I lead’, and on the day before the election she said, 'I rule out a carbon tax.' I want to repeat that: 'I rule out a carbon tax.' This was not a minor, passing commentary; it was repeated twice by the Treasurer of Australia, who ridiculed the concept that this ALP could ever introduce a carbon tax. It was a fundamental mandate not to introduce a carbon tax, fundamentally broken after the election. These were not minor undertakings. These were sacred pledges taken to the Australian people, at the forefront of national debate, in the final week of an election period, made by no less a person than the Prime Minister of Australia, the leader of the ALP, and these pledges were thereafter broken unnecessarily. There was no need for that undertaking to be broken, because on the night of the election the Greens pledged their support to an ALP government. On the night of the election, the member for Melbourne pledged support to an ALP government. That means that the entire rationale for breaking that fundamental sacred pledge which the Prime Minister took to the election has no basis. In other words, it was a direct, deliberate deception. There was no need, no requirement, no duty, no pressure to break that pledge to the Australian people, because the member for Melbourne said on election night: ‘I’ll support the ALP.’ How can this government proceed on the basis of a fundamental deception?

The point is twofold. Firstly, the Australian people know this was a deception and therefore there was a breach of faith on a grand basis. Secondly, the consequence is that they will pay the price for the destructive impact of this tax on their lives, their livelihoods and in particular the manufacturing processes of Australia. I note here that, of all the countries in the world, there is no comparable system. China is going through a period of the fastest growth in emissions in history. Between 1990 and 2020 its emissions are increasing 496 per cent. It is not about to introduce a systemic carbon tax. It is going through a period of an increase in coal consumption from 2002 to 2015—contrary to the assertions of the Prime Minister—from 1.4 billion tonnes to four billion tonnes. This is the fastest growth in coal consumption in human history. There is no dispute and no debate about that. Even if the Prime Minister might try to represent the change from small, inefficient coal-fired power stations to massive power stations as some form of win for the environment, it is not. It is about increasing the amount of emissions which China is producing on a grand, systemic and unparalleled scale.

In India, we are seeing an increase in emissions of approximately 350 per cent between 1990 and 2020. In the United States, most significantly, there will be no cap-and-trade system, no carbon tax system, no system comparable to that which is proposed by the Australian government. The Regional Greenhouse Gas Initiative is bumping along at a floor price of approximately $1.89. The Western Climate Initiative has gone from more than 20 potential members to seven potential members to a situation where really only California is proceeding in any significant way. If the United States does not have a national cap-and-trade scheme then neither will Canada. Japan has deferred its system and Korea has deferred its system.

And that brings me to Europe, where the Minerals Council has produced very interesting work which shows that Australia has an annual rate of tax which will be the best part of 18 times that which the European Union has had. The only difference beyond that is that the European Union has a population of 500 million people and the Australian land mass has a population of
22.6 million people. It means that we will be charging almost $400 per head of population under the carbon tax the Prime Minister said Australia would never have, and Europe will charge people just over a dollar per person per year. We are seeing a situation of an almost 400 times greater levy per head of population.

That is why this debate is about giving the Australian people a genuine say through the parliamentary process and a genuine vote through a proper and exhaustive debate on the floor of the parliament. The floor of the parliament will see approximately one minute of debate per member per bill allocated. That is one minute per member per bill for a massive rise in electricity, gas and grocery prices. That is not democratic practice; that is a fraud upon democracy. Let us look at the committee process, at the very issue contained within the amendments. The point of the committee process should be to give the joint select committee, which spans both houses of parliament, comparable representation to the parties that have been elected by the people of Australia. The point about comparable representation is, firstly, that during the GST debate there were four specialist committees in the Senate. We believe there should be five specialist committees in the House, and we would be willing to discuss and compromise on those. We believe that that would be an appropriate approach given the magnitude and scope and reach of these bills. Secondly, in terms of the composition of the joint select committee, as I said at the outset, the ALP has 103 members, or 45.6 per cent of the parliament; the coalition has 106 members, or 46.9 per cent; the Greens have 10 members, or 4.4 per cent; and the Independents have seven members, or three per cent.

We seek a situation where the coalition would still have the lowest ratio of members of the committee compared with members of the parliament. We would have one member for every 9.4 per cent of the parliament, the ALP would have one for every 9.1 per cent of their parliamentary representation, the Greens would have one for every 4.4 per cent, and the Independents would have one for every three per cent. That is an equitable deal; that is a fair deal. What the Leader of the House proposes is unfair, inequitable and consistent with the practice of denying proper discussion prior to an election, and denying proper discussion of this legislation, whether it is through the inquiry process or through debate on the floor of the parliament.

Question put:
That the amendment (Mr Albanese's) to the proposed amendment (Mr Pyne's) be agreed to.

The House divided. [18:13]

(The Speaker—Mr Harry Jenkins)

Ayes ...................... 71
Noes ...................... 70
Majority ................ 1

AYES

Adams, DGH
Bandt, AP
Bowen, CE
Brodmann, G
Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
D'Alth, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Grierson, SJ
Hall, JG (teller)
Husic, EN (teller)
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Melham, D
Murphy, JP
Oakeshott, RJM

ALPANese, AN
Bird, SL
Bradbury, DJ
Burke, AE
Butler, MC
Champion, ND
Clare, JD
Combat, GI
Dunby, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzgibbon, JA
Georganas, S
Gillard, JE
Griffin, AP
Hayes, CP
Jones, SP
King, CF
Livermore, KF
Macklin, JL
McClelland, RB
Mitchell, RG
Neumann, SK
O'Connor, BPJ
AYES
O'Neill, DM
Parke, M
Piliberski, TJ
Rishworth, AL
Roxon, NL
Shorten, WR
Smyth, L
Swan, WM
Thomson, CR
Wilkie, AD
Zappia, A
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Saffin, IA
Sidebottom, PS
Snowdon, WE
Symon, MS
Vamvakinou, M
Windsor, AHC

NOES
Abbott, AJ
Andrews, KJ
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Christensen, GR
Coulton, M (teller)
Dutton, PC
Fletcher, PW
Frydenberg, JA
Griggs, NL
Hartseyker, L
Hockey, JB
Jensen, DG
Katter, RC
Kelly, C
Ley, SP
Marino, NB
Matheson, RG
Mirabella, S
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Smith, ADH
Southcott, AJ
Tehan, DT
Tudge, AE
Van Manen, AJ
Washer, MJ
Alexander, JG
Andrews, KL
Billson, BF
Bishop, JJ
Broadent, RE
Chester, D
Crook, AJ
Entsch, WG
Forrest, JA
Gambaro, T
Haase, BW
Hawke, AG
Hunt, GA
Jones, ET
Keenan, M
Laming, A
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
O'Dowd, KD
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Seeker, PD (teller)
Slipper, PN
Somlyay, AM
Stone, SN
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

PAIRS
Rudd, KM
Smith, SF
Thomson, KJ
Moylan, JE
Irons, SJ
Ciobo, SM

Question agreed to.

Question put:
That the amendment (Mr Pyne's), as amended, be agreed to.

Question agreed to.

The SPEAKER: The question now is that the motion, as amended, be agreed to.

Mr HUNT (Flinders) (18:18): This is the debate you have when you do not have an election mandate. This is a debate about proper representation, because this government went to the election on a fundamental act of dishonesty. It pledged, as the Prime Minister said with her most sacred words, 'There will be no carbon tax under the government I lead.' It was a moment of fundamental deception of the Australian people. Against that background, every member of this government knows that they went to the election on a pledge not to introduce a carbon tax. It was not a minor or incidental or passing discussion in the course of the last week. It was the focus of the fundamental debate at the core of the push for a mandate from the Australian people. The Prime Minister of Australia said there would be no carbon tax under the government she leads. The Prime Minister of Australia, 24 hours before the election, said that she ruled out a carbon tax, and the reason she did that was she knew the Australian people would not give her a mandate if she did other than reject a carbon tax prior to the election; otherwise, why did she need to make that statement? She made that statement knowing that her intention, her goal and her desire was to introduce a carbon tax. It was an act of deception, it was an act which was holding the Australian people in contempt and it was utterly unnecessary.
Against that background, there are two great issues at stake in this debate. One is about representation of the people through the inquiry process. One is about representation of the Australian public. This inquiry process matters because it is about giving the people their chance to have a say. That is why we are seeking, with the consent of the Independents, to have the inquiry process extended. Therefore, I move:

Paragraph (12), omit "4 October 2011", substitute "7 October 2011".

The SPEAKER: Is the amendment seconded?

Mr Pyne: I second the amendment, Mr Speaker.

The SPEAKER: The question is that the amendment moved by the member for Flinders be agreed to.

Mr Albanese (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (18:21): On behalf of the government, I accept this amendment and say the government will be supporting it. This is an amendment that changes 4 October 2011 to 7 October 2011. If those opposite want less time between when the committee reports and when the parliament debates the report, then so be it. So we are prepared to accept the amendment. In the spirit of good faith, cooperation and generosity of spirit that characterise the way that this government is dealing with this matter, I commend the amendment to the House.

Mr Pyne (Sturt—Manager of Opposition Business) (18:22): I support the amendment moved by the member for Flinders, and I think it is important to explain exactly the newest ruse of the government with respect to the inquiry into the carbon tax legislation. We have already traversed this debate at some length this afternoon. The original reporting date of 4 October is the first day of the tax summit. Clearly, the government set that date for its joint select committee because it wanted to ensure that, whatever this report from the Joint Select Committee on Australia’s Clean Energy Future Legislation finds, the tax summit would obliterate any media coverage of it.

The Leader of the House is very good at these tricky mechanisms which are designed to protect the government from its very bad decision to break the election promise it made before the last election and to introduce a carbon tax. We, on the other hand, believe that when this joint select committee reports, the media should be given the full opportunity to view and report on the scrutiny that this joint select committee will give to the 19 pieces of legislation—over 1,000 pages—that the government has introduced today.

We in the opposition have already expressed our grave disappointment at the handling of this matter by the government and the fact that they intend to gag the debate on this important legislative package—and, in an unprecedented way, they are, I believe, being supported in that, unfortunately, by the crossbenchers. They have already this afternoon established a joint select committee with proportions that give the government, the crossbenchers and the Greens a tremendous advantage, far beyond the proportions that they enjoy in both chambers of this parliament. Just to highlight the decision that has just been made: of the 14 members of the joint select committee, nine are in favour of the carbon tax and five are against. I hardly believe that that represents a fair proportion of the views in this parliament, where the coalition is represented in more seats and more Senate places than the Labor Party, which forms the government.
So the reason that I support the amendment moved by member for Flinders is that, in my view, the government should not be given the opportunity of (1) gagging the debate; (2) avoiding the selection committee process; (3) stopping the scrutiny of these 19 bills by the five specialist committees of this House of Representatives that I outlined before; and (4) burying, on the same day as the tax summit—that is, 4 October—the report of this joint select committee. Therefore, I commend this amendment to the House.

Question agreed to.

Question put:

That the motion (Mr Albanese's), as amended, be agreed to.

The House divided. [18:30]

(The Speaker—Mr Harry Jenkins)

Ayes..........................71
Noes............................70
Majority.......................1

AYES

Adams, DGH
Bandt, AP
Bowen, CE
Brodtmann, G
Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
D'Alton, Y
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Gentry, SJ
Hall, JG (teller)
Husic, EN (teller)
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Mellon, D
Murphy, JP
Oakeshott, RJM
O'Neil, DM
Parke, M
Plibersek, TJ
Rishworth, AL
Roxon, NL
Shorten, WR
Smyth, L
Swan, WM
Thomson, CR
Willie, AD
Zappia, A

AYES

Abbott, AJ
Andrews, KJ
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Christensen, GR
Coulton, M (teller)
Dutton, PC
Fletcher, PW
Frydenberg, JA
Griggs, NL
Hartsuyker, L
Hockey, JB
Jensen, DG
Katter, RC
Kelly, C
Ley, SP
Marino, NB
Matheson, RG
Mirabella, S
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Smith, ADH
Southcott, AJ
Tehan, DT
Tudge, AE
Van Manen, AJ
Washer, MJ

PAIRS

Gray, G
Gash, J

NOES

Abbott, AJ
Andrews, KJ
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Christensen, GR
Coulton, M (teller)
Dutton, PC
Fletcher, PW
Frydenberg, JA
Griggs, NL
Hartsuyker, L
Hockey, JB
Jensen, DG
Katter, RC
Kelly, C
Ley, SP
Marino, NB
Matheson, RG
Mirabella, S
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Smith, ADH
Southcott, AJ
Tehan, DT
Tudge, AE
Van Manen, AJ
Washer, MJ

PAIRS

Gray, G
Gash, J

Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Saffin, IA
Sidebottom, PS
Snowdon, WE
Symon, MS
Vamvakauinou, M
Windsor, AHC
Tuesday, 13 September 2011

HOUSE OF REPRESENTATIVES

9937

PAIRS
Rudd, KM
Smith, SF
Thomson, KJ
Moylan, JE
Irons, SJ
Ciobo, SM

Question agreed to.

BUSINESS
Suspension of Standing and Sessional Orders

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (18:35): I move:

That in respect of the proceedings on the Clean Energy Bill 2011, the Clean Energy (Consequential Amendments) Bill 2011, the Clean Energy (Income Tax Rates Amendments) Bill 2011, the Clean Energy (Household Assistance Amendments) Bill 2011, the Clean Energy (Tax Laws Amendments) Bill 2011, the Clean Energy (Fuel Tax Legislation Amendment) Bill 2011, the Clean Energy (Customs Tariff Amendment) Bill 2011, the Clean Energy (Excise Tariff Legislation Amendment) Bill 2011, the Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011, the Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011, the Clean Energy (Unit Issue Charge—General) Bill 2011, the Clean Energy (Unit Issue Charge—Auctions) Bill 2011, the Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011, the Clean Energy (International Unit Surrender Charge) Bill 2011, the Clean Energy (Charges—Customs) Bill 2011, the Clean Energy (Charges—Excise) Bill 2011, the Clean Energy Regulator Bill 2011, the Climate Change Authority Bill 2011, and the Steel Transformation Plan Bill 2011, so much of the standing and sessional orders be suspended as would prevent the following from occurring:

1. the resumption of debate on the second readings of the bills being called on together;
2. at the conclusion of the second reading debate or at 5 p.m. on Tuesday, 11 October 2011, whichever is the earlier, a Minister being called to sum up the second reading debate, then without delay, in respect of all the bills with the exception of the Steel Transformation Plan Bill 2011:
   (a) one question being put on any amendments moved to motions for the second readings by opposition Members;
   (b) any necessary questions being put on amendments moved by any other Member; and
   (c) one question being put on the second readings of the bills together;
3. then without delay, any questions necessary to conclude the second reading stage of the Steel Transformation Plan Bill 2011 being put;
4. if the second readings of the bills have been agreed to, messages from the Governor-General recommending appropriations for any of the bills being announced together;
5. the consideration in detail stages, if required, on all the bills being taken together until no later than immediately after prayers on Wednesday, 12 October 2011, with no business intervening, at which time any Government amendments that have been circulated in respect of any of the bills except the Steel Transformation Plan Bill 2011 shall be treated as if they have been moved together with:
   (a) one question being put on all the Government amendments;
   (b) one question being put on any amendments which have been moved by opposition Members;
   (c) any necessary questions being put on amendments moved by any other Member; and
   (d) any further questions necessary to complete the detail stage being put;
6. then without delay, any Government amendments that have been circulated in respect of the Steel Transformation Plan Bill 2011 shall be treated as if they have been moved together with:
   (a) one question being put on all the Government amendments;
   (b) one question being put on any amendments which have been moved by opposition Members;
   (c) any necessary questions being put on amendments moved by any other Member; and
   (d) any further questions necessary to complete the detail stage being put;
(7) at the conclusion of the detail stage, one question being put on the remaining stages of all the bills, except the Steel Transformation Plan Bill 2011, together and then one question being put on the remaining stages of the Steel Transformation Plan Bill 2011; and

(8) any variation to this arrangement to be made only by a motion moved by a Minister.

This debate management motion is to ensure that there is absolute certainty about what the process is for dealing with the Clean Energy Future bills. Under the timetable set out in a resolution of the parliament, we introduced the bills prior to question time today. Debate will of course be permitted over the next fortnight, leading right up to the second reading being put to a vote of the parliament on 11 October, the consideration in detail stage occurring after those votes and final votes taking place on 12 October. What the government is proposing here is a full month to facilitate the participation of the parliament in these processes. The joint committee that has just been established through a resolution of the House will meet to allow for community input prior to any votes being held on these bills. We have just altered the reporting date; the government accepted an amendment that the reporting date would be on 7 October. What I find quite extraordinary is the fact that the opposition voted, through that last division, against the very process, in spite of the fact that, of the two amendments that they put up, one was supported completely and the other was supported as amended by my amendment to their amendment. It just shows that nothing can alter them from their path of relentless negativity and opposition. Indeed, regardless of the fact that the amendment that they moved to change the reporting date of the joint committee was accepted by the government, they then went and spoke against that very process—quite an extraordinary performance before the parliament.

This debate management motion adds to the consultation and debate that has already occurred on these bills and the issue of climate change; the exposure draft of the bills that was released on 28 July, with 300 submissions received; the MPCCC where the opposition refused to participate—1,300 submissions received; and the 35 parliamentary reviews over 19 years.

This stands in stark contrast to the way that they conducted themselves when they were the government. The infamous Work Choices legislation, which took away the rights of working people right around the country, was introduced into the parliament on 2 November 2005 and passed on 10 November 2005—eight days later. We are allowing a full month of debate. Indeed, the walking vuvuzela, the Leader of the Opposition, when he was asked about gagging the Work Choices debate, said—this is what Hansard records—on 10 November 2005:

… how much more debate could this bill possibly require? I put it to you, Mr Speaker, that the members opposite are not interested in debating this bill, they are not interested in trying to improve this bill; they simply want to reject this bill.

Well, I say that the Leader of the Opposition got it right then. We did want to reject the Work Choices legislation, lock, stock and barrel. And we were right to reject the Work Choices legislation. But what those opposite want to do is to come up with methods of delaying the debate in this parliament.

There is no doubt what the opposition's position is on these bills. How long does it take you to say 'No'? That is what they are going to say to this legislation. And here is what the Leader of the Opposition said in his doorstop on 11 July 2011: 'I mean, I have

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dedicated my political life, whatever's left of it, to stopping this carbon tax.' Isn't that something extraordinary—that you would dedicate your political life not to any positive reform, not to improving the lives of Australians, not towards making a big economic reform, not towards assisting in an area of the environment, not towards assisting in an area of social policy reform, but to stopping something. It says it all about the Leader of the Opposition. And he repeats, every day, that he will be campaigning until his last breath against this tax. And where it is leading them is to the sort of behaviour that we saw expressed in the parliament today.

We had the bills introduced by the Prime Minister, by the Minister for Climate Change and Energy Efficiency, by the Treasurer and by the Minister for Families, Housing, Community Services and Indigenous Affairs. Then, in question time, immediately after the introduction of those bills, the opposition did not even bother to ask any questions about the substance of the legislation that had been introduced before the House. They did not seek to raise the issue at the beginning of question time in any of their earlier questions. It went to their obsessions—indeed, they were even in the extraordinary position whereby they had a question ruled out of order. And of course they were all pumped up today. From the time that the Prime Minister answered her first question, they were pumped up with their interjections. But today they took it to a new level. Today they decided that they would not just disrupt on the floor of the parliament but that they would also disrupt in the galleries—with people who had had lunch upstairs, with leading members of the opposition, they decided that they would disrupt upstairs.

Indeed, so pumped up were they that they even disrupted a question about the visit of the United States President, Barack Obama. I was reminded that they had form on this issue, because Prime Minister Howard had said on 11 February 2007 on the Sunday program:

If I was running Al-Qaeda in Iraq, I would put a circle around March 2008, and pray, as many times as possible, for a victory not only for Obama, but also for the Democrats.

Mr Combet: What a statement!

Mr ALBANESE: A disgraceful statement, made by Prime Minister Howard, and disgraceful behaviour today on the floor of the House of Representatives when the Prime Minister was announcing the visit of President Obama. And we had the extraordinary position whereby the Leader of the Opposition had to play catch up at the end of question time and seek indulgence to actually try to put something positive on the record so that he could at least have some mitigation of his humiliation when the Speaker refused to give him the call to respond to the Prime Minister's answer to the first question today. But what it shows—

Mr Pyne: Mr Deputy Speaker, I rise on a point of order. We have given the Leader of the House a great deal of licence.

The DEPUTY SPEAKER (Mr S Sidebottom): What is your point of order?

Mr Pyne: This is a debate about a motion—

The DEPUTY SPEAKER: What is your point of order?

Mr Pyne: My point of order is that what he is saying is utterly irrelevant to the debate before the chamber.

The DEPUTY SPEAKER: Thank you, you have made your point of order. Take your seat.

Mr Pyne: And you should have called him out.

The DEPUTY SPEAKER: Just be very careful, Member for Sturt! Your point of
order is on relevance. I ask the Leader of the House to remember the topic that we are discussing now.

Mr ALBANESE: I certainly am, Mr Deputy Speaker. In the point of order and the response to you which reflected on the chair, once again the Manager of Opposition Business has shown just how unfit for government those who sit opposite are.

What this process puts in place is absolute certainty. We have had the absurdity of those opposite arguing in terms of the time frame for this legislation—

Mr Pyne interjecting—

The DEPUTY SPEAKER: Member for Sturt, I ask you to wait to speak until you get the call, and that goes for all people at the table. I want to hear the speaker.

Mr ALBANESE: Thanks, Mr Deputy Speaker. What we have had is an attempt to delay this legislation. We know that they delayed: they had over 12 years to act on climate change and they refused to do so. They took a couple of steps forward but then would take three steps back. They signed the Kyoto protocol but would not ratify the Kyoto protocol. They were not quite sure where they were in terms of the renewable energy target and support for industry. From time to time every election they drew out support for a particular solar project or support for a particular water project or for some environmental initiative, and particularly if it was someone who was known to senior members of the then government frontbench it got a run, but there was no consistency and no framework.

What this legislation does is put in place a comprehensive package of reform to ensure that we move towards a clean energy future. What this motion before the House does is give that certainty for people. It should be supported by the parliament. It provides for an orderly process whereby every member will be able to participate. I repeat for the Manager of Opposition Business: we are prepared to sit extra hours in the parliament if required for people to speak before the parliament—unlike the way that they dealt with Work Choices, the war on Iraq, the Tampa legislation; all of those serious issues. We are ensuring, one month ahead, that there is a proper process. Indeed, I gave notice of this process, that this was the way we would proceed, in a press conference more than a week ago—last Tuesday morning. And, indeed, I had discussions with the opposition, which is more than was ever accorded to me when I was Manager of Opposition Business, when I had one conversation with the then Leader of the House over an entire term of parliament—
one conversation about any process that was occurring before this House.

What occurred under the former government was that they would come in, move the first reading, move the second reading and move immediately through to deal with debate, without adjourning it at all, and then just crunch and guillotine the debate. That was the way those opposite dealt with parliamentary processes and the rights to participate. We are a different government. We are a government that supports transparency, that supports openness, that supports participation and that supports a proper process. We believe that through proper processes you get better outcomes. That is why we have put together this motion that is before the House, and I commend it to the House.

Mr PYNE (Sturt—Manager of Opposition Business) (one 18:50): It will come as no surprise to the House to learn that I intend to move an amendment to the Leader of the House's motion. I now formally move the amendment:

That the motion be amended to read:

That, in respect of the proceedings on the Clean Energy Bill 2011, the Clean Energy (Charges—Customs) Bill 2011, the Clean Energy (Charges—Excise) Bill 2011, the Clean Energy (International Unit Surrender Charge) Bill 2011, the Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011, the Clean Energy (Unit Issue Charge—Auctions) Bill 2011, the Clean Energy (Unit Shortfall Charge—General) Bill 2011, the Clean Energy (Consequential Amendments) Bill 2011, the Clean Energy Regulator Bill 2011, the Climate Change Authority Bill 2011, the Clean Energy (Income Tax Rates Amendments) Bill 2011, the Clean Energy (Excise Tariff Legislation Amendment) Bill 2011, the Clean Energy (Fuel Tax Legislation Amendment) Bill 2011, the Clean Energy (Customs Tariff Amendment) Bill 2011, the Clean Energy (Household Assistance Amendments) Bill 2011, the Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011, the Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011 and the Steel Transformation Plan Bill 2011, so much of the standing and sessional orders be suspended as would prevent the following from occurring:

(1) the resumption of debate on the second readings of the bills being called on together;
(2) at the conclusion of the second reading debate a Minister being called to sum up the second reading debate, then without delay, in respect of all the bills with the exception of the Steel Transformation Plan Bill 2011:
   (a) one question being put on any amendments moved to motions for the second readings by opposition Members;
   (b) any necessary questions being put on amendments moved by any other Member; and
   (c) one question being put on the second readings of the bills together;
(3) then without delay, any questions necessary to conclude the second reading stage of the Steel Transformation Plan Bill 2011 being put;
(4) if the second readings of the bills have been agreed to, messages from the Governor-General recommending appropriations for any of the bills being announced together;
(5) the consideration in detail stages, if required, on all the bills being taken together and, at the conclusion of consideration in detail, Government amendments that have been circulated in respect of any of the bills except the Steel Transformation Plan Bill 2011 shall be treated as if they have been moved together with:
   (a) one question being put on all the Government amendments;
   (b) one question being put on any amendments which have been moved by opposition Members;
   (c) any necessary questions being put on amendments moved by any other Member; and
   (d) any further questions necessary to complete the detail stage being put;
(6) then without delay, any Government amendments that have been circulated in respect...
the Steel Transformation Plan Bill 2011 shall be treated as if they have been moved together with:

(a) one question being put on all the Government amendments;

(b) one question being put on any amendments which have been moved by opposition Members;

(c) any necessary questions being put on amendments moved by any other Member; and

(d) any further questions necessary to complete the detail stage being put; and

(7) at the conclusion of the detail stage, one question being put on the remaining stages of all the bills, except the Steel Transformation Plan Bill 2011, together and then one question being put on the remaining stages of the Steel Transformation Plan Bill 2011.

The amendment is extraordinarily long so I will explain what it achieves. It outlines the process for dealing with the package of carbon tax legislation but has two important elements. The first element is that it removes the dates for the cutting off of the debate. The first date in the motion moved by the Leader of the House is for the debate to be cut off on 11 October, at 5 pm, and for the second reading summing-up and vote to be held at that time on the legislation, on any amendments moved by the government, any amendments moved by the opposition and any amendments moved by the crossbenches. The second date is Wednesday, 12 October, which is for the vote on the third reading of the package of 19 bills. The amendment that I have moved removes both of those dates, so it still outlines the process for dealing with this package of legislation but without the guillotine or gag that has been introduced by the Leader of the House this evening. The second element, which will be the third thing we are amending, is to remove from the motion these words:

(8) any variation to this arrangement to be made only by a motion moved by a Minister.

Dealing with the first amendment first, obviously the government could not expect the support of the opposition for this gag or guillotine motion. The government has decided to jackboot this legislation through the parliament. It has decided to make the claim that the bills have already been properly debated and scrutinised in many different ways. But I put it to you, Mr Deputy Speaker, that there are 19 bills in this package of legislation—over 1,000 pages of legislation—and there are members in this House who wish to debate properly the biggest change to our economy in the last 111 years since Federation. Worse than that, the government has provided a mere few hours for the consideration in detail stage of these 19 bills. The consideration in detail stage is the opportunity for members of this House to question the minister about the specifics contained in this bill.

We know that the government have not yet been able to answer our questions, whether in question time, in the media, at doorstops or at the National Press Club. They have been unable to answer the detail of how these bills will fundamentally change the lives of Australians as consumers, in their households and in their businesses. They have been incapable of handling the detail in question time, so they have decided to truncate the period of time in which the House will be able to question them in the consideration in detail stage of these bills. So, of course, we are opposing the government's attempt to gag this debate to reduce the consideration in detail stage to a mere few hours and, of course, we will oppose the attempt to have a specific time for a vote on this package of bills.

The government has decided that members of the House of Representatives, elected in my case by about 100,000 electors in north-eastern, eastern and south Adelaide, should have one minute per bill per member
to debate this crucial change legislation. It is not enough that 19 bills, over 1,000 pages of legislation, have been introduced in one package. The real insult, the rubbing of salt into the wound, is that members in this place who take their job seriously are being expected to have one minute per bill to debate this legislation. That speaks volumes of the contempt in which this government holds the parliament.

We are already sitting the shortest sitting periods in the history of Federation this year, in a non-election year. The government will do anything to avoid the scrutiny of the parliament. We have already seen the unedifying spectacle of the government substituting a joint select committee for the five specialist committees of the House that these bills should be being sent to by the Selection Committee for proper scrutiny and now we see the unedifying spectacle of the government gagging this debate on the basis that these bills have already been scrutinised.

The first time this parliament saw these bills was today, yet tomorrow members of this House are expected to start debating the most fundamental change to our economy since Federation. In past parliaments, governments like the Howard government actually respected the parliament; governments like the Howard government recognised the need to scrutinise legislation not just because the opposition was opposing the bills but because it was good for the government to have that scrutiny to make sure that inadvertent mistakes were not being made by the government. After all the failures over the years, whether it was the home insulation debacle, the Building the Education Revolution fiasco, the live cattle export disaster, the Malaysian solution, the East Timor solution, the Green Loans policy, the cash-for-clunkers policy—one fiasco after another—the government believe that the people and the parliament should take them at their word that they have got the most fundamental change to our economy in 111 years right. I for one am not prepared to give them that trust. I am not prepared to accept that the government have got this legislation right when they cannot even answer questions in question time about the detail of these bills. We will not support truncating this debate to the mere week or so that the government expects the parliament to deal with it.

The great precedent is the GST legislation. Not only did John Howard take his GST, his goods and services tax, to the people to get a mandate before he introduced it, unlike the carbon tax legislation introduced by the government, but John Howard had the common decency to seek a mandate from the people and receive it and then introduce the legislation. The bills were introduced in the House on 2 December 1998. They sat on the table, as is expected for such an important piece of legislation, till 7 December. Almost 15 hours of debate was allocated to the second reading on the goods and services tax legislation and the bills were passed on 10 December 1998 after they had sat on the table for a week.

The GST legislation then spent five months in Senate committees being scrutinised by the Senate. On 25 November 1998, the Senate established the Senate Select Committee on a New Tax System. The Senate committee also referred certain matters to three separate Senate references committees, all of which reported by the end of March 1999—namely, the Community Affairs References Committee, the Employment, Workplace Relations, Small Business and Education References Committee and the Environment, Communications, Information Technology and the Arts References Committee. So the Howard government went through the correct process. It introduced the bills. They
sat on the table. They did not try to rush them through the next day, having given members of parliament no time. Members have been given 12 hours to consider these 19 pieces of legislation of over 1,000 pages before they start speaking on these bills tomorrow. They have 12 hours to consider 19 bills, over 1,000 pages of legislation, in order to start debating them tomorrow. In the Howard government they had the decency to let the GST legislation sit on the table to give members of this House the opportunity to properly scrutinise the legislation and prepare their remarks. Then there were 15 hours of the second reading debate. They had Senate committees. Four different Senate committees reviewed the GST legislation before these bills were passed. This was not the jackboot democracy we are seeing from this government.

So of course we will oppose this legislation. This parliament is not a stranger to lengthy second reading debates. I have participated in many of them over the years. The research involving embryos and the Prohibition of Human Cloning Bill in 2002 took 23½ hours of debate. There were many amendments moved. I moved 14 amendments myself with Alan Cadman, the former member for Mitchell, and there was no gag put on that debate by the government at the time. The parliament was given the opportunity to properly consider one of the most significant issues facing that parliament.

The Workplace Relations Amendment (Work Choices) Bill 2005 took 23½ hours of debate. Parliament was given every opportunity to scrutinise the legislation, to go through it line by line. But in this government there are 19 bills of over 1,000 pages and members have been given 12 hours to consider their contributions to this debate before tomorrow morning—one minute per member per bill! The government should hang its head in shame.

Many other debates have occurred in this parliament where gag motions were not applied. The Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006 was not gagged. The Native Title Amendment Bill, and I was part of that debate in 1997, took about the same time as the GST bill—15 hours. The government at the time gave proper time for these debates to occur to allow proper scrutiny, because the Howard government respected the parliament. The Howard government did not hold the parliament in contempt.

In conclusion, there is a point that the Leader of the House made about how the government was prepared to give extra time to debate this legislation. Let us just examine for a minute the illogical position being put by the Leader of the House. Apparently these bills need to be gagged, guillotined, cut off from debate on 11 October and 12 October. Yet the government is admitting, because they need to give more time for the debate, that in fact they have not got the time on the schedule to deal with these bills in the comprehensive way that they should. So the illogical position of the Leader of the House is that we are going to gag the debate whilst at the same time offering more time for debate. If more time is needed for debate, why are you gagging the bills? Why are you gagging the bills if you have already admitted that we need more time for debate and offering extended hours?

We are not going to let the government off the hook by allowing them to have extended hours in this place whilst at the same time they are gagging 19 bills of over 1,000 pages, giving each member one minute per bill. We are not going to let you off the hook.
You have made your bed and you are going to have to lie on it.

The DEPUTY SPEAKER (Mr S Sidebottom): No, no, I have not made my bed yet; I have not been in it. Please speak through the Chair.

Mr PYNE: I accept your admonition, Mr Deputy Speaker. The government has made this call that they will gag the most important pieces of legislation, the most significant economic reform in the history of Federation. We are not going to allow them to then try and wriggle out of their situation by pretending that we will somehow allow them more time when, in the first place, they should not have gagged this legislation.

I call on the Leader of the House to remove this motion from the Notice Paper, to not proceed with it, to allow the House to properly consider the 19 pieces of legislation. It is in the interests of the government. We know from their record that they have got most of their policies wrong in the last 3½ years of government. If I were them, I would rather get these bills right now, even though we oppose them, rather than have to come back here, cap in hand—which I predict they will—and have to change and amend these bills in order to make up for the mistakes that have been created because of their failure to get them right now.

The DEPUTY SPEAKER: Is the motion seconded?

Mr HARTSUYSKER: I second the motion and reserve my right to speak.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (19:05): In closing the debate I will be brief, because I know that the Manager of Opposition Business has an important event to get to. The fact of the matter is that this resolution is more reasonable than anything that was ever done for serious issues by the former government. Indeed, the extraordinary proposition that they put forward over the debating of the GST bills in this House was that there was less time for scrutiny and less debate. The Manager of Opposition Business is exposed by his absurd argument, which seems to be that we do not have enough time to debate the bills, but we are going to oppose an extension of time to debate the bills because he says that would let the government off the hook. That is quite extraordinary, bizarre and weird logic from the member for Sturt—even for him. I give him credit for creativity in coming up with such an absurd piece of logic.

The fact is this: if more members wish to speak, there will be time allocated for them to do so. I have proposed to the Manager of Opposition Business, for example, that on the coming two Tuesdays of parliamentary sitting week would sit from 9 am to 2 pm. That would allow an extra 10 hours of debate on the second reading. Given that the Manager of Opposition Business has acknowledged that that alone is half the entire time that was allowed for the GST debate, it is quite extraordinary. But the opposition, of course, has a very short memory. The opposition has a short memory about Work Choices, about the Iraq War, about the Tampa legislation and about a range of other pieces of legislation that it rammed through this House.

This debate management motion is more democratic than any process that has ever been established in this House of Representatives. It is more democratic because it is allowing for one month a process where everyone is clear about what that process will be. I commend the motion to the House and reject the amendment moved by the Manager of Opposition Business.
Bill agreed to.

Third Reading

Mr ALBANESE: by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Indigenous Affairs Legislation Amendment Bill (No. 2) 2011

Second Reading

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

Mr LAMING (Bowman) (19:12): On a day when thousands of people will read the Hansard and remember it as the obituary of the Gillard government it is appropriate that we also wind up this Indigenous Affairs Legislation Amendment Bill (No. 2) 2011 as a reminder of how little has been achieved in the last four years under both Prime Minister Gillard and Prime Minister Rudd. This small piece of apparently insignificant legislation has a very important schedule within it which we on this side of the chamber do not support. This is the effort to effectively delegate the appointment of important statutory appointments to secretaries and deputy secretaries within the department. In particular it refers to the Coordinator-General for Remote Indigenous Services.

When history is written we will see that this government effectively inherited parts of the Northern Territory emergency intervention but did very little to build upon it. This administration will be remembered for criticising when in Central Australia the lack of consultation but then when back in mainstream Australia criticising other elements of it and talking tough. This government will be remembered for not having a consistent position on the intervention and not being able to follow up and improve some of those investments to
ensure we actually gained results. This administration will be remembered for not keeping count of the money spent in Central Australia and for allowing runaway expenditure in housing. This administration will be remembered for putting out promises of consultation in 2008 and then on a quiet day in 2011 having more consultation. This administration will be remembered for making virtually no difference in attendance at school and virtually no difference for community safety. But, on the plus side, this administration will be remembered for generating an enormous amount of paperwork, for generating an enormous amount of local plans administered by keen and committed officials who in the end are thwarted by the failure to take a new look at the challenges of Central Australia. It was important today to hear the member for Grey making a valuable contribution about the fact that, in the APY Lands in particular, things are getting worse. We will read about it in the mainstream newspapers and in this chamber we will wring our hands and we will be concerned about the dreadful outcomes, but at the end of our public lives what will we look back upon apart from some fine speeches on the topic?

The question is: what are we going to change? The problem has been identified so many more times than I can count and we have done reports on what needs to be done so many times, but now, given the chance for some legislative opportunity in this space, we have been presented by this administration with nothing more than the attempt to shift the appointment of significant statutory positions down to the department. It is hard to understand what drove someone from the current administration to draft such legislation. When faced with the squalor and the dysfunction the response was to say, 'Let's design a bill that is going to change appointments of independent statutory positions and hand them back to the actual departments they are meant to be monitoring.' It is hard to understand that we have an administration that has said, 'Let's take that independent coordinator-general and place them in an office right next door to the departmental officials they are meant to be monitoring and let their staff be appointed by that very department they are meant to be policing.'

The coordinator-general position looked, on the face of it, completely reasonable. The job of that person was to monitor, assess and advise on the cutting of red tape—on the efficient delivery of remote services. Who could argue with that principle? But instead of supporting this position and ensuring that it actually made a practical difference we are presented with legislation over the last month that devolved and effectively passed on the responsibility to appoint the position to the very department that is meant to be policed. What do you do when that happens? It is obvious. If the person who is monitoring is mixed in with the monitored then you keep getting more 'yes' people and you have effectively a neutered coordinator-general.

This area of Indigenous affairs is simply too important to do that. Our time in this place is too short and our opportunity to change what is happening in most parts of Australia—urban, remote and regional—is too precious to lose. To simply hand that job back so that effectively, with the greatest of respect, senior departmental officials are picking the person who actually polices them is not good enough and someone needs to say, 'Stop! Let's not do that; let's keep some responsibility with the minister.'

I want to give a few examples tonight of the damage that has been done by weakening the coordinator-general position. It is well known and publicly recorded that the
coordinator-general has written correspondence about the difficulties of that position—first in June 2010; again in frustration in August 2010—and this correspondence is vigorously concealed from public view. When this correspondence is sought the response is simple: 'These are confidential working documents that cannot be shared.' I just ask: what forms of policing of the efforts in Central Australia in particular are so sensitive that they cannot be shared with the public? Even you, Acting Deputy Speaker Sidebottom, would have to agree that this information being publicly available is truly important. There is nothing to be gained from hiding the truth. An example of this weakening of the coordinator-general position is that six-monthly reports have become increasingly diluted and weakened and we get this almost distant perspective as though one is looking through a bus window at the problem.

The foetal alcohol spectrum disorder study called the Lililwan Project, phase 2, needs an almost, in governmental terms, insignificant amount of funding to move into its next stage and the coordinator-general himself is unable to encourage that to happen. In the report we just read that this would be a desirable step to be taken because the coordinator-general cannot say anything more than that. My great concern is that what the coordinator-general says and writes is actually controlled by the very department that he is writing about.

If we move to Queensland, my state, we have the national priority area of working with communities that need help most. In the COAG initiatives every state had to choose communities. We saw six chosen in Queensland. It excluded 13 others from that high bar of achieving services in remote communities similar to what you would find in mainstream communities of equivalent size in rural and regional Australia. The Queensland government effectively escaped this entire process by naming four communities that were already part of the Cape York initiative. So four of the six communities were already two years into a fairly intensive and well resourced process. So that was again a massive missed opportunity to give the other 13 communities that desperately need support an opportunity to be part of this COAG initiative.

When we look across at South Australia, almost daily in our mainstream newspapers the reports are about the dysfunction that has led to breakdowns in community safety, lack of attendance at schools, poor turn-up to health clinics and failure to improve health outcomes. All of these issues are begging for someone who can truly cut through the red tape, but instead we have someone who is being intertwined, no, bound by that very same red tape.

For most of 2011 the Kimberley has been in the spotlight for all of the wrong reasons. It has been a suicide spike of great concern. It is reaching the point where there is a suicide every other week and parts of the Kimberley have descended into a suicide-funeral spiral, where no sooner are we leaving a funeral and another suicide is recorded. The great tragedy of this is the inability of non-health professionals to recognise early those sentinel signs of distress that can lead to suicide. We were promised action by this government, but too often the definition of 'action' is a press release followed by stakeholders desperately trying to divine exactly what the press release means. Typically, money is involved but there is no guarantee when it will arrive. So we have been waiting for that suicide prevention money to arrive in the Kimberley. I have heard almost every excuse known to the public service as to why that money is still not there. Let us go through them. The first one is that the framework is sitting on
the minister's desk. The next one is that it is under consideration and it has already been presented by departmental officials—that it is only a sleep or two away from being cleared.

We have had the Mental Health Commission waiting on additional detail before they would sign off with money. In the end, we now learn that this entire four- or five-month period since the suicide spike was reported has been devoted—wait for it—to formulating an expert advisory body, as if the public health science of suicide is not already recorded, as if meta-analyses have not been performed, as if we have to effectively co-opt a new group of experts to analyse this problem all over again when we have impressive, diligent, hardworking Aboriginal medical services and divisions of general practice just waiting to roll those resources out. And do you think that the coordinator-general has been separated enough from the federal departments to be able to make that happen any faster? The answer is no. That should be the litmus test of the functionality of a coordinator-general.

We have a single opportunity to turn now to the minister on the other side of this chamber and say, 'The political legacy of these four years can be nothing or it can be something that generates change.' At the moment, the great lessons learned in Cape York have not been disseminated around the country, for no good reason. Sure, we trickle in enough money to keep that study going, but we should take the basic precept of consultation—which we all agree is important but can never replace action—an agreement within communities and an agreement within family groups on positive social norms and fund them to occur. We need to look at the Centrelink system and stop potentially making individual payments that lead to perverse outcomes. We need to end the process of paying people whether they send their children to school or not, because this is the rule of law in Australia and we simply need the methods to ensure that those rules are adhered to in the Indigenous communities. They are called local implementation plans, and we have ROCs and GBMs and a range of other departmental officials who make sure that they are completed.

A local implementation plan, when signed off, allows communities to find their own priorities, from community safety to health to child safety to environmental health and housing. But most of these have not even been signed off. We have been waiting for months. The reason they are not signed off is quite simple: the coordinator-general cannot compel anyone to do it. These documents have, again, become commissioned to dusty piles of previous documents that effectively change nothing. The people who are in power in many of these communities have an overriding incentive to leave things pretty much as they are. We see matriarchs who are not empowered; we see children not turning up to school; and the health results are obvious.

The first step is a coordinator-general who is independent of the very departments that he or she monitors—but at the moment that overview is simply not occurring. My great fear is that we will have, again, six months down the track, another diluted, emasculated report from the coordinator-general that again says, 'Wouldn't it be desirable if this happened; I note that this has not happened.' That is not a legacy to be proud of, but it is already being written—no, it is being carved on the walls—of the achievement of the current administration. At the end, they will turn to Australia and say, 'We appointed a coordinator-general. Look, it was a complex problem and we gave it a red-hot go and every year or two we did a bit more consultation,' but, in the end, the evidence
that they do not care for results in Indigenous Australia—no, they care more for inputs than outcomes—is that they continue to govern by press release, that they continue to send a weakened coordinator-general into Central and regional Australia and that they continue to accept reports, raise an eyebrow or two, pick out a good result and then put that back into a press release.

Australia has had enough of papering over the cracks. We have had enough of hiding the reality. Australia has had enough of not telling it how it is. That is all that Australians would ask of their leaders—tell it how it is. That will not happen with a coordinator-general who is in the pocket of the departments that he monitors. It will not happen with a coordinator-general who is appointed by departmental officials. It will not happen with a coordinator-general whose staff is actually chosen by the department. For goodness sake, there should be no fear in this country, with the lessons we have not learned in Indigenous health, in having a truly independent coordinator-general. We will not have one if this schedule 2 is passed, and that is why this side of the chamber will fight vigorously to make sure that the appointment of the coordinator-general remains with the minister, which is exactly where it belongs.

Ms COLLINS (Franklin—Parliamentary Secretary for Community Services) (19:27): The Indigenous Affairs Legislation Amendment Bill (No. 2) 2011 contains several minor amendments to Indigenous affairs legislation. Some amendments make minor governance and business changes for portfolio bodies under the Aboriginal and Torres Strait Islander Act 2005. That act established several statutory positions that currently have the title ‘general manager’. This is the case for the heads of Indigenous Business Australia, the Indigenous Land Corporation, Aboriginal Hostels Ltd and the Torres Strait Regional Authority. To respond to changes in the roles of these positions since they were created, the term ‘chief executive officer’ will replace ‘general manager’. This will reflect more accurately the responsibilities and expectations of these agency heads.

Most other Commonwealth statutory authorities and companies have agency heads with the title of chief executive officer, such as the Australia Council for the Arts, Screen Australia, the Australian Film, Television and Radio School and the Australian Sports Commission. Therefore, this change is an alignment with the mainstream for agencies established under the Aboriginal and Torres Strait Islander Act. It is more appropriate for agencies that have a board of directors, as these agencies do, to be headed by a chief executive officer, in view of a general expectation that chief executive officer is more senior than general manager. The change in title should help the boards of these agencies to attract a higher calibre of candidate for the agency head positions.

Another minor amendment in the bill will remove a redundant reference in a provision that refers to review being available under the Administrative Decisions (Judicial Review) Act 1977. The provision currently mentions two discontinued Aboriginal Hostels Ltd schemes, the Community Support Hostel Grant Scheme and the Student Rent Subsidy Scheme, as having access to this avenue of review. However, the two schemes have not existed for a number of years and we are taking the opportunity to remove the reference, which is clearly no longer appropriate.

The bill also amends the provision for handling of information held by Indigenous Business Australia. This provision has a narrow focus that has in the past prevented information from being disclosed to agencies
with responsibility for overseeing Commonwealth administrative practices, such as the Ombudsman and the Privacy Commissioner. The provision also prevented information being given to Commonwealth agencies working on joint initiatives with Indigenous Business Australia and to state and territory agencies seeking to work more closely with Indigenous Business Australia to achieve better outcomes for Aboriginal and Torres Strait Islander people and communities.

The amended provision should overcome these difficulties, however the appropriate protection of sensitive information will be continued after the amendment. It is important that Aboriginal and Torres Strait Islander people continue to have confidence in how information is managed. The amended provision will be consistent with established information-handling arrangements that protect information while still permitting the proper work of the Commonwealth and its agencies. Such arrangements can be found in the family assistance law and the Paid Parental Leave Act 2010. The amendments are supported by the Indigenous Business Australia board.

The last measure in the bill as it was introduced would have amended the Aboriginal Land Rights (Northern Territory) Act 1976 and the Coordinator-General for Remote Indigenous Services Act 2009. This was to allow the minister to delegate to the secretary or a deputy secretary of the department the power to appoint a person to act for short periods as Executive Director of Township Leasing or as the Coordinator-General for Remote Indigenous Services.

During parliamentary consideration of this schedule of the bill some members of parliament have raised issues that require further discussion on operational details. The government will therefore move an amendment to withdraw schedule 2 to enable other elements of the bill to proceed.

Question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Ms COLLINS (Franklin—Parliamentary Secretary for Community Services) (19:31): I present a supplementary explanatory memorandum to the bill and I move:

That on (1) Schedule 2, page 16 (lines 1 to 18), omit the Schedule.

Mr ANDREWS (Menzies) (19:32): I will not detain the House for long. I simply repeat what I said in my remarks in the second reading debate, and that is that the coalition was opposed to this schedule and therefore we support the amendment to have it withdrawn.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Ms COLLINS: by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Navigation Amendment Bill 2011

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr TRUSS (Wide Bay—Leader of The Nationals) (19:33): Before my contribution to this debate was interrupted by question time and all the other events of the day, I was referring to the Maritime Labour Convention and the fact that this bill implements the Maritime Labour Convention into Australia. The Maritime Labour Convention addresses various conditions of employment for seafarers and will put in place a system where ships will be inspected and certified to
meet particular standards. I indicated in my earlier remarks that the coalition would not oppose the bill, although we are naturally anxious about some elements of the way in which it will operate.

The shipping industry has raised some legitimate concerns about the practical operation of this scheme. The Australian Shipowners Association has raised concerns about the treatment of cadets and trainees, who under the MLC would be required to have individual sleeping quarters. This may pose a disincentive to vessel operators taking on more cadets, making it more difficult for them to obtain appropriate sea time to gain their qualifications. Additionally, concerns have been raised that the new provisions requiring vessel owners to provide free meals to seafarers on board vessels may mean that they will attract Australian fringe benefits tax, which will significantly increase the cost of providing this service.

It should also be noted that this will be the first time that the Australian Maritime Safety Authority will undertake a social as opposed to a safety function. Under the MLC Australia will be obliged to inspect ships that do not have the required documentation docking at Australian ports. The inspection process is extensive, requiring the inspection of all employment contracts and qualifications for all crew, including the kitchen staff—more bureaucracy from international organisations and an Australian government that believes more paperwork will save the world. The time taken to complete this process could potentially delay cargo leaving Australia's ports and add to the bottlenecks already experienced.

As such, appropriate training and funding will be required to ensure that inspectors are well equipped to undertake the role required of them in a timely manner. The MUA has been pushing for the International Transport Workers Federation to play a role in the inspection process which, if allowed to happen, would be a major concern for industry participants. Additionally, it should be noted that wages and conditions for seafarers will be subsequently stipulated through regulation. The coalition will carefully scrutinise this process to ensure that the requirements are not more onerous than those required to meet the MLC. Traditionally Australia's shipping industry has been uncompetitive internationally because of the higher cost of running an Australian as opposed to a foreign flagged vessel. Australian ships are notorious for having high manning levels and wage structures compared with the rest of the world. For example, at the moment a typical Australian container ship pays $4.06 million in crew costs per year compared to a foreign ship, which pays just $1.65 million in crew costs.

I turn to the practical concerns of the bill. It was referred to the House of Representatives Standing Committee on Infrastructure and Communications for consideration. The committee recently tabled its report addressing each of the industry concerns. The committee was assured by the Department of Infrastructure and Transport that it was working with industry to ensure a seamless transition to the MLC provisions that would not unfairly disadvantage the Australian shipping industry and undermine its viability. Specifically in relation to the requirement for single berths for seafarer cadets, AMSA have advised that they are actively working to address this issue and will be proposing subordinate legislation on this matter.

It is clear that should the MLC not be ratified in Australia and it comes into force internationally as expected, our shipping industry will be at a significant disadvantage relative to other vessels from countries that
have ratified the MLC. This would have the potential to significantly affect Australian trade. The Australian Shipowners Association, Shipping Australia and the Maritime Union of Australia have all publicly expressed their desire for the MLC to be ratified. Additionally, state and territory governments have been consulted and have raised no objection to the ratification of the MLC.

In summary, the coalition will not oppose the ratification of the MLC. However, in doing so we note the practical concerns raised by industry participants and will continue to monitor this process to ensure that they are addressed. We look forward to being given the opportunity to scrutinise the regulations to be implemented in due course.

The second part of the legislation, schedule 1 part 2 of the bill, amends the Navigation Act 1912 in relation to vessel tracking services. It amends the definition of 'vessel tracking service' to refer to guidelines adopted by the International Maritime Organisation and any amendment to those guidelines. It also amends the regulation-making power in the Navigation Act to specifically provide for the making of regulations relating to vessel-tracking services. These amendments will provide legal backing for the extension, from 1 July 2011, of the current vessel-tracking services to the southern part of the Great Barrier Reef in response to the grounding of the Shen Neng 1 on the Great Barrier Reef in April 2010. The amendments made in schedule 1 part 2 of the bill are non-controversial and the coalition will not oppose them.

However, I was concerned by reports yesterday that at the same time the government is expanding vessel tracking on the Great Barrier Reef, it is casting aside seafarer expertise when it comes to charting a safe course through our territorial waters of the Torres Strait, exposing the northern tip of the Great Barrier Reef to potential irrevocable damage. Revelations by WikiLeaks indicated that Labor had quietly watered down shipping safeguards in the Torres Strait to no longer require shipping pilots to be on board large vessels such as oil, chemical and liquefied gas tankers navigating these treacherous waters.

The previous coalition government insisted that vessels entering the Torres Strait be manned by pilots. I was pleased when the Minister for Infrastructure and Transport came into the House yesterday to give an assurance that Labor would not be putting our marine environment at risk, had not bowed to pressure from overseas, and the reports in the newspapers were incorrect. It is important that we all adopt high standards when it comes to protecting our marine environment and the assurances of the minister were most welcome. The grounding of the Shen Neng 1 off Rockhampton in April 2010 tore a three-kilometre scar in the Great Barrier Reef and the oil slick covered two nautical miles. No doubt the reef will take some years to recover. While I think it is true that the reef is more resilient than many people think, we do not want any damage, lasting or short term, to this precious natural asset. When you think of the long-term damage that can be inflicted on such a pristine and unique marine environment as the Barrier Reef, nothing should be left to chance. Therefore the requirements to fit these vessel-tracking devices on vessels passing through this area has merit.

As I indicated earlier, the coalition will not be opposing the bill. We will monitor its implementation to ensure that the Australian shipping industry is not disadvantaged. In concert with some of the proposed reforms being talked about at the present time, the
bill can play an important role in the future of Australia's international trade.

Ms OWENS (Parramatta) (19:43): I am pleased to speak on the Navigation Amendment Bill 2011, which proposes to amend the Navigation Act 1912 to ensure consistency between the act and the Maritime Labour Convention in order to provide for the implementation of that convention in Australia. The convention is part of a range of conventions developed by the International Maritime Organisation aimed at improving the safety of ships at sea. There are four pillars, and this convention is the fourth. The first three—safety of life at sea, prevention of pollution from ships, and the standards of training certification and watchkeeping—are already in place.

This fourth pillar is often referred to as the seafarers' bill of rights and it can be described as an objective benchmark to ensure that people working and living on the ships that ply international waters have decent working conditions. The convention deals with the minimum requirements for seafarers to work on a ship: conditions of employment; accommodation, recreational facilities, food and catering; health protection, medical care, welfare and social security protection; and compliance and enforcement. As we consider this bill today we should understand that there are people currently working on ships around the world in some of the worst working conditions we would find anywhere. I know from many conversations with colleagues and friends in the Maritime Union of Australia their concern for the conditions that they find some of their international colleagues working in, even in our own waters here in Australia.

The Maritime Labour Convention will come into effect when at least 30 member states, accounting for 33 per cent of the world's gross tonnage, will have signed up for the convention. Once that has been achieved, the convention will come into force some 12 months later. It is worth considering who currently has ratified the convention. There are currently 12 member states, which account for 48 per cent of the world's gross tonnage of ships. They are the Bahamas, Bosnia, Bulgaria, Canada, Croatia, Liberia, the Marshall Islands, Norway, Panama, St Vincent and the Grenadines, Spain and Switzerland. The convention applies to all ships engaged in commercial activity but excludes traditional-build vessels such as fishing vessels and warship or naval auxiliaries. Ships of 500 GT or over are required to be certified and must carry a maritime labour certificate as well as a declaration of maritime labour compliance. Ships below 500 GT are subject to inspection at intervals not exceeding three years.

It is important that Australia ratifies this convention because once it comes into place Australian ships will be subject to inspection in any country that has ratified the convention and will be subject to possible detention if they do not meet the minimum standards of the new convention. The reality for Australia is that ratifying the convention will not result in significant changes for us, because Australian ships generally already provide good working conditions. But the passage of this bill will help to ensure that the good working conditions are maintained on Australian ships and that seafarers working on other ships that enter Australian ports will have good working conditions. It will also have the effect of reducing the likelihood of accidents that may result in pollution, damage or loss of life or injury to seafarers.

The Maritime Labour Convention modernises a wide range of existing international labour standards that go back over eight decades. There has been
considerable work done to bring us to this point. It modernises a wide range of existing standards and consolidates and updates more than 60 earlier ILO conventions and recommendations. It sets minimum requirements for seafarers to work on ships. It addresses conditions of employment, accommodation, recreational facilities, food and catering. It promotes compliance by operators and owners of ships by giving government sufficient flexibility to implement the convention's requirements in a manner best adapted to their individual laws and practices. It strengthens enforcement mechanisms at all levels, including provisions for complaint procedures to be made available to seafarers, for shipowners' and masters' supervision of conditions on their ship, the flag states' jurisdiction and control over their ships, and port state control inspections of foreign ships. So it is quite a comprehensive convention and, coming on the top of the first three pillars, makes a substantial difference to the safety of ships and their crews at sea.

This is, of course, an important area for us all. In Australia, shipping carries 99 per cent of our trade by volume. We are a very large part of the entire world's seaborne trade. In fact, Australia's shipping task makes up 10 per cent of the entire world's seaborne trade. If we expect cargo to be transported efficiently around the world without loss of life and vessels, and without pollution, injury or death, we need first-class, qualified world shipping services. We cannot expect seafarers who are subject to Third World living conditions—and many are—to deliver a First World shipping service.

I am pleased to say that the implementation of the convention is strongly supported by all sectors of the maritime industry. The unions and the employer associations are well and truly behind this convention and have expressed their support.

You can tell the strength of the support for this convention by the nature of the tripartite Australian delegation which participated in the meetings leading up to the adoption of the convention. It included representatives of the Australian Shipowners Association as well as Australian government officials and representatives of the Maritime Union of Australia. The composition of that delegation reflects the unique bargaining arrangements for International Labour Organisation meetings, and it is great to see the various elements of the maritime industry coming together for the betterment of international shipping.

The convention will apply in Australia to ships of 200 gross tonnes and over, whether they are engaged on international voyages or engaged domestically. Those in excess of 500 gross tonnes will have to carry documentation of compliance on their voyages. Those under that tonnage will be subject to inspection every three years. The maritime labour certificate will be issued after a ship has been inspected and found to meet the requirements.

This is a comprehensive convention which will make a substantial difference for seafarers and for the international shipping trade. I know that my friends and colleagues in the Maritime Union of Australia have for many years been concerned about the conditions that they see in some of their seafaring colleagues' ships around the world and in our own waters, and I join with them in satisfaction that, finally, this convention will come into play and make a real difference around the world and in our own waters. I commend the bill to the House.
member of this parliament, I will always fight for the working conditions of all Australian workers. We need to think about the working conditions of our seafarers when we consider safety in Australian workplaces. That is what this bill does. After all, our seafarers working on ships engaged in commercial activities play an indispensable role in our trading economy. Because of this, it is vital that their working conditions are in line with international standards and practices. This bill aims to do this.

The Maritime Labor Convention is often referred to as 'the seafarers bill of rights'. It was established in 2006 by the International Labour Organisation, and it provides comprehensive rights and protection for the world's 1.2 million seafarers. Indeed, as stated by the International Labour Organisation, the shipping industry is the world's first genuinely global industry and one of its most economically important. It is estimated that 90 per cent of trade is carried on ships, and seafarers are an integral part of the international economic and trade system.

I want to acknowledge the speech made by the Minister for Infrastructure and Transport yesterday in which he outlined the reform package Stronger Shipping for a Stronger Economy. The aim of this important reform is to correct the lack of action in the shipping industry in the Howard years. There are four key elements to the reform, but the establishment of the Maritime Workforce Development Forum is one of those that is critical to progressing key maritime skills and training priorities. That is an element that is clearly linked to the development of a workforce ready to take advantage of opportunities provided by our burgeoning export market and increased domestic transport task.

What truth Edmund Barton spoken when he said, in the lead-up to the Australian Federation, we are:

… a nation for a continent and a continent for a nation.

As the largest island continent on earth, our trading industries and national prosperity have always been dependent on the shipping industry.

Because of the global nature of the shipping industry, the International Labour Organisation rightly determined that there should be international standards, regulations and principles applicable to the entire industry. Seafarers on Australian ships generally do have good working conditions, and the implementation of the Maritime Labour Convention will not result in a significant change for them. But that is a reflection of our long history as a trading nation engaged in the maritime industry.

One of the things that I have the pleasure of doing every year in my role as the member for Robertson is attending a memorial service for people from the merchant navy, people who have given their lives to working at sea. It is held every year at Norah Head, just under the lighthouse, on the great Central Coast shore. At that service one of the stories that is retold of the history of merchant shipping in Australian waters is of the very first casualty during the Second World War, where a marine vessel went down off the beach at The Entrance. There was an amazing loss of life so close to our shores in an attack by the Japanese at that point in time. There is risk involved in this profession, in this industry, and it is important that we recall that on that particular day.

We need to continue to work to improve the conditions in the maritime sector. It is important that Australia, by ratifying the Maritime Labour Convention, assists in
enabling it to come into force and achieves the consolidation of more than 60 international labour organisation standards entertained over decades. Commencement of the Maritime Labour Convention requires the ratification of 30 member countries, with a minimum of 33 per cent of gross tonnage represented by those countries. Currently about 15 countries have ratified the Maritime Labour Convention, with ratification pending for three others.

The convention is comprehensive and deals with matters including the minimum requirements for seafarers to work on ships. It deals with conditions of employment, accommodation, recreational facilities and food and catering. Importantly, it deals with health protection; medical care; welfare; and social security protection, compliance and enforcement. Australia can play its part in ensuring that a global standard is successfully implemented and enforced, and that is what this legislation will achieve. Once the ratification target has been achieved by the International Labour Organisation, the convention will come into force 12 months later.

As a member of this parliament I look forward to the great advancement in workers' rights that will occur after this convention commences. After ratification, ships of all countries will be subject to inspection in any country that has ratified the convention. If a ship does not meet a minimum standard then the ship will be subject to possible detention.

This bill effects the implementation of the Maritime Labour Convention into Australian law. It is firstly important to recognise that these amendments only apply to Australian ships with a gross tonnage of 200 and over. They do not apply to ships engaged in freighting. Additionally, the requirement for ships to carry documentation as evidence of compliance applies only to ships of 500 gross tonnes and over engaged in voyages to or from ports outside of their country of registration.

The Navigation Amendment Bill implements the Maritime Labour Convention under Australian law through a number of means. First, the bill removes inconsistencies between the Maritime Labour Convention and our Navigation Act. This is vitally important in ensuring that the Navigation Act operates according to the principles and language practices of the Maritime Labour Convention. This assists in ensuring that the Navigation Act is applied and enforced in accordance with those international standards.

Second, the insertion of section 45A of the Navigation Act and the revision of section 46 significantly advance the manner in which workers' rights are enforced in the maritime industry. The new section 45A gives effect to standard A.2.1 of the MLA. This standard specifies that all crew members on a ship with a cargo of greater than 200 tonnes are required to have an employment agreement. The master of the ship is subject to criminal liability if they take a ship to sea without employment agreements that comply with section 45A of the act. This is an immensely important means of ensuring that the working rights of the crews of ships are properly determined and properly enforced.

Third, these amendments recognise the well established international, Commonwealth and state standards that both owner and master are liable for such breaches. Importantly, these provisions improve the clarity of the legislation governing the rights of workers in the maritime industry. They ensure that owners and masters of ships are subject to appropriate liability and that seamen are provided with appropriate rights. Another important provision in the amendment bill is
the proposed section 53, concerning the availability of information in regard to the conditions of employment. This section states that the regulations may prescribe that the owner of the ship is required to make available to the master and seamen information in regard to their conditions of employment. This really does represent a significant modernisation of current provisions in the Navigation Act, and it will certainly improve the accessibility and clarity of information in regard to the rights of maritime workers.

Another significant example of this modernisation is division 10 of this amendment bill, relating to the payment of wages. Proposed section 70 of the Navigation Act will clearly set out the required content of regulations relating to the payment of wages. Requirements in section 70 are comprehensive, and they relate to the frequency with and method by which wages are to be paid; permitted deductions of payments to masters and seamen; and payslips. The requirements are written in modern language and will greatly assist in improving the manner in which these regulations are made and enforced.

I am proud to support a government that believes that workers' rights are human rights. It is this party that will always respect the rights of workers and believe that labour is not just like any other commodity. It is this party which values the role of the International Labour Organisation in having advanced the rights of workers globally. Indeed, it is through the advancement of workers' rights that global living standards have improved over time. This is while recognising the importance of a degree of appropriate flexibility in labour markets as provided in the Fair Work Act.

The Maritime Labour Convention demonstrates the effectiveness of the International Labour Organisation in modernising and improving workers' rights on a global scale. The ratification of the Maritime Labour Convention will represent a victory in global agreement and cooperation. As a member of the Australian Labor Party, I am confident that the ratification of the Maritime Labour Convention will improve global workers' rights. Additionally, I believe that the ratification of the Maritime Labour Convention will improve the rights of seamen from Asia-Pacific nations, who make up 60 per cent of global maritime workers. That is, of course, definitely worth supporting. Australia can and needs to do its part in ensuring that the Maritime Labour Convention is enforced. Once the convention is ratified, Australia will certainly play its part in upholding, regionally and globally, the rights of maritime workers. (Quorum formed)

The DEPUTY SPEAKER (Ms S Bird): I should indicate to members that it is my intention, although it is after eight o'clock, to allow the member to conclude her comments before calling the deferred division.

Ms O'NEILL: We truly are a nation continent and a continent nation. The advancement of air travel and air freight has changed much, just as the NBN will bring even more change to how we connect from our island home to the rest of the world. But the movement of physical goods to and from our shores and the prosperity of our nation will always be inextricably linked to the global shipping trade. As global citizens aware of our international obligations, it is important that we ensure that the Maritime Labour Convention is ratified and enforced globally and that we enforce it in our domestic law. In duly exercising the authority to govern secured at the last election, the Gillard government has committed itself to ensuring that responsible and commendable legislation will be
advanced. This legislative amendment is both commendable and responsible. I commend the bill to the House and urge its prompt passage through this place.

Debate adjourned.

BUSINESS

Suspension of Standing and Sessional Orders

Debate resumed.

The DEPUTY SPEAKER (Ms S Bird): In accordance with standing order 133(b), I shall now proceed to put the question on the amendment moved earlier by the honourable member for Sturt to the motion moved by the Leader of the House on which a division was called for and deferred in accordance with the standing order. No further debate is allowed.

Question put:

That the amendment (Mr Pyne's) be agreed to.

The House divided. [20:11]

(The Speaker—Mr Harry Jenkins)

Ayes.....................69
Noes.....................70
Majority................1

AYES

Alexander, JG
Andrews, KL
Billson, BF
Bishop, JI
Broadbent, RE
Cobb, JK
Crook, AJ
Entsch, WG
Forrest, JA
Gambaro, T
Haase, BW
Hawke, AG
Hunt, GA
Jones, ET
Keenan, M
Laming, A
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
O'Dowd, KD
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Secker, PD (teller)
Sliper, PN
Somlyay, AM
Stone, SN
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

AYES

Adams, DGH
Bandt, AP
Bowen, CE
Brodman, G
Burke, AS
Byrne, AM
Cheeseeman, DL
Collins, JM
Crean, SF
DFyfe, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Griffin, AP
Hayes, CP
Jones, SP
King, CF
Livermore, KF
Macklin, JL
McClelland, RB
Mitchell, RG
Neumann, SK
O'Connell, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Saffin, JA
Sidebottom, PS
Snowdon, WE
Symon, MS
Vamvakinou, M

AYES

Mirabella, S
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Simpkins, LXL
Smith, ADH
Southcott, AJ
Tehan, DT
Tudge, AE
Van Manen, AJ
Washer, MJ

NOES

Albanese, AN
Bird, SL
Bradbury, DJ
Burke, AE
Butler, MC
Champion, ND
Clare, JD
Combet, GI
Danby, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzgibbon, JA
Georgianas, S
Grierson, SJ
Hall, JG (teller)
Husie, EN (teller)
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Melham, D
Murphy, JP
Oakeshott, RJM
O'Neill, DM
Parke, M
Plibersek, TJ
Rishworth, AL
Roxon, NL
Shorten, WR
Smyth, L
Swan, WM
Thomson, CR
Wilkie, AD

CHAMBER
Question negatived.

The SPEAKER: The question now is that the motion moved by the Leader of the House relating to the suspension of standing and sessional orders in relation to the proceedings on the Clean Energy Bill 2011 and 18 related bills be agreed to. Question put.

The House divided. [20:18]

(The Speaker—Mr Harry Jenkins)

Ayes.....................70
Noes.....................69
Majority ...............1

AYES

Adams, DGH
Bandt, AP
Bowen, CE
Brodthman, G
Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
D’Ath, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Griffin, AP
Hayes, CP
Jones, SP
King, CF
Livermore, KF
Macklin, JL
McClelland, RB
Mitchell, RG
Neumann, SK
O’Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Saffin, JA
Sidebottom, PS
Snowdon, WE
Symon, MS
Vamvakou, M
Windsor, AHC

NOES

Zappia, A

Pairs

Abbott, AJ
Ciobo, SM
Gillard, JE
Gask, J
Gray, G
Irons, SJ
Moylan, JE

AYES

Parke, M
Plibersek, TJ
Rishworth, AL
Roxon, NL
Shorten, WR
Smyth, L
Swan, WM
Thomson, CR
Wilkie, AD
Zappia, A

NOES

Alexander, JG
Andrews, KL
Billson, BF
Bishop, BK
Bishop, JI
Broadbent, RE
Chester, D
Cobb, JK
Crock, AJ
Entsch, WG
Forrest, JA
Gambaro, T
Haase, BW
Hawke, AG
Hunt, GA
Jones, ET
Keenan, M
Laming, A
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
O’Dowd, KD
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Secker, PD (teller)
Slipper, PN
Somiya, AM
Stone, SN
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

Pairs

Abbott, AJ
Gillard, JE
Gray, G
O’Neill, DM
O’Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Saffin, JA
Sidebottom, PS
Snowdon, WE
Symon, MS
Vamvakou, M
Windsor, AHC

CHAMBER
Tuesday, 13 September 2011  HOUSE OF REPRESENTATIVES

PAIRS

Rudd, KM  Moylan, JE
Smith, SF  Irons, SJ
Thomson, KJ  Ciobo, SM

Question agreed to.

BILLS

Telecommunications Legislation Amendment (Fibre Deployment) Bill 2011

Returned from Senate

Message received from the Senate returning the Telecommunications Legislation Amendment (Fibre Deployment) Bill 2011 without amendment or request.

Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2011

Second Reading

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr HOCKEY (North Sydney) (20:24): I move amendment (1):

(1) Schedule 1, item 16, page 7 (line 29) to page 8 (line 10), omit subsections 64E(2) and (3), substitute:

For the purposes of performing his or her functions under subsection (1), the Parliamentary Budget Officer may prepare, or have regard to, either or both of the following:

(a) economic forecasts;
(b) budget estimates (whether at the whole of government, agency or program level).

(2) Schedule 1, item 16, page 8 (lines 14 to 29), omit section 64F, substitute:

64F Information gathering powers and secrecy

(1) The Parliamentary Budget Officer has the powers and obligations set out in Schedule 2.

This amendment relates to the Parliamentary Budget Officer. Schedule 1, item 16, section 64E(2) precludes the Parliamentary Budget Officer from preparing economic forecasts or preparing budget estimates. Proposed section 64E(3) states:

... the Parliamentary Budget Officer must use the economic forecasts and parameters and fiscal estimates contained in the most recent relevant reports ...

These proposed subsections essentially constrain the Parliamentary Budget Office to using only the official economic and budget forecasts in its work. So it cannot even use the Reserve Bank's data, which is official data that is often in dispute with the official data out of the Treasury. It cannot refer to any other economic information that might be published by HSBC, Deutsche Bank, Citigroup or anyone else. It cannot refer to any forecast coming out of the IMF or the World Bank. It cannot refer to any forecast coming out of the OECD. No, it would seem that this will clearly constrain its independent assessment or analysis of the economic or fiscal impacts of policy proposals.

The Congressional Budget Office, which is constantly assessing independent data from a range of different sources and providing considered, balanced advice to the congress, would be denied by this bill. This bill alone serves the interests of the Treasury and of the government. It does not serve the interests of the parliament because it is not allowed to use any official data other than that provided by the Treasury. As I know, the Department of the Prime Minister and Cabinet often does its own independent assessments of economic forecasts as well as from time to time forecasts of the budget. The Department of Finance and Deregulation undertakes similar forecasts.

These proposed subsections seem to be at total odds with the purpose of the PBO
outlined in proposed section 64B, which states that the purpose of the Parliamentary Budget Office is to provide independent analysis of the budget cycle, fiscal policy and the financial implications of proposals. So I have moved that proposed sections 64E(2) and 64E(3) be omitted. I have moved they be replaced with a new section 64E(2), which gives the Parliamentary Budget Office the power to prepare its own economic forecasts and budget estimates or to have regard to existing economic forecasts or budget estimates as they see fit. This will allow the PBO to fully meet its objectives and provide a truly independent analysis of fiscal policy.

Again, I say to the Independents in this place: here is a classic example of where the government has put into the bill a handcuff on the PBO, attaching it to the Treasury forecasts and the Treasury forecasts alone, which is completely at odds with the intention behind the Parliamentary Budget Office. I am quite surprised that people would agree to that, given they want to have an independent Parliamentary Budget Office.

Mr BRADBURY (Lindsay—Parliamentary Secretary to the Treasurer) (20:27): The government does not accept this amendment moved by the member for North Sydney and there are a number of very good reasons why that is the position of the government. I say from the outset that it is important to note that the Parliamentary Service Amendment (Parliamentary Budget Officer) Bill, which is currently before the House, has been the subject of ongoing consultation and a very extensive process, a process that has been expansive in its membership. It has involved a committee process. We had the Joint Select Committee on the Parliamentary Budget Office established to undertake an inquiry around this particular issue. It should be noted that the committee had wide-ranging representation. Indeed, that committee included the member for Sturt as the deputy chair, Senator Joyce and the member for Higgins. It is relevant to note that when that committee handed down its report the recommendations were unanimous. There was not a dissenting report. We now have, through the government's bill, a response from the government that adopts each of those recommendations in full. A series of amendments has been circulated and the member for North Sydney has now moved one amendment. I will address the issues raised by this amendment. The shadow Treasurer has moved an amendment in relation to this motion of allowing the PBO to undertake and to draw upon economic forecasts that would seek to expand the role of the PBO in a way that really does raise questions about what their approach to the PBO is. They seem to want to make this body all things to all people. On the one hand, we have the shadow Treasurer here saying that we should have a body that is drawing upon a range of forecasts. I think that it is appropriate and, indeed, the committee thought it was appropriate that the function of the PBO should be limited to drawing upon those established forecasts but in order to undertake the more specific function of the costings that it will put in place.

If we look at the joint committee and the outcomes of that process, we see that the joint committee in its report addressed this issue. They said:

Given the resource intensive nature of the work and the need to minimise the duplication of work produced elsewhere, the PBO should not be required to produce its own fiscal forecasts. Rather, it should provide analysis of the Government’s fiscal forecasts, commenting on the assumptions, judgements and overall reliability of Government assessments.

Mr Hockey: Why not?
Mr BRADBURY: I hear the member for North Sydney say, 'Why not?' That may well be a question that he should pose to those members of the opposition that were on the committee that participated in the process that was set up and, through that process, supported in a unanimous fashion the recommendations that were brought forward by that committee. The government has adopted those recommendations in full. So, if the member for North Sydney has some concern about the reasoning of the committee, can I suggest that he takes it up with his colleagues before he opens the dirty laundry of the coalition in this place. There are important questions that he might want to bring to the attention of the member for Sturt, Senator Joyce, and also the member for Higgins.

I also make the point that in the questioning throughout the committee process, Stephen Bartos, the former Deputy Secretary of the Department of Finance, noted that it would clearly be a waste of resources for the PBO, or an independent outside body, to try to duplicate the efforts of the Treasury in doing those economic forecasts. He said:

There is a reasonable consensus that duplicating the work of the bureaucracy in preparing economic forecasts would not be a good use of resources; however, many stakeholders do see a valuable role for an independent body in validation of the forecasts and commentary on official fiscal documents.

Simply, I think this shows that the opposition is somewhat confused in terms of what it is now purporting to set out as being the objectives and the mission statement of the PBO. Perhaps it would better suit them if the PBO were not spending its time analysing opposition costings and embarking upon these more wide-ranging pursuits such as forecasting of the sort that they have recommended. The government does not accept or agree to this particular amendment.

Mr ROBB (Goldstein) (20:33): What we just heard from the member for Lindsay was absolutely pathetic. He stood up here and said that he would detail comprehensively why the government disagreed with this amendment. He did not provide one reason. He did not analyse this proposal and justify the government’s position. Like we saw with the costings at the last election, all he stated was, 'We have taken a decision.' It is not good enough. This government on two occasions now has gone to elections committing itself to transparency and to critical analysis.

This Parliamentary Budget Office was intended to be modelled on the Congressional Budget Office in the United States where there is a commitment to openness and an exhaustive examination of alternative proposals. How can we have an exhaustive analysis of alternative proposals if we are still constrained by absolutely the same assumptions, the same modelling, the same approach and the same prejudices that are articulated in the government approach? It is impossible for us, or any opposition for that matter—and hopefully you in the very near future. If you end up an opposition, you will want the opportunity to have your alternative policies tested in their fullness.

Mr Bradbury interjecting—

Mr ROBB: You had your chance. You did not provide one reason. This is a deliberate attempt to throttle the intended purpose of the Parliamentary Budget Office. From day 1, the government has sought to resist adopting this policy and, when it did adopt this policy, it was dragged yelling and screaming because, again, they wanted to accommodate—in this case for good reason—the Greens and the Independents. That was the only reason you adopted this
policy. You would never had your heart in it. You are a wholly owned subsidiary of Treasury. You have followed their advice from day 1. Now, in this case, the unelected experts have a vested interest. If they have not got a vested interest in this one, who has got a vested interest in the advice that you have been given? You are unable to articulate one good reason why this alternative body should not be given the independence and the capacity to judge the relative merits of government proposals. As my colleague has said, the purpose of the PBO is to provide independent analysis of the budget cycle, fiscal policy and the financial implications of proposals.

We have seen over the last three or four years dramatic changes and dramatic differences between the forecasts. Even in the six months from MYEFO to this budget, we saw a change of $7.5 billion in the deficit—$7.5 in six months—and you are saying that this is an authority that must be accepted for all potential independent analyses. It beggars belief that you are not prepared to expose your policies and the backing of your policies to independent analysis and also, for the community's benefit, to put opposition policies through the scrutiny of alternative and independent analysis. This is a deliberate attempt to frustrate and head off the purpose of this Parliamentary Budget Office. This is a government that does not want transparency. It does not want critical analysis. It wants to dictate policy. All you talked about was consultation. This will provide no measure of detailed consultation. This Parliamentary Budget Office will have to reach memorandums of understanding with the other authorities. It will have to accept all of their numbering, figuring, assumptions and analysis. This government at every turn is seeking to avoid analysis and to turn a genuine policy opportunity into a political opportunity. It does not want to see legitimate analysis of our policies. It wants to play politics with the election process, the policy process and now this independent Parliamentary Budget Office. (Time expired)

Mr BRIGGS (Mayo) (20:38): I rise to support very strongly the amendment moved by the member for North Sydney because this is a fundamental aspect of ensuring you have a strong and reliable independent source of advice for the opposition and for Independent members of the parliament. Yesterday I spoke on this bill in this place. Following my contribution, the member for Lyne acknowledged that most people in this place think this is a good idea even though some—and Admiral Bradbury at the table is one—have come to this very late. We proposed this some time ago back in a budget reply speech. We all agree now that members of parliament having access to independent economic advice and costing advice is a good idea. It will improve the policy processes of this place. It will ensure that when we have policy discussions we are able to get access to the same sort of advice that the executive gets access to.

We heard from the member for Lindsay, who is the parliamentary secretary at the table, that we should not have a PBO with the right to have its own economic forecasting because we already have it done by another agency. In other words, they do not want any contestability at all for the advice. It is like somehow now the economists agree at all times and there is one font of all wisdom. I would be amazed to hear the member for Fraser make that point, because the member for Fraser has spent half of his life questioning economic advice. Quite often on blogs on the internet he debates with many like-minded economists about the minutiae of economic advice. Presumably, the member for Fraser is going to stand up and tell us that Treasury is the
font of all wisdom and that everybody should accept Treasury, even though every single budget we have had from this government has never been right. Their numbers go up and up. We have been sitting here listening to Admiral Bradbury, the genius behind the border protection policy at the last election, tell us that Treasury is the font of all wisdom and we should never have any contestability because economists apparently always agree. What a load of baloney.

This is a really stupid attempt by the Labor Party if you think through the consequences. At some point they are going to be in opposition. The member for Lindsay may not be there yet, but he will be in opposition. It is wise to have an agreed formula in this place and it is good policy—and I said this yesterday—to have a strong independent Parliamentary Budget Office. If it is good enough for the Congress then why is it not good enough for us? If it is good enough to have contestable advice in the US, why is it not good enough to have it here?

There are good people in Treasury and they do a good job, but they sometimes—and with this government regularly—get their numbers wrong. The Building the Education Revolution started at about $14 billion and ended up at about $16.5 billion.

Mr Lyons: It put a lot of people in work too.

Mr BRIGGS: It also wasted well over $1 billion. But what is $1 billion between friends of the Labor Party these days?

The DEPUTY SPEAKER (Hon. BC Scott): Members on my right will desist from interjecting and the member for Mayo will desist from responding to the interjections.

Mr BRIGGS: Their budget forecasts year on year blow out by $20 billion, $30 billion and $40 billion. How much are we in debt these days? How much extra in debt are we than we would have been in the last budget? Of course, they occasionally get their forecasts wrong so what is the problem with having a contestability element to it? There is no problem at all, except it is not in the Labor Party's political interests. It is short-termism. It is politics at its worst. It is not thinking through the long-term political consequences for your political organisation. It will be a bad outcome if we do not accept the very wise amendment proposed by the member for North Sydney.

Members on all sides, including those on the crossbenches, think it would be a good outcome to have another form of advice for all members of parliament. I have heard much about how important the member of parliament is in this place, particularly 12 months ago from the member for Lyne. He is right. They should have a role in this place. They should be able to get access to information just as the executive does. The executive test their policies. They do not get their policies right every time—and when it is this government they never get their policies right. It should be the same for the opposition and for the crossbenchers. This is a good amendment. It should be supported. If the member for Lindsay has any foresight at all, he will support it.

Mr BRADBURY (Lindsay—Parliamentary Secretary to the Treasurer) (20:43): The real issue in question here is whether, as the government bill proposes, the PBO should have the capacity to rely upon the economic and fiscal forecasts that are prepared by Treasury and Finance. It is important and relevant to know that the agencies and departments providing advice to government are the same agencies and departments that will be providing advice to any future government and the very forecasts upon which they have modelled will be available and will be the benchmark upon
which judgments and costings will then be made.

I take some offence at the comments of the member for Goldstein, who came forward and said that the contribution that I made earlier was pathetic. I do not expect applause from the member for Goldstein, but I find it extraordinary that, of all the members on that side of the chamber after the debacle that was the opposition costings of the last election, the member for Goldstein would come forward and talk about the politicisation of Treasury. Let us just remember that we have a Charter of Budget Honesty that was put in place by the former Liberal government—a Charter of Budget Honesty that places great trust and respect in the departments of Treasury and Finance.

We all know that those on the other side have a single-minded agenda when it comes to the Public Service because they have already indicated that, if they do not agree with them, they will sack them. We have seen it with the Department of Climate Change and Energy Efficiency and the member for North Sydney saying, 'We'll just shut the whole department down because we do not like the advice they're giving us.' Now we are hearing that they do not like the advice that Treasury gives them. Are they going to shut them down too?

I heard the member for Mayo, and it was good of him to contribute to the debate. I know that he is out there brandishing his wares because he was disappointed that he was not on the Joint Select Committee on the Parliamentary Budget Office. The joint select committee recommendations that were handed down were unanimous. They went through a thorough and comprehensive process and the recommendations they handed down were unanimous. I notice that the opposition members of the parliamentary committee are conspicuous in their absence: the member for Sturt and the member for Higgins. Neither of them are in here today because they went through the process and they know that the parliamentary committee handed down sensible and reasonable proposals that the government has adopted in its bill. We have this suggestion about shopping around for alternative forecasts. In the end that is what it is all about: they want to shop around for alternative forecasts; if they do not get the forecasts that they want, they can go shopping around for some more. The bottom line is that the Parliamentary Budget Office is going to be an independent—

Opposition members interjecting—

The DEPUTY SPEAKER (Hon. BC Scott): Order! Members on my left.

Mr BRADBURY: They love the notion of being able to shop around for an opinion that suits. We saw what they did in the last election—the $11 billion black hole that we all got left with; the black hole that only got exposed when the Independents had their policies independently costed by the Treasury. What did they do beforehand? They had a private accounting firm not cost but audit their policies. The member for North Sydney came forward and said, 'Oh no, this is properly costed.' Later on I remember Mr Lochnane had to come out and say, 'It wasn't really costed.'

Opposition members interjecting—

The DEPUTY SPEAKER: Order! Those on my left.

Mr Hockey interjecting—

The DEPUTY SPEAKER: The member for North Sydney. Order!

Mr BRADBURY: The member for North Sydney does not want to relive this bad dream. It was a bad dream then and it is a bad dream now, but the Parliamentary Budget Office will strip away the ability to
use those sorts of lame excuses in the future. *(Time expired)*

**Mrs BRONWYN BISHOP** (Mackellar) *(20:48)*: We truly have seen an example of why the seat of Lindsay will change hands at the next election. I think we should send out copies of that speech to all his electors. When the member for Goldstein said he was a boy on a man's errand, he was quite right. The reason that this debate is fast and furious is—

*Mr Crean interjecting—*

**Mrs BRONWYN BISHOP**: Oh, Simon, I thought better of you and there we were toutin you for leader. We were putting odds on you, Simon. We were really giving you substance. What an unkind chap he is. But, rather than wasting time on Simon's eligibility for leadership, perhaps we will go right back to the Parliamentary Budget Office—

**Dr Leigh**: Mr Deputy Speaker, I rise on a point of order. I would ask that you direct the member for Mackellar to refer to members by their parliamentary titles.

**The DEPUTY SPEAKER (Hon. BC Scott)**: The member for Mackellar will be reminded to refer to members by their titles. In this case I am sure the minister for regional development would be a suitable title.

**Mrs BRONWYN BISHOP**: Is that what it is? It would be perfectly satisfactory because the point I want to make is this: the way in which the government has crafted this legislation is to make the Parliamentary Budget Office totally tied to the coat-tails of Treasury. We have seen Treasury become totally politicised under this government. What better evidence could we have than the fact that, when Treasury came out and said that there was a so-called black hole of $11 billion in our costing, it was because there was a disagreement on assumptions that were made which related to models that Treasury had which disagreed with others that were created.

The fact of the matter is that Treasury and the head of Treasury have been well rewarded. The former head of Treasury who performed this business, Mr Henry, has now been appointed, under section 67 of the Constitution, to a position on the Prime Minister's staff at a sum of $528,000 per year. The parliamentary secretary admitted in the consideration in detail of the appropriations bills that no job description had been agreed upon but the sum of money that he was to be paid had been agreed. Because it is under section 67 of the Constitution it will not be gazetted and we will not know the terms and conditions of his appointment, but we do know that he has been granted this very lucrative position on the staff of the Prime Minister's office.

If people are concerned that Treasury does not appear to be independent then the drafting of this bill proves the point. The agreement before the election was that both parties said that we needed an independent office that would give truly independent assessment and have the ability not to be constrained by the modelling of Treasury. But, because you have so politicised that office and because you have been seen to reward those who serve you faithfully, we now have this bastardised version which is in your legislation.

If you have any shimmer of decency left in you, you will support the amendments as moved by the shadow Treasurer, which will give some legitimacy to the bipartisan agreement we had before the election that this was a needed new office. Both parties went to the election saying they would have such an independent office, but once again—just as we have a Prime Minister who said there would be no carbon tax under a
government she led—the independent office that you promised has now been made subservient and attached to the coat-tails of Treasury, which you have politicised and controlled. You have no shame if you bring forward this bill and send you, the member for Lindsay, to try to argue the case. I think it is a final insult that you do not even have anyone of seniority at the table. Perhaps the potential leader, the member for Hotham, over there could add some substance to the debate. Bring it on.

Dr LEIGH (Fraser) (20:53): What we have seen tonight is the opposition move from a discussion of the Parliamentary Budget Office into a full-blown attack on a federal Public Service agency. This evening we have heard attacks by the member for Goldstein on the Treasury. For what reason? It is quite simple: the Treasury found that the opposition's costings did not add up in the last election campaign. Now we have seen the member for Mackellar go further. The member for Mackellar tonight told the chamber: Treasury has become politicised. Once upon a time we had Liberal and National parties who believed that the Public Service should not be dragged into debates in this chamber. But that has gone. The Liberal and National parties today believe that, if the federal Public Service disagrees with what they have to say, it is fair game for political attacks. This is, of course, the same opposition whose leader, when they were completely unable to find a single economist—just one—to back their climate change package, said, 'Maybe that says something about the quality of Australian economists.'

Mr Baldwin: Mr Deputy Speaker, I would ask that you bring the member back to the issue, which is the amendment before the House, rather than trying to be a cheap-shot spray-master.

The DEPUTY SPEAKER (Hon. BC Scott): It has been a very, very wide-ranging debate, which I have allowed on both sides of the chamber. The member for Fraser is reminded of the amendment before the House, but I have allowed a very, very wide-ranging debate.

Dr LEIGH: Thank you, Mr Deputy Speaker. One of the amendments before us this evening is the coalition's suggestion that the Parliamentary Budget Office should have the power to carry out its own forecasts. Again, you can easily see why they would want an amendment like this. They went to the last election with an $11 billion hole in their costings. They are currently $70 billion behind in their economic policy. When you are in a situation like that, you play catch-up football. You want a set of forecasts that might, perhaps, just give you the numbers you want.

Hearing those opposite speak in the debate tonight reminds me of a mate of mine who had a pretty old car, about 15 years old, with a lot of rust underneath. We were in New South Wales, so the car had to be assessed every year. Every year he would go around to mechanic after mechanic and say to all of them, 'Do you reckon you would pass this for rego,' and they would say, 'No, I don't think we'd pass it.' So he would move on to the next one and the next one and the next one, until eventually he found a mechanic who would say that his car was roadworthy. That is what those opposite want. They want a few more chances to show that their election policies are roadworthy—a few more attempts to find someone, anyone, who will say that the coalition costings add up.

As the Parliamentary Secretary to the Treasurer has highlighted this evening, at the last election the coalition put up policies that were $11 billion behind. They took these policies to a firm of accountants who are
now being investigated by the Institute of Chartered Accountants. The coalition are now $70 billion behind in their budget policy. They are throwing punches left, right and centre and this evening they are throwing punches at Treasury. They are saying that Treasury has become politicised.

The opposition are saying that, if we do not support their amendments to allow a new set of forecasts out there, they will not submit their policies for costing by the Parliamentary Budget Office or Finance or Treasury. The opposition are saying that, if we do not have a Parliamentary Budget Office that maintains secrecy—that allows them to keep their costings secret from the Australian people—they will not comply with the Charter of Budget Honesty. We are two years out from the poll and the coalition are already saying that the Charter of Budget Honesty is just another piece of paper to be torn up.

The Australian people deserve better than this. They deserve a debate over policies, not two sets of economic forecasts. The Australian people deserve transparency. They deserve a Parliamentary Budget Office that requires policies to be placed in the public domain, not hidden behind closed doors. They deserve an opposition that does not attack Treasury just because it fails to agree with them on a particular point. (Time expired)

Mr MORRISON (Cook) (20:58): I rise to support the member for North Sydney's amendment (1), which makes it very clear that what we are trying to achieve is to enable a genuinely independent Parliamentary Budget Officer to have regard to: 'either or both of the following: economic forecasts and budget estimates'.

I know that those opposite are quite partial to issuing talking points to everybody and expecting them all to just fall in line. Senator Cameron referred to that as a procession of 'lobotomised zombies'. I suppose what those opposite are trying to put past this parliament is the creation of a zombie Parliamentary Budget Office and ensure that it only does what the government wants it to do.

It is incredibly important that we have an independent and credible office that is able to support the members of this place and the other place in the important work they do in understanding the forecasts and the other issues that go to the government's budget estimates. I highlight in particular that every February, when appropriation bills 3 and 4 are brought into this place, the Minister for Immigration and Citizenship comes in here and asks for hundreds of millions of dollars extra—every year. Just this year in February the government came into this place and asked for $295 million extra for the blowouts in their budget. The figure of $295 million is interesting because for just six months that was a blowout that was bigger than the entire cost of running the Pacific solution for almost six years! At budget estimates we are never able to get an estimate of what their blowout is likely to be. It would be quite handy if there were an independent voice in this debate so that we are actually able to get a better handle on the misspending of the government and a better understanding of what the likely budget scenario will be, going forward.

You are never going to get it from this government. All you will get from this government are deceptions, and then they will hit the taxpayer with a massive big bill every February when they parade into this place and just simply ask for more and more money. Let me quote to you what the Congressional Budget Office's charter is to provide:

- Objective, nonpartisan, and timely analyses to aid in economic and budgetary decisions on...
the wide array of programs covered by the federal budget and
- The information and estimates required for the Congressional budget process.

All the member for North Sydney is attempting to do here with this worthy amendment is to ensure that what is achieved in the Parliamentary Budget Office is what I have just read out in terms of the objectives of the Congressional Budget Office: to provide that independence for them to form their own view about what the budget outlook is, and to provide contestable advice, independently formed, that does not conform to the mantra and domination of a spin dominated government which likes to drive everybody into submission and to ensure that the only voice on economics and budget matters is the voice of the government.

That mantra might be appropriate in some countries but it is not appropriate in this one, where we have a parliamentary democracy which relishes the idea of transparency, freedom of information and a genuine and non-partisan view, potentially, about what these important matters are. We all want good information to base decisions on in this place, and we do not get it from the government because they hopelessly misbudget, going forward. In my area, as the shadow minister for immigration, they have blown their budget in the last two years alone by $3.2 billion. If we had access to a Parliamentary Budget Office that was actually tracking the expenditure and we were able to work with them to get a better handle on where things would go in the future we would be better informed to do the job that we were entrusted to in this place.

But this government does not want to do that. They really do not want to do that. They want another puppet on a string and another team of zombies to do their business because zombies are their business; zombies who come into this place and basically do what they want them to do.

**Mr Bradbury:** Are you calling the Treasury a puppet on a string?

**Mr MORRISON:** The parliamentary secretary at the table is suggesting that somehow I am referring to the Treasury. I am referring to the Parliamentary Budget Office that you want to set up and to make captive to the government's forecasts and captive to the government's information.

This place should be free of the executive. I know that those on that side of the House want to have the executive dominate the parliament and dominate all the information that we might have access to. That is what this bill is about, and you just do not get it.

**Mr STEPHEN JONES** (Throsby) (21:03): It is with great regret that I see this debate on what is an important piece of legislation being used as a vehicle by those opposite to utter the most disgraceful and defamatory accusations against a highly respected public servant.

The fact that the member for Mackellar can stand in this place and use the parliamentary privilege to defame a man who has given years and years of his life to serve both sides of politics and to provide the highest level of economic and social advice to this country is nothing less than disgraceful. It is a spray that deserves an answer. It deserves an answer from those opposite. If they stand beside the member for Mackellar and the accusations that she has made in this chamber tonight then they, too, stand condemned. I say to the member for Mackellar that if she has the courage of her convictions she will not stand in coward's castle and make those accusations; she will go outside and choose to say exactly the same thing. That was nothing short of a disgraceful, defamatory spray on a man who has served this country very, very well. It
does absolutely no service to either side of politics that they should allow this to go unanswered.

We are locked in a debate over a pretty important matter, and that is the formation of the Parliamentary Budget Office. You would think on the face of it that it is something that all sides of politics could agree with. Listening to some of the contributions to the debate, it would sometimes appear to me that all sides of politics think that this is an important initiative that should be agreed to. But then you listen to some of the objections and you have to wonder what the motives are that lie behind them.

Some of the objections really ring pretty hollow. After 11 years of government those on that side of politics did absolutely nothing, so the objections that they stand here and raise tonight are pretty damn hollow indeed.

Mr Briggs: What about the Charter of Budget Honesty?

Mr STEPHEN JONES: The member opposite raises the issue of the Charter of Budget Honesty. It was an important piece of legislation that was introduced by those opposite but then shredded in the lead-up to the last election, where they did not have the guts to put their own policies out there for independent costing. We know why: there was an $11 billion black hole in their costings, because they cannot count. They have learnt nothing over the last 12 months because they are now arguing amongst themselves about how they fill the next big black hole in their budget costings—a $70 billion black hole in their proposed budget.

They do not like public servants, and we have heard from those opposite—the member for Goldstein and the member for Mackellar—that they do not trust them. We already know that they intend to sack 12,000 of them if they ever find themselves over on this side of the House. We can understand from the contributions of the member for Mackellar and others on that side that probably a whole heap of Treasury officials' jobs are on the line if those opposite get their way. They do not like public servants, they do not like the Department of Treasury, they do not like economists as a breed, they do not like scientists. In fact, the list of people that they do not like seems to grow by the minute. Basically, the only criterion needed to find yourself on the hit list of the coalition is to disagree with any of the policies that they have the temerity to put up.

Their list of enemies is growing daily because those opposite are waging a war on knowledge, a war on expertise, a war on science, a war on economists, a war on anybody who has the temerity to disagree with their ridiculous propositions. Their serious proposition to deal with climate change is going to lead to individual households being whacked with an additional $1,400 per annum. These are the sorts of things that they put up. Instead of being engaged in a serious debate about an important initiative, they are using this debate in a cowardly attack on high-ranking former public servants and anybody else who happens to disagree with their view of the world. I commend the bill to the House. It is worthy of the support of all members.

Mr BILLSON (Dunkley) (21:08): It is pretty clear what is happening—a pager message has gone out: 'Bradbury is sinking on PBO'. So the member for Throsby came in wondering what PBO is and he tried to have a spray at just about everything that has absolutely nothing to do with the shadow Treasurer's amendment to the bill before the House, the Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2011.
PBO does not stand for 'pretty bleeding obvious' that Labor wants to gut the Parliamentary Budget Office. PBO is not 'pretty bleeding obvious' that the government only wants its view of the economic projections to be in the public domain. That is what the PBO is. The PBO is that it is 'pretty bleeding obvious' you guys do not want a Parliamentary Budget Office. What would happen if you had a Parliamentary Budget Office under the amendments that my friend and colleague the shadow Treasurer has put forward? The PBO could actually look at Treasury's estimates and if they were sound and rigorous, if their credibility stood up to a robust analysis, and if the assumptions that underpin them were sound, they could be used. There is absolutely nothing in the amendment that stops the Parliamentary Budget Office utilising the forecasts, economic trajectories and projections that Treasury produce.

What the shadow Treasurer is seeking to do is to allow the Parliamentary Budget Office to get some other advice if it chooses. What a novel idea that a Parliamentary Budget Office might seek to satisfy itself about the economic forecasts and modelling that it chooses to use to help to provide an independent service to this parliament! I find it remarkable that we hear this sanctimonious drivel from Labor MPs about so-called attacks on public servants that are not attacks at all. It is about accountability and being held to account for the statements and the actions of the government. But apparently it is okay to have a spray at a parliamentary officer. You cannot say anything about a Treasury official without getting a dose of parliamentary sooky la-la, but you can have a crack at an independent parliamentary officer overseeing the Parliamentary Budget Office. Why is that? Do you feel you need to sanctimoniously come into this place to defend only some public servants? Is it because a Parliamentary Budget Office would not be under the control of, or subject to, the spinmeisters of this horrendously incompetent government that they are somehow not deserving of respect? I think public servants deserve respect whether they work in the Treasury or in an independent Parliamentary Budget Office. They all deserve some respect, but let us work out what is actually going on here.

We have seen the international models, some of which allow such officers to create their own forecasts and some of which oblige them to use the average of private-sector forecasts as a starting point—all perfectly credible international models, but not in Australia. Why? Because the Gillard Labor government are not interested in an initiative that goes to the good governance of this country. They are only interested in what is good for them. What is good for them is not having someone shine a light on and bring a different set of academic and intellectual rigour to some of their economic forecasting and costings.

But let us dig a little bit deeper into what happens if we allow the government's bill to stand—and I direct my comments to the Independents who might be weighing up whether they want a genuinely independent and transparent Parliamentary Budget Office or what the government want, which is a PBO full of the apprentices from Treasury. The government want them because they are not fully fledged and they have to use the Treasury advice and do what the government want. Why might that be? I tell you why they want that. They want that because one of the economic documents would be PEFO, the document released after an election is called. Under the current arrangements, if the opposition or Independent members want to update their costings on the basis of PEFO, any requests made during the caretaker period are released to everybody. You may
want to update your work on the basis of the most current information available but the government want to hogtie that process to PEFO, which means that advice during the caretaker period is free for the government to manipulate, misuse and distort to their own grubby political ends, further undermining the very purpose of the Parliamentary Budget Office.

I put it to you that PBO is that it is 'pretty bleeding obvious' you guys want to hollow the Parliamentary Budget Office out and undermine its contribution to the good governance of the country purely so it can be in your good interests. And the Parliamentary Secretary to the Treasurer, the member for Lindsay, the extra from Sea Patrol, is left to defend that despicable position. I can understand why the message went out saying, 'Bradbury is sinking on PBO'. You have offered nothing in this debate that challenges the very credible and sound arguments the opposition has put up. I commend the shadow Treasurer's amendment.

Mr HOCKEY (North Sydney) (21:13): I make one further point on my proposed amendment to the Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2011. I think this point will be particularly interesting for the Independents and the Greens. The government's PBO forecasts will not be those of Treasury. They will, in fact, be those of the Treasurer. Under section 64E(3) of the PBO bill, it is stated that the Charter of Budget Honesty Act schedule 1 provisions will apply. Those schedule 1 provisions identify that the budget economic and fiscal statements and the Mid-Year Economic and Fiscal Outlook are actually documents that belong to the government—the Treasurer and the Minister for Finance and Deregulation—not, in fact, the Treasury. So the Parliamentary Budget Office is going to be so independent of the government that it is going to have the Treasurer's forecast—not even the Treasury's but the Treasurer's! They are the only forecasts and fiscal outlooks that are acceptable to the Parliamentary Budget Office. If there could be a single symbol of how flawed this parliamentary budget office bill is, look no further than the fact that the Treasurer has pulled the wool over the eyes of the Independents and the Greens by actually putting in place a requirement that the only economic data that can be used by the Parliamentary Budget Office is the data that comes from the Treasurer—not from the Treasury, which the government is keen to hide behind, but the Treasurer.

I wonder about the member for Fraser over there. How do you feel about that? The only economic forecasts that the PBO can rely on are the Treasurer's forecasts, not the Treasury's. So much for damn independence. What a joke! Independence of the PBO? What a joke! Under this bill the only economic data they can use is that provided by the Treasurer—not the Treasury but the Treasurer.

Mr BRADBURY (Lindsay—Parliamentary Secretary to the Treasurer) (21:16): I want to offer a few final observations in relation to the amendment. Some confusion has arisen in the way in which this debate has proceeded. Some have suggested that it is not open to the PBO, under the bill that the government has brought forward, to draw upon forecasts from others, to comment on forecasts from others or to provide some analysis in relation to forecasts of others. The bill ensures that, when it comes to the provision of costings, those provisions are to rely upon a benchmark or a baseline, and that baseline will be the forecasts that will be provided by Treasury and by Finance.
What we have seen in the course of this debate has been an attempt to obfuscate the real issues. I have heard a lot of discussion here about transparency and accountability, and I will remind those opposite of that as they seek to move a couple of the other amendments that I know are forthcoming. One of the points that I would like to make is that, when it comes to the question of the role of the PBO—

Opposition members interjecting—

The DEPUTY SPEAKER (Hon. BC Scott): The member for Mackellar will remain quiet. The member for Goldstein will also. They are both out of their place in the chamber, as is the member for Dunkley, when they are interjecting.

Mr Billson interjecting—

The DEPUTY SPEAKER: No, you will remain in your place and remain quiet. The parliamentary secretary has the call.

Mr BRADBURY: Thank you. I restate the point that these matters were considered by a committee. The membership of that committee that did involve some from the opposition side, who have happened not to be in the chamber in the course of this debate, because it would be embarrassing for them to do so. We have the member for North Sydney now coming in over the top and seeking to move amendments that run completely counter to the recommendations of the committee. I can only conclude that the reason the opposition are so determined to do that is that they want to load the PBO up with a whole range of other responsibilities—anything to keep it busy—so that it is not involved in the serious business of costing alternative policy proposals.

We have seen why they might have an objection and aversion to that: they got caught out last time. But they were not prepared to put their hands up and acknowledge that they were caught out. Instead we have had to witness tonight an unprecedented attack upon the independence of the Treasury. I noted that the shadow Treasurer stood by and allowed others within his ranks to mount what was a disgraceful attack. People should reflect upon these matters because, if they ever do get the opportunity to move into government at some point, they will need to rely upon the sound advice that comes forward from these public servants. Mounting attacks upon their integrity and independence serves no-one's ends in the long run.

In relation to the question of whether or not these particular forecasts are provided directly by the Treasurer's office or by Treasury, I think it is worth making the point that during the election the latest forecasts are the Pre-election Economic and Fiscal Outlook, and they are the forecasts of the Treasury, not the Treasurer. They are forecasts that are signed off by the Secretary of the Treasury. So they are not forecasts that are provided by the Treasurer's office; they are forecasts that are provided by the Treasury. It is imperative that, if we are going to have a system that allows for some comparison between policy costing options, we ensure that the reference point is one that is consistent. This bill ensures that that consistent reference point will be the forecasts that have been provided by Treasury and Finance.

Mr HOCKEY (North Sydney) (21:21): In response to that point, you are absolutely right. PEFO, the Pre-election Economic and Fiscal Outlook, is the only document produced by the Treasury that has the Treasury's economic forecast and the Treasury's economic numbers. All of the other documents that the PBO will use are in fact the Treasurer's numbers. I have been there; I know what they do. They are the Treasurer's numbers, and when they are
doing the so-called confidential analysis of policies before the issuing of the writs it will be based solely on the economic forecasts of the Treasurer. I know that in the past Treasurers have played with the economic growth figures in order to inflate income.

Mr Crean interjecting—

Mr HOCKEY: I could tell you. Paul Keating boasted about it, mate. In fact, there were numerous occasions on which Paul Keating, as Treasurer—

Mr Crean interjecting—

Mr HOCKEY: Keep pushing me! As Treasurer, Paul Keating admitted that he changed economic numbers from those provided by the Treasury. That is why it is so important that the PBO has the capacity to get independent forecasts, independent economic growth data and independent inflation data. It is so important for it to get independent unemployment numbers and to take an aggregate, even to the extent of relying on the Reserve Bank.

As we know, at various times during the recent financial crisis the Reserve Bank had different economic growth numbers to those of the Treasury. Therefore, that had a material impact on some of the forecasts and budget forecasts as they stood. I think we would want in this place to have a range of different sources of information and that the PBO could go to the Reserve Bank, the IMF or the World Bank and form an independent view about economic growth, inflation and a range of other data. But instead, under this bill, not just for election costings—which, you are right, are based on PEFO—but for every other activity of the PBO during the course of the year, the PBO is constrained to use the Treasurer's numbers, not the Treasury's.

The DEPUTY SPEAKER (Hon. BC Scott): Order! The question is that the amendment be agreed to. Sorry, Member for Lyne, I missed you.

Mr OAKESHOTT (Lyne) (21:24): Thank you, Mr Deputy Speaker. I was not going to speak, but this is an important point that has been raised and I would seek some clarification from the government in regard to reliance on Treasurer figures throughout the whole three-year cycle of government and in relation to non-caretaker and caretaker roles. There has been a lot said in this debate, and I was going to let a lot of it slide. I take a view to defend Chris Pyne, Barnaby Joyce and Kelly O'Dwyer in the work that we all met after midnight, talking with the Canadian Parliamentary Budget Office and picking up a range of different examples from other jurisdictions.

It is wrong in this debate to say that this is all about trying to model the Congressional Budget Office: (a) it would not fit in this building—it is massive in size—and (b) it would cost an awful lot. So, within the $6 million budget constraints that we have in Australia—and within a Westminster system—we have looked around at other jurisdictions, and the comparison that I would refer all members to is the Canadian model more than the US model. That was agreed by all committee members of all political persuasions.

I would also let slide some of the attacks that I agree are unseemly in regard to the independence of the Treasury. If we are going to go down the path in this place of saying that Treasury is partisan in the work that it does, I think that is a path of no return, and I would hope that leaders on the coalition side—if not the shadow Treasurer then the Leader of the Opposition—will correct the record sometime soon in regard to the attacks on the independence of the
Treasury. It is as important in opposition to defend the public service and defend the independent Treasury as it is in government.

I was also going to let slide the arguments around double handling in regard to forecasting. I think it is eminently sensible to have a default decision made by one independent body and that the independent Treasury be that body, so I can understand, within the $6 million allocation that we have got, that we would rely on the independent Treasury to be the default position for the macroeconomic forecasting. But, to be fair, this is a point that has been raised at the end of this debate and it does need to be clarified. Are this parliament and the members of this place going to be relying on the Treasurer's office as the clearing house, or will the PBO have direct access to Treasury for advice, therefore allowing members of this place to have confidence in the independent Treasury and the independent PBO for the advice being sought?

The DEPUTY SPEAKER: The question is that the amendment be agreed to. The member for North Sydney.

Mr HOCKEY (North Sydney) (21:27): If the parliamentary secretary is not answering, I am prepared to refer the member for Lyne to the key sections—

Mr Baldwin: Only because he is incapable.

Mr HOCKEY: No, leave him. The question was about to go to a vote without the member being properly informed. Clause 64E(2) of the bill we are debating now says:

(2) The Parliamentary Budget Officer's functions … do not include:

(a) preparing economic forecasts; or
(b) preparing budget estimates.

If you go to 64E(3), which is what we are seeking to exclude, it says:

(3) In performing his or her functions under subsection (1), the Parliamentary Budget Officer must use the economic forecasts and parameters and fiscal estimates contained in the most recent relevant reports released under Parts 5, 6 and 7 of Schedule 1 to the Charter of Budget Honesty Act 1998.

I have the Charter of Budget Honesty here, containing statements from Peter Costello, and I refer you to box 2, which lists fiscal reports and their responsibility:

- Report: Mid-year Economic and Fiscal Outlook—Responsibility: Government
- Report: Pre-election Economic and Fiscal Outlook—Responsibility: Treasury/Finance

So the only document that has forecasts that actually belong to the Treasury is the one just before the election, which is required to be released, I think, 10 days after the writs are issued. In every other document the forecasts actually belong to the Treasurer. Under this bill before the House, they cannot go back to the Treasury; the only information they can use is that in schedule 1 of the Charter of Budget Honesty Act. It is emphatic and it is clear. That is why they are not responding.

Debate adjourned.

ADJOURNMENT

The DEPUTY SPEAKER (Hon. Peter Slipper): Order! It being almost 9.30 pm, I propose the question:

That the House do now adjourn.

Mrs Bronwyn Bishop: Mr Deputy Speaker, on a point of order: before you took the chair, in fact the previous incumbent in the chair had accepted a move towards the vote being taken, but there was—

The DEPUTY SPEAKER: The honourable member for Mackellar will resume her seat. I have proposed the question that the House do now adjourn.
Regional Development Australia

Mr SCHULTZ (Hume) (21:30): The announcement of the allocation of funding under the auspices of the Regional Development Australia fund last week was yet another disgraceful illustration of this government's contempt for regional Australians. The Gillard government promised over $10 billion in funding for regional Australia upon forming minority government last year. Announced nearly two months later than promised, the allocation of funding that has occurred raises serious questions about the application process and the overall design and purpose of the fund itself.

Taking a look through Minister Crean's press release and the accompanying chart of projects that were deemed to be of such significance to rural Australia that they warranted taxpayer investment leaves me terribly vexed. I was reminded of Hanlon's razor, which states, 'Never attribute to malice that which is adequately explained by stupidity.' Members of this House and the Australian people at large would be forgiven for holding this sentiment towards nearly every appalling policy this wretched government has dreamt up or failed to deliver. For this government, stupidity is not in short supply, but like all country people I can spot a con when I see one. Even with only one eye, I smell bacon on the government benches.

The Gillard-Greens government has allocated almost two-thirds of the RDA to Labor-held electorates or to electorates which have propped up the minority Labor government. This is despite Labor holding just 23 out of 62 non-metropolitan seats in federal parliament. Labor has left itself open to the charge that it cares more about sandbagging vulnerable Labor-held marginal seats against the torrential voter backlash it is expecting at the next election than according salt-of-the-earth rural communities the respect and investment they deserve.

I personally supported over six separate applications for funding under the RDA, from Boorowa, Goulburn, Mulwaree, Harden, Yass and Cowra shires and councils. These included the $2.2 million bid by Endeavour Industries for a new green recycling centre in Goulburn; the $3.3 million bid by Goulburn Mulwaree council to fund a new outdoor swimming pool—which, might I add, the Liberal Party committed to assist through a fifty-fifty funding arrangement at the last election; $12.5 million to go towards a new university campus in Goulburn; a $2.1 million bid by Boorowa shire to replace the Tarengo Bridge to allow Cunningar Road to be opened up as a B-double route, thus expanding economic opportunity for the shire and improving road safety; funding to upgrade Cowra Showground's facilities; $2.5 million for the Moppity Vineyards wine tourism development project, in partnership with Harden Shire Council; and $10 million towards the $23 million estimated cost to raise the Yass dam wall by three metres to meet the future water requirements of the exponentially growing Yass Valley shire. None were deemed to have met the criteria for funding under the RDA. In fact, several applications, such as Yass Valley shire's, have been rejected for the second time.

Feedback I have received from several shires and project managers is that the RDA application guidelines and funding eligibility requirements are tedious and require an enormous investment in time and energy in and of themselves. I can accept that some projects will inevitably miss out. But the editor of the Goulburn Post, Gerard Walsh, in his editorial which appeared in the Post on Monday, 12 September, made some pretty
compelling points relating to the obvious flaws in the RDA process:

It's quite clear that the more detailed an application is, the better its chances of succeeding … Geelong Football Club (which received a $10 million grant for the continued upgrade of Skilled Stadium) would have the resources and corporate wherewithal to ensure a first-class, squeaky-clean application that would have proved irresistible to the independent panel and thus the Minister … So what chance do smaller players like Goulburn Mulwaree Council and Endeavour Industries have?

He goes on:

The RDA provides grants of between $500,000 and $25 million. But nowhere in its guidelines does it incorporate a type of "means test" on applicants to enable the panel to better assess bids not on their scale or presentation, but their merit and community benefit.

It's a flawed system if the likes of Geelong Football Club—which will share in the mega $1.25 billion AFL TV deals—are competing for the same pool of government funds under the same rules with genuine regional minnow entities such as Endeavour Industries— which, I might add, is an industry which employs people with disabilities. Mr Walsh has hit the nail on the head. It is outrageous that rural communities with worthy projects are being deprived of funding because of a flawed application process which disgracefully favours big corporate entities with popular— (Time expired)

Braddon Electorate: Mining

Mr SIDEBOTTOM (Braddon) (21:36): I remind my friend the member for Hume that Regional Partnerships, better known as the regional rorts scheme, had nothing like the level of scrutiny and independence that the RDA process has now. I can understand that he might be upset that a number of his projects did not get up—as mine did not either—but I will tell you what: between this and the regional rorts program, I know which one has a much more meritorious structure and more independence.

I would like to continue, if I may, talking about the progressive industries and enterprises that exist in my electorate of Braddon on the north-west and west coast of Tasmania. I spoke about the dairying industry and the fantastic investment that is now underway in that industry. I would now like to turn to mining. The mining industry is consolidating strongly in Tasmania, particularly on the west coast, which is part of my electorate. Commodity prices remain strong with copper, tin, tungsten, silver and zinc showing particular value. Gold prices are also very high. In recent years the number of exploration leases issued in our region has been at record levels and demand from key markets such as China and India remains robust. Over 3,400 people are employed in the resource extraction sector, either as employees or contractors, and around 70 per cent of these are on the north-west and west coasts, and there are a number of major projects planned which will likely continue the expansion in the next couple of years. These include Beacons Hill Resources for magnesite; Proto Resources for nickel and cobalt; Venture Minerals for iron, tin and tungsten; King Island Scheelite for scheelite; and Shree Minerals for iron. As demand for skilled labour across the mining sector nationally increases, the Tasmanian mining sector offers potential for well-paid work in a number of key regional locations in the coming years.

Aquaculture is another major enterprise and industry in Tasmania. Tasmania's aquaculture industry is the largest in Australia, accounting for around one-quarter of the total national fisheries output. The industry employs at least 1,100 people across the island and has increased the value of its production by seven per cent in the year just gone. Within the region, the major
salmon/ocean trout producers are planning a significant expansion and consolidation of an industry hub on the west coast and one major producer has recently opened a new processing facility in Devonport, with the creation of new jobs for local people. Global demand for aquaculture products continues to increase and Tasmania is well placed to take a leading role in meeting this demand. The industry here uses world-best technology and enjoys relative pest- and disease-free status for farmed fish.

The red meat farming and processing industries are also highly significant. These are key agricultural sectors for Tasmania, with over 4,900 people employed in cattle/sheep farming and meat processing across the state. Just over one-quarter of these jobs are in my region in the north-west, with the majority of meat processing being done on King Island and at Smithton and Longford. Market prices for sheep and beef meat continue to be strong, with increasing demand by consumers for sustainably produced food. This represents a strong point of advantage for high-quality Tasmanian produce. The sector continues to offer good employment prospects for skilled labour in the coming years.

Specialist manufacturing is also a feature of our region. It is a key sector for Tasmania, covering marine manufacturing, metal manufacturing, casting, specialised machinery and engineering. Across the state it employs over 3,300 people, with nearly one-quarter of these in my region at expanding major enterprises such as Caterpillar in Burnie. Caterpillar has undertaken a number of innovative employment programs in recent times, offering life-changing training and subsequent careers to groups of people coming out of often long-term unemployment. This is only one of the success stories where Tasmanian ingenuity and innovation continues to offer future opportunities to local people.

Part of my region has been selected as part of the place based initiative. The Caterpillar example is an excellent template, which can be replicated throughout the rest of Australia and particularly rural and regional Australia for training long-term unemployed people.

Gary Walden Trust

Mr MATHESON (Macarthur) (21:41): It is an honour for me to speak today about a man from my electorate who worked tirelessly to support thousands of students and teachers throughout his career. The name Gary Walden is well known and respected across the Macarthur region. He was a highly regarded teacher who worked for more than 30 years in schools across western and southwest Sydney. Gary was an inspiring man who was renowned for his dedication to inclusive education for all students, particularly those with special needs and their families. He was well known for his volunteer work and was a strong advocate of community based initiatives to help his students.

It was a huge loss to our community when Gary died suddenly in February 2007, eight days after having routine knee surgery. It was a terrible shock to us all and a great loss to his family, friends and school communities across the region. I attended Gary's funeral, with more than 900 others, to pay tribute to this fine man and to offer my support to his wife, Carol, and two sons, Matthew and Bradley.

Gary was only 59 when he died. He had achieved so much in the field of education through his roles as a primary school principal, relieving district superintendent and School Education Director of South Western Sydney for the New South Wales Department of Education and Training. After he died, Gary's wife, Carol, who is also a
teacher, received so many letters from students, parents and grandparents of his former students and teachers who Gary mentored over the years. She said that it was lovely to know he had touched the lives of so many people during his great career.

As a tribute to Gary and his dream for inclusive education for all children, the Gary Walden Trust was established shortly after his death as a not-for-profit community based non-government organisation. The trust was launched in Campbelltown on 22 May 2007 and now disburses funds annually to individuals or groups who support students with special needs. It also provides additional support for teachers and parents of these students.

Since its inception in 2007, the Gary Walden Trust has granted more than $61,000 to 70 projects in schools across south-west Sydney. I am proud to say that the Macarthur community has continued to support the trust since its inception with an annual golf day and dinner. On 31 August 250 people attended this year's dinner, which raised more than $20,000 for the trust. The trust was set up to fund initiatives that would not normally fit regular funding and to give children with special needs a range of different learning experiences.

According to his colleagues, this was Gary's way. If a family or child had needs Gary would always make sure something was done to help them, even when there were no traditional means of supporting that child or family. Local schools in Macarthur such as Beverly Park school, Mary Brooksbank school, Ambarvale Public School, Eagle Vale and Ingleburn high schools and many others across the region have benefited from the trust.

The beneficiaries have used the funds to give children experiences they would not usually have—such as learning how to sail at Penrith Lakes, going on camps at Teen Ranch and a horse-riding program. Local residents, businesses and families donate prizes for the annual dinner, which is also well supported by Gary's family, including Carol, Matthew and Brad, Gary's brother Ross and his sister-in-law Helen. I know they are all very proud of Gary's achievements and the legacy he has left for the children of Macarthur.

I think it is a great tribute to Gary that so many people support this trust each year to carry on his dream for children with special needs in my electorate. Gary Walden was like many teachers in Macarthur who work above and beyond their expected duties to help their students achieve their full potential. Gary was also well known for his ability to mentor young people and new teachers. He helped many young teachers build up their leadership responsibilities and prepare for new roles. Several school principals who support the trust do so because Gary had such an influence in their lives when they were young teachers.

Throughout his career, Gary worked with community members, politicians, counsellors, TAFEs, private companies and small business owners to try and supplement programs that would improve the learning outcomes for students. Gary also helped to develop programs for teenagers at risk of dropping out of school to help them set goals and get back into the education system. These programs are still running today, which is a wonderful thing because they will benefit students in my electorate for many years to come.

The trust is a great legacy and a tribute to a man who dedicated his life to educating children. Gary Walden was a champion for public education who was very passionate about children with special needs and their right to an education. Today, even though he
is no longer with us, I would like to publicly thank Gary for his outstanding contribution to education which will continue to help students in my electorate for many years to come. Gary, you will always be remembered by your family, your friends and the community you served.

**Superannuation**

Ms BRODTMANN (Canberra) (21:45): Tonight it was my great pleasure to attend the inaugural oration by the Prime Minister to celebrate 15 years of Emily's List Australia. The Prime Minister's speech tonight inspired me to continue to advocate for one of my very strong passions: ensuring that Australians, especially women, make adequate plans for their retirement.

It is all too easy in our younger years to see retirement as a distant prospect. When we are young, ensuring we can live the lifestyle we want in retirement is something that is just not on the radar. It remains a great fear of mine that we do not give enough consideration to these matters, that we do not plan for our futures or for changes in lifestyle. To this end, I was recently the keynote speaker at an event at the National Library of Australia in my electorate. My speech was entitled 'Finance is a feminist issue'. The title aside, it was not a plea for my sisters in the movement to rise up and take arms against the macroeconomic structures of society or the 'suits' in Sydney—although this, I suspect, is a discussion that some may wish to have. Rather, this was a speech designed to start a conversation with women in my community about ensuring they have the knowledge and take the time to think about and plan for their financial futures in both the short and long term.

In spite of the fact that it has been 20 years since the Keating government legislated for compulsory superannuation—which I believe to be one of the greatest reforms of that great reforming government—women are still not prepared for their retirement. According to the minister assisting the Prime Minister for the status of women, 60 per cent of Australian women are retiring with no superannuation. And, according to Women in Super, the average woman who does retire with superannuation does so on less than half that of the average man.

Sadly, in my new job as the member for Canberra I see women who are the victims of domestic violence, sleeping in their cars with their teenage children; women who are on their own, with small children, in search of social housing and financial assistance; women who are on the pension and still renting in the private market; and desperate women in their 60s who are finding it hard to get work but need to keep working because they do not have enough for their retirement. It is these women I think of when I make a speech such as this. It is these women who drive me to get the message out that we must plan our financial futures and take control of them.

In the 1920s Virginia Woolf implored her sisters to strive for a room of one's own—because 'a woman must have money and a room of her own if she is to write fiction'. Today I implore my sisters to plan for a healthy financial portfolio of one's own—because a woman must have a strong superannuation account and assets if she is to have choice and if she is to avoid money worries later in her life. Fertility control gives you choice. An education gives you choice. And financial planning and independence give you choice. This is one reason why reform of superannuation is critical.

I am glad that this government will continue the reforms begun under the
governments of Bob Hawke and Paul Keating, and cruelly suspended during the Howard years. I am proud that it is a priority of this government. It is a great Labor value to provide the opportunity to all, not just the wealthy, to make a better life for themselves through hard work and effort. Under the resources tax, Labor plans to increase the superannuation guarantee from nine per cent to 12 per cent and to provide an annual superannuation contribution of up to $500 to people earning under $37,000, the majority of whom are women. This, combined with all the other financial and economic reforms of this government, will mean that a woman of 30 with average weekly earnings and a broken work pattern will see an extra $78,000 in her superannuation package when she retires.

Labor is providing and will continue to strive for systems and regulations to ensure all women can achieve choice and realise their full potential. I therefore implore my sisters to take up these choices, to take control and to make sure they think about their future and plan for their retirement. I encourage them to attend the seminars I am running over the next few months where they will learn how to read and understand their superannuation statements. These seminars will be available to both men and women, and I encourage all Canberrans to come to them. They are free seminars. They will not be providing financial advice. They will be about opening up for people their financial and superannuation statements so they can gain a greater understanding of the money they have now, work out what they need for their future and then develop a pattern of savings to achieve that. (Time expired)

**Student Income Support**

Mr CHESTER (Gippsland) (21:51): I rise tonight to speak on behalf of regional families with children either attending university or planning to undertake university studies in the future. I have spoken many times in the past about the issue of student income support and I can report to the House that, unfortunately, it is still an absolute mess. As students prepare for 2012 and start making plans to move from regional areas to cities, sometimes in very distant locations, there is an enormous amount of uncertainty and confusion for these students as they try to access student income support. That is causing a great deal of frustration, not only for the students but for their parents, their teachers and the careers advisers in secondary schools throughout regional Australia.

I make the simple point that it just should not be this hard to get a fair go for regional students. The problem with student income support and the confusion and mess that exists today were created by the Prime Minister in her former role as the education minister. This Prime Minister has it within her power to fix the mess that she created with the system of student income support.

I recently had the opportunity to survey my electorate and put to my constituents the question of whether they were able to afford to send their children to university. It staggered me that only 22 per cent of Gippsland families said that they could afford to send their child to university. That is a remarkable figure. In this day and age, less than a quarter of the families in my electorate believe that they can afford to send their child to university. The survey also found that 85 per cent of people in Gippsland wanted the federal government to provide additional funding to regional students to cover the cost of relocating to study at university. I have put it to this House many times in the past and I have put it to the Prime Minister directly that, instead of tinkering around the edges with its current review of the system, the government should
be totally overhauling the system of student income support to make it fairer for regional students.

I note the presence in the chamber of the member for Riverina, who has also been an absolute champion of this issue in his electorate. Quite recently, the Nationals Federal Council met and voted unanimously in favour of supporting a tertiary access allowance, which would provide support for all regional students who are forced to move away from home to attend university. The issue that has caused greatest concern for our constituents is the eligibility for independent youth allowance. The government has developed a system of lines on a map which has made it more difficult for students in the inner regional areas compared to students in the so-called outer regional areas. This confusion has resulted in a system that discriminates against regional students purely on the basis of where they live.

Under the Nationals’ plan, which was passed unanimously at our federal council, we recognise the simple fact that students from regional areas forced to move away from home face significant additional costs, particularly in accommodation costs, in the order of at least $10,000 per year compared to students who have the option of staying at home and undertaking tertiary studies. The principle of the tertiary access allowance we support is to address this issue of inequity, the social injustice which exists. It is not about a welfare system at all in that regard. It is about levelling the playing field so that regional students have every opportunity to achieve their full potential, have the option to go on to tertiary studies and come back to our regional communities and help fill those skill shortages that currently exist in areas as diverse as engineering, health and law. There are significant skills shortages in regional communities that can be filled best by students who have grown up in regional areas.

This government, if it is fair dinkum about the education revolution, if it is fair dinkum about the issues of social justice and equity, has an obligation to start working with our regional communities and come up with a complete overhaul of the system of student income support rather than tinkering around the edges, which is what the Prime Minister did when she was education minister.

This is a topic which has been brought to the House on many occasions. I have presented petitions and I have provided dozens of letters to the Prime Minister on this issue. Most recently in my local newspaper, Latrobe Valley Express, on Monday, 12 September it came up as a comment again where a Moe resident and university student, Zara Dyke, said:

I just think the whole eligibility criteria needs to completely overhauled and changed ...

I tried to get Youth Allowance when before I went to university but because I was from Moe, I was not considered independent and was told only outer regional students were eligible.

It goes on. Monash University Gippsland Pro Vice-Chancellor, Helen Bartlet, said:

Eligibility for student income support should not simply depend upon whether the family home is classed as urban, regional, rural or isolated ...

I agree wholeheartedly. This government has it within its power to overhaul the system of student income support. It must deliver a fair go for students in regional communities.

(Time expired)

Ansett Airlines

Mr GEORGANAS (Hindmarsh) (21:56): Yesterday, 12 September 2011, marked the 10th anniversary of one of our nation’s great airline carriers, Ansett Airlines, being put under external administration. Ten years ago yesterday, Australians woke up and were shocked by the news that this iconic and
highly substantial commercial institution, sharing most of our domestic airline market with Qantas, would be no more. Fifteen thousand staff lost their jobs and an estimated 60,000 people in associated industries were also affected. Over 200 of those people were living in the electorate of Hindmarsh, which I represent today. I cannot adequately express the shockwaves that this caused—shock to the travelling public, shock to the industrial landscape and of course the incredible shock to all the employees of Ansett and the people engaged in the airline industry.

Ten years on and we continue to see industrial change. We have seen cut-price competition within the airline sector, the involvement of new players and diversified products from the airline industry. The Ansett collapse was one of the greatest industrial tragedies to take place in this nation. It was overshadowed during those days by another tragic event, September 11. In the last 10 years since Ansett collapsed, our airports have continued to modernise. Aircraft have become more numerous but notionally quieter. Many homes have received a great deal of government support to insulate them from aircraft noise. Recently we had an aviation white paper, the creation of greater safeguards for residents living in areas adjacent to airports and flight paths, and mechanisms for the protection of their interests. Something that I pushed for over many years, together with many residents who live adjacent to the airport in my electorate—and this was an initiative of this government; an initiative of which I am particularly proud—was the creation of an Aircraft Noise Ombudsman to receive and resolve complaints pertaining to aircraft noise from the general public. This has been a great innovation and is continuing to be a terrific success.

This has been a decade through which we have all seen great change. Change has necessarily extended to the lives of the former Ansett employees. Last Saturday, I attended the Ansett employee reunion held in my electorate of Hindmarsh. The reunion was a great success, with organisers booking larger and larger venues to cater for the increasing number of former employees who flagged their intention to come. In all, close to 500 people were in attendance, mostly from Adelaide and many from my electorate of Hindmarsh, but also welcomed were former employees of Ansett currently working in many cities around the world: Japan, Hong Kong, the Middle East and interstate.

For those who had passed away in the last decade, a large memorial wall holding photos and details of over a dozen former employees was displayed on this occasion. We also saw donations received from many former employees for door prizes, indicating how people have rebuilt their professional lives. For instance, some of the donated prizes were from former employees who have established wineries since Ansett’s collapse, including Don Henderson of Brierly Wines in South Australia.

I would like to thank the Ansett Reunion Organising Committee for their hard work over 18 months in organising and holding the event. Pam Docking, Geoff Horan, Pamela Howard, Anne Lewis, Paul Mesecke and John Schultzze all came together to bring these former employees together to commemorate the 10 years since the collapse of Ansett. I would also like to acknowledge Maureen Maclean—who currently works for me as an electorate officer—who was a former Ansett stewardess and also a life member of the Australian Services Union, for her contribution to the campaign as the delegate for Ansett workers in South Australia.
I would also like to thank Adelaide Airport Ltd for donating $5,000 to the cost of the event. It is another sign of their ongoing goodwill towards all connected to the aviation industry. This was a donation without which the reunion would have been very difficult to hold or, at least, very different in composition. (Time expired)

Kooyong Electorate: Scouting Movement

Mr Frydenberg (Kooyong) (22:01):
I rise to acknowledge the important role the scout movement plays in our community and particularly in my electorate of Kooyong. Recently I attended the Scout District of Boroondara's AGM at the 1st Hawthorn Scout Hall at Scotch College. Boroondara, which to a large degree mirrors the boundaries of Kooyong, is a hub of activity for hundreds of Joeys, Cubs, Scouts, Venturers and Rovers. There are in fact 19 scout groups with over 1,200 members in Boroondara, leading many to claim it is the largest scout district in Australia.

Some of these groups, like 1st City of Camberwell and 1st Kew, are particularly noteworthy as they are amongst the oldest in the country. Their formation came soon after the first-ever scout camp was held in 1907 on Brownsea Island off England's Dorset Coast. The brainchild of former British soldier, Lord Robert Baden-Powell, scouting quickly transformed from its humble beginnings to become the world's largest youth organisation with a membership of over 28 million. It attracts young people from all walks of life and proudly counts among its most famous Australian alumni Sir Jack Brabham, Dick Smith, Geoffrey Blainey and Jon Faine, among many others.

Staying true to the values and aspirations of Baden-Powell, its first World Chief Scout, the movement offers a unique opportunity for young boys and girls to spend time outdoors, learning important skills, working as a team and building friendships and a sense of camaraderie that stands the test of time. These youthful experiences that build confidence and develop leadership, all while having fun at the same time, are more important than ever in today's fast-moving world. The lure of a television screen or a computer game cannot compete with the opportunity to live in tents, cook your own food or travel to jamboree.

Living by the ethos 'live, do and lead', the scouting movement is also highly conscious of its commitment to serve the broader community. In Boroondara you will often find scouts planting trees, involved in Clean-Up Australia Day or, as they did recently, assisting the flood victims in Victoria repair their homes. It is this special opportunity to help others while at the same time getting involved in a variety of other fun activities, like theatrical performances at Camberwell Showtime or the Melbourne Gang Show that gives the scouts such broad appeal.

As I listened at the AGM to the young scouts and the group leaders talk about what they had achieved over the last year, including some who had recently been to Sweden for World Jamboree, their enthusiasm and commitment was both obvious and infectious. No wonder their membership numbers are growing at such a rapid rate. Phillip Wood, the district commissioner for Boroondara, Bob Taylor, chief commissioner of the Victorian branch, Brendan Watson, regional commissioner for Melbourne, and their fellow leaders in the scout movement deserve to be congratulated on a job well done.

Let me say also how pleased I am that Lord Baden-Powell's grandson, the Hon. Michael Baden-Powell, a branch commissioner of Scouts Victoria, resides with his wife, Joan, in Camberwell in the
heart of my electorate. Their contribution to the scouting movement is both longstanding and significant. I wish the Scout District of Boroondara only continued success and say to the parents, team leaders and scouts themselves: you are part of a wonderful community organisation with a proud history and an even brighter future.

**Moreton Electorate: Community Cabinet**

Mr PERRETT (Moreton) (22:05): Earlier this month I was pleased to welcome the Prime Minister, the Hon. Julia Gillard, and other members of the federal ministry, including the member for Isaacs, to the Moreton electorate for a community cabinet at Yeronga State High School. It was a strong display of democracy in action. More than 500 people attended the community forum at Yeronga State High School and many had to be turned away because there were not enough seats. We enjoyed great hospitality from the Yeronga State High School catering and music students. I want to particularly thank the principal, Terry Heath, and all the teachers and staff at Yeronga who made us feel so much at home.

We had a healthy discussion and covered a range of issues important to people in my electorate and also those visitors from other electorates around Moreton. The issues covered included: coal seam gas exploration, the recognition of our Indigenous peoples in the Constitution, support for Third World countries to reduce their carbon emissions, peace in the Middle East, the elimination of cluster bombs, and promoting personal responsibility for reducing carbon emissions. Even my neighbour, John Shearer, came along to ask the Prime Minister about the government's options regarding asylum seekers. Obviously, if I had my time over again, perhaps I would not have invited my neighbour, John Shearer, but I did not have control of the invitation list! But thank you, John, for coming along and asking that question. I have always been proud to represent the community on Brisbane's southside, but I was especially proud at the community cabinet because the southsiders of Brisbane showed how to engage in a battle of ideas respectfully. The big crowd showed tremendous courtesy to our leaders, elected representatives and ministers. This was on the day when Minister Albanese was heckled and even assaulted out the front of his electorate office in Marrickville. As an aside, I say to those people who turned up to cause some grief to Minister Albanese, 'You really need to toughen up a bit.' He had just had one throwaway line and then all these people turned up to say that this was an assault on our freedoms or whatever. All he had actually said was one throwaway line. They really need to toughen up a bit.

Either way, it was refreshing to have a political discussion without the insults and intimidations we have seen elsewhere. That is not to say that every person agreed with everything the Gillard Labor government stands for, but they did have the good manners to engage in an educated and respectful debate and exchange of ideas. Often that requires listening with your ears rather than having your mouth flapping while people are talking.

Good politics, as we all know, is about leadership and a battle of ideas. Politicians have a responsibility to ensure that our passions for these ideas do not cross the line by inciting fear and hate in the community. Also we must ensure that debates are civil and appropriate, as anyone who respects good manners would agree. That is why I find the opposition leader's call for a peoples revolt so offensive. He and people like Alan Jones seem to want to rewrite our Constitution and/or the laws of mathematics about what is a majority.
As I said at the start, the southside community had many questions for the Gillard cabinet, but they also offered strong support for the Gillard Labor government's achievements. There are great achievements like the structural separation of Telstra to enable the building of the National Broadband Network. This initiative will deliver more productivity than anything else that the government has done in the last five to 10 years. We have secured the health reform agreement with the states, dealt with the summer of natural disasters and rebuilt communities like mine that were hammered by the floods, kick-started policy debate on aged-care reforms and disabilities, signed a deal on Tasmanian forests and secured a deal to price carbon. Today is a great day in history. We have taken a practical step towards pricing pollution. I know it is a step that those opposite took to the 2007 election and the 2010 election, but today we can proudly say we have taken positive steps towards achieving that goal. I know I will be able to look my grandchildren in the eye and say: 'On 13 September 2011 I did something positive. I took a step towards voting yes for pricing pollution.' I will be able to look my grandchildren in the eye and say, 'This was a good thing.' (Time expired)

Small Businesses

Mr CRAIG KELLY (Hughes) (22:10): I rise tonight to highlight the unfolding disaster being faced by the small business sector under this Labor government. The Prime Minister said in question time today that she is interested in the facts. Well, here are the facts on what this government's policies are doing to small business.

Exhibit No. 1 is the most recent Sensis business index for September. This found that confidence is plummeting and that small business profitability fell sharply during the last quarter and is now at record low levels under this Labor government. It also found that all key performance indicators fell in the last quarter, the proportion of SMEs reporting growth in capital expenditure fell sharply to the lowest levels recorded ever by the index and the proportion of SMEs exporting also fell. It also found that there was a substantial increase in the number of small businesses looking to close up or to sell their business. What an appalling indictment of the failures of this government.

Next is exhibit No. 2: the August 2011 ACCI small business survey. This survey also found that small business trading conditions and confidence have continued to collapse under this government. It found the business conditions index has fallen further into negative territory. Indicators for expected economic performance, sales revenue, employment and investment in plant and equipment are all in substantial decline for small business. What a shameful performance by this government. These results are even before small business is smashed by the insanity of a carbon tax.

These sobering facts are backed up the feedback I am receiving from 11,258 businesses located in the electorate of Hughes—97 per cent of which are small businesses. They have been telling me that business conditions are the worst in living memory. But what is truly disturbing is that the ACCI survey shows that the divergence between small and large businesses performance is at new record highs for the indices of business conditions, expected economic performance and investment in buildings, plant and equipment.

These are the facts. This government's policies are working against small business. Never before has the playing field been tilted so far against small business. Never has small business been at such a competitive disadvantage. Small businesses in Australia...
face a growing and insurmountable degree of anticompetitive price discrimination in almost every business input—from the costs of materials to interest rates, rent, bank fees and charges, and shipping fees. No wonder there has been a substantial increase in small businesses looking to close or sell their firms.

These facts show that the small business community are in crisis under the policies of this Labor government. But this government has no idea how its anti small business agenda is going to cause long-term damage to the prosperity of our nation. With small business going backwards under Labor, no wonder the nation’s productivity is stalled, because it is small business people that drive innovation and it is small business people who risk everything on an idea and in doing so create massive benefits for our nation. You guys just do not understand that.

So one might ask: what is Labor’s current Minister for Small Business doing? The only noise we have heard from Senator Sherry is the prediction of doom and gloom for the independent booksellers. Such defeatist and demoralising comments not only show that he is simply unfit for the job but also show that he does not have a clue. If he had a clue, he might do well to look at how in the USA independent booksellers have used the Robinson-Patman antidiscrimination act to level the playing field between small and big booksellers. If he had a clue, he might do well to look at Germany where they do not have laws prohibiting retail price maintenance, thereby encouraging greater competition at the wholesale level, and where big and small bookstores are seemingly on every block. And if he had a clue, he would be looking at lifting the absurdity of our current laws which prohibit Australian small book retailers from parallel importing a book to sell to the public but allow a foreign book retailer to sell the same book to the Australian public.

With the small business sector in meltdown, with a Minister for Small Business who does not have a clue, and with a government ready to smash small business with a carbon tax, the future of small business has never looked as dark as it has under this government, and no wonder.

Finally, I would like to extend my deepest congratulations to the new Mayor of the City of Shellharbour, Kellie Marsh, who was elected earlier this evening. Kellie is not just the first Liberal mayor but, along with running mate Paul Rankin, the pair are the first ever Liberal councillors for Shellharbour. What a fantastic result. Congratulations, Mayor Marsh. (Time expired)

**Granville Scouts**

Ms OWENS (Parramatta) (22:15): I rise to congratulate the 1st Granville scouts who celebrated 100 years of continuous scouting on Sunday. There were other scout groups that preceded Granville scouts, Parramatta for one, but all of them took a recess during the First World War, the Depression or the Second World War. Granville scouts stuck it out through everything a century threw at them and they are recognised as the oldest continuous scout group in New South Wales.

I was very pleased to join my parliamentary colleague Laurie Ferguson and several generations of Granville scouts and their families at the celebration at their scout hall in Glen Street, Granville. The old boys, as they are called, marched behind vintage cars from the old Granville Pool entry to the hall in Glen St, Granville where they unveiled a plaque to commemorate the achievement at an official ceremony, which was followed by the birthday cake and ice-cream.
In 1911 it all started when a couple of young Granville boys joined 1st Parramatta scouts for a few months to see what scouting was about. Not surprisingly, they liked it and they managed to convince a young patrol leader, George King, to defect and come down to Granville to start a new scout troop. He did and they picked well. George King led the group for 44 years. The group has been in continuous existence since that day in 1911, sometimes growing, sometimes going through more difficult times, but always there for the young boys and, more recently, girls in the area.

The troop did not go into recess during the First World War, even though all of its scout leaders went to war, leaving 16-year-old Roy Black to keep the troop going under the guidance of an adult helper. The troop made it through the Depression too and kept going through the Second World War, although it was reduced to just one leader, the founding leader, George King, who had been with the troop by that stage for nearly 30 years. The members of 1st Granville were dedicated to scouting, a quality evident in the lifelong commitment of its members, many of whom went on to found other groups from Fairfield to Castle Hill, Merrylands, Auburn and Lidcombe.

The scouts in Granville are part of over 68,000 scouts in Australia, which makes it the largest youth movement in the nation. They provide young Aussies with fun and challenging opportunities to grow through adventure. Within that movement, the Granville scouts have pioneered many developments in scouting. They were the first to register a Rover crew of 18- to 26-year-olds in New South Wales and they pioneered senior scouting, now called Venturers, for 15- to 18-year-olds for 20 years before it became an official section of the scout movement.

There are many stories, and the Granville scouts honours them and the history. It has produced a collection of every annual report since 1911. There was one missing—I think it was one from the seventies—but I understand that in recent weeks a single copy of that report has been found and it will be scanned and added to make the collection complete.

Its early years were memorable, with scouts being awarded medals for gallantry for saving people from drowning. In the early 1930s two Rover-age scouts paddled from Goulburn to Granville in 21 days. They paddled up the Wollondilly River to Warragamba River and on to the Nepean and Hawkesbury Rivers, out to sea, back into Sydney Harbour and up to Duck River. They then placed the canoe on their shoulders and carried it a mile back to the scout hall. It is quite a story for a remarkable troop that has survived a century.

The space that houses the scout hall is remarkable in itself—down a narrow alley to a space steeped in history, with memories of good times and commitment in lean times and, overall, of contribution to the future of young people through development of confidence and leadership qualities through scouting.

I would like to take this opportunity to thank Cub Leader Bruce Roberts, Scout Leaders Andrew Snelling and Clifford Howard and the many who came before for their tireless efforts to make Granville scouts the success they are today. Sunday was the 100th birthday of Granville scouts. It also makes it the first day of their second century. They are enjoying a period of growth in both numbers and community recognition of the contribution they make and have made. I congratulate them on 100 years. I commend the contribution that 1st Granville scouts
have made and wish them a fabulous second century. Well done, 1st Granville.

**Herbert Electorate: Foster Care**

Mr EWEN JONES (Herbert) (22:20): It was with great pleasure I attended the Child Protection Week brunch with carers in Townsville last Wednesday, 7 September. The brunch was to simply say thank you to those who take part in foster care. There were 28 Townsville carers groups in attendance at the brunch. Three were kinship carer groups which look after the kids of family or friends and 25 were foster carer groups.

Matthew Lupi, as the regional director of Carers Queensland, set out a challenge for all the staff. It was a truly good speech, but he has to watch what he says when it comes to actual follow-through for his staff. He laid out the challenge to go above and beyond the call of duty, to spend time after hours and to look after people during meal times. But the problem we have when we set down challenges for people in these positions is that, if something goes wrong, the immediate response by management is to check the rule book and see whether they were following procedure. If they were not exactly following procedure, they do tend to get belted. I just ask Matthew, while his intentions were fantastic, to make sure that management is backing sales every time.

At this event I had brought to my attention Backpacks 4 Aussie Kids. The Townsville project is run by Trish Loveday. All too often, when a child is taken to a foster home, they have only the clothes on their back. Backpacks 4 Aussie Kids gets them settled in to unfamiliar territory with loving attention. Backpacks 4 Aussie Kids arrive with the child. For a grown child, they contain two sets of clothes, underwear, footwear, games to play, books to read, toothbrushes and toiletries. Backpacks are provided for everyone, including babies, with nappies, wipes and everything. Too often, these kids are taken into care and they have nothing but the clothes on their backs. Does it happen often? Yes, it does. Should it happen at all? No, it should not. The backpacks are designed to provide kids with their own possessions to make the transition a little bit easier and to provide some consistency and comfort for those who are moved from house to house.

Backpacks 4 Aussie Kids began in 2009 in Innisfail with the goal of creating 1,000 backpacks. They have now put together over 2,100 backpacks and have increased their goal to 5,000. The organisation has grown to include projects in Townsville, Melbourne, Adelaide and Perth. Backpacks are made and stored locally in Townsville.

Shared Family Care is a foster and kinship care non-government organisation that provides storage and other support and is the main donation point for Backpacks 4 Aussie Kids. Trish Loveday is looking to continue to expand the project to help kids in Mt Isa and Mackay. Tonight I call for anyone in Townsville or throughout Australia to get behind this worthy project and drop off fully packed backpacks for a baby or child, donate individual items to Shared Family Care centres or donate money for a backpack through the Backpacks 4 Aussie Kids website. I urge everyone to take this up.

There are 150 of us in this House. If we can all organise two people to donate a fully packed backpack, that would be another 300 towards the 5,000. This is what is good about our community; this is what is good about being in this House; this is what is good about my city—that there are people out there who do much but do not judge. These people just help because they can. It makes me proud that I am from Townsville. It makes me proud that I was there.
I also say a personal farewell to one particular childcare worker who has been transferred to Sydney and will probably take some time off. She will be missed in Townsville. She would not want her name mentioned in this place or anywhere—that is the kind of person she is. To all the people who are involved in child care and child safety, I say thank you very much on behalf of my community in Townsville. It is truly wonderful what you do. To those people who come to me or to anyone in this House chasing information and feeling that they have not been treated correctly by childcare centres, I asked them to recognise first and foremost that their duty is the safety of a child. When you are faced with anything, you will always fess up—you will always take the point of view of what is best for the child.

Aboriginal Communities

Mr CROOK (O'Connor) (22:25): During the five-week parliamentary recess, I took the opportunity to travel to the Central Desert, where I visited the communities of Tjirkarli; Warburton; Jameson; Blackstone; Wingellina, home of a fantastic media centre where we were treated to some sensational music by a group of young musicians; Warakurna, home of the Giles weather station; and Patjarr, a particularly isolated and small community. I spent three days travelling through these remote communities, visiting community managers, schools, police and health centres. I also spent time meeting with representatives of the Ngaanyatjarra Shire, one of Australia's largest and most remote local government areas, comprising 250,000 square kilometres, stretching across three states and featuring just 12 kilometres of sealed road. I also attended community barbecues in Warburton and Warakurna, which gave me further opportunity to speak with the people who live and work in this region.

This visit was my first trip to the lands and I found the experience to be extremely gratifying and enlightening. One of the key issues facing the Ngaanyatjarra lands is petrol sniffing and substance abuse. I have raised this issue previously in this parliament and it is very unfortunate to see that this scourge is still prevalent. The communities have benefitted from the rollout of Opal fuel into the Northern Goldfields. This is a low-aromatic fuel which removes the high associated with sniffing. Opal fuel has been rolled out into many locations in the Northern Goldfields and Central Desert lands; however, I believe this rollout must continue into all regional communities in the vicinity, including Laverton, Leonora, Wiluna and Menzies. Unless this rollout continues, it will be impossible to fully prevent unleaded fuel from reaching these communities.

The next issue I would like to highlight to the parliament is the replacement of the CDEP, the Community Development Employment Projects, with the Newstart program. Every community I visited expressed concern with this change, and I believe this must be addressed as a matter of urgency. The Newstart program has proven to be harmful to the sustainability of many of these communities. It has resulted in many people leaving their communities and moving to the major outlying towns of Laverton, Alice Springs and Kalgoorlie. This new measure has in no way benefitted our remote communities, which are losing valuable community members and family members. At the same time, by leaving their community many people are often living rough and become increasingly exposed to outside influences and the substance abuse that is more prevalent in major centres. Under Newstart, there is no longer a reason for many to stay within the community, but under the previous system, CDEP, people
were encouraged to live in the community and remain with their families. I see the transition from Newstart, either back to CDEP or to another social security program tailored to remote communities, as a vital step to preserving the spirit of these remote communities.

Diabetes is a major health issue in these communities, along with other associated illnesses stemming from poor diet. Fresh meat, fruit and vegetables are often not easily or cheaply available. Many community stores do a wonderful job in endeavouring to provide fresh food to these communities. I commend the work that the storekeepers are doing to supply these communities and I by no means disrespect their efforts. However, my recent visit to the lands has certainly highlighted how important it is to ensure we provide education and resources to help people in remote communities improve their diets.

As I stated earlier, diabetes is a major health issue and this is enhanced by the fact that there are currently no medical staff available in the lands to provide the assistance needed for renal dialysis. This leads to two outcomes. Firstly, those needing dialysis must travel vast distances, either to Kalgoorlie or to Alice Springs, for treatment. Secondly, many people choose not to undertake dialysis at all. This will result in increased health issues, putting increased pressure on health services and in many cases leading to premature death. I am aware that there is an application through the Royalties for Regions program in Western Australia to provide staff accommodation, and I hope this will go some way to alleviating the issue.

I have since taken the opportunity to meet with the Minister for Indigenous Health, Warren Snowdon. I was able to discuss each of these issues in detail with the minister and I thank him for the time he took to meet. I look forward to continuing to work with the minister to improve the health and lifestyle of those living in the Central Desert.

Debate interrupted.

House adjourned at 22:30

NOTICES

The following notices were given:

Mr Stephen Jones: to move:

That this House:

(1) notes that:
   (a) Australia needs a diverse economy to prosper now and into the future;
   (b) Australia has a strong innovation framework, and some of the best research and development and skilled workers in the world, but industry and government support is needed to turn that capacity into goods manufactured in Australia;
   (c) the Australian Government has an agenda for nation building, innovation and improving the productive performance of business and industry, but that more can be done in this area;
   (d) the Australian Manufacturing industry should continue to be assisted by government to ensure that the mining boom does not crowd-out every other area of the economy; and
   (e) the Government has already made a substantial contribution to the development of this agenda;
(2) reaffirms its belief in a modern, cohesive and comprehensive industry policy for Australian manufacturing which links these elements of the Australian economy;
(3) supports policies to spread the benefits of the mining boom to local manufacturers and the development of a skilled workforce by;
   (a) ensuring that the mining industry invests in apprenticeships and training to ensure Australia continues to renew and develop a high-skilled workforce; and
   (b) requiring:
      (i) all new major resource projects have an Australian Industry Participation Plan (AIPP)
which provides details of the Australian manufactured materials and services to be used on all major resource developments; and

(ii) open and transparent tendering arrangements which permit Australian industry to compete on an equal basis with international companies for sub-contracts associated with major resource projects;

(4) supports policies that require Australian Government infrastructure and defence industry projects to produce and publish an AIPP detailing Australian manufactured materials and services; and

(5) in the interests of accountability and transparency, insists that all AIPPs be published and regularly updated as projects progress.

Ms HALL: to move:

That this House:

(1) acknowledges the

(a) important role played by Meals On Wheels organisations throughout Australia in delivering nutritious meals for frail aged and disabled Australians; and

(b) role played by volunteers in preparing and delivering meals;

(2) notes that Meals on Wheels volunteers provide the only social contact to many house bound elderly and disabled Australians;

(3) further notes that the strength of Meals On Wheels organisations is linked to their ability to deliver to their clients in many diverse ways which recognises the needs of their clients and reflects the communities they service.

Mr WILKIE: to present a bill for an act to enhance community consultation in relation to the development of certain telecommunications facilities, and for related purposes.

Mr WILKIE: to move:

That this House:

(1) acknowledges the large number of mothers and fathers with serious grievances with family law and the child support system;

(2) notes that there has not been a comprehensive review of the child support system since the 2005 review In the Best Interests of Children—Reforming the Child Support Scheme;

(3) calls on the Government to undertake a comprehensive review of family law and the child support system; and

(4) recommends that the Terms of Reference of this review be formulated to ensure that the safety and well being of children are paramount.

Mr BANDT: to move:

That:

(1) a Joint Select Committee on Australian Jobs and Manufacturing be appointed to inquire into and report on:

(a) the state of the country's manufacturing sector and the threats to jobs and opportunities in the sector;

(b) the significant role of commodities exports in Australia's economy and the impacts of this on the economy, including on costs of capital and labour, infrastructure investment and the value of the dollar;

(c) policies to support and encourage innovation and adaptation in the manufacturing sector including local content rules for the resources sector and government procurement; and

(d) any related matters;

(2) the committee consist of 11 members, 2 Members to be nominated by the Government Whip or Whips, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Members to be nominated by the Opposition Whip or Whips, 2 Senators to be nominated by the Leader of the Opposition in the Senate, 1 Member and 1 Senator to be nominated by the Australian Greens Whip, and 1 non-aligned member;

(3) participating members may be appointed to the committee and may participate in hearings of evidence and deliberations of the committee, and have all the rights of a member of the committee, but may not vote on any questions before the committee;

(4) every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives;
(5) the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier;
(6) the committee shall elect a Government chair and a non-Government deputy chair;
(7) the deputy chair shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;
(8) in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote;
(9) 3 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House;
(10) the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine;
(11) the committee appoint the chair of each subcommittee who shall have a casting vote only;
(12) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;
(13) 2 members of a subcommittee constitute the quorum of that subcommittee;
(14) members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum;
(15) the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced;
(16) the committee or any subcommittee may conduct proceedings at any place it sees fit;
(17) the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the House of Representatives and the Senate;
(18) the committee may report to both Houses of Parliament from time to time and that it present its final report no later than 16 December 2011;
(19) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
(20) a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.
Mr Christensen asked the Minister for Infrastructure and Transport, in writing, on 16 August 2011:

Further to his answer to question in writing No. 387 (House Hansard, 6 July 2011, page 175), is he aware that the Queensland Department of Main Roads has identified a preferred option for the provision of a second crossing of the Burdekin River which is likely to have adverse impacts on Ayr businesses and lead to the loss of large amounts of some of Australia's most productive agricultural land.

Mr Albanese: The answer to the honourable member's question is as follows:

See response to question 387.