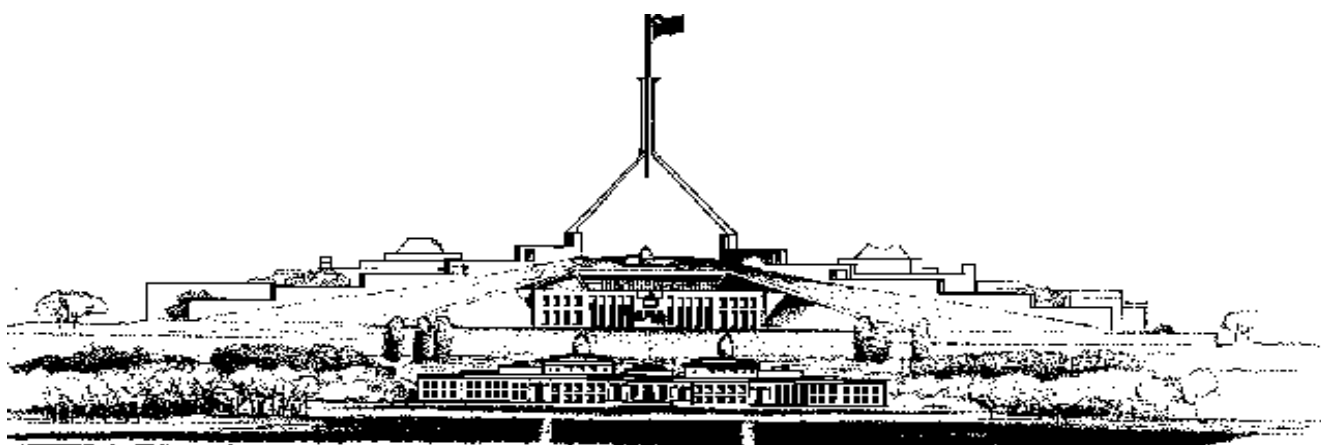




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



House of Representatives

Official Hansard

Wednesday, 27 November 2019

FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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SITTING DAYS—2019

Month	Date
February	12, 13, 14, 18, 19, 20, 21
April	2, 3, 4
July	2, 3, 4, 22, 23, 24, 25, 29, 30, 31
August	1
September	9, 10, 11, 12, 16, 17, 18, 19
October	14, 15, 16, 17, 21, 22, 23, 24
November	25, 26, 27, 28
December	2, 3, 4, 5

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**FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD**

Governor-General

His Excellency General the Hon. David John Hurley, AC, DSC, FTSE (Retd)

House of Representatives Office Holders

Speaker—Hon. Anthony David Hawthorn Smith MP

Deputy Speaker—Mr Kevin John Hogan MP

Second Deputy Speaker—Mr Robert George Mitchell MP

Members of the Speaker's Panel—Hon. Kevin James Andrews MP, Hon. Sharon Leah Bird MP, Ms Sharon Catherine Claydon MP, Mr Steven Georganas MP, Hon. Dr David Arthur Gillespie MP, Mr Ian Reginald Goodenough MP, Hon. Dr John Joseph McVeigh MP, Ms Maria Vamvakinou MP, Mr Ross Xavier Vasta MP, Mr Andrew Bruce Wallace MP, Mrs Lucy Elizabeth Wicks MP, Mr Richard James Wilson MP, Mr Trent Moir Zimmerman MP

Leader of the House—Hon. Christian Porter MP

Deputy Leader of the House—Hon. Darren Chester MP

Manager of Opposition Business—Hon. Anthony Stephen Burke MP

Deputy Manager of Opposition Business—Hon. Mark Butler MP

Party Leaders and Whips

Liberal Party of Australia

Leader—Hon. Scott John Morrison MP

Deputy Leader—Hon. Joshua Anthony Frydenberg MP

Chief Government Whip—Mr Albertus Johannes van Manen MP

Government Whips—Mr Rowan Eric Ramsey MP and Ms Nicolle Flint MP

The Nationals

Leader—Hon. Michael Francis McCormack MP

Deputy Leader—Senator Hon. Bridget McKenzie

Chief Whip—Hon Damian Kevin Drum MP

Deputy Whip—Mr Kenneth Desmond O'Dowd MP

Australian Labor Party

Leader—Hon. Anthony Albanese MP

Deputy Leader—Hon. Richard Marles MP

Chief Opposition Whip—Mr Christopher Patrick Hayes MP

Opposition Whips—Ms Joanne Catherine Ryan MP and Ms Anne Maree Stanley MP

Printed by authority of the House of Representatives

Members of the House of Representatives

Members	Division	Party
Albanese, Hon. Anthony Norman	Grayndler, NSW	ALP
Alexander, Mr John Gilbert, OAM	Bennelong, NSW	LP
Allen, Dr Katrina Jane	Higgins, VIC	LP
Aly, Dr Anne	Cowan, WA	ALP
Andrews, Hon. Karen Lesley	McPherson, QLD	LP
Andrews, Hon. Kevin James	Menzies, VIC	LP
Archer, Ms Bridget Kathleen	Bass, TAS	LP
Bandt, Mr Adam Paul	Melbourne, VIC	AG
Bell, Ms Angie Marion	Moncrieff, QLD	LNP
Bird, Hon. Sharon Leah	Cunningham, NSW	ALP
Bowen, Hon. Christopher Eyles	McMahon, NSW	ALP
Broadbent, Mr Russell Evan	Monash, VIC	LP
Buchholz, Hon. Scott Andrew	Wright, QLD	LP
Burke, Hon. Anthony Stephen	Watson, NSW	ALP
Burney, Ms Linda Jean	Barton, NSW	ALP
Burns, Mr Joshua Solomon	Macnamara, VIC	ALP
Butler, Hon. Mark Christopher	Hindmarsh, SA	ALP
Butler, Ms Terri Megan	Griffith, QLD	ALP
Byrne, Hon. Anthony Michael	Holt, VIC	ALP
Chalmers, Dr James Edward	Rankin, QLD	ALP
Champion, Mr Nicholas David	Spence, SA	ALP
Chester, Hon. Darren Jeffrey	Gippsland, VIC	NATS
Chesters, Ms Lisa Marie	Bendigo, VIC	ALP
Christensen, Mr George Robert	Dawson, QLD	NATS
Clare, Hon. Jason Dean	Blaxland, NSW	ALP
Claydon, Ms Sharon Catherine	Newcastle, NSW	ALP
Coker, Ms Elizabeth Ann	Corangamite, VIC	ALP
Coleman, Mr David Bernard	Banks, NSW	LP
Collins, Hon. Julie Maree	Franklin, TAS	ALP
Conaghan, Mr Patrick John	Cowper, NSW	NATS
Connelly, Mr Vincent Gerard	Stirling, WA	LP
Conroy, Mr Patrick Martin	Shortland, NSW	ALP
Coulton, Hon. Mark Maclean	Parkes, NSW	NATS
Dick, Mr Dugald Milton	Oxley, QLD	ALP
Dreyfus, Hon. Mark Alfred, QC	Isaacs, VIC	ALP
Drum, Hon. Damian Kevin	Nicholls, VIC	NATS
Dutton, Hon. Peter Craig	Dickson, QLD	LP
Elliot, Hon. Maria Justine	Richmond, NSW	ALP
Entsch, Hon. Warren George	Leichhardt, QLD	LP
Evans, Mr Trevor Mark	Brisbane, QLD	LNP
Falinski, Mr Jason George	Mackellar, NSW	LP
Fitzgibbon, Hon. Joel Andrew	Hunter, NSW	ALP
Fletcher, Hon. Paul William	Bradfield, NSW	LP
Flint, Ms Nicolle Jane	Boothby, SA	LP
Freeland, Dr Michael Randolph	Macarthur, NSW	ALP
Frydenberg, Hon. Joshua Anthony	Kooyong, VIC	LP
Gee, Mr Andrew Robert	Calare, NSW	NATS
Georganas, Mr Steven	Adelaide, SA	ALP
Giles, Mr Andrew James	Scullin, VIC	ALP
Gillespie, Hon. Dr David Arthur	Lyne, NSW	NATS

Members of the House of Representatives

Members	Division	Party
Goodenough, Mr Ian Reginald	Moore, WA	LP
Gorman, Mr Patrick	Perth, WA	ALP
Gosling, Mr Luke John	Solomon, NT	ALP
Haines, Dr Helen Mary	Indi, VIC	IND
Hammond, Ms Celia Monica	Curtin, WA	LP
Hastie, Mr Andrew William	Canning, WA	LP
Hawke, Hon. Alexander George	Mitchell, NSW	LP
Hayes, Mr Christopher Patrick	Fowler, NSW	ALP
Hill, Mr Julian Christopher	Bruce, VIC	ALP
Hogan, Mr Kevin John	Page, NSW	NATS
Howarth, Mr Luke Ronald	Petrie, QLD	LP
Hunt, Hon. Gregory Andrew	Flinders, VIC	LP
Husic, Hon. Edham Nurredin	Chifley, NSW	ALP
Irons, Hon. Stephen James	Swan, WA	LP
Jones, Mr Stephen Patrick	Whitlam, NSW	ALP
Joyce, Hon. Barnaby Thomas Gerard	New England, NSW	NATS
Katter, Hon. Robert Carl	Kennedy, QLD	KAP
Kearney, Ms Gerardine Mary	Cooper, VIC	ALP
Kelly, Mr Craig	Hughes, NSW	LP
Kelly, Hon. Dr Michael Joseph	Eden-Monaro, NSW	ALP
Keogh, Mr Matthew James	Burt, WA	ALP
Khalil, Mr Peter	Wills, VIC	ALP
King, Hon. Catherine Fiona	Ballarat, VIC	ALP
King, Ms Madeleine Mary Harvie	Brand, WA	ALP
Laming, Mr Andrew Charles	Bowman, QLD	LP
Landry, Hon. Michelle Leanne	Capricornia, QLD	NATS
Leeser, Mr Julian Martin	Berowra, NSW	LP
Leigh, Hon. Dr Andrew Keith	Fenner, ACT	ALP
Ley, Hon. Sussan Penelope	Farrer, NSW	LP
Littleproud, Hon. David Kelly	Maranoa, QLD	LNP
Liu, Ms Gladys	Chisholm, VIC	LP
Marino, Ms Nola Bethwyn	Forrest, WA	LP
Marles, Hon. Richard Donald	Corio, VIC	ALP
Martin, Mrs Fiona Barbouttis	Reid, NSW	LP
McBride, Ms Emma Margaret	Dobell, NSW	ALP
McCormack, Hon. Michael Francis	Riverina, NSW	NATS
McIntosh, Ms Melissa Iris	Lindsay, NSW	LP
McVeigh, Hon. Dr John Joseph	Groom, QLD	LNP
Mitchell, Mr Brian Keith	Lyons, TAS	ALP
Mitchell, Mr Robert George	McEwen, VIC	ALP
Morrison, Hon. Scott John	Cook, NSW	LP
Morton, Mr Ben	Tangney, WA	LP
Mulino, Dr Daniel	Fraser, VIC	ALP
Murphy, Ms Peta Jan	Dunkley, VIC	ALP
Neumann, Hon. Shayne Kenneth	Blair, QLD	ALP
O'Brien, Mr Llewellyn Stephen	Wide Bay, QLD	LNP
O'Brien, Mr Ted Lynam	Fairfax, QLD	LNP
O'Connor, Hon. Brendan Patrick John	Gorton, VIC	ALP
O'Dowd, Mr Kenneth Desmond	Flynn, QLD	NATS
O'Neil, Ms Clare Ellen	Hotham, VIC	ALP

Members of the House of Representatives

Members	Division	Party
Owens, Ms Julie Ann	Parramatta, NSW	ALP
Pasin, Mr Antony	Barker, SA	LP
Payne, Ms Alicia Emma	Canberra, ACT	ALP
Pearce, Mr Gavin Bruce	Braddon, TAS	LP
Perrett, Mr Graham Douglas	Moreton, QLD	ALP
Phillips, Ms Fiona Evon	Gilmore, NSW	ALP
Pitt, Hon. Keith John	Hinkler, QLD	NATS
Plibersek, Hon. Tanya Joan	Sydney, NSW	ALP
Porter, Hon. Charles Christian	Pearce, WA	LP
Price, Hon. Melissa Lee	Durack, WA	LP
Ramsey, Mr Rowan Eric	Grey, SA	LP
Rishworth, Hon. Amanda Louise	Kingston, SA	ALP
Robert, Hon. Stuart Rowland	Fadden, QLD	LP
Rowland, Ms Michelle Anne	Greenway, NSW	ALP
Ryan, Ms Joanne Catherine	Lalor, VIC	ALP
Sharkie, Ms Rebekha Carina Che	Mayo, SA	CA
Sharma, Mr Devanand Noel	Wentworth, NSW	LP
Shorten, Hon. William Richard	Maribyrnong, VIC	ALP
Simmonds, Mr Julian Graham John	Ryan, QLD	LNP
Smith, Hon. Anthony David Hawthorn	Casey, VIC	LP
Smith, Mr David Philip Benedict	Bean, ACT	ALP
Snowdon, Hon. Warren Edward	Lingiari, NT	ALP
Stanley, Ms Anne Maree	Werriwa, NSW	ALP
Steggall, Ms Zali	Warringah, NSW	IND
Stevens, Mr James William	Sturt, SA	LP
Sukkar, Mr Michael Sven	Deakin, VIC	LP
Swanson, Ms Meryl Jane	Paterson, NSW	ALP
Taylor, Hon. Angus James	Hume, NSW	LP
Tehan, Hon. Daniel Thomas	Wannon, VIC	LP
Templeman, Ms Susan Raye	Macquarie, NSW	ALP
Thistlethwaite, Hon. Matthew James	Kingsford Smith, NSW	ALP
Thompson, Mr Phillip	Herbert, QLD	LNP
Thwaites, Ms Kate Lynne	Jagajaga, VIC	ALP
Tudge, Hon. Alan Edward	Aston, VIC	LP
Vamvakinou, Ms Maria	Calwell, VIC	ALP
van Manen, Mr Albertus Johannes	Forde, QLD	LP
Vasta, Mr Ross Xavier	Bonner, QLD	LP
Wallace, Mr Andrew Bruce	Fisher, QLD	LNP
Watts, Mr Timothy Graham	Gellibrand, VIC	ALP
Webster, Dr Anne Elizabeth	Mallee, VIC	NATS
Wells, Ms Anika Shay	Lilley, QLD	ALP
Wicks, Mrs Lucy Elizabeth	Robertson, NSW	LP
Wilkie, Mr Andrew Damien	Clark, TAS	IND
Wilson, Mr Joshua Hamilton	Fremantle, WA	ALP
Wilson, Mr Richard James	O'Connor, WA	LP
Wilson, Mr Timothy Robert	Goldstein, VIC	LP
Wood, Mr Jason Peter	La Trobe, VIC	LP
Wyatt, Hon. Kenneth George, AM	Hasluck, WA	LP
Young, Mr Terry James	Longman, QLD	LNP
Zappia, Mr Antonio	Makin, SA	ALP

Members of the House of Representatives

Members	Division	Party
Zimmerman, Mr Trent Moir	North Sydney, NSW	LP

PARTY ABBREVIATIONS

AG—Australian Greens; ALP—Australian Labor Party; CA—Centre Alliance;
IND—Independent; KAP—Katter's Australia Party; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;

Heads of Parliamentary Departments

Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson

MORRISON MINISTRY

Title	Minister
Prime Minister	The Hon. Scott Morrison MP
Minister for the Public Service	
Minister for Women	Senator the Hon. Marise Payne
Minister Assisting the Prime Minister for the Public Service and Cabinet	The Hon. Greg Hunt MP
Minister for Indigenous Australians	The Hon. Ken Wyatt AM MP
<i>Assistant Minister to the Prime Minister and Cabinet</i>	<i>The Hon. Ben Morton MP</i>
Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development	The Hon. Michael McCormack MP
Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management	The Hon. David Littleproud MP
Minister for Population, Cities and Urban Infrastructure	The Hon. Alan Tudge MP
Minister for Regional Services, Decentralisation and Local Government	The Hon. Mark Coulton MP
<i>Assistant Minister for Road Safety and Freight Transport</i>	<i>The Hon. Scott Buchholz MP</i>
<i>Assistant Minister to the Deputy Prime Minister</i>	<i>The Hon. Andrew Gee MP</i>
<i>Assistant Minister for Regional Development and Territories</i>	<i>The Hon. Nola Marino MP</i>
Treasurer	The Hon. Josh Frydenberg MP
Minister for Population, Cities and Urban Infrastructure	The Hon. Alan Tudge MP
Assistant Treasurer	The Hon. Michael Sukkar MP
Minister for Housing	
<i>Assistant Minister for Superannuation, Financial Services and Financial Technology</i>	<i>Senator the Hon. Jane Hume</i>
Minister for Finance (Vice-President of the Executive Council) (Leader of the Government in the Senate)	Senator the Hon. Mathias Cormann
<i>Assistant Minister for Finance, Charities and Electoral Matters</i>	<i>Senator the Hon. Zed Seselja</i>
Minister for Agriculture	Senator the Hon. Bridget McKenzie
<i>Assistant Minister for Forestry and Fisheries</i>	<i>Senator the Hon. Jonathon Duniam</i>
Minister for Foreign Affairs	Senator the Hon. Marise Payne
Minister for Trade, Tourism and Investment	Senator the Hon. Simon Birmingham
(Deputy Leader of the Government in the Senate)	
Minister for International Development and the Pacific	The Hon. Alex Hawke MP
Assistant Trade and Investment Minister	The Hon. Mark Coulton MP
<i>Assistant Minister for Regional Tourism</i>	<i>Senator the Hon. Jonathon Duniam</i>

Title	Minister
Attorney-General (Leader of the House)	The Hon. Christian Porter MP
Minister for Industrial Relations	The Hon. Christian Porter MP
Minister for Health	The Hon. Greg Hunt MP
Minister for Aged Care and Senior Australians	Senator the Hon. Richard Colbeck
Minister for Youth and Sport	
Minister for Home Affairs	The Hon. Peter Dutton MP
Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management	The Hon. David Littleproud MP
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs	The Hon. David Coleman MP
<i>Assistant Minister for Customs, Community Safety and Multicultural Affairs</i>	<i>The Hon. Jason Wood MP</i>
Minister for Communications, Cyber Safety and the Arts	The Hon. Paul Fletcher MP
Minister for Education	The Hon. Dan Tehan MP
Minister for Employment, Skills, Small and Family Business	Senator the Hon. Michaelia Cash
<i>Assistant Minister for Vocational Education, Training and Apprenticeships</i>	<i>The Hon. Steve Irons MP</i>
Minister for Industry, Science and Technology	The Hon. Karen Andrews MP
Minister for Resources and Northern Australia	Senator the Hon. Matthew Canavan
Minister for Energy and Emissions Reduction	The Hon. Angus Taylor MP
Minister for the Environment	The Hon. Sussan Ley MP
<i>Assistant Minister for Waste Reduction and Environmental Management</i>	<i>The Hon. Trevor Evans MP</i>
Minister for Defence	Senator the Hon. Linda Reynolds CSC
Assistant Defence Minister	The Hon. Alex Hawke MP
Minister for Veterans and Defence Personnel (Deputy Leader of the House)	The Hon. Darren Chester MP
Minister for Defence Industry	The Hon. Melissa Price MP
Minister for Families and Social Services (Manager of Government Business in the Senate)	Senator the Hon. Anne Ruston
Minister for the National Disability Insurance Scheme	The Hon. Stuart Robert MP
Minister for Government Services	
<i>Assistant Minister for Children and Families</i>	<i>The Hon. Michelle Landry MP</i>
<i>Assistant Minister for Community Housing, Homelessness and Community Services</i>	<i>The Hon. Luke Howarth MP</i>

Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Ministers are sworn to administer the portfolio in which they are listed under the 'Minister' column and may also be sworn to administer other portfolios in which they are not listed.

Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952*.

SHADOW MINISTRY

Title	Shadow Minister
Leader of the Opposition	The Hon. Anthony Albanese MP
<i>Shadow Cabinet Secretary</i>	<i>Senator Jenny McAllister</i>
Deputy Leader of the Opposition	The Hon. Richard Marles MP
Shadow Minister for Defence	
Shadow Minister for Veterans' Affairs and Defence Personnel	The Hon. Shayne Neumann MP
Shadow Minister Assisting for Defence	Mr Pat Conroy MP
Shadow Minister for Defence Industry	Mr Matt Keogh MP
<i>Shadow Assistant Minister for Defence</i>	<i>The Hon. Dr Mike Kelly AM MP</i>
Leader of the Opposition in the Senate	Senator the Hon. Penny Wong
Shadow Minister for Foreign Affairs	
Shadow Minister for International Development and the Pacific	Mr Pat Conroy MP
<i>Shadow Assistant Minister to the Leader of the Opposition in the Senate</i>	<i>Senator Jenny McAllister</i>
Deputy Leader of the Opposition in the Senate	Senator the Hon. Kristina Keneally
Shadow Minister for Home Affairs	
Shadow Minister for Immigration and Citizenship	
Shadow Minister for Multicultural Affairs	Mr Andrew Giles MP
Shadow Minister Assisting for Immigration and Citizenship	
Shadow Minister for Industrial Relations	The Hon. Tony Burke MP
Shadow Minister for the Arts	
Manager of Opposition Business in the House of Representatives	
Shadow Minister for the National Disability Insurance Scheme	The Hon. Bill Shorten MP
Shadow Minister for Government Services	
<i>Shadow Assistant Minister for Carers</i>	<i>Ms Emma McBride MP</i>
Shadow Minister for Education and Training	The Hon. Tanya Plibersek MP
<i>Shadow Assistant Minister for Education and Training</i>	<i>Mr Graham Perrett MP</i>
<i>Shadow Assistant Minister for Skills</i>	<i>Ms Ged Kearney MP</i>
Shadow Treasurer	Dr Jim Chalmers MP
Shadow Assistant Treasurer	Mr Stephen Jones MP
Shadow Minister for Financial Services	
<i>Shadow Assistant Minister for Treasury</i>	<i>The Hon. Dr Andrew Leigh MP</i>
<i>Shadow Assistant Minister for Charities</i>	
<i>Shadow Assistant Minister for Financial Services</i>	<i>The Hon. Matt Thistlethwaite MP</i>
Shadow Minister for Climate Change and Energy	The Hon. Mark Butler MP
Deputy Manager of Opposition Business in the House of Representatives	
Shadow Minister Assisting for Climate Change	Mr Pat Conroy MP
Shadow Minister for Health	The Hon. Chris Bowen MP
<i>Shadow Assistant Minister for Mental Health</i>	<i>Ms Emma McBride MP</i>

Title	Shadow Minister
Shadow Minister for Infrastructure, Transport and Regional Development	The Hon. Catherine King MP
Shadow Minister for Cities and Urban Infrastructure	Mr Andrew Giles MP
Shadow Minister for Northern Australia	Senator Murray Watt
Shadow Minister for Disaster and Emergency Management	Senator Murray Watt
<i>Shadow Assistant Minister for Infrastructure and Regional Tourism</i>	<i>Senator Carol Brown</i>
<i>Shadow Assistant Minister for Tasmania</i>	
<i>Shadow Assistant Minister for Northern Australia</i>	<i>The Hon. Warren Snowdon MP</i>
<i>Shadow Assistant Minister for Road Safety</i>	<i>Senator Glenn Sterle</i>
Shadow Minister for Agriculture and Resources	The Hon. Joel Fitzgibbon MP
Shadow Minister for Western Australian Resources	Mr Matt Keogh MP
Shadow Special Minister of State	Senator the Hon. Don Farrell
Shadow Minister for Sport	
Shadow Minister for Tourism	
Shadow Minister Assisting the Leader of the Opposition	
Shadow Attorney-General	The Hon. Mark Dreyfus QC MP
Shadow Minister for Constitutional Reform	
<i>Shadow Assistant Minister for the Republic</i>	<i>The Hon. Matt Thistlethwaite MP</i>
Shadow Minister for Communications	Ms Michelle Rowland MP
<i>Shadow Assistant Minister for Communications</i>	<i>Mr Tim Watts MP</i>
<i>Shadow Assistant Minister for Cyber Security</i>	
Shadow Minister for Finance	Senator Katy Gallagher
Shadow Minister for the Public Service	
Manager of Opposition Business in the Senate	
<i>Shadow Assistant Minister for Government Accountability</i>	<i>Senator Kimberley Kitching</i>
<i>Deputy Manager of Opposition Business in the Senate</i>	
Shadow Minister for Families and Social Services	The Hon. Linda Burney MP
Shadow Minister for Indigenous Australians	
<i>Shadow Assistant Minister for Reconciliation</i>	<i>Senator Patrick Dodson</i>
<i>Shadow Assistant Minister for Constitutional Recognition of Indigenous Australians</i>	
<i>Shadow Assistant Minister for Indigenous Australians</i>	<i>The Hon. Warren Snowdon MP</i>
Shadow Minister for Ageing and Seniors	The Hon. Julie Collins MP
Shadow Minister for Women	
<i>Shadow Assistant Minister for Aged Care</i>	<i>Ms Ged Kearney MP</i>
Shadow Minister for Employment and Industry	The Hon. Brendan O'Connor MP
Shadow Minister for Science	
Shadow Minister for Small and Family Business	
Shadow Minister for Innovation, Technology and the Future of Work	Ms Clare O'Neil MP
Shadow Minister Assisting for Small and Family Business	Mr Matt Keogh MP

Title	Shadow Minister
<i>Shadow Assistant Minister for Manufacturing</i>	<i>Senator Louise Pratt</i>
<i>Shadow Assistant Minister for Employment Services</i>	
Shadow Minister for Regional Services, Territories and Local Government	The Hon. Jason Clare MP
Shadow Minister for Housing and Homelessness	
<i>Shadow Assistant Minister for External Territories</i>	<i>The Hon. Warren Snowdon MP</i>
Shadow Minister for Early Childhood Education	The Hon. Amanda Rishworth MP
Shadow Minister for Youth	
Shadow Minister for the Environment and Water	Ms Terri Butler MP
<i>Shadow Assistant Minister for the Environment</i>	<i>Mr Josh Wilson MP</i>
Shadow Minister for Trade	Ms Madeleine King MP

Each box represents a portfolio. **Shadow Cabinet Ministers are shown in bold type.**

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Wednesday, 27 November 2019

The SPEAKER (Hon. Tony Smith) took the chair at 09:00, made an acknowledgement of country and read prayers.

COMMITTEES

Selection Committee

Report

The SPEAKER: I present report No. 9 of the Selection Committee, relating to the consideration of committee and delegation business and private members' business on Monday 2 December 2019. The report will be printed in the *Hansard* for today and the committee's deliberations will appear on tomorrow's *Notice Paper*. Copies of the report have been placed on the table.

The report read as follows—

Report relating to the consideration of committee and delegation business and of private Members' business

1. The committee met in private session on Tuesday, 26 November 2019.
2. The Committee deliberated on items of committee and delegation business that had been notified, private Members' business items listed on the Notice Paper and notices lodged on Tuesday, 26 November 2019, and determined the order of precedence and times on Monday, 2 December 2019, as follows:

Items for House of Representatives Chamber (10.10 am to 12 noon)

COMMITTEE AND DELEGATION BUSINESS

Presentation and statements

1 Standing Committee on Procedure:

Inquiry into the practices and procedures relating to question time.

The Committee determined that statements may be made—all statements to conclude by 10.20 am.

Speech time limits—

Mr van Manen—5 minutes.

Next Member speaking—5 minutes each.

[Minimum number of proposed Members speaking = 2 x 5 mins]

PRIVATE MEMBERS' BUSINESS

Notices

1 **Mr Katter:** To present a Bill for an Act to provide for the auditing of Australian banks by the Commonwealth Auditor-General, to reinforce the Constitutional obligation of the Commonwealth to regulate Australia's banking system and resultant currency and credit within the Australian economy and to better protect deposits within Australia's banking system, and for related purposes. (*Australian Banks (Government Audit) Bill 2019*)

(Notice given 22 October 2019)

Presenter may speak to the second reading for a period not exceeding 10 minutes—pursuant to standing order 41. Debate must be adjourned pursuant to standing order 142.

2 **Mr Wilkie:** To present a Bill for an Act to restrict the export of live animals for slaughter pending its prohibition, and for related purposes. (*Live Animal Export Prohibition (Ending Cruelty) Bill 2019*)

(Notice given 26 November 2019.)

Presenter may speak to the second reading for a period not exceeding 10 minutes—pursuant to standing order 41. Debate must be adjourned pursuant to standing order 142.

3 Mr Bandt: To present a Bill for an Act to amend the *Climate Change Authority Act 2011*, and for related purposes. (*Climate Change Authority Amendment (Impact of 3 Degrees of Global Warming on Australia) Bill 2019*)

(Notice given 26 November 2019.)

Presenter may speak to the second reading for a period not exceeding 10 minutes—pursuant to standing order 41. Debate must be adjourned pursuant to standing order 142.

4 Ms Sharkie: To present a Bill for an Act to amend the *Commonwealth Electoral Act 1918*, and for related purposes. (*Commonwealth Electoral Amendment (Lowering the Donation Disclosure Threshold) Bill 2019*)

(Notice given 26 November 2019.)

Presenter may speak to the second reading for a period not exceeding 10 minutes—pursuant to standing order 41. Debate must be adjourned pursuant to standing order 142.

5 Ms Stanley: To move:

That this House:

(1) acknowledges:

(a) 3 December 2019 is International Day of People with Disability; and

(b) the Human Rights Commission estimates the number of Australians with a disability to be around four million;

(2) respects the rights of all:

(a) people with disability in Australia, including having access to services and freedom from discrimination;

(b) persons with a disability to be welcomed as equal and positive contributors to Australian society; and

(c) people with disability to have choice and control in relation to any support services they receive; and

(3) encourages all:

(a) persons with disability as their own self-advocates;

(b) groups and individuals that advocate on behalf of people with disabilities; and

(c) Australians to respect the basic rights of all persons with disabilities.

(Notice given 10 September 2019.)

Time allotted—30 minutes.

Speech time limits—

Ms Stanley—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

6 Ms Flint: To move:

That this House:

(1) notes:

(a) the importance of the Australian War Memorial to our nation in commemorating, acknowledging and recording the service of our defence force personnel;

(b) that after seven years of service to the Australian War Memorial, the Hon Dr Brendan Nelson AO is retiring as its director;

(2) acknowledges the outstanding leadership Dr Nelson has provided at the Australian War Memorial, including:

(a) introducing the daily Last Post ceremony;

(b) leading the Memorial through the:

(i) Centenary of ANZAC and World War I commemorations; and

(ii) 50th Anniversary of the Vietnam War commemorations;

(c) renovating the First World War galleries;

(d) recognising the need to incorporate the service of our 100,000 younger veterans and therefore introducing the Afghanistan exhibition;

(e) advocating for and securing, with Australian War Memorial Chairman Mr Kerry Stokes AC, a \$500 million investment to expand the memorial to enable the stories of younger veterans to be told; and

(f) strengthening the relationship the Australian people have with the memorial and the men and women who have served our nation; and

(3) congratulates and sincerely thanks Dr Nelson for his service to the Australian War Memorial and the nation.

(Notice given 22 October 2019.)

Time allotted—remaining private Members' business time prior to 12 noon

Speech time limits—

Ms Flint—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

Items for Federation Chamber (11 am to 1.30 pm)

PRIVATE MEMBERS' BUSINESS

Notices

1 **Ms Templeman:** To move:

That this House:

(1) notes:

(a) that the Royal Commission into Aged Care Quality and Safety handed down its interim report on 31 October 2019;

(b) the commissioners identified three areas where there is a need for urgent action—these include, to:

(i) provide more home care packages to reduce the waiting list for higher level care at home;

(ii) respond to the significant over-reliance on chemical restraint in aged care, including through the seventh community pharmacy agreement; and

(iii) stop the flow of younger people with disability going into aged care and expediting the process of getting those younger people who are already in aged care out;

(2) recognises:

(a) the commissioners stated in the interim report that they did not see any reason to delay action on these three areas;

(b) the Government's own Royal Commission report stated it is 'neglect' to not provide more home care packages;

(c) the commissioners stated in the interim report that they have been alarmed to find that many people died while waiting for a home care package while others prematurely move into residential care;

(d) the commissioners also stated that funding should be forthcoming from the Government to ensure the timely delivery of home care services;

(e) more than 16,000 older Australians died waiting for their approved home care package they were assessed for in 2017-18—sadly, that was around 300 older Australians that died each week in that year waiting for care; and

(f) more than 14,000 older Australians entered residential aged care prematurely because they couldn't get the care they were assessed and approved for in 2017-18—sadly, that was around 200 older Australians each week having no other choice but to enter residential aged care; and

(3) calls on the Government to take urgent action immediately and respond to the three areas included in the Royal Commission's interim report.

(Notice given 25 November 2019.)

Time allotted—50 minutes.

Speech time limits—

Ms Templeman—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 10 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

2 Mr Simmonds: To move:

That this House:

(1) recognises that with research like that occurring at the CSIRO Advanced Research Facility in the electoral division of Ryan, Australia has the potential to be a world leader in hydrogen development, production and export which will create highly paid jobs and an industry potentially worth billions to the Australian economy;

(2) acknowledges that:

(a) Australia's availability of land, high quality renewable energy resources and fossil energy resources, as well as our well-established reputation for undertaking large-scale resource projects, position Australia well for becoming a key exporter in a future global hydrogen market;

(b) the combined direct and indirect benefits of establishing a hydrogen production and export industry in Australia under a medium demand scenario will deliver to the Australian economy \$4.2 billion and over 7,100 jobs by 2040;

(c) greater use of hydrogen is one way that Australia can contribute to global efforts to reduce greenhouse gas emissions and air pollution, if Australian produced hydrogen replaces traditional fossil fuel sources in end user nations; and

(d) the National Hydrogen Strategy is to be released by the end of 2019, providing the Government with an opportunity to signal its long term policy and commitment to this industry;

(3) welcomes the Government's significant investment of more than \$140 million into hydrogen projects, partnering with industry to develop tangible solutions that are important for bringing down energy prices for Australian households and small businesses; and

(4) encourages the Government to utilise the opportunity of the release of the National Hydrogen Strategy to confirm its long term commitment to the development of our hydrogen capability in order to encourage private investment in the sector, create jobs, create export capability and reduce global carbon emissions.

(Notice given 22 October 2019.)

Time allotted—30 minutes.

Speech time limits—

Mr Simmonds—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

3 Ms Wells: To move:

That this House:

(1) recognises that:

(a) 25 November 2019 was the International Day for the Elimination of Violence Against Women; and

(b) this year's focus was 'Orange the World: Generation Equality Stands Against Rape';

(2) acknowledges that:

(a) sexual violence against women and girls is a widespread and persistent human rights issue;

(b) 1 in 5 Australian women report having experienced sexual violence;

(c) 1 in 6 Australian women report having experienced physical or sexual violence by a current or former partner; and

(d) according to the United Nations, violence against women remains largely unreported due to the impunity, silence, stigma and shame surrounding it; and

(3) asks all Members to recognise that violence against women continues to be an obstacle to achieving gender equality in Australia and across the globe.

(Notice given 25 November 2019.)

Time allotted—30 minutes.

Speech time limits—

Ms Wells—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

4 Dr McVeigh: To move:

That this House:

(1) notes the outstanding success of the 2019 Australian Defence Force (ADF) Parliamentary Program;

(2) recognises:

(a) the opportunity provided to both Senators and Members to participate in the ADF Parliamentary Program to experience the professionalism, skill and dedication of our world-class defence force; and

- (b) the exchange element of the ADF Parliamentary Program, where senators and members host an ADF member during a sitting week in parliament; and
- (3) acknowledges the 49 members and senators who participated, including those who hosted one of the 27 ADF members during the October 2019 sitting week.

(Notice given 26 November 2019.)

Time allotted—remaining private Members' business time prior to 1.30 pm

Speech time limits—

Dr McVeigh—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 8 x 5 mins]

The Committee determined that consideration of this should continue at a later hour.

Items for Federation Chamber (4.45 pm to 7.30 pm)

PRIVATE MEMBERS' BUSINESS

Notices—continued

5 Mr Georganas: To move:

That this House:

(1) notes that:

- (a) 25 November to 1 December 2019 is National Asbestos Awareness Week;
- (b) despite being outlawed in 2003, the impact of asbestos in Australia is ongoing; and
- (c) an estimated 4,000 Australians die each year from asbestos-related diseases; and
- (2) commends the Asbestos Diseases Society of South Australia and the Asbestos Victims Association South Australia for their tireless and often unrecognised work in raising awareness, training people to safely handle asbestos and supporting victims of asbestos-related diseases.

(Notice given 25 November 2019.)

Time allotted—40 minutes.

Speech time limits—

Mr Georganas—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 8 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

6 Mr Falinski: To move:

That this House:

- (1) recognises the Government's commitment to reducing traffic congestion through:
- (a) a \$4 billion Urban Congestion Fund, removing traffic pinch points;
- (b) better public transport, improving access and liveability in our cities; and
- (c) the dedicated Commuter Car Park Fund aimed at improving access to public transport and taking tens of thousands of cars off our roads;
- (2) urge the New South Wales Government to commit to further congestion busting infrastructure on the Northern Beaches including:
- (a) commencing construction on the Beaches Link Tunnel towards which the Commonwealth Government has already provided \$50 million;

(b) investigate the feasibility of a light rail link connecting the Northern Beaches to Chatswood and the city; and

(c) improve the public transport bus system, including extending the B-Line to Newport; and

(3) acknowledges the benefits of local communities having better roads and reliable transport infrastructure as including:

(a) less cars on the road and therefore less carbon emissions; and

(b) faster travel time, allowing the Australian people to spend more time with their families than stuck in traffic.

(Notice given 17 October 2019.)

Time allotted—40 minutes.

Speech time limits—

Mr Falinski—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 8 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

7 Mr Thistlethwaite: To move:

That this House:

(1) notes that:

(a) 29 April 2020 is the 250th anniversary of Captain James Cook's landing in Botany Bay; and

(b) the Government is planning a range of exhibitions, activities and events to commemorate this occasion;

(2) acknowledges:

(a) that during Captain Cook's expedition to Australia in 1770 a number of Aboriginal artefacts and cultural heritage materials were taken from local Aboriginal people and removed to Great Britain and other countries;

(b) many of these cultural heritage materials are now on display or housed in museums and colleges in Great Britain and other countries; and

(c) the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Return of Cultural Heritage Project has been working to intensify the effort to return material held overseas to their original custodians and owners;

(3) recognises:

(a) the historical, cultural and heritage significance of such cultural heritage materials to Aboriginal and Torres Strait Islander and Australian history;

(b) that such cultural items, where possible, should be returned to the original custodians and owners; and

(c) that these cultural materials:

(i) play an important role in truth telling about Captain Cook's expedition and British settlement in Australia, and

(ii) provide ongoing educational opportunities for all Australians about important Aboriginal and Torres Strait Islander history, culture and connection to country; and

(4) calls on the Government to work with Aboriginal and Torres Strait Islander people and communities, AIATSIS, foreign governments and authorities to:

(a) establish a process for the return of relevant cultural and historical artefacts to the original custodians and owners; and

(b) identify educational opportunities from the return of these important Australian cultural items.

(Notice given 21 October 2019.)

Time allotted—30 minutes.

Speech time limits—

Mr Thistlethwaite—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

8 Mr Wallace: To move:

That this House:

(1) recognises that 10 December 2019 is United Nations Human Rights Day;

(2) acknowledges that the:

(a) United Nations General Assembly's adoption of the Universal Declaration of Human Rights on 10 December 1948 was a milestone moment which formalised mankind's shared aspiration for the equal dignity and worth of every person;

(b) declaration was drafted by representatives of diverse legal and cultural backgrounds from all regions of the world; and

(c) declaration's values and principles of equality, justice and freedom remain as relevant today as they were in 1948;

(3) notes that the promise of the universal declaration is yet to be fully realised and that many people worldwide continue to have their rights threatened, denied or impinged; and

(4) encourages people of all nations to acknowledge Human Rights Day on 10 December 2019 and in their daily lives to stand up for their own rights and the rights of others.

(Notice given 26 November 2019.)

Time allotted—30 minutes.

Speech time limits—

Mr Wallace—5 minutes.

Other Members—5 minutes. each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

Orders of the day

1 Sikh community: Resumption of debate (from 25 November 2019) on the motion of Mr R. G. Mitchell—That this House:

(1) recognises that 2019 marks the 550th anniversary of the birth of Guru Nanak, the founder of Sikhism, with his birth being celebrated worldwide as Guru Nanak Gurpurab on Kartik Pooranmashi, the full-moon day in the month of Katak, October-November;

(2) joins with all Sikhs in Australia to acknowledge this significant anniversary; and

(3) notes:

(a) that the Sikh community forms an important and growing segment of our community, with the Sikh faith being one of the emerging religions in Australia; and

(b) the contribution that the growing Sikh community makes to our multicultural nation through its commitment to Guru Nanak's teachings of selfless service and social justice.

Time allotted—15 minutes.

Speech time limits—

All Members—5 minutes. each.

[Minimum number of proposed Members speaking = 3 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

ADF Parliamentary program: Resumption of debate on the motion of Dr Mcveigh—That this House:

(1) notes the outstanding success of the 2019 Australian Defence Force (ADF) Parliamentary Program;

(2) recognises:

(a) the opportunity provided to both Senators and Members to participate in the ADF Parliamentary Program to experience the professionalism, skill and dedication of our world-class defence force; and

(b) the exchange element of the ADF Parliamentary Program, where senators and members host an ADF member during a sitting week in parliament; and

(3) acknowledges the 49 members and senators who participated, including those who hosted one of the 27 ADF members during the October 2019 sitting week.

Time allotted—remaining private Members' business time prior to 7.30 pm

Speech time limits—

All Members—5 minutes. each.

[Minimum number of proposed Members speaking = 2 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

THE HON A. D. H. SMITH MP

Speaker of the House of Representatives

27 November 2019

BILLS

Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

Customs Tariff Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

Returned from Senate

Messages received from the Senate returning the bills without amendment or request.

Special Recreational Vessels Bill 2019

First Reading

Bill and explanatory memorandum presented by **Mr McCormack**.

Bill read a first time.

Second Reading

Mr McCORMACK (Riverina—Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development and Leader of the Nationals) (09:33): I move:

That this bill be now read a second time.

The purpose of the Special Recreational Vessels Bill is for an act to allow foreign special recreational vessels to apply for a special recreational vessel temporary licence to operate on the Australian coast if they choose to opt in to the regulatory regime. This will allow these vessels to be offered for hire or charter.

The special recreational vessel industry has advised it is expecting a large number of these vessels to be in the Pacific over the next 18 months for the Tokyo Olympics and the Americas Cup in Auckland.

The industry wants certainty that they can sail to Australia and be able to offer charters from this summer onwards.

Broader economic benefits are expected from the operation of these vessels in Australian waters. Australian businesses from florists and purveyors of fine foods to local tourist guides will have opportunities to supply these vessels with goods and services—not to mention what passengers might spend onshore in shops, cafes and restaurants.

Much of this activity will be in regional areas. From Tasmania to Far North Queensland, there will be many tourist destinations that would welcome visits from these vessels.

There are some 5,000 of this type of vessel around the world. Many have wanted to come to Australia, but the disincentives have been too great in the past. Our neighbours in the Pacific, including New Zealand—

The SPEAKER: Just before I call the member for Ballarat, I'm just reminding her, without trying to anticipate what she might do, that this is the introduction of a bill. The member for Ballarat.

Ms Catherine King: I draw your attention to the state of the House, Mr Speaker.

(Quorum formed)

Mr McCORMACK: Our neighbours in the Pacific, including New Zealand, have welcomed them, and that is business lost to Australia.

The bill should make coming to Australia more attractive for these vessels and bring the associated economic benefits. This is a first step in growing opportunities for more Australian businesses from visits by these vessels.

The provisions of the bill

Currently special recreational vessels cannot apply for a temporary licence under the Coastal Trading (Revitalising Australian Shipping) Act 2012.

Recreational vessels are not covered by the act. This prevents them from offering charters.

Temporary licences under the coastal trading act require a minimum of five voyages and a voyage is defined from a port to a different port. This does not support the special recreational vessel operating model—often a single voyage to take advantage of an opportunity to offer the vessel for charter, and likely to be to and from the same port.

This bill establishes a means by which special recreational vessels can opt into the coastal trading regulatory scheme established by the coastal trading act.

The owner, charterer, master or agent of a vessel will be able to apply for and obtain a special recreational vessel temporary licence for 12 months by providing information on the

number of voyages, dates, loading and unloading port, the number of passengers and other information about the vessel.

An application fee will apply, but once a licence is granted the vessel can be offered for hire or charter.

Conclusion

The Australian government is committed to seizing hold of the economic potential of visits from these vessels for Australia, in particular for the regions.

I have spoken to people in the industry. They tell me the opportunities are great. But they need certainty that they can come to Australia and offer charters. This bill will give them that certainty. With that, I commend the bill to the House.

Debate adjourned.

Family Law Amendment (Western Australia De Facto Superannuation Splitting and Bankruptcy) Bill 2019

First Reading

Bill and explanatory memorandum presented by **Mr Porter**.

Bill read a first time.

Second Reading

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (09:40): I move:

That this bill be now read a second time.

It is with genuine and great pleasure that I introduce to this parliament the Family Law Amendment (Western Australia De Facto Superannuation Splitting and Bankruptcy) Bill 2019.

That is because the bill will end the inequality faced by separating de facto couples in my home state of Western Australia that has endured for the past 10 years by allowing them to split their superannuation as part of a family law property settlement. It will also allow Western Australian de facto couples to have bankruptcy matters heard concurrently with their family law proceedings, avoiding the need to pursue them as separate proceedings in two different courts.

These important measures will provide greater access to justice for Western Australian de facto couples by providing fairer and faster resolution of their disputes. The bill will mean Western Australian de facto couples will be able to achieve a fair split of their superannuation assets as part of a property settlement, while also saving them valuable time and money in resolving bankruptcy and family law disputes together.

In doing so, the bill will bring Western Australia de facto couples in line with other de facto and married couples right across Australia, ensuring they are treated in an equitable way.

Superannuation splitting

With respect to superannuation splitting, between 2003 and 2010, all states other than Western Australia provided the Commonwealth with the full subject matter referral of powers for all de facto financial matters, including superannuation. Since these referrals were given

effect, all de facto couples except for those in Western Australia have been able to split their superannuation interests following the breakdown of their relationship.

In 2006, Western Australia provided a narrow referral of power to the Commonwealth for de facto superannuation splitting only. Previous governments have not accepted this narrow referral because it did not extend to other de facto financial matters, such as the allocation of property interest more broadly, or spousal maintenance.

It has become clear, however, that the inability for de facto couples in WA to split their superannuation is resulting in unfair and inequitable property settlements in many cases. This is because the court has to try and offset the value of the superannuation with other assets of the relationship, like equity in a house or savings. This is not always possible, particularly for couples with large mortgages, or few other assets between them.

Superannuation is, of course, an increasingly valuable asset for Australians and can be the largest single asset in the property pool of a separating family. Being unable to split this important asset disproportionately affects women, who accumulate less superannuation, on average, than do men.

To ensure de facto couples in WA, like other de facto couples across Australia, can achieve a fair split of their superannuation in property settlements, the Morrison government agreed in 2018 to accept the narrow referral power, and end the disadvantage faced by Western Australian de facto couples.

(Quorum formed) This will ensure that de facto couples in Western Australia, like other de facto couples across Australia, can achieve a fair split of their superannuation in property settlements. The Morrison Government agreed in 2018 to accept the narrow referral of power.

The narrow referral is implemented through schedule 1 of the bill, which will create a new part VIIC in the Family Law Act 1975, dealing solely with superannuation splitting for separating de facto couples in WA.

This new part largely replicates the existing superannuation splitting provisions and definitions that apply to married and de facto couples in other states and territories, which are located in part VIIB of the Family Law Act. Having the provisions in a single part of the act will make it simpler and easier for judges, lawyers, and separating de facto couples in WA to find and use the new regime.

Under the bill, de facto couples will be able to split their superannuation by court order, or by an agreement made between them. The bill provides that any financial agreement relating to a couples' superannuation interests will form part of a broader financial agreement made under the relevant law, the Family Court Act 1997 (WA). This will ensure that de facto couples only need to make one agreement which covers their superannuation interests and other property, such as their house.

The bill provides that appeals with respect to superannuation interests of de facto couples will lie to the Supreme Court of Western Australia, ensuring that de facto couples have a single appeal pathway for their family law property disputes.

The nature of the narrow referral of power means that all other aspects of property division for separated WA de facto couples will continue to be dealt with under WA law.

Bankruptcy jurisdiction

With respect to the bankruptcy jurisdiction, the bill will also end the disadvantage faced by WA de facto couples in resolving family law matters where either or both parties are also involved in bankruptcy proceedings.

Presently, WA de facto couples need to resolve these matters through separate proceedings in two different courts: family law proceedings in the Family Court of WA, and bankruptcy proceedings in the Federal Court of Australia or the Federal Circuit Court of Australia.

Schedule 2 of the bill will extend federal bankruptcy jurisdiction to the Family Court of Western Australia, which will allow bankruptcy and family law matters of de facto couples to be heard concurrently in a single court. This will avoid the need for couples to commence proceedings in two different courts, saving them valuable time, money and effort.

Schedule 2 of the bill largely mirrors existing provisions of the Bankruptcy Act that provide the Family Court of Australia with jurisdiction in bankruptcy when a party to a family law proceeding is a bankrupt.

The bill also provides that appeals in relation to concurrent family law and bankruptcy proceedings for WA de facto couples will mirror existing appeal pathways for married and de facto couples in other jurisdictions. To achieve that consistency, appeals will lie to the full court of the Federal Court where the bankruptcy matter originates in the Federal Court or Federal Circuit Court and is subsequently transferred to the Family Court of Western Australia. These proceedings generally involve complicated questions of bankruptcy law and are best considered by the specialist bankruptcy court, the Federal Court. Matters that originate in the Family Court of Western Australia will be appealed to the Supreme Court of Western Australia.

The ability to have bankruptcy and family law matters heard together will bring de facto couples in line with married couples in WA, and with married and de facto couples in other states and territories. The bill will therefore provide for a nationally consistent approach to the exercise of bankruptcy jurisdictions in concurrent bankruptcy and family law matters.

The remaining schedules in the bill outline the required consequential amendments to other Commonwealth acts, along with the application and transitional provisions, necessary to support the smooth implementation of this important new regime.

Conclusion

By way of conclusion, the reforms in this bill will play a vital role in ending disadvantage for WA de facto couples and their families, and I'm proud to be a part of that. By enabling these couples to split their superannuation, and to commence concurrent family law and bankruptcy matters in the same court, the bill will help WA de facto couples resolve their disputes in a fairer, faster and simpler way. I commend the bill to the House.

Debate adjourned.

Interactive Gambling Amendment (National Self-exclusion Register) Bill 2019**First Reading**

Bill and explanatory memorandum presented by **Mr Fletcher**.

Bill read a first time.

Second Reading

Mr FLETCHER (Bradfield—Minister for Communications, Cyber Safety and the Arts) (09:50): I move:

That this bill be now read a second time.

This bill will establish legislation for a National Self-Exclusion Register (register) for online wagering. With this bill, the government introduces a critical consumer protection measure for Australians gambling online which will help reduce the harm of online wagering to consumers.

The register responds to growing community concerns about the rapid growth and high rate of harm caused by online gambling and importantly, will allow people to quickly and easily exclude themselves from all interactive gambling sites and apps, through a single registration process.

The register will be available for around a million consumers of online wagering, but will target approximately 240,000 Australians who are already experiencing harm.

This is crucial, as we know that usage of online wagering is rapidly growing, and the rate of problem gambling is three times higher online than for all other forms of gambling.

Gambling-related harm can adversely affect a person's life in many ways including damage to their financial wellbeing, self-esteem, relationships, work performance, housing situation, and physical and mental health.

As part of the response into the 2015 Review of Illegal Offshore Wagering (the review), in November 2018 the Morrison government announced the joint national framework. The agreed implementation arrangements and policy principles that underpin each of the measures were set out in a national policy statement.

These principles were developed following an extensive two-year consultation process with stakeholders, including state and territory governments, community organisations, academia, the interactive wagering industry, and individuals affected by gambling harm.

To date, I'm pleased to say this government has successfully implemented six of the 10 measures of the national framework in all jurisdictions.

Key stakeholders, including governments, the interactive wagering industry, academia, the community sector and most importantly people who gamble online, were consulted when developing the bills, in order to ensure the register scheme is workable and consumer outcomes are met. They have expressed strong support for the register.

The register will allow any ordinary resident of Australia to exclude themselves from all interactive wagering services licensed in Australia. All interactive wagering providers licensed are in scope for the register, including on-course bookmakers' telephone-only services.

The Australian Communications and Media Authority (ACMA) will procure an independent third-party technology provider to supply, operate and maintain the register on behalf of the authority.

To be added to the register, an individual will complete a simple registration process. The individual will be able to choose how long he or she wishes to self-exclude for, ranging from three months to permanent exclusion.

This will give individuals the flexibility to set an exclusion period that is appropriate to their circumstances, and will also encourage uptake of the register. Individuals will be able to extend this period at any time, and mechanisms will be in-place to enable a simple process for re-registration.

Individuals will be bound by a minimum three-month exclusion for their first registration, and will be prompted 14 days before their exclusion period ends.

An individual will be given the option to nominate support persons, with their consent, such as friends or family members. A support person would be notified when the registered individual signs up for self-exclusion, and again 14 days before a self-exclusion period ends.

Allowing up to five support persons will ensure the registered individual will have the flexibility to nominate an adequate number of sponsors, should he or she choose to do so. These support persons can be updated as required.

Interactive wagering providers will be required to take steps to promote the register to their customers, and ensure that individuals on the register are not provided with any interactive wagering services. Additionally, interactive wagering providers must ensure that new interactive wagering accounts are not opened for registered individuals, and existing accounts are closed and funds returned to the individual after existing bets are settled.

Civil and criminal penalties will apply if an interactive wagering provider does not appropriately promote the register in accordance with the register rules, and the government will closely monitor the behaviour of interactive wagering providers and will strengthen provisions if needed.

The register rules will outline more detail on this issue, as it will allow the Australian Communications and Media Authority to prescribe requirements based on evolving evidence on the effectiveness of responsible gambling messaging and the ever-changing online wagering environment.

In summary, this bill will establish a national self-exclusion register, which will allow people to quickly and easily exclude themselves from all interactive wagering services licensed in Australia through a single registration process.

This will ensure that a vital consumer protection tool is readily available for vulnerable individuals who are at risk of or already experiencing harm from online wagering.

The register is a first in Australia, and the government considers it to be an important step in achieving best practice for social responsibility in online wagering.

The government will continue to work with stakeholders as we implement the register, and will monitor the scheme to ensure it is meeting its consumer protection outcomes.

Debate adjourned.

National Self-exclusion Register (Cost Recovery Levy) Bill 2019

First Reading

Bill and explanatory memorandum presented by **Mr Fletcher**.

Bill read a first time.

Second Reading

Mr FLETCHER (Bradfield—Minister for Communications, Cyber Safety and the Arts) (09:56): I move:

That this bill be now read a second time.

This is a companion bill to the Interactive Gambling Amendment (National Self-exclusion Register) Bill 2019, which will establish legislation for the National Self-exclusion Register for online wagering.

This bill will enable the Australian Communications and Media Authority to fully recover the costs associated with the register, and related regulatory and compliance functions, from interactive wagering providers licensed in Australia through a cost recovery levy. This levy will only recover costs covered in the bill and is not a revenue raising measure. (*Quorum formed*)

This bill is enabling and mechanistic in character. Details regarding the amount of charges and the method of charging will be determined before the register is operational, and will be set in a subordinate legislative instrument.

Consistent with the Australian Government Charging Framework, costs will be apportioned to each interactive wagering provider, consistent with the regulatory effort they cause.

All charging will be reported annually in the Cost Recovery Implementation Statement, which will be published to ensure transparency and accountability.

In summary, this bill will enable the Australian Communications and Media Authority to fully recover the costs associated with the register from interactive wagering providers licensed in Australia through a cost recovery levy. The government will consult with the interactive wagering industry when finalising the details of the cost recovery.

Debate adjourned.

Farm Household Support Amendment (Relief Measures) Bill (No. 2) 2019**First Reading**

Bill and explanatory memorandum presented by **Mr Littleproud**.

Bill read a first time.

Second Reading

Mr LITTLEPROUD (Maranoa—Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management) (10:00): I move:

That this bill be now read a second time.

I am moving the Farm Household Support Amendment (Relief Measures) Bill (No.2) 2019 on behalf of the Minister for Agriculture. When dealing with drought and other impacts outside of the control of the individual, the Australian government's first priority is to support farming families. That was one of the key drivers for the creation of the Farm Household Allowance (FHA)—with strong bipartisan support.

Since the introduction of the FHA in 2014, over \$375 million in fortnightly payments have been made to over 12,800 farmers and their partners. It is an income support payment for farmers and their partners experiencing financial hardship, regardless of its cause. There are

lots of reasons why people claim the payment. Drought is certainly the single largest driver of widespread shortfalls in cashflow. Other people claim FHA because they had a poor crop, or they expanded their business and they are having trouble servicing the debt. There's a long list of reasons and there are systems in place to help each individual.

The government is continuing to support our farmers and their families that are doing it tough now, and into the future. It is important that our farmers and their communities have the right tools to improve their long-term financial circumstances.

The Farm Household Support Amendment (Relief Measures) Bill (No. 2) 2019 is the next step in the government's commitment to supporting farmers and their communities in challenging climatic conditions.

The bill supports the government's Drought Response, Resilience and Preparedness Plan and further implements the recommendations made by the review *Rebuilding the FHA: a better way forward for supporting farmers in financial hardship*.

The government has already made a significant change to the way income is assessed. For the first time, FHA recipients are allowed income from directly related businesses to be balanced against farm losses—and vice versa. Then we went a step further. Once those businesses are considered together, an outstanding loss of up to \$100,000 can be used to offset income from other sources.

This bill builds on the new approach to income and seeks an all-or-nothing approach to fortnightly FHA payments. The FHA amount a person receives will no longer fluctuate. They will either receive the maximum owing to them, or their income will stop them being paid at all.

Our farmers and their families will no longer be distracted from improving their financial situation by different FHA payment amounts each time they're paid.

The bill also makes it easier for farmers to access the right person to conduct the farm financial assessment. Removing the requirement that this assessment must be conducted by a prescribed adviser provides flexibility on who can conduct the assessment. Farmers can continue to choose who does the assessment—an independent and trusted adviser.

Support for our farmers will not stop there. The bill increases the activity supplement to \$10,000 over their lifetime. With this increase, our farmers and their families can focus on actions to improve their financial situation including finding alternative sources of income.

Recognising that it can be difficult for our farmers and their families to access training or advice near their home, the bill also extends the activity supplement to include reasonable travel and accommodation costs associated with the activities.

Finally, the bill makes the eligibility criteria for receiving FHA much simpler by having one asset test threshold. All assets will now be subject to a combined single threshold of \$5.5 million net. Our farmers and their partners in financial hardship with diversified assets will be able to qualify for the FHA payment.

The government is committed to removing the requirement to undertake business income reconciliation and will introduce further legislation to remove this requirement. Ahead of this legislation, the Department of Human Services will not pursue debts or cancel payments.

The government will continue to listen farmers and their families and respond and step up as required. I commend the bill to the House.

Debate adjourned.

Migration Amendment (Regulation of Migration Agents) Bill 2019

First Reading

Bill and explanatory memorandum presented by **Mr Wood**.

Bill read a first time.

Second Reading

Mr WOOD (La Trobe—Assistant Minister for Customs, Community Safety and Multicultural Affairs) (10:04): I move:

That this bill be now read a second time.

The Migration Amendment (Regulation of Migration Agents) Bill 2019 is an omnibus package of amendments to the Migration Act 1958, targeted at deregulating the migration advice industry.

The bill contains six measures, which I will discuss in greater detail.

Schedule 1: Australian legal practitioners providing immigration assistance (OMARA review recommendation 1)

Schedule 1 to the bill will partially give effect to recommendation 1 of the *2014 Independent review of the Office of the Migration Agents Registration Authority* (the OMARA review).

This recommendation has long been supported by the government and reaffirms our commitment to deregulation and to removing unnecessary red tape across industry sectors.

The amendments made by schedule 1 to the bill will see lawyers who hold unrestricted practising certificates removed from regulation by the Migration Agents Registration Authority (the MARA), so that they are regulated entirely by their relevant state or territory legal professional body.

Lawyers who hold a restricted practising certificate will have a two-year eligible period in which they may be both registered migration agents and restricted legal practitioners.

During this two-year period, affected restricted legal practitioners may take necessary steps to organise and adapt their business affairs or obtain an unrestricted legal practising certificate. This would allow them to continue as an independent legal practitioner who gives immigration assistance in connection with legal practice after the eligible period ends.

This eligible period may be extended once, on application to the MARA, with reasonable cause, and for no longer than a further two years. In summary, the eligible period is up to four years, with no further extensions allowed.

Once this eligible period has ended, or the person becomes an unrestricted legal practitioner, these lawyers will also be removed from regulation by the MARA, so that they are regulated entirely by their relevant state or territory legal professional body.

The government recognises that the dual regulation of lawyers with practising certificates can pose an unnecessary administrative burden on such lawyer agents, who are already subject to a strict professional regulatory regime.

The government further recognises that deregulation of the migration advice industry should not be prioritised over the maintenance of important consumer protections. Mechanisms will be put in place to ensure that vulnerable consumers will continue to be protected from receiving incompetent migration advice, particularly from unscrupulous individuals holding themselves out to be experts.

Lawyers with practising certificates intending to practice in the migration advice field will be able to access educational offerings to increase their knowledge, as they already do with other complex aspects of the legal profession.

The relevant state and territory legal professional bodies and statutory schemes underpinning them have a broader range of powers to resolve consumer related issues than the scheme governing migration agents. This includes penalties outside of the MARA's jurisdiction, including financial penalties for improper conduct, and recommending compensation for affected clients.

Schedule 2: registration periods (OMARA review recommendation 12)

The legislative changes put forward by schedule 2 will ensure that the period that an individual has to apply for repeat registration as a migration agent, following their completion of the required qualifications, is set out in delegated legislation rather than on the face of the act.

These changes complement the introduction of a graduate diploma in migration law and practice in 2018. Once an individual possesses this qualification, it will never lapse, as is the case with most other tertiary qualifications. A capstone assessment was also introduced in 2018 which an individual must sit and pass within a certain period in order to be accepted into the profession.

This group of changes significantly enhanced the educational requirements and improved the level of professionalism within the industry.

Schedule 3: redundant provisions

The third schedule to the bill is aimed at amending or repealing various redundant provisions of the Migration Act.

This will reflect the consolidation of the MARA into the Department of Home Affairs, and that the MARA's powers can only be exercised by the minister or a delegate. To this effect, this schedule will repeal:

- powers of the minister to refer agents to the MARA for disciplinary action,
- powers authorising the sharing of personal information between the department and the MARA,
- the requirement for the MARA to produce an annual report independent to the department.

Schedule 3 of the bill also removes redundant references to the Migration Institute of Australia, which is no longer appointed as the MARA and will not be appointed in the future.

Schedule 4: Requirement for applicants to provide further information

Schedule 4 seeks to close an existing loophole that prevents the MARA from refusing an application for registration as a migration agent, where the applicant does not respond to requests for further information. Presently, this means such incomplete applications remain unfinalised for an indefinite period.

Schedule 5: Fees and charges

Schedule 5 to the bill will amend the Migration Act to require a migration agent who has been registered on a non-commercial basis to notify the MARA if there is a change in circumstances that has led to it providing immigration assistance otherwise than on a non-commercial basis. This complements amendments made by the Migration Agents Registration Application Charge Amendment (Rates of Charge) Bill 2019. Those amendments require a migration agent to pay an adjusted charge if they paid the non-commercial application charge in relation to their current period of registration but then give immigration assistance otherwise than on a non-commercial basis.

Schedule 6: Other amendments

Schedule 6 to the bill amends the definitions of 'immigration assistance' and 'makes immigration representations' so that they include assisting a person to make a representation to the minister in relation to the revocation of a visa refusal or cancellation decision on character grounds. This reflects the intention that a person must be a registered migration agent or be exempt for the requirements under the law to be a registered migration agent in order to give such assistance.

Conclusion

In conclusion, this bill makes a number of important amendments that will streamline the operation of the migration advice industry.

I commend the bill to the chamber.

Debated adjourned.

Migration Agents Registration Application Charge Amendment (Rates of Charge) Bill 2019**First Reading**

Bill and explanatory memorandum presented by **Mr Wood**.

Bill read a first time.

Second Reading

Mr WOOD (La Trobe—Assistant Minister for Customs, Community Safety and Multicultural Affairs) (10:12): I move:

That this bill be now read a second time.

The purpose of this bill is to amend the Migration Agents Registration Application Charge Act 1997, or the charge act.

The bill will ensure that a migration agent who originally applied for and had their registration as a non-commercial agent approved but who, at any point through that registration period, gives immigration assistance otherwise than on a non-commercial basis becomes liable to pay a pro-rata adjusted charge.

This will complement changes under the Migration Amendment (Regulation of Migration Agents) Bill 2019 that are aimed at ensuring that the non-commercial application charge can only be accessed by those applicants who will genuinely be offering immigration assistance services solely on a non-profit basis and in association with a charitable organisation or for the benefit of the Australian community.

The adjusted charge payable is to be worked out in accordance with the formula within the legislation.

These amendments will complement those I've just discussed in relation to an agent's notification requirements should they give immigration assistance otherwise than on a non-commercial basis at any point during their registration period.

Conclusion

In conclusion, this bill makes an important amendment in ensuring that only those agents who are providing genuinely non-commercial immigration assistance to the most vulnerable members of our community can access the non-commercial application charge.

I commend the bill to the chamber.

Debate adjourned.

Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019

First Reading

Bill and explanatory memorandum presented by **Mr Tehan**, for **Mr Sukkar**.

Bill read a first time.

Second Reading

Mr TEHAN (Wannon—Minister for Education) (10:15): I move:

That this bill be now read a second time.

This bill amends the Superannuation Guarantee (Administration) Act 1992 to improve outcomes for Australians by providing choice of fund for more people. This bill will commence on 1 July 2020.

Given the compulsory nature of superannuation, individuals should be able to decide where their superannuation goes.

Providing choice of fund to individuals should be simple. It was a recommendation of the Financial System Inquiry and the trade union royal commission. The Productivity Commission also found in their recent landmark report into superannuation that denying choice of fund can discourage member engagement and that this reform was 'much needed'.

This bill will extend choice of fund by narrowing the deemed choice provisions.

Under this bill, it will no longer be possible to deny choice to individuals on the grounds that they are employed under an enterprise agreement or workplace determination that specifies their fund for them.

For example, why should a student working two jobs—one in hospitality and one in retail—who is covered by separate enterprise agreements be required to have their superannuation paid to two different funds?

While it is pleasing to see that many unions have stopped negotiating to deny employees choice of fund, some unions continue with this oppressive practice. The Shop, Distributive and Allied Employees Association is a serial offender. It has recently attempted to deny choice of fund to people working for major employers of young people and casual employees in Australia—like Kmart.

The restriction of choice for Kmart employees was recently struck out by the Fair Work Commission, which found that forced choice of superannuation fund is a detriment to employees.

The FWC found that '[The detriment] may be monetary to the extent that the performance of the REST fund is less than what an employee might otherwise prefer or that employees required to have multiple funds are required to pay multiple fund fees.'

The behaviour of the SDA is particularly galling given that it represents workers in the fast-food, retail and manufacturing industries, many of whom are vulnerable due to their youth.

Moreover, lack of choice can force people to be stuck in poorly performing funds. A number of these accounts are subject to workplace agreements that restrict choice of fund. A sample study undertaken by the Attorney-General's Department shows that there are at least 290 agreements that restrict choice in some way to an underperforming fund.

At least 14,000 employees are forced to contribute to one of seven funds identified by Super Consumers Australia as the worst performing funds as a result of the restrictions.

Even when members are not forced into poorly performing funds, restricting choice often leads to the opening of another unnecessary account. The Productivity Commission report highlighted the negative effects that holding unintended multiple superannuation accounts were having on millions of Australians through duplicate fees and insurance premiums.

Getting rid of restrictions on choice complements the work of the government's Protecting Your Superannuation package. These reforms capped certain fees and drove consolidation of the current stock of unintended multiple accounts by introducing the ATO consolidation regime for low-balance accounts.

This bill is the next step in fixing the problem of multiple accounts by preventing Australians from being forced into having multiple accounts because of their enterprise agreement or similar workplace determination.

We want people to be able to make choices about their retirement savings—we want them to be active in making decisions about their future.

And most of all, we want the settings that underpin the system to be focused exclusively on the interests of members—on maximising their retirement savings from the first contribution and throughout their working life.

To be clear, this bill does not prevent enterprise agreements from specifying a particular fund. It just allows individuals to choose a different fund if it suits them better. And in doing so, it puts those individuals on an even footing with the majority of the workers who already have this choice. Also, this bill will have no impact on default funds specified in modern awards.

Full details of the bill are contained in the explanatory memorandum.

Debate adjourned.

DELEGATION REPORTS

Australian Parliamentary Delegation to Belgium and Greece

Mr ANDREWS (Menzies) (10:20): I present the report of the Australian Parliamentary Delegation to Belgium and Greece from 29 September to 7 October 2019, and I ask leave of the House to make a short statement in connection with the report.

Leave not granted

Mr Entsch interjecting—

The DEPUTY SPEAKER (Mr Rob Mitchell): The member for Leichardt will withdraw that comment immediately.

Mr Entsch: I withdraw.

The DEPUTY SPEAKER: I thank member for Leichardt.

BILLS

Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

to which the following amendment was moved:

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

"the House:

(1) declines to give the bill a second reading;

(2) notes that, 12 years after the Intervention in the Northern Territory, there is no evidence that compulsory broad-based income management has worked to improve outcomes for First Nations people; and

(3) calls on the Government not to expand the cashless debit card, and to instead invest in evidence-based policies, programs and services, including:

(a) job creation and economic development;

(b) education, training and TAFE;

(c) health and rehabilitation services; and

(d) services for women and young people"—

Mr THISTLETHWAITE (Kingsford Smith) (10:21): 'Do things with us, not to us.' That was the request from the Aboriginal and Torres Strait Islander community of Australia over the last decade: 'Do things with us, not to us.' The tragedy is that this request, this plea for respect, has been ignored by the Abbott, Turnbull and Morrison governments and their members of parliament. By dismissing the Uluru Statement from the Heart and, indeed, introducing legislation to extend the cashless welfare card, they are doing things to Aboriginal people, not doing things with them. That is a paternalistic, almost a colonial, approach to Aboriginal and Torres Strait Islander people relations—implementing this through expanding

policies that continue to tell Aboriginal people what is good for them, rather than listening and working with those people.

Like my Labor colleagues, I do not support this bill. It is clearly discriminatory. It applies predominantly to First Nations peoples, with 80 per cent of people on income management in the Northern Territory being of Aboriginal and Torres Strait Islander background. Twelve years after the Intervention, there's no clear empirical evidence that broad-based income management has worked. There's no evidence that it has got people off welfare and into employment. Once again, communities have not been consulted about this particular change.

Labor's not opposed to income management where communities request it and they are involved in the decision-making. In Cape York, we've had the Family Responsibilities Commission make decisions about the rates of payment that are quarantined, and they've made them variable. One hundred and fifty people have been subject to that particular program. The difference is that those decisions were made by the local community. They were made through government agencies working in consultation with the local community—working with Aboriginal people, not against Aboriginal people.

The cashless debit card has been rolled out in Ceduna, in East Kimberley, in the Goldfields and in Bundaberg and Hervey Bay. Generally, in those areas, 80 per cent of payments are quarantined. Labor sought to make that particular program voluntary; in other words, to make sure that communities had buy-in and that it was effective. Unfortunately, that was unsuccessful. That trial ends in July 2020. It's pleasing to see that the government did agree to Labor's amendment to allow people to come off the cashless debit card if they are effectively managing their finances. But the approach of telling people what to do rather than listening to them is evident in the reform that's before the parliament today.

The Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019 seeks to replace the BasicsCard with the cashless welfare card across the Northern Territory and Cape York by the end of 2020. It maintains the current 50 per cent quarantine rate and extends existing trial sites by one year. It removes the cap on trial participants, and the minister can make a non-disallowable rule to increase the proportion of persons on a payment up to 100 per cent. Many people fear this bill is being used as a precursor to a national rollout of a cashless debit card, and some government MPs have suggested that social security recipients under 35 should be placed in similar circumstances.

There's been much debate about the effectiveness of income management and the cashless welfare card. In all of that debate, in all of the evaluations and studies that have been done, there is no evidence that it actually works. A UNSW study of income management in 2014 found there was little evidence that the program resulted in behavioural change. In July 2018, the Auditor-General looked at this program. He studied it, and looked at whether or not it had been effective. The Auditor-General concluded:

The Department of Social Services largely established appropriate arrangements to implement the Cashless Debit Card Trial, however, its approach to monitoring and evaluation was inadequate. As a consequence, it is difficult to conclude whether there had been a reduction in social harm and whether the card was a lower cost welfare quarantining approach.

That's the view of the Auditor-General.

The Queensland Council of Social Services, in September 2017, issued a report after evaluating the cashless debit card. QCOSS said:

- QCOSS does not support the expansion of mandatory income management through a Cashless Debit Card.
- QCOSS believes addressing complex health and social issues, such as alcohol, drug and gambling problems, through the welfare system is fundamentally flawed.

It went on:

- There is a lack of evidence of a causal link between people receiving income support and those with alcohol, drug and gambling problems.

It also said:

- Participation in [the] Cashless Debit Card ... should only be on a voluntary basis and supported by a suite of relevant support services.

That was the view of QCOSS after it had a look at this piece of legislation.

There is plenty of evidence that this program does not work and is bad policy. There's no evidence at all that it has created a single job or that it's got people off welfare payments and into employment, which should be the aim of programs such as this. As I said earlier, it represents this government's ideological approach to Aboriginal and Torres Strait Islander relations in this country—that is, doing things to Aboriginal people, rather than working with them by consulting them and working with them on a cooperative basis.

Mr Ramsey interjecting—

Mr THISTLETHWAITE: In many respects, it reflects the historical colonial approach associated with the conservative side of politics towards Aboriginal and Torres Strait Islander relations in this country.

Mr Ramsey interjecting—

The DEPUTY SPEAKER (Mr Rob Mitchell): The member for Grey.

Mr THISTLETHWAITE: It represents that party doing things to Aboriginal people rather than working with them.

Mr Ramsey interjecting—

The DEPUTY SPEAKER: Order. The member for Grey will remove himself under 94(a).

The member for Grey then left the chamber.

Mr THISTLETHWAITE: There's no evidence that this piece of reform has worked, and there's no evidence that an extension of this trial will work. And on that basis, Labor is opposed to it. We have proposed some amendments, that I won't go into in too much detail because time doesn't permit, to basically make the card voluntary in the Northern Territory so that a person is placed on it for a specific reason—for example, for child protection or by the Family Responsibilities Commission of Cape York—requiring the minister to demonstrate support for each individual community before rolling out the cashless debit card; requiring further independent evaluation of the debit card; and removing the minister's power to quarantine up to 100 per cent of a person's payment. That is an approach that the Labor Party will take in the Senate in trying to amend this particular piece of legislation. Once again, I reiterate my earlier comments that this represents this government doing things to Aboriginal people rather than doing things with Aboriginal people, and it should be opposed.

Dr HAINES (Indi) (10:30): As an Independent member of this House, I see my role as built on three main pillars. These are: advocating for the needs of the people of Indi; maintaining the best interests of the nation; and diligent application of the principles of good governance. When assessing the proposed legislation against these pillars, I cannot support this bill. Many of my constituents believe the cashless debit card is punitive. Law-abiding frugal people living as best they can on social security payments are concerned they will be scrutinised and judged for their spending choices—spending which they budget into rent, food, school expenses and transport. If the week goes without an unexpected event, there might be something left over for an outing. A constituent told me the restrictive income management of the CDC would make them feel like a second-class citizen.

The overarching aim, which is to reduce the expenditure of public funds on harmful alcohol, illicit drugs and gambling, is worthy of the House's consideration. Public funds are intended to support Australians in difficult circumstances with the fundamentals of daily life. On the face of it, this bill tries to combine health promotion with responsible governance of public funds. However, I believe the policy naively and unnecessarily attempts to change the behaviour of some by structurally imposing a remedy on all. To date, the CDC trials have cost about \$10,000 per participant or over \$25 million in total administrative fees. Yet the amount spent on financial counselling, drug and alcohol and family support services—\$2.6 million—pales in comparison. If the intent of the policy is to ensure proper use of public funds and to effect positive behaviour change, then, based on these figures alone, the trials do not pass muster. Similarly, when applying the fundamental principles of behaviour change theory, this bill does not stack up.

This bill has two main issues which mean I cannot support its passage through the House. Firstly, I want to highlight the government's own evaluations, which have found no widespread benefits from the imposition of CDC on entire communities. Secondly, I have significant concerns regarding the restrictive impacts this bill would have for regional people's ability to spend their payments as they see fit. An essential component of modern good governance is the application of robust evidence to develop policy and ultimately to ensure the laws made in this place are having the effect intended for our communities. This is something that I believe all members of this House can agree on.

The government has disputed the validity of community concerns by characterising this bill as tough but necessary. Yet what is indisputable are the flaws of the independent evaluation process commissioned by the Department of Social Services. In 2018 the Australian National Audit Office criticised this evaluation for its lack of robustness in data collection and noted the trial was not designed to test the scalability of the program. The issue of scalability is a key concern, as data gathered in one community will often tell us very little about whether a program will work in another community. But, as this bill reflects, these documented flaws in the evaluation have not stopped the government from seeking to extend community wide CDC to even more communities. Even if we ignore these issues related to scalability, the Public Health Association of Australia noted that, even in original CDC trial sites, the CDC 'did not show positive outcomes for the majority of participants', who 'were more likely to say that the program had made the lives of them and their children worse rather than better'.

It seems that the bill may not necessarily be the best tool to help participants. An Indi constituent who is a single parent in my rural area told me that this card would only add even

more stress to an already stressful existence. Another constituent who is a recipient of a government payment, who has spent their working life paying taxes and is now in diminished circumstances, told me how if the CDC were imposed on them they would feel they were no longer able to exercise control over their own life. The constituent was concerned that they wouldn't have the flexibility to save money by shopping at local markets or online local buy-swap-sell pages to make their household budget go further. They were worried that, if these measures were rolled out nationwide and included people like them, they wouldn't be able to shop at the local supermarket, because their local supermarket also sells alcohol. In line with my constituents' concerns, the Consumer Action Law Centre warns that any extension of these trials has the potential to create a secondary economy and prevent people from shopping around to find the best deal. This shows that the community concerns raised with me are not an illogical leap.

The significant overrepresentation of Aboriginal and Torres Strait Islander people among trial participants is also an important concern among people from my electorate. Aboriginal and Torres Strait Islander people, who already live with discrimination and racism, face an added stigma through the imposition of the CDC. Dr Jackie Huggins AM, co-chair of the National Congress of Australia's First Nations Peoples said:

The cashless debit card has fundamentally undermined the self-determination of Aboriginal and Torres Strait Islander peoples. The card shames and stigmatises our peoples for their disadvantage, robs them of their financial freedom, and exacerbates pre-existing social challenges such as financial harassment.

While the government has sought to assure the nation that these measures would never be rolled out nationwide, and the government can protest that they are being unfairly criticised, public concern remains high. While the cashless debit card can be used at any store that has not been blocked by the department, the reality is that many stores in regional and rural areas sell a mix of both excluded and non-excluded goods. If rolled out further, this could prevent people from shopping at their favourite local stores and prevent them from supporting their community's local economy. It's not hard to imagine how this may isolate people in their own communities.

The evaluation did find some evidence of reduction in alcohol consumption, illegal drug use and gambling. However, the accuracy of these measures is widely disputed by credible bodies, such as the Royal Australian College of General Practitioners, the Public Health Association of Australia, ACOSS and the Human Rights Law Centre. The St Vincent de Paul Society summarised it best, when they said:

Existing evidence shows that compulsory income management:

- does not result in widespread or sustained benefits – either to the individual or to their community;
- leads to no discernible improvements in employment outcomes;
- is poorly targeted;
- is not cost-effective; ...

As it stands, this bill removes the requirement that an evaluation be conducted by an independent expert within six months of completion of a CDC trial. What's the point of extending the trials of the CDC if no independent evaluation is produced? This House should encourage independent evaluation rather than seek to avoid it. It is independent experts who challenge us on our preconceptions and help us to see the world as it is, rather than as we

want it to be. If the government is so confident that community-wide CDCs do work then why not allow an expert to prove it through a properly independent and long-term evaluation?

Another aspect of this bill which is concerning to many in my electorate is the absence of voluntary participation. I welcome that this amendment enacts changes to allow people in the Bundaberg and Hervey Bay area to opt in to the trial as voluntary participants. Allowing opt-ins for some is a good start, but it's only one half of ensuring voluntary participation. Allowing participants who are automatically included to opt out is more difficult, and sees participants having to bear the burden of proving to the department that they are reasonable and responsible citizens. It's important to remember that although some participants undoubtedly feel that income management has helped them this is not a justification for imposing it on entire communities. Rather, it's an argument for voluntary participation.

As the Independent member for Indi, I promised to bring a community-driven approach to my work in parliament. Enabling communities and individuals control over their lives is an important principle, and one which I know the minister supports. And yet this bill, in its current form, would only serve to remove agency from families, parents and communities as to how they spend the payments to which they are legally entitled. By ensuring participation in the CDC is voluntary, communities would be able to choose the options best suited to their circumstances—something that the Australian Human Rights Commission agrees would promote participation in decision-making based on free, prior and informed consent and good faith. Again, the National Congress of Australia's First Peoples advocates for the CDC to operate on an opt-in basis. It should be up to the people who want to participate in the communities. 'We are strongly opposed to further rollout unless an opt-in system is put in place and all trial areas are properly evaluated,' said national congress co-chair Rod Little.

I welcome the announcement by the member for Barton that her party would seek to move amendments in the other place aiming to ensure the CDC is only implemented after community support has been demonstrated through consultation or in response to specific reasons such as child protection. In principle, these amendments address some of my concerns and should be supported. In the future, we should ensure that no person is placed on such restrictive income support without their or their community's express permission. In light of the preliminary evidence and documented hardship experienced by many participants, I call on the government to, at a minimum, make participation in all and existing future trials opt-in. Even the parliament's own Joint Committee on Human Rights advises that voluntary participation would improve the bill's compatibility with Australia's human rights obligations.

The minister rightly talks about the need to help those who are receiving social security payments and have issues with alcohol consumption, gambling and illegal drug use. As always, I seek to be constructive in this place. We can do many things to help those with substance misuse and gambling issues, whether they're on social security payments or not. But what will not help our communities are blanket solutions to complex, multi-layered problems. Primarily these are health issues. The Australian Council of Social Service has rightly argued that people in our communities who have alcohol, drug or gambling issues need more coordinated health and social support services. Isolating people by restricting their ability to fully participate in their own communities is not the answer. As it currently stands, this bill fails to reflect the economic and social realities of those receiving government

payments across our nation and especially in rural, remote and regional areas. Without significant amendments, I cannot support the passage of this bill through the House.

Mr RICK WILSON (O'Connor) (10:42): I rise to speak today to correct some of the inaccuracies I've heard from some of the previous contributors. I'd invite the member for Indi to stay for a moment because I will point out where she has misled the House—and perhaps she might like to correct the record. It is good to see that so many of my colleagues have turned up to hear my contribution today.

Government members: Hear, hear!

Mr RICK WILSON: Thank you so much. You are intensely interested in this initiative by the government. Let me talk about how the cashless debit card came to be implemented across the Goldfields. It is centred on Kalgoorlie and the surrounding shires of Leonora, Laverton, Coolgardie and Menzies. Late in 2015, in the small town of Leonora, a town of around 250 people, a high proportion of whom are local Indigenous families, two 16-year-old girls committed suicide. It transpired that those girls had been subjected to abuse from people badly affected by alcohol. I was at the Leonora Hotel and one of the local Aboriginal elders came to me and said: 'We're in despair. We don't know what we can do. We don't know where to turn.' Nanna Gaye Harris was the catalyst for me calling the then minister, Alan Tudge, who within days flew to Leonora. The minister and I sat down with the Leonora Shire Council and the local Aboriginal leaders and discussed a concept, a trial, which had been begun in Ceduna in the electorate of my very good friend and colleague the member for Grey. While it was early days, the anecdotal evidence was that it was making a massive difference in people's lives. Subsequently, we conducted 270 consultations. There were people who complained later that they didn't have their opportunity, that they didn't get to a consultation, but 270 consultations conducted by the Department of Social Services was a huge undertaking and most people got the opportunity to have some input. Those five shires were all very proactive in promoting the possibility of a card trial for changing some of their communities. Some of the Aboriginal elders across the broader trial space—the beautiful Betty Logan and Bruce Smith, people that I've worked very closely with on this for four to five years now—have seen an incredible change in the way their communities operate.

Member for Indi, you made the comment that stores are blocked. You have no understanding of how the card works. I have an Indue card. I have a cashless debit card. I use that card the same as I would use any VISA card at any retail outlet anywhere in the world—

Dr Haines: These are the views of my people.

Mr RICK WILSON: Is the view of your people that you can stand up here and give incorrect information to the House? The way it operates is like any other VISA card. There are over 1,000 merchant categories. If the merchant category that comes up when you scan the card is 'alcohol' it won't work. But the technology has improved to the stage where you can go into the Coolgardie store, the only shop in town, which sells both groceries and alcohol, and buy groceries. Pat Dellar, who has owned that shop for 40 years, tells me that families are coming in to buy a basket of groceries instead of alcohol for the first time ever. You would condemn those people, mums and dads, to going down to the general store and buying a block rather than food for the kids—because that's effectively what you're suggesting here.

The card trial in Kalgoorlie has been going for almost 18 months now. We are expecting the evaluation, which is being conducted by the University of Adelaide, to be handed down sometime around Christmas or post Christmas. That will have some statistics and some objective measurement. But let me tell you, I've been talking to people across my electorate over that 18-month period, and the anecdotal evidence is overwhelmingly positive. Kids who hadn't been going to school, because mum and dad had been on the grog, are going to school. Let me tell you, these communities were being torn apart and have been transformed by this card. We have police data. Every month the police publish their station statistics. In the town of Laverton in September 2018, three months after the trial had been introduced, domestic violence reports had reduced by 40 per cent. I wonder how many of those perpetrators would have gone on the card voluntarily? The women that get bashed don't get to choose. They don't get a choice. The police data across the Goldfields is extraordinary. The evaluation will take into account a whole range of things like rental payments, rental arrears, electricity disconnections and Department for Child Protection referrals. I absolutely look forward to seeing this anecdotal evidence quantified.

The cost was mentioned. ACOSS and others conveniently quote the \$10,000 cost per trial participant, which refers to the initial trial, which had 1,800 participants; all of the overhead costs; and the setting up of the software. All of that was included in the \$10,000 cost. As the trial spreads—and my colleague and friend the member for Hinkler has seen the trial extended to another 6,000 people in his electorate—that cost comes down.

As the technology improves and as the trial extends, we may well see some of the commercial banks come into this space and offer a commercial product that says, 'If you're on the cashless debit card and you're banking with us, we'll give you a new card that will look exactly the same and operate exactly the same, except, when you go to the pub, you can buy a meal but you can't buy a beer.' That's the only difference that it will make in those people's lives.

I implore the House to adopt the government's legislation. I have seen firsthand the benefits in my communities. It's been hard work getting there. There have been some incredibly courageous people, particularly our Indigenous elders who have stood up and said: 'We've had enough. We need to change something within our communities that's going to give our people, particularly our children, the chance of a better life.' I commend this legislation to the House.

Mr WILKIE (Clark) (10:50): I rise to speak on the Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019. The cashless debit card expansion is a bad idea, and I will not support it. There are so many members of my community, and—through you, Deputy Speaker Rob Mitchell—your communities as well, members of the government, who are just bewildered. I've lost count of the number of people who have said to me that they don't drink, they don't smoke, they don't gamble and they are not on drugs. They can't for the life of them understand why they are going to be punished in this way.

Mr Pasin: It won't affect them, then!

Mr WILKIE: I think the members of the government should pay more respect to people who have come into my office, who are downright scared and in tears. There are people like that in the community who are very, very rattled by the prospect of being put on the cashless

debit card simply because they're in some sort of circumstance that warrants them being on it or they require government pensions and payments. It's also impractical—completely impractical. To quote one constituent:

As for financial management, this will make my ability to manage my finances harder, not easier, as I will lose the autonomy to pay off my credit card debt in an efficient and timely manner, and some of the less expensive retailers, such as eBay, that I make use of to make ends meet, cannot be used on the card. Nor can online shopping, and as I have no car, I sometimes need to rely on that for heavier items. This card is being rolled out willy-nilly, and most welfare users are not addicts.

Other constituents have raised concerns about paying for rent in share houses and how they are going to purchase non-prescribed medications or treatments that work for their specific health conditions. They raise questions like: how are they going to pay for their children's school excursions? How are they going to buy fresh fruit and vegetables from the local markets and the bulk food stores? How are they going to hire a handyman for small house and garden repairs? What about cash contributions for petrol, when people organise carpooling in regional and remote areas to save on fuel costs? Other constituents and members of the community have raised things like: are they still going to be able to go down to their local pub or RSL for a bowl of soup and pay for that, or will they in fact now be socially isolated?

Mr Rick Wilson: Yes, they can!

Mr WILKIE: I would encourage the members of the government to stop using this as an opportunity for pointscore and start showing some respect and concern for the genuine concerns of the members of their community. It's not about pointscore. It's not about genuflecting at the altar of their ideology. It's about members of the community who are genuinely feeling demonised, genuinely feeling rattled and genuinely feeling scared, and we should have respect for and acknowledge those issues.

I would also raise the fact that the cashless debit card doesn't address the underlying issues that are causing disadvantage for these unfortunate souls in the first place. Sure, we've heard some interesting stories there from the Goldfields—and I'm interested to hear those—but nowhere in those examples that have been mentioned is there any talk about programs to address alcoholism, to address drug addiction, to address gambling addiction, to address domestic financial abuse or to address financial illiteracy. At the end of the day, they are the problems. Giving someone on a government pension or payment a cashless debit card does not solve their alcoholism. It does not solve their drug addiction. It does not solve their gambling addiction. It does not solve the domestic financial abuse situation they find themselves in. It does not make them financially literate. It doesn't solve their problems. If someone is an alcoholic or a drug addict and they are given a cashless debit card, they will still find alcohol. They will still find drugs. Who knows how they are going to obtain it and who knows how they are going to afford it? It doesn't work. It just doesn't work.

We can't dismiss the fact that, since 2014, the cost of the cashless debit card trials has reached some \$18 million. That has been approximately \$10,000 per card. The result? As the Australian National Audit Office has found, it is 'difficult to conclude whether it has delivered a reduction in social harm and more efficient welfare.' No wonder the government, with this increased trial, is not going to allow an external evaluation in the future of the expanded trial. I can understand why the government wants to shut down any outsiders coming in and having a look at it: the government is fearful of the result. The government is fearful that their

genuflection at their ideological altar will be shown again to be something that is ineffective, very expensive, demonises people on government pensions and payments, and doesn't achieve anything like what the government is claiming it is going to do.

We should be talking about measures and reforms that are actually going to address the underlying issues, the underlying problems. We should not be in here talking about a cashless debit card; we should be in here talking about how to rein in alcohol abuse in this country. What changes can we make to the price, the availability, the advertising or the accessibility of alcohol in our communities? What support services can we provide for alcoholics to help them deal with their addiction to alcohol? We should be in here talking about the illicit drug crisis in this country and what the federal parliament and the federal government can do to deal with that. How do we crack down on the supply of illicit drugs? More boldly, what about taking a health approach—a harm-minimisation approach—to drug abuse? Just about every health expert in this country knows that the way to deal with drug abuse is not a law-and-order response based on ideology but, rather, a harm-minimisation approach that treats drug addiction as a health problem, not a criminal problem in the first place.

I've been very disappointed that there is such a negative response in this place and in my own state of Tasmania to really innovative and effective responses like pill testing in the community. The response from the federal Minister for Health a couple of months ago when I asked a question of him about pill testing—and the response from the Premier of Tasmania when I have spoken publicly about pill testing—is to bite my head off even though all of the evidence is that measures like pill testing are the way to save lives and particularly the lives of our children.

Instead of kowtowing to the gambling industry, we should be talking about how we minimise the harm of gambling and how we reduce the rate of gambling addiction in our community. There will continue to be about 120,000 gambling addicts in Australia unless people like us, in a place like this, do something about it. But of course we don't talk about royal commissions for casinos in here. We don't talk about harm minimisation on poker machines here. We don't talk about better and more effective safeguards on sports betting or online gambling in here. That's because all the parties are on the take. It's because of the millions of dollars that the main political parties—the Labor Party, the Liberal Party and the National Party—and some of the small parties get from the gambling industry. So instead of talking about cracking down or doing something about gambling addiction in the community, we ignore that and we say we'll give a gambling addict a cashless debit card and that'll fix the problem. It won't, because they're addicts. They will find ways to get money and continue their addiction.

We should be in here talking about domestic abuse and domestic financial abuse, because that's one of the reasons people are in financial strife—they are in an abusive situation with their partner abusing them, using money and not giving them access to money. We should be in here talking about programs for financial literacy so people who are unable to, or who struggle to, manage their finances can be taught how to manage their finances, can be mentored, can be assisted, but instead what do we do? We give them a cashless debit card and say, 'That will fix all your problems.' That's what we should be doing in here. We should be talking about measures like a sugar tax to make people in these communities healthier. They're the sorts of things we should be doing, not demonising people on government

pensions and payments, not scaring the daylight out of them and forcing them to take a cashless debit card.

I would concede one point though: in the most exceptional circumstances there would be a small number of people in this country for whom a cashless debit card would have some value, but that should be the decision of a court or a judge, not for a bureaucrat and not for a minister. The number of people I'm talking about here is a very, very small number in the most exceptional circumstances, circumstances that are vetted and checked by a court or a judge.

You know what we should be doing here if we want to solve the financial strife of many Australians? How about we start having a serious conversation about lifting government pensions and payments to amounts these people can live on? Frankly, the No. 1 reason why people on government pensions and payments are struggling financially is the paltry amount of the government pension or payment. A single person with no children on Newstart gets \$559 a fortnight. I'll say that again: a single person on Newstart with no children, and with no supplement like rent assistance, gets \$559 a fortnight. I contrast that with the story in *The Mercury* newspaper this morning that average rents in Hobart have gone up by 10 per cent in the last 12 months. And these days when you compare average rents against average local incomes, Hobart is now the most expensive capital city in the country to rent. To rent a modest three bedroom cottage in an outer suburb in Hobart at the moment is \$450 a week—\$450 a week! That's the sort of reason why people on government pensions and payments are in financial strife, not because they're all drug addicts, alcos and gamblers, as some members of the government would want you to believe. It's because of the paltry amount of money they're trying to live on at a time of steeply rising costs of living, and in particularly in Hobart the steeply rising cost of rents.

We should be in here talking about a lift to all government pensions of payments, including allowances like rent assistance. There is no shortage of important community spokespeople saying that all government pensions and payments really need to be lifted by about \$75 a fortnight, as a start. That would be a minimum. Of course, the government might sit there and say: 'Well, that independent over there, it's all very easy for him, he will never sit on the Treasury benches. He doesn't need to work out how we we're going to pay for this.' I'll tell you how we pay for it: we take advantage of the fabulous wealth in this country. This government will spend about half a trillion dollars this year. They will spend about \$500 billion on all sorts of things, including down payments on doubling our submarine fleet even though we can't find crews for the six we've got already. It's all about priorities. Our country can afford to pay pensions and payments that people can live on with dignity, and the only reason they don't is that our priorities are all out of whack in this place. We think we have more important priorities to spend our money on than important measures like increasing rent assistance, increasing Newstart, increasing the DSP, increasing the parenting payment or increasing the age pension.

I've made this point repeatedly in this place, and no-one's listened to me. I've met people who live on dog food. I've met people who go to bed in Hobart at five o'clock in the afternoon in winter and climb under a doona because they can't afford to turn the heater on. That is commonplace in this country. It's not just commonplace in the places you might expect; it's commonplace right around this country, with stagnant wages, rising cost of living and paltry

government pensions and payments. And what are we doing about it? The government is giving them a cashless debit card and saying 'That'll fix your problem; we assume you're all alcoholics, drug addicts and gambling addicts, so this is the way we're going to solve your problem.'

I make the point again that I was fascinated to hear the stories about the Goldfields. But I didn't hear one word from the government about the programs in the Goldfields to deal with alcohol abuse or drug abuse or gambling addiction or domestic financial abuse or financial illiteracy. That's where we should be spending our money. Imagine if we'd taken the \$18 million we've spent since 2014 on the trials of the cashless debit card and spent that money elsewhere. I will not support this bill and I urge my colleagues not to support it as well.

Ms SHARKIE (Mayo) (11:06): I'd like to return to some of my comments around the cashless debit card when this bill, the Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019 was last debated in the House, in February last year.

Firstly, what is the purpose of the cashless debit card trials? In principle, they're designed to assist people to make positive choices with the spending of working age Centrelink payments and to limit the amount of discretionary spending on alcohol and gambling. Again, it's critical that we acknowledge in this place not everyone on Centrelink payments spend money on alcohol and gambling. Isolated sites were chosen so that thorough research could be undertaken to determine whether the implementation of the cashless debit card had an overall positive or negative affect on the community. Nearly two years after we last debated this legislation, we still don't have the academic research to hand to determine if the cashless debit card is in fact effective. The University of Adelaide report examining the effectiveness of the card in the Goldfields region was due at the end of this year. This report is now expected to be released early in the new year.

Now before us we have a bill to extend the cashless welfare card at its current sites and also to transition recipients of the BasicsCard in the Northern Territory and in Cape York to the cashless debit card. I'll come back to the Northern Territory and Cape York shortly, but I'd like to examine the current sites where the card is operating.

Without the academic evidence that the card is working or not working, decision-making on the extension of the current sites is made on site visits by Centre Alliance and the anecdotal evidence garnered whilst on those visits. Firstly, I would like to talk about my visit to the Ceduna community. Ceduna was the first community in Australia to trial the cashless debit card. In the course of making a determination on this piece of legislation, I visited the Ceduna community and met with a number of organisations and participants on the card, including the Ceduna day centre, the District Council of Ceduna and Red Cross, and I visited the town camp and the sobering-up unit. I did of course speak with a number of residents on the card.

The results from Ceduna are somewhat mixed. The District Council of Ceduna advises us that the card has been transformational in the community, has reduced public drunkenness and antisocial behaviour and has increased tourism. There are positive signs. The Ceduna day centre said there hasn't been a lot of difference and that people get around the card. They go and use the card to buy fishing rods, and then they try and flag down tourists and see if they can get a deal where they get some cash in return for the fishing rods and then have cash in

their hand. With respect to participants, some were in favour of the card, some felt that their personal rights were infringed and some were ambivalent to the card—the card was not really impacting their choices in their day-to-day life.

Ceduna introduced alcohol restrictions independently of the trial site in September 2015. The East Kimberley region introduced additional takeaway alcohol management from December 2015. So it's hard to know whether it is the trial of the card or something entirely different that's responsible for any of the positive outcomes that have been reported. There are a few pieces of conclusive data. For example, in the 12 months after the Ceduna trial there was a 12 per cent reduction in poker machine revenue in Ceduna and the surrounding local government areas. Unfortunately, we don't have any up-to-date information for this. I would very much appreciate it if the government could advise us with respect to poker machine revenue.

I have also visited the community of Hervey Bay, in the Hinkler electorate, with my colleague Senator Stirling Griff. We again met with a number of organisations and with police, and we held a roundtable at the end of the day with a number of participants. I would like to thank all organisations and participants, who were generous with their time, particularly the participants who travelled down from Bundaberg. I know that was quite a challenge for some people. We were appreciative of people being very candid, very open and talking with us about the trial. I had meetings with Queensland police, headspace and the Fraser Coast council. In discussions with police, they said they were initially concerned the rollout of the card would see an increase in theft, particularly at outlets that sold alcohol. They were pleased to report to me that this hasn't occurred. I think it's fair to determine that the police would like to see the card continue in the Hinkler region. They also acknowledged that some people were finding a way around the card in order to obtain cash—a little like Ceduna—including people buying goods with their card and then swapping those goods for cash.

St Vincent de Paul has a large support centre in Hervey Bay. The group of members we met with supported the continuance of the card, because they felt that it hadn't been trialled long enough. There were positive signs that they had fewer people seeking emergency food relief. St Vincent de Paul did want to stress that much of the challenge for people receiving Newstart and youth allowance is the low rate of money received, no matter how it's divided between their bank account and the cashless debit card, and that the rate of both those payments needed immediate attention. I agree with St Vincent de Paul on this matter. We really do need to raise the rate. It would be an immediate boost to our economy.

I met with We Care 2, who provide emergency relief, counselling, free breakfast and a food bank style low-cost supermarket for people on healthcare cards, including pensioners. We Care 2 reported an increase in people purchasing food at their low-cost supermarket and a decrease in people seeking emergency relief. This is a very positive sign, but we do not have any reports to confirm this; we are working on anecdotal evidence. I acknowledge that we want to see less demand on those emergency services. We don't want people needing to go to organisations in a deep state of distress and we want to ensure that people have an amount of money that means they can afford to put food in the cupboard.

When I met with participants on the card, some of the themes that were picked up in Ceduna had continued. Firstly, some people felt there was a stigma to being on the card if the

word 'Indue' was on the card. I understand the government has changed this and that the actual word 'Indue' is no longer on any new cards issued. It would be really important for government to reissue cards to people who would like to change from a card with 'Indue' on it to a card that looks like a normal credit card.

Another issue that many people raised with me was the schedule, with Indue, for paying rent. Basically, there's a 28-day rolling cycle. If you pay it a couple of days late in your first week, it essentially changes the payment schedule for the following weeks and you can become behind in your rent. I would urge government to have a look at the 28-day payment schedule. It's quite a rigid schedule and it's creating a lot of challenges for people who are paying rent but who can't pay through Centrepay.

There were concerns that the card would fail when people were at supermarkets. There was a heightened anxiety about that. I understand that when the card was in its infancy there were a few algorithm issues and cards would fail, but I understand from government that much of that has been addressed.

Finally, there is a great difficulty for many people to purchase second-hand goods. You can use your card to purchase second-hand goods, whether they're on eBay or perhaps Gumtree, but there are challenges around that. Similarly, you can't use your card if you are trying to pay off a payday lender, and that is a serious matter that I would really like the government to address. We've had discussions around this for a number of years in this place—the government has even had a draft bill around payday lending—but we have seen it go nowhere. Nearly every participant on the card that I have talked to has had a payday lender debt, and that was taking up a significant amount of the Centrelink payment that they received. I think that would very much address a number of the challenges people have in maintaining a budget.

The cashless debit card will not change behaviours of participants on its own. There must be a network of social services to support the participants to change behaviour, whether it relates to alcohol addiction, gambling addiction or other damaging behaviour. When I was in Ceduna, I saw a lot of services; however, there were some deficiencies. There were no residential alcohol rehabilitation services or substance abuse services within Ceduna. People needed to travel to Port Augusta. It would be really good to see services in there. In Hervey Bay, it was difficult to determine if there was any extra spending of government money to provide services to support people. Ultimately, this is about helping people to address any addictions and seek employment. I do not believe we will truly know how successful the trials have been until much more data is collected, especially as the research findings and community responses from the trials to date have been so mixed.

I would like to touch briefly on the remote Aboriginal communities. I recently discussed with the Central Land Council their concerns on the potential impact of the cashless debit card on the remote communities that they represent. These are communities that not only are highly remote but also lack basic telecommunications and internet infrastructure and banking services. Currently, with the BasicsCard, Centrelink teams visit their communities on a regular rotational basis, providing their communities with face-to-face interactions and discussions that help them to overcome the limited financial and digital literacy skills and capacity that exist in communities. However, with the cashless debit card it is unclear how or if the Indue subcontractor will be required or even if they will be able to provide similar face-

to-face services or provide permanent shopfront services in such communities that exist in places such as Hervey Bay or Ceduna. It's unlikely to be feasible on the grounds of cost. In my view, Centrelink remains the most appropriate organisation to provide that interface between remote communities and a card, be it the cashless welfare card or a BasicsCard.

The most concerning issue that was raised with me by both the Central Land Council and other Indigenous Northern Territory organisations is the complete lack of consultation the government has undertaken with communities that will be affected by the card. I understand there have been some limited information sessions, but there has been no consultation about the implementation or administration of the cashless debit card if the rollout goes ahead. This is simply unacceptable. It's a major policy change that will impact thousands of lives; it should be accompanied by genuine consultation. For this reason, I'm intending to travel to the Northern Territory to undertake consultations directly so that I can hear on-the-ground concerns with members, and I would really urge the government to do the same.

With my Centre Alliance colleagues in another place, we will be asking the government to not bring this bill on for a vote. We want to see the University of Adelaide report; we want to ensure that there's consultation in the Northern Territory before this bill becomes law and before the card is rolled out further. Thank you.

Mr ROBERT (Fadden—Minister for the National Disability Insurance Scheme and Minister for Government Services) (11:19): I thank all of those who have contributed to the debate on the Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019. The bill is a critical part of the government's ongoing commitment to an effective welfare system that not only provides a strong safety net for Australians but also ensures that all Australians take up their responsibilities and make a contribution to our community. I table a replacement explanatory memorandum.

By reducing the amount of cash available in the community, the cashless debit card is reducing the overall harm caused by welfare fuelled alcohol, gambling and drug misuse. The bill provides for the continuation of the cashless debit card trial for a further 12 months, until 30 June 2021; provides certainty for participants, communities, stakeholders and leaders, who know that the support of the cashless debit card will continue and the positive results of the cashless debit card can continue; and ensures that the positive impacts of the cashless debit card can be monitored and assessed. It also provides for the transition to the cashless debit card of income management participants in the Northern Territory and Cape York in Queensland. The government will work with income management participants, communities and stakeholders to support the transition from April 2020 and will transition participants progressively to ensure appropriate support can be provided. The bill ensures that welfare recipients in the Northern Territory and Cape York in Queensland have access to the best technology and the best process for welfare quarantining.

I'll also move some amendments to the bill that respond to issues raised in and by the Scrutiny of Bills and community affairs committees. These amendments will change the ministerial power to vary the restriction rate of community in the Northern Territory. This was originally included in the bill to replicate a power introduced by Labor in 2010 and currently exists under income management. In response to feedback from the committee, the government has amended Labor's 2010 powers and reduced the scope of the ministerial power to vary the restriction rate to a maximum of 80 per cent, in line with the cashless debit card,

removing the trigger for age pensioners to be compulsory cashless debit card participants except in Cape York. The Family Responsibilities Commission in Cape York have explicitly asked to retain the power to refer pensioners to welfare quarantining measures.

Tidying up the process of voluntary income management participants to exit income management and re-volunteer for the cashless debit card will mean the process to transfer around 2½ thousand existing voluntary income management participants to the CDC will be streamlined. The CDC program is delivering significant benefits for the communities where it currently operates. The program has the objective of reducing immediate hardship and deprivation, reducing violence and harm, encouraging socially responsible behaviour and reducing the likelihood that welfare recipients will remain on welfare and out of the workforce for extended periods.

The government thanks community leaders it has worked with and will continue to work with for the implementation of the cashless debit card. We acknowledge their courage and leadership to assist members of their communities to break the cycle of welfare dependency, improve social outcomes and support people in the implementation. I commend the bill to the House.

The SPEAKER: The original question was this bill be now read a second time. To this the honourable member for Barton has moved as an amendment that all words after 'That' be omitted with a view to substituting other words. The immediate question before the House now is that the amendment moved by the member for Barton be agreed to.

The House divided. [11:26]

(The Speaker—Hon. Tony Smith)

Ayes67
 Noes72
 Majority.....5

AYES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Kearney, G
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 Neumann, SK

Aly, A
 Bird, SL
 Burke, AS
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ

AYES

O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

NOES

Alexander, JG
Andrews, KJ
Archer, BK
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ (teller)
Gee, AR
Goodenough, IR
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Robert, SR
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morrison, SJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Sharkie, RCC
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

Question negatived.

The SPEAKER (11:36): The question is this bill be now read a second time.

The House divided. [11:36]

(The Speaker—Hon. Tony Smith)

Ayes73
 Noes67
 Majority.....6

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morrison, SJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Simmonds, J
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Goodenough, IR
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharma, DN
 Steggall, Z
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP
 Young, T

NOES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burney, LJ

Aly, A
 Bird, SL
 Burke, AS
 Burns, J

CHAMBER

NOES

Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Kearney, G
 Khalil, P
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Question agreed to.

Bill read a second time.

Messages from the Governor-General recommending appropriation for the bill and proposed amendments announced.

Debate adjourned.

Treasury Laws Amendment (Combating Illegal Phoenixing) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Mr STEPHEN JONES (Whitlam) (11:41): The Treasury Laws Amendment (Combating Illegal Phoenixing) Bill 2019 concerns the practice of illegal phoenixing. It aims to combat this practice: the unscrupulous art of stripping assets from one company to another to avoid paying debts. It attempts to combat phoenixing by creating a range of new powers for regulators. Unfortunately, if left unamended, it will fall well short of its lofty objective.

The bill includes a new phoenixing offence that will catch directors who make creditor-defeating dispositions, enabling ASIC to make orders to recover company property in

phoenixing cases. This includes new measures preventing directors from improperly backdating their resignations—a classic trick of the trade in phoenixing. The bill also provides new powers for the ATO in relation to GST liabilities and tax refunds. These new powers will improve their ability to chase down the tax cheats who seek to defeat the ATO through the use of illegal phoenixing.

Illegal phoenixing is a serious issue in this country, costing Australian workers and small businesses billions of dollars every year. We're talking about dodgy directors who make a habit of stripping businesses of their assets, skipping out on their debts to their workers and their creditors, and starting a new business out of the ashes of the old, only to run the whole game all over again the next time the going gets tough. We're talking about developers who build apartment buildings with glaring defects, only to vanish in a puff of paperwork and smoke, leaving the owners holding the repair bill.

In 2018, PricewaterhouseCoopers estimated that the annual direct cost of phoenixing activity to the Australian economy could be between \$2.9 billion and \$5.1 billion per annum. This includes up to \$3.2 billion worth of unpaid invoices for services provided, and up to \$300 million of unpaid entitlements for Australian workers. And that only includes the direct costs; we are not counting the stress imposed on small-business owners who hold unpaid invoices from companies that no longer exist, or the heartache on employees who go unpaid at the end of a hard day's work.

This issue has hit home in just about every electorate in this parliament, I dare say. Earlier this year, I watched *A Current Affair* with horror as they showed the story of Tara Teo, a local woman from my electorate who was caught up in the collapse of JUMP! Swim Schools franchises. I have spoken to Tara and learned more about her story. Tara entered into an agreement with JUMP! Swim School two years ago to purchase a swim school franchise in Albion Park. Her initial investment was \$150,000 to build the facility and get started with the business.

Tara wasn't a fool: she did her research and she looked into the company. At the time, JUMP! Swim Schools had 66 trading sites across Australia. But, a year later, nothing had been built. When Tara chased things up, she was shocked to discover that the company had been trading insolvently since March 2016. The company went into liquidation and Tara lost everything. Meanwhile, the CEO of the company, Ian Campbell, was able to go to the United States and open up 11 new franchises—and not just in America; his company has operated franchises in New Zealand, Brazil and Singapore. The court cases are still going on, but the damage to Tara and her family has already been done. I know the ACCC is already on the case, but I urge overseas regulators to look carefully into the activities of Mr Campbell and his dubious dealings as well. If PricewaterhouseCoopers are correct, then she is sadly far from alone out there. It is time that we did something about the laws that let people like Mr Campbell get away with these disasters.

Labor has long urged the government to act on illegal phoenixing, and we congratulate them for finally getting some work done on this bill. We support the bill in its objectives. However, it doesn't go far enough. The fact is that it will do relatively little to combat illegal phoenixing. More needs to be done. The Australian expert on this is Professor Helen Anderson. She says that these laws won't solve the phoenixing problem. What we need is a system to identify the dodgy directors. Right now it's easier to start a company than it is to

open a bank account. You don't need 100 points of identification. You can even register a directorship in someone else's name or, astoundingly, in your dog's name. I look back to the case of Philip Whiteman, the pre-insolvency adviser who reportedly used the names of vulnerable people without their consent to create dummy directors of companies and to help the real owners escape prosecution. It was reported widely. A banker from Geelong was installed by Mr Whiteman as a director of three different companies that he'd never heard of. Another man, suffering from homelessness at the time, was installed as the director of multiple businesses and hit with more than \$6 million in director penalty notices and other fines. His Centrelink payments were cut off because of the mistaken belief that he was the genuine director of these companies that he had never heard of. This is utter madness. It is well past time that this sort of legislation was passed, legislation which would implement an identification check for company directors so that we can properly enforce existing antiphoenixing laws.

In February of this year we had some hope. In February, the moribund Morrison government finally introduced legislation to introduce a system of director identification numbers, a policy that Labor had backed for years, alongside a huge range of other stakeholders. I list them: the Australian Institute of Company Directors, the Australian Small Business and Family Enterprise Ombudsman, the Productivity Commission, the Tax Justice Network, the Australian Chamber of Commerce and Industry, Master Builders Australia, the Australian Council of Trade Unions, and the Australian Restructuring Insolvency and Turnaround Association. But this legislation has been nowhere to be seen since the election. Instead, the government has decided to introduce this bill, with the grandiose claim that it will combat illegal phoenixing, when stakeholders agree that it will barely shift the needle.

This is why Labor will be introducing a significant amendment to this bill, a bill that will implement director identification numbers and modernise the ancient legislation surrounding Australian business registers. This is a commitment that was laid out in the 2018-19 budget, some 17 months ago, by the then Treasurer and current accident-prone Prime Minister. Australians should be asking themselves whether they can trust any commitment that the Prime Minister makes if the members of the government fail to vote in favour of the Labor amendments.

We will be introducing the complete text of the Treasury Laws Amendment (Registries Modernisation and Other Measures) Bill 2019. It was a bill introduced in February this year by the then Assistant Treasurer, the member for Fadden, as a series of schedules to this bill. These amendments would implement the government's stated objective of dealing with phoenixing. These amendments will implement the government's own longstanding but sadly until now entirely theoretical commitment to modernise business registers and set up director identification numbers. It's not very often in this place that I quote favourably the honourable member for Fadden. When he introduced the bill earlier this year he said: 'The Morrison government's legislation will modernise the administration of business registers. Currently, the data is hosted in different systems across various departments and agencies, imposing inefficient cost burdens on registrants in meeting their registration obligations and making it difficult and time consuming to find information. The legislation also introduces a legal framework for director identification numbers. This will provide greater insights to regulators, businesses and individuals on the identity and affiliation of directors.' They are laudable

words—I agree with every single one of them. I expect the member for Fadden will be joining with Labor members when these amendments are introduced. I expect that he'll be voting in favour of his own words and his own bill.

These are all worthy goals—worthy goals that this government has seemingly abandoned sometime between February this year and today. It seems that not only do the government not have a plan to govern and support the economy, but they've given up on the few actual plans they had before the election. It thus falls to Labor to introduce the government's own legislation. We'll be doing the government's work for them once again. The member for Forde is about to speak on this bill. I expect that he'll be speaking in favour of the amendments that I have foreshadowed and that, when it comes to voting on those amendments, he'll be joining with Labor—the only sensible thing to do. He supported them once; he voted for them once when they went through their party room. I expect that he and all other members will vote for them when they have the opportunity to vote for them in this House today. We're also introducing a separate amendment to this bill that will require a review to be completed in five years time. This will let Australians get a better understanding of how effective these laws have been in combatting the terrible cancer of illegal phoenixing.

Mr VAN MANEN (Forde—Chief Government Whip) (11:53): I appreciate the advice from the member for Whitlam but he'll be disappointed to know that, on this occasion, I support the bill in its original form. The reason is I and many others on this side of the chamber have been strong and consistent advocates and supporters of small and family business. In my nine years in this place, when you look at what those opposite say and what they actually do, that hasn't always been the case.

In my electorate, with over 15,000 small businesses, this is a very important piece of legislation. It is another part of what this Morrison government is doing to deliver for and support our small businesses. Whether it's lowering taxes or reducing red tape or now, as this bill does, combatting illegal phoenixing, we are seeking to support and encourage small and family businesses to grow, prosper and develop. If they can do that and they can employ more Australians, it will create opportunity for all and make our communities stronger. Over my time, I have had many discussions with small and family business owners at regular business networking events across my community, whether it's the Beenleigh Yatala Chamber of Commerce, Park Ridge Chamber of Commerce, Ormeau Business Connect or the Logan Country Chamber of Commerce and their various breakfasts and events. It's through these discussions, and having had my own business prior to coming into this place and family members who still have their own small businesses, we see the hurdles and the risks that face small business every day.

That is why this piece of legislation is so important. (*Quorum formed*) It's good to see that the business of the House continues apace. This package of reforms is, as I was saying, dealing with the issue of illegal phoenixing which, as the PwC report has shown, costs our economy somewhere between nearly \$3 billion and \$5 billion annually. More often than not, it's small to medium family businesses around the country that pay the price. It hurts those businesses, it hurts individual contractors and suppliers who are left unpaid and out of pocket and, importantly, it impacts employees who haven't been paid their entitlements and all Australian taxpayers who ultimately bear the burden of those unrecovered tax debts left behind by phoenixing activity.

This bill introduces a range of offences and seeks to prevent these illegal phoenix operators from gaining an unfair advantage over honest and competitive businesses, which has much broader economic impact and, as we've seen in Queensland over the last six or 12 months with the number of bankruptcies and companies going into administration, undermines business and public confidence in the business sector. It's toxic and it's damaging, and the objective of this bill is to get rid of this activity to ensure that the confidence that is necessary for our small- to medium-business sector and the trust, importantly, in that sector of dealing with other businesses is removed from the system. I think this bill, with the measures in it, goes a long way towards achieving these reforms.

As I said in my opening remarks, it is this government, through this piece of legislation and many others, that continues to work towards supporting our small- and medium-business sector right across the country. Those opposite, once again, want to get in the way of this legislative process. We need to give our regulators the power, the tools and the instruments to combat this illegal activity so that the businesses in our community that want to do the right thing can get on, build and grow their businesses and employ Australians. I commend this bill in its original form to the House.

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (12:00): I thank the member for Ford for his contribution to the debate. In summing up, I remind the House that this bill amends the Corporations Act, A New Tax System Act and the Tax Administration Act to address a range of activities that support illegal phoenixing.

Illegal phoenixing has been a problem for successive governments over many decades. Sadly, this is not a new problem. Our current laws have not been successful in deterring that illegal activity. This bill will give our regulators additional enforcement and regulatory tools to better detect and disrupt illegal phoenix activity, and to prosecute and penalise directors and others who engage or otherwise facilitate this illegal activity.

The amendments in schedule 1 to the bill include new offences and civil penalty provisions to target those who engage in and facilitate the stripping and transfer of a company's assets below market value with the effect of preventing, hindering or significantly delaying creditors' access to those assets. Asset stripping is a key strategy used by phoenix operators to avoid repaying debts. These offences attract strong penalties and will deter the core behaviours of phoenix operators as well as the facilitators of this illegal activity, such as pre-insolvency advisers. Schedule 1 also introduces a new recovery power for ASIC and extends the recovery avenues available to liquidators to enhance the recovery of assets lost through illegal asset-stripping activity. The new offences and asset recovery provisions will be subject to a number of important safeguards to ensure they don't impact legitimate businesses and genuine efforts to rescue a business that's in financial distress.

The amendments in schedule 2 improve the accountability of resigning directors and prevent directors from improperly backdating their resignation to avoid liability or prosecution for previous misconduct. In addition, the legislation prevents sole directors from resigning and leaving a company as an empty corporate shell with no directors. Together, these amendments combat strategies used by phoenix operators to avoid being prosecuted by regulators.

The amendments in schedule 3 to the bill give the ATO the necessary tools to more effectively collect and enforce tax debts to address the illegal phoenix behaviour. The

amendments make directors personally liable for their company's outstanding goods and services tax, luxury tax and wine equalisation tax liabilities under extended estimates and director penalty regimes.

Meanwhile, in schedule 4 to the bill, the ATO's powers are extended to retain tax refunds to cover all tax types, where the taxpayer has an outstanding tax lodgement that would affect the amount that would otherwise be refundable. This amendment assists the ATO in deterring and disrupting the core behaviours of phoenix operators by removing the loophole in the existing legislation.

There has been broad consultation with stakeholders on the policy and this legislation. Consultation on a discussion paper was conducted in 2017 and the consultation on the exposure draft was conducted in 2018.

It's clear these reforms build on a range of other actions the government has taken to combat illegal phoenixing and, more broadly, crime and fraud in the economy, including amending the insolvency practice rules to restrict the voting rights of certain creditors related to the phoenix company; increasing funding for the Assetless Administration Fund by \$8.7 million over four years; increasing ASIC's ability to fund liquidators, who play a vital role in investigating and reporting illegal phoenixing activity; establishing a phoenix hotline to make it easy to report suspected phoenix behaviour to the ATO; establishing various task forces to tackle illegal phoenixing activities—the Black Economy Taskforce and the Serious Financial Crimes Taskforce being those bodies; introducing legislation to address the corporate misuse of the Fair Entitlements Guarantee scheme to protect Australian workers and limit the successive drain on the taxpayer funded scheme as a result of sharp corporate practices, including illegal phoenixing.

The bill also makes minor amendments to the government's already legislated insolvency reforms which form part of the National Innovation and Science Agenda and were aimed at encouraging a culture of business rescue for companies in financial distress. These amendments will ensure that these important reforms continue to operate as intended.

The bill was considered by the Senate Economics Legislation Committee, which recommended that the bill be passed. We will not be supporting those amendments that have been moved by the opposition or foreshadowed by the shadow minister. We don't think these 'worthy' changes—in the words of the shadow minister—should be held up for a much broader piece of important work led by this government with director identification numbers. The government is progressing a very ambitious agenda to ensure, through the Modernising Business Registers program, director identification numbers are put in place. This is explicit government policy. We welcome the shadow minister essentially foreshadowing bipartisan support of the Morrison government's policy with respect to director identification numbers but we certainly don't believe that these extraordinarily important amendments to tackle aspects of illegal phoenixing should be held up due to the more ambitious and larger work that will be done through the modernising business registers. I therefore commend the bill to the House.

Question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr STEPHEN JONES (Whitlam) (12:07): I move opposition amendments (1) to (4) as circulated in my name together:

(1) Clause 2, page 2 (table item 1, column 1), omit "Sections 1 to 3", substitute "Sections 1 to 4".

(2) Clause 2, page 2 (at the end of the table), add:

4. Schedule 5	A day or days to be fixed by Proclamation. However, if any of the provisions do not commence within the period of 24 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.
5. Schedule 6, items 1 to 10	A day or days to be fixed by Proclamation. However, if any of the provisions do not commence within the period of 24 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.
6. Schedule 6, item 11	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 24 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.
7. Schedule 6, item 12	At the same time as the commencement of the provisions covered by table item 4. However, the provisions do not commence at all if Schedule 1 to the <i>Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019</i> commences before or on the same day as the provisions covered by table item 6.
8. Schedule 6, item 13	The later of: (a) immediately after the commencement of the provisions covered by table item 6; and (b) immediately after the commencement of Schedule 1 to the <i>Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.
9. Schedule 6, item 14	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 24 months beginning on

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- the day this Act receives the Royal Assent, they commence on the day after the end of that period.
10. Schedule 6, item 15 At the same time as the commencement of the provisions covered by table item 6.
- However, the provisions do not commence at all if Schedule 1 to the *Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019* commences before or on the same day as the provisions covered by table item 6.
11. Schedule 6, item 16 The later of:
- (a) immediately after the commencement of the provisions covered by table item 6; and
- (b) immediately after the commencement of Schedule 1 to the *Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019*.
- However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.
12. Schedule 6, items 17 and 18 A day or days to be fixed by Proclamation.
- However, if any of the provisions do not commence within the period of 24 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.
-

(3) Page 2 (after line 11), after clause 3, insert:

4 Review of operation of amendments

(1) The Minister must cause a review of the operation of the amendments made by Schedules 1, 3 and 4 to this Act to be undertaken as soon as practicable after the fifth anniversary of the commencement of this section.

(2) The Minister must cause a written report of the review to be prepared.

(3) The Minister must cause a copy of the report of the review to be tabled in each House of the Parliament within 15 sittings days of that House after the report is given to the Minister.

(4) Page 40 (after line 12), at the end of the Bill, add:

Schedule 5—Amendments relating to the Registrar

Part 1—Main amendments

Business Names Registration Act 2011

1 Section 3

Insert:

Australian business law means a law of the Commonwealth, or of a State or Territory, that is a law that regulates, or relates to the regulation of, business or persons engaged in business.

Commonwealth body means:

- (a) an Agency (within the meaning of the Public Service Act 1999); or
- (b) a body, whether incorporated or not, established for a public purpose by or under a law of the Commonwealth; or
- (c) a person:
 - (i) holding or performing the duties of an office established by or under a law of the Commonwealth; or
 - (ii) holding an appointment made under a law of the Commonwealth.

data standards means standards made by the Registrar under section 62H.

designated secrecy provision has the meaning given by subsection 62N(3).

disclosure framework means the disclosure framework made by the Registrar under section 62L.

government entity has the meaning given by section 41 of the *A New Tax System (Australian Business Number) Act 1999*.

official employment means:

- (a) appointment or employment by the Commonwealth, or the performance of services for the Commonwealth; or
- (b) the exercise of powers or performance of functions under a delegation by the Registrar.

protected information means information:

- (a) obtained by a person in the course of the person's official employment; and
- (b) disclosed to the person or another person, or obtained by the person or another person:
 - (i) under, or in relation to, this Act or the Transitional Act; or
 - (ii) under another law of the Commonwealth;

in connection with particular functions or powers of the Registrar.

Registrar has the meaning given by section 6A.

secrecy provision has the meaning given by subsection 62N(2).

taxation law has the same meaning as in the *Income Tax Assessment Act 1997*.

2 After section 6

Insert:

6A Meaning of Registrar

A reference in this Act to the Registrar is a reference to:

- (a) if only one Commonwealth body is appointed as Registrar under section 62A—that body; or
- (b) if more than one Commonwealth body is appointed under that section with functions and powers in connection with this Act or the Transitional Act:
 - (i) if the reference relates to one or more particular functions or powers—any Commonwealth body so appointed with any of those particular functions or powers; or
 - (ii) otherwise—any of the Commonwealth bodies appointed under that section.

3 Section 56

Before "A decision", insert "(1)".

4 At the end of section 56

Add:

- (2) A decision by the Registrar under a provision of the data standards or the disclosure framework is **reviewable** on the application of an entity whose interests are affected by the decision.

5 Before section 63

Insert:

Division 1—Matters relating to handling records and information**Subdivision A—The Registrar****62A Appointment of the Registrar**

(1) The Minister may, by notifiable instrument, appoint a Commonwealth body to be the Registrar.

(2) The Minister may, by notifiable instrument, appoint a Commonwealth body to be the Registrar in relation to one or more functions or powers of the Registrar.

62B Functions

The Registrar's functions are:

- (a) such functions as are conferred on the Registrar by or under this Act or the Transitional Act; and
- (b) such functions as are prescribed by rules made for the purposes of this paragraph under section 62U; and
- (c) such functions as are incidental to the functions mentioned in paragraph (a) or (b).

62C Powers

The Registrar's powers include:

- (a) such powers as are conferred:
 - (i) on the Registrar in relation to the functions mentioned in section 62B; and
 - (ii) by or under this Act or the Transitional Act; and
- (b) the power to do all things necessary or convenient to be done for or in connection with the performance of those functions.

62D Directions by Minister

(1) The Minister may, by legislative instrument, give written directions to the Registrar about the performance of its functions and the exercise of its powers.

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the directions (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

(2) Without limiting subsection (1), a direction under that subsection may relate to any of the following:

- (a) matters to be dealt with in the data standards or disclosure framework;
- (b) consultation processes to be followed prior to making data standards or the disclosure framework.

(3) A direction under subsection (1) must be of a general nature only.

(4) Subsection (3) does not prevent a direction under subsection (1) from relating to a particular matter to be dealt with in the data standards or disclosure framework. However, the direction must not direct the Registrar how to apply the data standards or disclosure framework in a particular case.

(5) The Registrar must comply with a direction under subsection (1).

62E Delegation

(1) The Registrar may, in writing, delegate all or any of the Registrar's functions or powers under this Act or the Transitional Act (other than the power to make data standards or the disclosure framework) to:

(a) any person to whom it may delegate any of its other functions, as a Commonwealth body, under a law of the Commonwealth; or

(b) any person of a kind specified in rules made under section 62U.

Note: Sections 34AA to 34A of the *Acts Interpretation Act 1901* contain provisions relating to delegations.

(2) In performing a delegated function or exercising a delegated power, the delegate must comply with any written directions of the Registrar.

62F Assisted decision making

(1) The Registrar may arrange for the use, under the Registrar's control, of processes to assist decision making (such as computer applications and systems) for any purposes for which the Registrar may make decisions in the performance or exercise of the Registrar's functions or powers under this Act or the Transitional Act, other than decisions reviewing other decisions.

(2) A decision the making of which is assisted by the operation of such a process under an arrangement made under subsection (1) is taken to be a decision made by the Registrar.

(3) The Registrar may substitute a decision for a decision (the *initial decision*) the making of which is assisted by the operation of such a process under an arrangement under subsection (1) if the Registrar is satisfied that the initial decision is incorrect.

62G Liability for damages

None of the following:

- (a) the Registrar;
- (b) if the Registrar is a Commonwealth body that has members—a member of the Registrar;
- (c) a member of the staff of the Registrar;
- (d) a person who is, or is a member of or a member of the staff of, a delegate of the Registrar;
- (e) a person who is authorised to perform or exercise a function or power of, or on behalf of, the Registrar;
- (f) an APS employee, or an officer or employee of a Commonwealth body, whose services are made available to the Registrar in connection with the performance or exercise of any of the Registrar's functions or powers;

is liable to an action or other proceeding for damages for or in relation to an act done, or omitted to be done, in good faith in performance or purported performance of any function, or in exercise or purported exercise of any power, conferred or expressed to be conferred by or under this Division.

Subdivision B—How the Registrar is to perform and exercise functions and powers

62H Data standards

(1) The Registrar may, by legislative instrument, make data standards on matters relating to the performance of the Registrar's functions and the exercise of the Registrar's powers under this Act or the Transitional Act.

(2) Without limiting subsection (1), the data standards may provide for any of the following:

- (a) what information may be collected for the purposes of the performance of the Registrar's functions and the exercise of the Registrar's powers under this Act or the Transitional Act;
- (b) how such information may be collected;
- (c) the manner and form in which such information is given to the Registrar;
- (d) when information is to be given to the Registrar;
- (e) how information held by the Registrar is to be authenticated, verified or validated;

- (f) how information held by the Registrar is to be stored;
- (g) correction of information held by the Registrar;
- (h) the manner and form of communication between the Registrar and persons who give information to the Registrar or seek to access information held by the Registrar;
- (i) integrating or linking information held by the Registrar.

(3) Without limiting subsection (1), the data standards may provide differently in relation to different functions or powers of the Registrar.

(4) If:

(a) a Commonwealth body (the *new Registrar*) is appointed as the Registrar with particular functions or powers under this Act or the Transitional Act; and

(b) immediately before that appointment, another Commonwealth body was the Registrar with those functions or powers; and

(c) the new Registrar does not have data standards that would apply to those functions or powers; any data standards applying to those functions or powers immediately before that appointment continue to apply until the new Registrar makes data standards that apply to those functions or powers, or amends its existing data standards to apply to those functions or powers.

62J Giving information to the Registrar

(1) Without limiting section 62H, the data standards may provide that information is to be given to the Registrar in electronic form, or any other specified form.

(2) A requirement under this Act or the Transitional Act that information is to be provided to the Registrar in a particular form or manner (however described), including a requirement:

- (a) that the information is to be "lodged" or "furnished"; and
- (b) that the information is to be "written" or "in writing"; and
- (c) that a "copy" of a document containing the information is to be provided;

is not taken to restrict by implication what the data standards may provide under subsection (1) in relation to that information.

62K How the Registrar is to perform and exercise functions and powers

(1) The Registrar must perform its functions and exercise its powers under this Act or the Transitional Act in accordance with:

- (a) the data standards; or
- (b) if there are no data standards that apply to particular functions or powers—any requirement relating to those functions or powers as in force immediately before those functions or powers became functions or powers of the Registrar.

(2) This section does not affect the application to the Registrar of any other law of the Commonwealth.

Subdivision C—Disclosure of information

62L Disclosure framework

(1) The Registrar may, by legislative instrument, make a disclosure framework relating to disclosing protected information.

(2) Without limiting subsection (1), the disclosure framework may provide for any of the following:

- (a) circumstances in which information must not be disclosed without the consent of the person to whom it relates;
- (b) circumstances in which de-identified information may be disclosed;

- (c) circumstances in which information may be disclosed to the general public;
- (d) circumstances in which confidentiality agreements are required for the disclosure of information;
- (e) imposing conditions on disclosure of information.

(3) Without limiting subsection (1), the disclosure framework may provide differently in relation to different functions or powers of the Registrar under this Act or the Transitional Act.

(4) A person commits an offence if:

- (a) the person is a party to a confidentiality agreement of a kind mentioned in paragraph (2)(d); and
- (b) the person fails to comply with the confidentiality agreement.

Penalty: 100 penalty units or imprisonment for 2 years, or both.

(5) The disclosure framework must not provide for disclosure of protected information unless the Registrar is satisfied that the benefits of the disclosure would outweigh the risks of the disclosure (taking into account any mitigation of those risks in accordance with the disclosure framework).

(6) However, subsection (5) does not apply to the extent that the disclosure framework deals with a matter in accordance with a direction under section 62D.

(7) If:

(a) a Commonwealth body (the *new Registrar*) is appointed as the Registrar with particular functions or powers under this Act or the Transitional Act; and

(b) immediately before that appointment, another Commonwealth body was the Registrar with those functions or powers; and

(c) the new Registrar does not have a disclosure framework that would apply to those functions or powers;

the disclosure framework applying to those functions or powers immediately before that appointment continues to apply until the new Registrar makes a disclosure framework that applies to those functions or powers, or amends its existing disclosure framework to apply to those functions or powers.

62M Protection of confidentiality of protected information

(1) A person (the *first person*) commits an offence if:

- (a) the first person is, or has been, in official employment; and
- (b) the first person makes a record of information, or discloses information to another person; and
- (c) the information is protected information that was obtained by the first person in the course of the first person's official employment.

(2) However, subsection (1) does not apply if the recording or disclosure is authorised by subsection (3).

(3) The recording or disclosure is authorised by this subsection if:

- (a) the recording or disclosure is for the purposes of this Division; or
- (b) the recording or disclosure happens in the course of the performance of the duties of the first person's official employment; or

(c) in the case of a disclosure—the disclosure is to another person for use, in the course of the performance of the duties of the other person's official employment, in relation to the performance or exercise of the functions or powers of a government entity; or

(d) in the case of a disclosure to another person who is an employee of a State, a Territory or an authority of a State or Territory—the disclosure:

(i) is to the other person for use, in the course of the performance of the duties of that employment, in relation to the performance or exercise of the functions or powers of a government entity; and

(ii) is in accordance with an agreement, about registration of business names, between the Commonwealth, the States, the Australian Capital Territory and the Northern Territory; or

(e) in the case of a disclosure—each person to whom the information relates consents to the disclosure; or

(f) in the case of a disclosure—the disclosure is in accordance with the disclosure framework.

Note: A defendant bears an evidential burden in relation to the matters in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

62N Authorisation of recording or disclosure

(1) A person is not liable to any proceedings for contravening a secrecy provision in respect of a recording or disclosure authorised under subsection 62M(3), unless the secrecy provision is a designated secrecy provision.

(2) A **secrecy provision** is a provision that:

- (a) is a provision of a law of the Commonwealth (other than this Act); and
- (b) prohibits or regulates the use or disclosure of information.

(3) A **designated secrecy provision** is any of the following:

- (a) sections 18 to 18B and 92 of the *Australian Security Intelligence Organisation Act 1979*;
- (b) section 34 of the *Inspector-General of Intelligence and Security Act 1986*;
- (c) sections 39 to 41 of the *Intelligence Services Act 2001*;
- (d) section 8WB of the *Taxation Administration Act 1953*;
- (e) a provision of a law of the Commonwealth prescribed by rules made for the purposes of this paragraph under section 62U;
- (f) a provision of a law of the Commonwealth of a kind prescribed by rules made for the purposes of this paragraph under section 62U.

62P Preventing disclosure of particular protected information

(1) If:

(a) a person applies to the Registrar for particular protected information relating to the person not to be disclosed; and

(b) the Registrar is satisfied that it is not appropriate to disclose that information;

a disclosure of that information is taken, for the purposes of this Act, not to be in accordance with the disclosure framework.

(2) Without limiting section 62L, the disclosure framework may provide for:

- (a) how applications referred to in paragraph (1)(a) are to be made; and
- (b) how those applications are to be decided.

62Q Authorisation for purposes of Privacy Act

A disclosure of personal information (within the meaning of the *Privacy Act 1988*) is taken to be authorised by law for the purposes of paragraph 6.2(b) of Schedule 1 to that Act if:

- (a) the information is protected information; and
- (b) the disclosure is authorised by subsection 62M(3) of this Act.

62R Disclosure to a court

A person is not to be required:

(a) to produce to a court any document that:

(i) contains protected information; and

(ii) was made or given under, or for the purposes of, this Act or the Transitional Act; and

(iii) was obtained by the person in the course of the person's official employment; or

(b) to disclose to a court any protected information that the person obtained in the course of the person's official employment;

unless the production or disclosure is necessary for the purpose of giving effect to a taxation law or an Australian business law.

Subdivision D—Miscellaneous

62S Extracts of information to be admissible in evidence

(1) In any proceedings, a document, or a copy of a document, that purports (irrespective of the form of wording used) to be an extract of information held by the Registrar under, or for the purposes of, this Act or the Transitional Act:

(a) is proof, in the absence of evidence to the contrary, of information that is stated in it and that purports to be held by the Registrar; and

(b) is admissible without any further proof of, or the production of, the original;

if it does not appear to the Court to have been revised or tampered with in a way that affects, or is likely to affect, the information.

(2) The Registrar may give a person a certified copy of, or extract from, the information held by the Registrar under, or for the purposes of, this Act or the Transitional Act on payment of the fee (if any) prescribed by rules made under section 62U.

(3) In any proceedings, the certified copy:

(a) is prima facie evidence of information that is stated in it and that purports to be held by the Registrar under, or for the purposes of, this Act or the Transitional Act; and

(b) is admissible without any further proof of, or the production of, the original.

(4) This section does not limit the manner in which evidence may be adduced, or the admissibility of evidence, under the *Evidence Act 1995*.

62T Annual report

Each annual report by the Registrar for a period must include information about the performance of the Registrar's functions and exercise of the Registrar's powers under, or for the purposes of, this Act or the Transitional Act during that period.

62U Rules

(1) The Minister may, by legislative instrument, make rules prescribing matters:

(a) required or permitted by this Division to be prescribed by rules made under this section; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Division.

(2) To avoid doubt, rules made under this section may not do the following:

(a) create an offence or civil penalty;

(b) provide powers of:

(i) arrest or detention; or

(ii) entry, search or seizure;

(c) impose a tax;

(d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;

(e) directly amend the text of this Act.

Division 2—Miscellaneous

Business Names Registration (Transitional and Consequential Provisions) Act 2011

6 Item 27 of Schedule 1

Before "A decision", insert "(1)".

7 At the end of item 27 of Schedule 1

Add:

(2) A decision by the Registrar under a provision of the data standards or the disclosure framework is **reviewable** on the application of an entity whose interests are affected by the decision.

Corporations Act 2001

8 Section 9

Insert:

Australian business law means a law of the Commonwealth, or of a State or Territory, that is a law that regulates, or relates to the regulation of, business or persons engaged in business.

Commonwealth body means:

(a) an Agency (within the meaning of the Public Service Act 1999); or

(b) a body, whether incorporated or not, established for a public purpose by or under a law of the Commonwealth; or

(c) a person:

(i) holding or performing the duties of an office established by or under a law of the Commonwealth; or

(ii) holding an appointment made under a law of the Commonwealth.

data standards means standards made by the Registrar under section 1270G.

designated secrecy provision has the meaning given by subsection 1270M(3).

disclosure framework means the disclosure framework made by the Registrar under section 1270K.

government entity has the meaning given by section 41 of the *A New Tax System (Australian Business Number) Act 1999*.

official employment means:

(a) appointment or employment by the Commonwealth, or the performance of services for the Commonwealth; or

(b) the exercise of powers or performance of functions under a delegation by the Registrar.

protected information means information:

(a) obtained by a person in the course of the person's official employment; and

(b) disclosed to the person or another person, or obtained by the person or another person:

(i) under, or in relation to, this Act; or

(ii) under another law of the Commonwealth;

in connection with particular functions or powers of the Registrar.

Registrar has the meaning given by section 9C.

secrecy provision has the meaning given by subsection 1270M(2).

taxation law has the same meaning as in the *Income Tax Assessment Act 1997*.

9 At the end of Division 1 of Part 1-2

Add:

9C Meaning of *Registrar*

A reference in this Act to the Registrar is a reference to:

- (a) if only one Commonwealth body is appointed as Registrar under section 1270—that body; or
- (b) if more than one Commonwealth body is appointed under that section:
 - (i) if the reference relates to one or more particular functions or powers—any Commonwealth body so appointed with any of those particular functions or powers; or
 - (ii) otherwise—any of the Commonwealth bodies appointed under that section.

10 Part 9.1 (heading)

Repeal the heading, substitute:

Part 9.1—Matters relating to handling records and information

Division 1—The Registrar

Subdivision A—Appointment etc. of the Registrar

1270 Appointment of the Registrar

- (1) The Minister may, by notifiable instrument, appoint a Commonwealth body to be the Registrar.
- (2) The Minister may, by notifiable instrument, appoint a Commonwealth body to be the Registrar in relation to one or more functions or powers of the Registrar.

1270A Functions

The Registrar's functions are:

- (a) such functions as are conferred on the Registrar by or under this Act; and
- (b) such functions as are prescribed by rules made for the purposes of this paragraph under section 1270T; and
- (c) such functions as are incidental to the functions mentioned in paragraph (a) or (b).

1270B Powers

The Registrar's powers include:

- (a) such powers as are conferred:
 - (i) on the Registrar in relation to the functions mentioned in section 1270A; and
 - (ii) by or under this Act; and
- (b) the power to do all things necessary or convenient to be done for or in connection with the performance of those functions.

1270C Directions by Minister

- (1) The Minister may, by legislative instrument, give written directions to the Registrar about the performance of its functions and the exercise of its powers.

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the directions (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

- (2) Without limiting subsection (1), a direction under that subsection may relate to any of the following:

- (a) matters to be dealt with in the data standards or disclosure framework;

(b) consultation processes to be followed prior to making data standards or the disclosure framework.

(3) A direction under subsection (1) must be of a general nature only.

(4) Subsection (3) does not prevent a direction under subsection (1) from relating to a particular matter to be dealt with in the data standards or disclosure framework. However, the direction must not direct the Registrar how to apply the data standards or disclosure framework in a particular case.

(5) The Registrar must comply with a direction under subsection (1).

1270D Delegation

(1) The Registrar may, in writing, delegate all or any of the Registrar's functions or powers under this Act (other than the power to make data standards or the disclosure framework) to:

(a) any person to whom it may delegate any of its other functions, as a Commonwealth body, under a law of the Commonwealth; or

(b) any person of a kind specified in rules made under section 1270T.

Note: Sections 34AA to 34A of the *Acts Interpretation Act 1901* contain provisions relating to delegations.

(2) In performing a delegated function or exercising a delegated power, the delegate must comply with any written directions of the Registrar.

1270E Assisted decision making

(1) The Registrar may arrange for the use, under the Registrar's control, of processes to assist decision making (such as computer applications and systems) for any purposes for which the Registrar may make decisions in the performance or exercise of the Registrar's functions or powers under this Act, other than decisions reviewing other decisions.

(2) A decision the making of which is assisted by the operation of such a process under an arrangement made under subsection (1) is taken to be a decision made by the Registrar.

(3) The Registrar may substitute a decision for a decision (the *initial decision*) the making of which is assisted by the operation of such a process under an arrangement under subsection (1) if the Registrar is satisfied that the initial decision is incorrect.

1270F Liability for damages

None of the following:

(a) the Minister;

(b) the Registrar;

(c) if the Registrar is a Commonwealth body that has members—a member of the Registrar;

(d) a member of the staff of the Registrar;

(e) a person who is, or is a member of or a member of the staff of, a delegate of the Registrar;

(f) a person who is authorised to perform or exercise a function or power of, or on behalf of, the Registrar;

(g) an APS employee, or an officer or employee of a Commonwealth body, whose services are made available to the Registrar in connection with the performance or exercise of any of the Registrar's functions or powers;

is liable to an action or other proceeding for damages for or in relation to an act done, or omitted to be done, in good faith in performance or purported performance of any function, or in exercise or purported exercise of any power, conferred or expressed to be conferred by or under this Division.

Subdivision B—How the Registrar is to perform and exercise functions and powers

1270G Data standards

(1) The Registrar may, by legislative instrument, make data standards on matters relating to the performance of the Registrar's functions and the exercise of the Registrar's powers under this Act.

(2) Without limiting subsection (1), the data standards may provide for any of the following:

(a) what information may be collected for the purposes of the performance of the Registrar's functions and the exercise of the Registrar's powers under this Act;

(b) how such information may be collected;

(c) the manner and form in which such information is given to the Registrar;

(d) when information is to be given to the Registrar;

(e) how information held by the Registrar is to be authenticated, verified or validated;

(f) how information held by the Registrar is to be stored;

(g) correction of information held by the Registrar;

(h) the manner and form of communication between the Registrar and persons who give information to the Registrar or seek to access information held by the Registrar;

(i) integrating or linking information held by the Registrar.

(3) Without limiting subsection (1), the data standards may provide differently in relation to different functions or powers of the Registrar.

(4) If:

(a) a Commonwealth body (the *new Registrar*) is appointed as the Registrar with particular functions or powers under this Act; and

(b) immediately before that appointment, another Commonwealth body was the Registrar with those functions or powers; and

(c) the new Registrar does not have data standards that would apply to those functions or powers; any data standards applying to those functions or powers immediately before that appointment continue to apply until the new Registrar makes data standards that apply to those functions or powers, or amends its existing data standards to apply to those functions or powers.

1270H Giving information to the Registrar

(1) Without limiting section 1270G, the data standards may provide that information is to be given to the Registrar in electronic form, or any other specified form.

(2) A requirement under this Act that information is to be provided to the Registrar in a particular form or manner (however described), including a requirement:

(a) that the information is to be "lodged" or "furnished"; and

(b) that the information is to be "written" or "in writing"; and

(c) that a "copy" of a document containing the information is to be provided;

is not taken to restrict by implication what the data standards may provide under subsection (1) in relation to that information.

1270J How the Registrar is to perform and exercise functions and powers

(1) The Registrar must perform its functions and exercise its powers under this Act in accordance with:

(a) the data standards; or

(b) if there are no data standards that apply to particular functions or powers—any requirement relating to those functions or powers as in force immediately before those functions or powers became functions or powers of the Registrar.

(2) This section does not affect the application to the Registrar of any other law of the Commonwealth.

Subdivision C—Disclosure of information

1270K Disclosure framework

(1) The Registrar may, by legislative instrument, make a disclosure framework relating to disclosing protected information.

(2) Without limiting subsection (1), the disclosure framework may provide for any of the following:

- (a) circumstances in which information must not be disclosed without the consent of the person to whom it relates;
- (b) circumstances in which de-identified information may be disclosed;
- (c) circumstances in which information may be disclosed to the general public;
- (d) circumstances in which confidentiality agreements are required for the disclosure of information;
- (e) imposing conditions on disclosure of information.

(3) Without limiting subsection (1), the disclosure framework may provide differently in relation to different functions or powers of the Registrar under this Act.

(4) A person commits an offence if:

- (a) the person is a party to a confidentiality agreement of a kind mentioned in paragraph (2)(d); and
- (b) the person fails to comply with the confidentiality agreement.

Penalty: 100 penalty units or imprisonment for 2 years, or both.

(5) The disclosure framework must not provide for disclosure of protected information unless the Registrar is satisfied that the benefits of the disclosure would outweigh the risks of the disclosure (taking into account any mitigation of those risks in accordance with the disclosure framework).

(6) However, subsection (5) does not apply to the extent that the disclosure framework deals with a matter in accordance with a direction under section 1270C.

(7) If:

(a) a Commonwealth body (the *new Registrar*) is appointed as the Registrar with particular functions or powers under this Act; and

(b) immediately before that appointment, another Commonwealth body was the Registrar with those functions or powers; and

(c) the new Registrar does not have a disclosure framework that would apply to those functions or powers;

the disclosure framework applying to those functions or powers immediately before that appointment continues to apply until the new Registrar makes a disclosure framework that applies to those functions or powers, or amends its existing disclosure framework to apply to those functions or powers.

1270L Protection of confidentiality of protected information

(1) A person (the *first person*) commits an offence if:

- (a) the first person is, or has been, in official employment; and
- (b) the first person makes a record of information, or discloses information to another person; and

(c) the information is protected information that was obtained by the first person in the course of the first person's official employment.

Penalty: Imprisonment for 2 years.

(2) However, subsection (1) does not apply if the recording or disclosure is authorised by subsection (3).

(3) The recording or disclosure is authorised by this subsection if:

(a) the recording or disclosure is for the purposes of this Division; or

(b) the recording or disclosure happens in the course of the performance of the duties of the first person's official employment; or

(c) in the case of a disclosure—the disclosure is to another person for use, in the course of the performance of the duties of the other person's official employment, in relation to the performance or exercise of the functions or powers of a government entity; or

(d) in the case of a disclosure to another person who is an employee of a State, a Territory or an authority of a State or Territory—the disclosure:

(i) is to the other person for use, in the course of the performance of the duties of that employment, in relation to the performance or exercise of the functions or powers of a government entity; and

(ii) is in accordance with an agreement, about corporate regulation, between the Commonwealth, the States, the Northern Territory and the Australian Capital Territory; or

(e) in the case of a disclosure—each person to whom the information relates consents to the disclosure; or

(f) in the case of a disclosure—the disclosure is in accordance with the disclosure framework.

Note: A defendant bears an evidential burden in relation to the matters in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

1270M Authorisation of recording or disclosure

(1) A person is not liable to any proceedings for contravening a secrecy provision in respect of a recording or disclosure authorised under subsection 1270L(3), unless the secrecy provision is a designated secrecy provision.

(2) A **secrecy provision** is a provision that:

(a) is a provision of a law of the Commonwealth (other than this Act); and

(b) prohibits or regulates the use or disclosure of information.

(3) A **designated secrecy provision** is any of the following:

(a) sections 18 to 18B and 92 of the *Australian Security Intelligence Organisation Act 1979*;

(b) section 34 of the *Inspector-General of Intelligence and Security Act 1986*;

(c) sections 39 to 41 of the *Intelligence Services Act 2001*;

(d) section 8WB of the *Taxation Administration Act 1953*;

(e) a provision of a law of the Commonwealth prescribed by rules made for the purposes of this paragraph under section 1270T;

(f) a provision of a law of the Commonwealth of a kind prescribed by rules made for the purposes of this paragraph under section 1270T.

1270N Preventing disclosure of particular protected information

(1) If:

(a) a person applies to the Registrar for particular protected information relating to the person not to be disclosed; and

(b) the Registrar is satisfied that it is not appropriate to disclose that information; a disclosure of that information is taken, for the purposes of this Act, not to be in accordance with the disclosure framework.

(2) Without limiting section 1270K, the disclosure framework may provide for:

(a) how applications referred to in paragraph (1)(a) are to be made; and

(b) how those applications are to be decided.

1270P Authorisation for purposes of Privacy Act

A disclosure of personal information (within the meaning of the *Privacy Act 1988*) is taken to be authorised by law for the purposes of paragraph 6.2(b) of Schedule 1 to that Act if:

(a) the information is protected information; and

(b) the disclosure is authorised by subsection 1270L(3) of this Act.

1270Q Disclosure to a court

A person is not to be required:

(a) to produce to a court any document that:

(i) contains protected information; and

(ii) was made or given under, or for the purposes of, this Act; and

(iii) was obtained by the person in the course of the person's official employment; or

(b) to disclose to a court any protected information that the person obtained in the course of the person's official employment;

unless the production or disclosure is necessary for the purpose of giving effect to a taxation law or an Australian business law.

Subdivision D—Miscellaneous

1270R Extracts of information to be admissible in evidence

(1) In any proceedings, a document, or a copy of a document, that purports (irrespective of the form of wording used) to be an extract of information held by the Registrar under, or for the purposes of, this Act:

(a) is proof, in the absence of evidence to the contrary, of information that is stated in it and that purports to be held by the Registrar; and

(b) is admissible without any further proof of, or the production of, the original;

if it does not appear to the Court to have been revised or tampered with in a way that affects, or is likely to affect, the information.

(2) The Registrar may give a person a certified copy of, or extract from, the information held by the Registrar under, or for the purposes of, this Act on payment of the fee (if any) prescribed by rules made under section 1270T.

(3) In any proceedings, the certified copy:

(a) is prima facie evidence of information that is stated in it and that purports to be held by the Registrar under, or for the purposes of, this Act; and

(b) is admissible without any further proof of, or the production of, the original.

(4) This section does not limit the manner in which evidence may be adduced, or the admissibility of evidence, under the *Evidence Act 1995*.

1270S Annual report

Each annual report by the Registrar for a period must include information about the performance of the Registrar's functions and exercise of the Registrar's powers under, or for the purposes of, this Act during that period.

1270T Rules

- (1) The Minister may, by legislative instrument, make rules under this section prescribing matters:
- (a) required or permitted by this Division to be prescribed by rules made under this section; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Division.
- (2) To avoid doubt, rules made under this section may not do the following:
- (a) create an offence or civil penalty;
 - (b) provide powers of:
 - (i) arrest or detention; or
 - (ii) entry, search or seizure;
 - (c) impose a tax;
 - (d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;
 - (e) directly amend the text of this Act.

Division 2—Registers kept by ASIC**11 After section 1274**

Insert:

Division 3—Miscellaneous**12 After subsection 1317B(1)**

Insert:

(1A) Subject to this Part, applications may also be made to the Tribunal for review of a decision made by the Registrar under the data standards or disclosure framework.

13 After paragraph 1317C(ge)

Insert:

- (gf) a decision by the Registrar to make, amend or repeal data standards under section 1270G; or
- (gg) a decision by the Registrar to make, amend or repeal the disclosure framework under section 1270K; or

National Consumer Credit Protection Act 2009**14 Subsection 5(1)**

Insert:

Australian business law means a law of the Commonwealth, or of a State or Territory, that is a law that regulates, or relates to the regulation of, business or persons engaged in business.

Commonwealth body means:

- (a) an Agency (within the meaning of the Public Service Act 1999); or
- (b) a body, whether incorporated or not, established for a public purpose by or under a law of the Commonwealth; or
- (c) a person:

(i) holding or performing the duties of an office established by or under a law of the Commonwealth; or

(ii) holding an appointment made under a law of the Commonwealth.

data standards means standards made by the Registrar under section 212H.

designated secrecy provision has the meaning given by subsection 212N(3).

disclosure framework means the disclosure framework made by the Registrar under section 212L.

government entity has the meaning given by section 41 of the *A New Tax System (Australian Business Number) Act 1999*.

official employment means:

(a) appointment or employment by the Commonwealth, or the performance of services for the Commonwealth; or

(b) the exercise of powers or performance of functions under a delegation by the Registrar.

protected information means information:

(a) obtained by a person in the course of the person's official employment; and

(b) disclosed to the person or another person, or obtained by the person or another person:

(i) under, or in relation to, this Act; or

(ii) under another law of the Commonwealth;

in connection with particular functions or powers of the Registrar.

Registrar has the meaning given by section 16A.

secrecy provision has the meaning given by subsection 212N(2).

taxation law has the same meaning as in the *Income Tax Assessment Act 1997*.

15 At the end of Division 4 of Part 1-2

Add:

16A Meaning of Registrar

A reference in this Act to the Registrar is a reference to:

(a) if only one Commonwealth body is appointed as Registrar under section 212A—that body; or

(b) if more than one Commonwealth body is appointed under that section:

(i) if the reference relates to one or more particular functions or powers—any Commonwealth body so appointed with any of those particular functions or powers; or

(ii) otherwise—any of the Commonwealth bodies appointed under that section.

16 Part 5-1 (heading)

Repeal the heading, substitute:

Part 5-1—Matters relating to handling records and information

17 Section 212

Repeal the section, substitute:

212 Guide to this Part

This Part provides for the Registrar's role under this Act.

The Minister appoints an existing Commonwealth body to be the Registrar. The Minister can give directions to the Registrar.

The Registrar performs functions and exercises powers in accordance with the data standards (and other Commonwealth laws). The data standards are disallowable instruments made by the Registrar. They may deal with such matters as how information is given to the Registrar (including electronically).

Information that the Registrar has can be disclosed to government agencies for the performance of their functions. Other disclosures (such as by public access to information) are dealt with by the disclosure framework, which is a disallowable instrument made by the Registrar.

Certain decisions made by the Registrar are reviewable by the Administrative Appeals Tribunal.

This Part also set out the Registrar's obligation to record information relating to credit activities.

18 After Division 1 of Part 5-1

Insert:

Division 1A—The Registrar

Subdivision A—The Registrar

212A Appointment of the Registrar

(1) The Minister may, by notifiable instrument, appoint a Commonwealth body to be the Registrar.

(2) The Minister may, by notifiable instrument, appoint a Commonwealth body to be the Registrar in relation to one or more functions or powers of the Registrar.

212B Functions

The Registrar's functions are:

- (a) such functions as are conferred on the Registrar by or under this Act; and
- (b) such functions as are prescribed by rules made for the purposes of this paragraph under section 212U; and
- (c) such functions as are incidental to the functions mentioned in paragraph (a) or (b).

212C Powers

The Registrar's powers include:

- (a) such powers as are conferred:
 - (i) on the Registrar in relation to the functions mentioned in section 212B; and
 - (ii) by or under this Act; and
- (b) the power to do all things necessary or convenient to be done for or in connection with the performance of those functions.

212D Directions by Minister

(1) The Minister may, by legislative instrument, give written directions to the Registrar about the performance of its functions and the exercise of its powers.

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the directions (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

(2) Without limiting subsection (1), a direction under that subsection may relate to any of the following:

- (a) matters to be dealt with in the data standards or disclosure framework;
- (b) consultation processes to be followed prior to making data standards or the disclosure framework.

(3) A direction under subsection (1) must be of a general nature only.

(4) Subsection (3) does not prevent a direction under subsection (1) from relating to a particular matter to be dealt with in the data standards or disclosure framework. However, the direction must not direct the Registrar how to apply the data standards or disclosure framework in a particular case.

(5) The Registrar must comply with a direction under subsection (1).

212E Delegation

(1) The Registrar may, in writing, delegate all or any of the Registrar's functions or powers under this Act (other than the power to make data standards or the disclosure framework) to:

(a) any person to whom it may delegate any of its other functions, as a Commonwealth body, under a law of the Commonwealth; or

(b) any person of a kind specified in rules made under section 212U.

Note: Sections 34AA to 34A of the *Acts Interpretation Act 1901* contain provisions relating to delegations.

(2) In performing a delegated function or exercising a delegated power, the delegate must comply with any written directions of the Registrar.

212F Assisted decision making

(1) The Registrar may arrange for the use, under the Registrar's control, of processes to assist decision making (such as computer applications and systems) for any purposes for which the Registrar may make decisions in the performance or exercise of the Registrar's functions or powers under this Act, other than decisions reviewing other decisions.

(2) A decision the making of which is assisted by the operation of such a process under an arrangement made under subsection (1) is taken to be a decision made by the Registrar.

(3) The Registrar may substitute a decision for a decision (the *initial decision*) the making of which is assisted by the operation of such a process under an arrangement under subsection (1) if the Registrar is satisfied that the initial decision is incorrect.

212G Liability for damages

None of the following:

(a) the Minister;

(b) the Registrar;

(c) if the Registrar is a Commonwealth body that has members—a member of the Registrar;

(d) a member of the staff of the Registrar;

(e) a person who is, or is a member of or a member of the staff of, a delegate of the Registrar;

(f) a person who is authorised to perform or exercise a function or power of, or on behalf of, the Registrar;

(g) an APS employee, or an officer or employee of a Commonwealth body, whose services are made available to the Registrar in connection with the performance or exercise of any of the Registrar's functions or powers;

is liable to an action or other proceeding for damages for or in relation to an act done, or omitted to be done, in good faith in performance or purported performance of any function, or in exercise or purported exercise of any power, conferred or expressed to be conferred by or under this Part.

Subdivision B—How the Registrar is to perform and exercise functions and powers

212H Data standards

(1) The Registrar may, by legislative instrument, make data standards on matters relating to the performance of the Registrar's functions and the exercise of the Registrar's powers under this Act.

- (2) Without limiting subsection (1), the data standards may provide for any of the following:
- (a) what information may be collected for the purposes of the performance of the Registrar's functions and the exercise of the Registrar's powers under this Act;
 - (b) how such information may be collected;
 - (c) the manner and form in which such information is given to the Registrar;
 - (d) when information is to be given to the Registrar;
 - (e) how information held by the Registrar is to be authenticated, verified or validated;
 - (f) how information held by the Registrar is to be stored;
 - (g) correction of information held by the Registrar;
 - (h) the manner and form of communication between the Registrar and persons who give information to the Registrar or seek to access information held by the Registrar;
 - (i) integrating or linking information held by the Registrar.
- (3) Without limiting subsection (1), the data standards may provide differently in relation to different functions or powers of the Registrar.

(4) If:

- (a) a Commonwealth body (the *new Registrar*) is appointed as the Registrar with particular functions or powers under this Act; and
 - (b) immediately before that appointment, another Commonwealth body was the Registrar with those functions or powers; and
 - (c) the new Registrar does not have data standards that would apply to those functions or powers;
- any data standards applying to those functions or powers immediately before that appointment continue to apply until the new Registrar makes data standards that apply to those functions or powers, or amends its existing data standards to apply to those functions or powers.

212J Giving information to the Registrar

- (1) Without limiting section 212H, the data standards may provide that information is to be given to the Registrar in electronic form, or any other specified form.
- (2) A requirement under this Act that information is to be provided to the Registrar in a particular form or manner (however described), including a requirement:
- (a) that the information is to be "lodged" or "furnished"; and
 - (b) that the information is to be "written" or "in writing"; and
 - (c) that a "copy" of a document containing the information is to be provided;

is not taken to restrict by implication what the data standards may provide under subsection (1) in relation to that information.

212K How the Registrar is to perform and exercise functions and powers

- (1) The Registrar must perform its functions and exercise its powers under this Act in accordance with:
- (a) the data standards; or
 - (b) if there are no data standards that apply to particular functions or powers—any requirement relating to those functions or powers as in force immediately before those functions or powers became functions or powers of the Registrar.
- (2) This section does not affect the application to the Registrar of any other law of the Commonwealth.

Subdivision C—Disclosure of information**212L Disclosure framework**

(1) The Registrar may, by legislative instrument, make a disclosure framework relating to disclosing protected information.

(2) Without limiting subsection (1), the disclosure framework may provide for any of the following:

- (a) circumstances in which information must not be disclosed without the consent of the person to whom it relates;
- (b) circumstances in which de-identified information may be disclosed;
- (c) circumstances in which information may be disclosed to the general public;
- (d) circumstances in which confidentiality agreements are required for the disclosure of information;
- (e) imposing conditions on disclosure of information.

(3) Without limiting subsection (1), the disclosure framework may provide differently in relation to different functions or powers of the Registrar under this Act.

(4) A person commits an offence if:

- (a) the person is a party to a confidentiality agreement of a kind mentioned in paragraph (2)(d); and
- (b) the person fails to comply with the confidentiality agreement.

Penalty: 100 penalty units or imprisonment for 2 years, or both.

(5) The disclosure framework must not provide for disclosure of protected information unless the Registrar is satisfied that the benefits of the disclosure would outweigh the risks of the disclosure (taking into account any mitigation of those risks in accordance with the disclosure framework).

(6) However, subsection (5) does not apply to the extent that the disclosure framework deals with a matter in accordance with a direction under section 212D.

(7) If:

- (a) a Commonwealth body (the *new Registrar*) is appointed as the Registrar with particular functions or powers under this Act; and
- (b) immediately before that appointment, another Commonwealth body was the Registrar with those functions or powers; and
- (c) the new Registrar does not have a disclosure framework that would apply to those functions or powers;

the disclosure framework applying to those functions or powers immediately before that appointment continues to apply until the new Registrar makes a disclosure framework that applies to those functions or powers, or amends its existing disclosure framework to apply to those functions or powers.

212M Protection of confidentiality of protected information

(1) A person (the *first person*) commits an offence if:

- (a) the first person is, or has been, in official employment; and
- (b) the first person makes a record of information, or discloses information to another person; and
- (c) the information is protected information that was obtained by the first person in the course of the first person's official employment.

Penalty: Imprisonment for 2 years.

(2) However, subsection (1) does not apply if the recording or disclosure is authorised by subsection (3).

- (3) The recording or disclosure is authorised by this subsection if:
- (a) the recording or disclosure is for the purposes of this Part; or
 - (b) the recording or disclosure happens in the course of the performance of the duties of the first person's official employment; or
 - (c) in the case of a disclosure—the disclosure is to another person for use, in the course of the performance of the duties of the other person's official employment, in relation to the performance or exercise of the functions or powers of a government entity; or
 - (d) in the case of a disclosure to another person who is an employee of a State, a Territory or an authority of a State or Territory—the disclosure:
 - (i) is to the other person for use, in the course of the performance of the duties of that employment, in relation to the performance or exercise of the functions or powers of a government entity; and
 - (ii) is in accordance with an agreement, about regulating the provision of credit, between the Commonwealth, the States, the Australian Capital Territory and the Northern Territory; or
 - (e) in the case of a disclosure—each person to whom the information relates consents to the disclosure; or
 - (f) in the case of a disclosure—the disclosure is in accordance with the disclosure framework.

Note: A defendant bears an evidential burden in relation to the matters in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

212N Authorisation of recording or disclosure

(1) A person is not liable to any proceedings for contravening a secrecy provision in respect of a recording or disclosure authorised under subsection 212M(3), unless the secrecy provision is a designated secrecy provision.

(2) A **secrecy provision** is a provision that:

- (a) is a provision of a law of the Commonwealth (other than this Act); and
- (b) prohibits or regulates the use or disclosure of information.

(3) A **designated secrecy provision** is any of the following:

- (a) sections 18 to 18B and 92 of the *Australian Security Intelligence Organisation Act 1979*;
- (b) section 34 of the *Inspector-General of Intelligence and Security Act 1986*;
- (c) sections 39 to 41 of the *Intelligence Services Act 2001*;
- (d) section 8WB of the *Taxation Administration Act 1953*;
- (e) a provision of a law of the Commonwealth prescribed by rules made for the purposes of this paragraph under section 212U;
- (f) a provision of a law of the Commonwealth of a kind prescribed by rules made for the purposes of this paragraph under section 212U.

212P Preventing disclosure of particular protected information

(1) If:

- (a) a person applies to the Registrar for particular protected information relating to the person not to be disclosed; and
 - (b) the Registrar is satisfied that it is not appropriate to disclose that information;
- a disclosure of that information is taken, for the purposes of this Act, not to be in accordance with the disclosure framework.

(2) Without limiting section 212L, the disclosure framework may provide for:

- (a) how applications referred to in paragraph (1)(a) are to be made; and
- (b) how those applications are to be decided.

212Q Authorisation for purposes of Privacy Act

A disclosure of personal information (within the meaning of the *Privacy Act 1988*) is taken to be authorised by law for the purposes of paragraph 6.2(b) of Schedule 1 to that Act if:

- (a) the information is protected information; and
- (b) the disclosure is authorised by subsection 212M(3) of this Act.

212R Disclosure to a court

A person is not to be required:

- (a) to produce to a court any document that:
 - (i) contains protected information; and
 - (ii) was made or given under, or for the purposes of, this Act; and
 - (iii) was obtained by the person in the course of the person's official employment; or
- (b) to disclose to a court any protected information that the person obtained in the course of the person's official employment;

unless the production or disclosure is necessary for the purpose of giving effect to a taxation law or an Australian business law.

Subdivision D—Miscellaneous**212S Extracts of information to be admissible in evidence**

(1) In any proceedings, a document, or a copy of a document, that purports (irrespective of the form of wording used) to be an extract of information held by the Registrar under, or for the purposes of, this Act:

(a) is proof, in the absence of evidence to the contrary, of information that is stated in it and that purports to be held by the Registrar; and

(b) is admissible without any further proof of, or the production of, the original;

if it does not appear to the Court to have been revised or tampered with in a way that affects, or is likely to affect, the information.

(2) The Registrar may give a person a certified copy of, or extract from, the information held by the Registrar under, or for the purposes of, this Act on payment of the fee (if any) prescribed by rules made under section 212U.

(3) In any proceedings, the certified copy:

(a) is prima facie evidence of information that is stated in it and that purports to be held by the Registrar under, or for the purposes of, this Act; and

(b) is admissible without any further proof of, or the production of, the original.

(4) This section does not limit the manner in which evidence may be adduced, or the admissibility of evidence, under the *Evidence Act 1995*.

212T Annual report

Each annual report by the Registrar for a period must include information about the performance of the Registrar's functions and exercise of the Registrar's powers under, or for the purposes of, this Act during that period.

212U Rules

(1) The Minister may, by legislative instrument, make rules prescribing matters:

- (a) required or permitted by this Part to be prescribed by rules made under this section; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Part.
- (2) To avoid doubt, rules made under this section may not do the following:
 - (a) create an offence or civil penalty;
 - (b) provide powers of:
 - (i) arrest or detention; or
 - (ii) entry, search or seizure;
 - (c) impose a tax;
 - (d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;
 - (e) directly amend the text of this Act.

19 After subsection 327(1)

Insert:

(1A) An application may also be made to the Administrative Appeals Tribunal for review of a decision (within the meaning of the *Administrative Appeals Tribunal Act 1975*) made by the Registrar under the data standards or disclosure framework.

Part 2—Other amendments

A New Tax System (Australian Business Number) Act 1999

20 Title

Omit "establishing a Register of Australian Business and providing for the issue of", substitute "providing for".

21 Subsection 3(3)

Repeal the subsection.

22 Subsection 9(1)

Omit "in the Australian Business Register".

23 Subsection 9(1) (note 1)

Omit "Note 1", substitute "Note".

24 Subsection 9(1) (note 2)

Repeal the note.

25 Subsection 9(2)

Omit "be in the approved form", substitute "meet any requirements of the data standards".

26 Subsection 9(3)

Omit "That form", substitute "The Registrar".

27 Subsection 9A(1)

Omit "in the Australian Business Register", substitute "under section 10".

28 Subsection 9A(2)

Repeal the subsection, substitute:

- (2) Your application must meet any requirements of the data standards.

29 Subsection 9A(3)

Omit "That form", substitute "The Registrar".

30 Subsection 10(1)

Omit "in the Australian Business Register".

31 Paragraph 10(1)(ca)

Omit "approved form", substitute "process".

32 Paragraph 10(1)(d)

Omit "in the Register", substitute "under this section".

33 Subsection 10A(1)

Omit "in the Australian Business Register".

34 Paragraph 10A(1)(d)

Omit "in the Australian Business Register".

35 Paragraph 11(1)(b)

Repeal the paragraph, substitute:

(b) making a record of:

(i) your registration; and

(ii) the date of effect of the registration.

36 Subsection 11(3)

Omit "must give you a written notice of", substitute "must notify you of".

37 Paragraph 11(3)(d)

Repeal the paragraph, substitute:

(d) such other information about your registration as the data standards require.

38 Subsection 11(3) (note)

Repeal the note.

39 Section 11A

Omit all the words after "by", substitute "making a record of information about your representative".

40 Section 12

Repeal the section.

41 Subsection 13(1)

Omit "must give you written notice of", substitute "must notify you of".

42 Subsection 13(2)

Omit "give the Registrar written notice", substitute "notify the Registrar".

43 Subsection 13(3)

Omit "if you give notice", substitute "if you notify the Registrar".

44 Subsection 13(3)

Omit "on which the notice is given", substitute "of the notification".

45 Subsections 13(4) and (5)

Repeal the subsections, substitute:

(4) For the purposes of measuring the 28 days mentioned in subsection (2) for your application under section 9 or 9A, disregard each period (if any):

(a) starting on the day on which the Registrar requests you, or your proposed representative, to give the Registrar information; and

(b) ending on the day you give the Registrar that information.

46 Section 14 (heading)

Omit "matters set out in the Register", substitute "certain matters".

47 Paragraph 14(1)(b)

Repeal the paragraph.

48 Subsection 14(1) (note 1)

Omit "notice under this subsection or section 15", substitute "notification under this subsection or request under section 15".

49 Subsection 14(2)

Repeal the subsection, substitute:

(2) The notification must meet any requirements of the data standards.

50 Subsection 15(1) (table item 1, column headed "These entities ...")

Omit "in the Australian Business Register", substitute "under section 10".

51 Subsection 15(1) (table item 1, column headed "can be requested to give this information ...", paragraph (c))

Repeal the paragraph, substitute:

(c) information recorded about you in relation to your registration

52 Subsection 15(1) (table item 2, column headed "These entities ...")

Omit all the words after "(if any)", substitute "recorded in relation to you".

53 Subsection 15(1) (table item 3, column headed "These entities ...", paragraph (a))

Omit "in the Australian Business Register".

54 Subsection 15(1) (table item 3, column headed "can be requested to give this information ...", paragraph (b))

Repeal the paragraph, substitute:

(b) information recorded about the representative in relation to your registration

55 Subsections 15(2) and (3)

Repeal the subsections, substitute:

(2) A request under subsection (1) to an entity must specify the period within which the entity is to give the information. The period specified must end at least 14 days after the request is given.

(3) The giving of the information must meet any requirements of the data standards.

56 Paragraph 17(1)(a)

Omit "Australian Business Register", substitute "information recorded about your registration".

57 Paragraph 17(1)(b)

Repeal the paragraph, substitute:

(b) notifying you of the new ABN and the date from which the new ABN has effect.

58 Subsection 17(1) (note)

Repeal the note.

59 Subsection 17(2)

Repeal the subsection.

60 Subsection 17(3)

Omit "stated in the Australian Business Register", substitute "mentioned in paragraph (1)(a)".

61 Subsection 18(1)

Omit "in the Australian Business Register", substitute "under section 10".

62 Subsection 18(1) (note 1)

Omit "(see the definition of *ABN* in section 41)".

63 Subsection 18(1A)

Omit "in the Australian Business Register", substitute "under section 10A".

64 Subsection 18(2)

Repeal the subsection, substitute:

(2) The Registrar must notify you of the cancellation. The notification must state:

- (a) the reasons for the cancellation; and
- (b) the date of effect of the cancellation.

Note: A decision setting the date of effect of a cancellation is a reviewable ABN decision.

65 Paragraph 18(3)(a)

Repeal the paragraph, substitute:

(a) the date on which you are notified of the cancellation under subsection (2);

66 Paragraph 18(3)(c)

Repeal the paragraph, substitute:

(c) a date before the date on which you are notified of the cancellation.

67 Paragraph 18(4)(a)

Omit "in the approved form".

68 Paragraph 18(4)(b)

Omit "in the approved form".

69 After subsection 18(4)

Insert:

(4A) The application must meet any requirements of the data standards.

70 Subsection 18(5)

Repeal the subsection, substitute:

(5) The Registrar must notify you of the cancellation and the date of effect of the cancellation.

Note: A decision setting the date of effect of a cancellation is a reviewable ABN decision.

71 Paragraph 18(6)(a)

Repeal the paragraph, substitute:

(a) the date on which you are notified of the cancellation under subsection (5);

72 Paragraph 18(6)(c)

Repeal the paragraph, substitute:

(c) a date before the date on which you are notified of the cancellation.

73 Subsection 19(1)

Omit "in the Australian Business Register".

74 Subsection 19(2)

Repeal the subsection, substitute:

(2) The Registrar must notify you of the reinstatement.

75 Subsection 21(2) (table item 7)

Repeal the item.

76 Division 10 of Part 3 (heading)

Repeal the heading, substitute:

Division 10—Administration

77 Sections 24 to 27

Repeal the sections, substitute:

25 The Registrar must maintain records

The Registrar must maintain a record of information relating to registrations under sections 10 and 10A.

78 Division 11 of Part 3 (heading)

Repeal the heading.

79 Sections 28 to 30

Repeal the sections.

80 Section 41

Before "In this Act", insert "(1)".

81 Section 41 (definition of *ABN (Australian Business Number)*)

Repeal the definition.

82 Section 41

Insert:

ABN: see *Australian Business Number*.

83 Section 41 (definition of *approved form*)

Repeal the definition.

84 Section 41

Insert:

Australian Business Number or *ABN*, for an entity, means the ABN allocated to the entity under section 11.

85 Section 41 (definition of *Australian Business Register*)

Repeal the definition.

86 Section 41

Insert:

data standards means standards made by the Registrar under section 13 of the *Commonwealth Registers Act 2019* to the extent that they relate to the Registrar's functions or powers in connection with this Act.

Note: The data standards deal with how the Registrar's functions and powers are performed and exercised. For example, they may provide for:

(a) the collection of information; and

- (b) the manner and form in which information is given to the Registrar; and
- (c) the manner and form of communication between the Registrar and persons who give information to the Registrar or seek to access information held by the Registrar.

87 Section 41

Repeal the following definitions:

- (a) definition of *entrusted person*;
- (b) definition of *official employment*;
- (c) definition of *protected document*;
- (d) definition of *protected information*.

88 Section 41 (definition of Registrar)

Repeal the definition, substitute:

Registrar has the meaning given by subsection (2).

89 At the end of section 41

Add:

- (2) A reference in this Act to the Registrar is a reference to:

- (a) if only one Commonwealth body is appointed as Registrar under section 6 of the *Commonwealth Registers Act 2019*—that body; or

- (b) if more than one Commonwealth body is appointed under that section, but only one Commonwealth body is appointed under that section with functions and powers in connection with this Act—the Commonwealth body appointed under that section with those functions and powers; or

- (c) if more than one Commonwealth body is appointed under that section, and more than one Commonwealth body is appointed under that section with functions and powers in connection with this Act:

- (i) if the reference relates to one or more particular functions or powers—any Commonwealth body so appointed with any of those particular functions or powers; or

- (ii) otherwise—any of the Commonwealth bodies appointed under that section with functions and powers in connection with this Act.

A New Tax System (Goods and Services Tax) Act 1999**90 Subsection 25-10(2)**

Repeal the subsection, substitute:

- (2) The Registrar must maintain a record of information relating to registrations under this Division.

91 Subsection 25-60(2)

Repeal the subsection, substitute:

- (2) The Registrar must maintain a record of information relating to cancellations of registrations under this Division.

92 Section 146-20 (heading)

Repeal the heading, substitute:

146-20 Recorded information about registration and cancellation**93 Subsection 146-20(1) (note)**

Repeal the note, substitute:

Note: Subsection 25-10(2) requires the Registrar to record information relating to your registration.

94 Paragraph 146-20(3)(b)

Omit all the words after "this section,", substitute "information about your registration was not recorded by the Registrar".

95 Subsection 146-20(3) (note)

Repeal the note, substitute:

Note: Subsection 25-60(2) requires the Registrar to record information relating to the cancellation of your registration.

96 Section 195-1 (definition of *Australian Business Register*)

Repeal the definition.

97 Section 195-1 (definition of *Australian Business Registrar*)

Repeal the definition.

98 Section 195-1

Insert:

Registrar has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999*.

Australian Prudential Regulation Authority Act 1998

99 Subsection 56(1)

Insert:

Registrar has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999*.

100 Subsection 56(7C)

Omit "of the Australian Business Register established under section 24 of the *A New Tax System (Australian Business Number) Act 1999*".

101 Subsection 56(7C)

Omit "enter the information in that Register", substitute "record the information".

Australian Securities and Investments Commission Act 2001

102 Paragraph 12A(1)(k)

Repeal the paragraph.

103 At the end of subsection 127(2A)

Add:

; (h) a Registrar appointed under any of the following:

- (i) section 6 of the *Commonwealth Registers Act 2019*;
- (ii) section 1270 of the *Corporations Act 2001*;
- (iii) section 212A of the *National Consumer Credit Protection Act 2009*;
- (iv) section 62A of the *Business Names Registration Act 2011*.

Business Names Registration Act 2011

104 Section 3 (definition of *ABN*)

Repeal the definition.

105 Section 3

Insert:

ABN: see *Australian Business Number*.

106 Section 3 (definition of application fee)

Repeal the definition.

107 Section 3 (definition of ASIC Act)

Repeal the definition.

108 Section 3 (definition of ASIC member)

Repeal the definition.

109 Section 3

Insert:

Australian Business Number or *ABN*, for an entity, has the meaning given by the *A New Tax System (Australian Business Number) Act 1999*.

110 Section 3 (definition of Australian Business Register)

Repeal the definition.

111 Section 3 (definition of Business Names Register)

Repeal the definition.

112 Section 3 (definition of notified successor)

Omit "entered on the Business Names Register", substitute "registered".

113 Section 3 (definition of staff member)

Repeal the definition.

114 Paragraph 6(1)(b)

Omit "ASIC", substitute "the Registrar".

115 Subsection 16(2)

Omit all the words after "the business name".

116 Paragraph 18(1)(b)

Omit "on the Business Names Register", substitute "in accordance with this Act".

117 Paragraph 19(2)(a)

Omit "lodged with ASIC", substitute "given to ASIC or the Registrar".

118 Section 22

Repeal the section.

119 Subsection 23(1)

Omit "lodge with ASIC an application", substitute "apply to the Registrar".

120 Subsections 23(2) and (3)

Repeal the subsections, substitute:

(2) The application must meet any requirements of the data standards.

121 Subsections 23(5) and (6)

Repeal the subsections.

122 Subsection 24(1)

Omit "ASIC" (first occurring), substitute "The Registrar".

123 Subsection 24(1)

Omit "if ASIC", substitute "if the Registrar".

124 Subsection 24(2)

Repeal the subsection, substitute:

(2) The Registrar may request the entity to give the Registrar, within the period specified in the request, such information as is required by the data standards.

125 Subsections 24(3) and (4)

Omit "ASIC", substitute "the Registrar".

126 Subparagraphs 25(a)(iv), (v), (vi) and (vii)

Omit "ASIC", substitute "the Registrar".

127 Paragraph 25(e)

Omit "either", substitute "any of the following applies".

128 Subparagraph 25(e)(i)

Omit "expression; or", substitute "expression;".

129 At the end of paragraph 25(e)

Add:

; (iii) the name is constituted by or includes a word or expression that is restricted but the Minister has determined under subsection 28(2A) that the name is available to the entity.

130 After subsection 28(2)

Insert:

(2A) The Minister may determine in writing that a business name specified in the determination is to be available to an entity specified in the determination, even though the name is constituted by or includes a word or expression that is restricted.

131 Subsection 28(3)

After "subsection (2)", insert "or (2A)".

132 Paragraph 29(1)(a)

Omit "ASIC", substitute "the Registrar".

133 Paragraph 29(4)(b)

Omit "ASIC", substitute "the Registrar".

134 Subsections 29(5), (6) and (7)

Omit "ASIC", substitute "The Registrar".

135 Subsection 30(1)

Omit "ASIC", substitute "the Registrar".

136 Subsection 31(1)

Omit "in accordance with subsection (2)".

137 Subsection 31(2)

Repeal the subsection, substitute:

(2) The consent notice must meet any requirements of the data standards.

138 Paragraph 31(3)(a)

Omit "ASIC", substitute "the Registrar".

139 Paragraph 31(3)(b)

Repeal the paragraph, substitute:

(b) the entity to whom the business name is registered has:
(i) consented to the registration of the business name to the applicant; and
(ii) requested the Registrar, under subsection 42(1), to cancel the registration of the business name to the entity;

140 Subsection 31(4)

Omit "ASIC", substitute "the Registrar".

141 Subsection 31(5)

Repeal the subsection, substitute:

(5) The notice must meet any requirements of the data standards.

142 Subsection 31(6) (note 2)

Omit "Subsections (4) to (6)", substitute "Subsections (4) and (6)".

143 Subsection 32(3)

Omit "in writing".

144 Subsection 32(4)

Repeal the subsection.

145 Section 33 (heading)

Omit "ASIC", substitute "the Registrar".

146 Subsection 33(1)

Repeal the subsection, substitute:

(1) The Registrar registers a business name to an entity by making a record of such information as is required by the data standards.

147 Subsection 33(2)

Omit "ASIC", substitute "the Registrar".

148 Subsection 33(3)

Omit "ASIC may", substitute "The Registrar may".

149 Paragraph 33(3)(a)

Repeal the paragraph, substitute:

(a) the entity requests the Registrar to do so; and

(ab) the request meets any requirements of the data standards; and

150 Subsection 33(4)

Omit "ASIC may", substitute "The Registrar may".

151 Paragraph 33(4)(a)

Repeal the paragraph, substitute:

(a) the entity requests the Registrar to do so; and

(ab) the request meets any requirements of the data standards; and

152 Subsection 33(7)

Repeal the subsection.

153 Subsection 33(8)

Omit "ASIC must give the entity notice in writing", substitute "The Registrar must notify the entity".

154 Paragraph 33(8)(c)

Repeal the paragraph, substitute:

(c) any other details, held by the Registrar in relation to the business name and the entity, that the Registrar considers should be given to the entity.

155 Subsection 34(1)

Omit "ASIC", substitute "the Registrar".

156 Subsection 34(1)

Omit "it must", substitute "the Registrar must".

157 Paragraph 34(1)(a)

Omit "give written notice to the applicant", substitute "notify the applicant".

158 Subsection 34(2)

Omit "ASIC has", substitute "the Registrar has".

159 Subsection 34(2)

Omit "lodge with ASIC notice", substitute "notify the Registrar".

160 Subsection 34(3)

Repeal the subsection, substitute:

(3) The notification must meet any requirements of the data standards.

161 Subsection 34(4)

Omit "lodges notice", substitute "notifies the Registrar".

162 Paragraph 34(4)(a)

Omit "ASIC", substitute "the Registrar".

163 Paragraph 34(4)(a)

Omit "notice is lodged", substitute "notification is given".

164 Paragraph 34(4)(b)

Omit "ASIC", substitute "the Registrar".

165 Paragraph 34(5)(a)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

166 Paragraph 34(5)(a)

Omit "specified information or a specified document", substitute "information".

167 Paragraph 34(5)(b)

Omit "ASIC", substitute "the Registrar".

168 Paragraph 34(5)(b)

Omit "specified information or specified document", substitute "information".

169 At the end of Part 3

Add:

34A The Registrar must maintain records

The Registrar must maintain a record of information relating to registrations under this Part.

170 Part 4 (heading)

Omit "ASIC", substitute "the Registrar".

171 Section 35 (heading)

Omit "ASIC", substitute "**the Registrar**".

172 Paragraph 35(1)(a)

Omit "ASIC", substitute "the Registrar".

173 Paragraph 35(1)(b)

Omit "in the Business Names Register".

174 Subsection 35(1)

Omit "lodge with ASIC notice", substitute "notify the Registrar".

175 Subsection 35(2)

Repeal the subsection, substitute:

(2) The notification must meet any requirements of the data standards.

176 Section 36 (heading)

Omit "ASIC", substitute "**the Registrar**".

177 Subsection 36(1)

Omit "lodge with ASIC notice", substitute "notify the Registrar".

178 Subsection 36(2)

Repeal the subsection, substitute:

(2) The notification must meet any requirements of the data standards.

179 Section 37 (heading)

Omit "ASIC", substitute "**the Registrar**".

180 Subsections 37(1) and (2)

Repeal the subsections, substitute:

(1) The Registrar may request an entity (other than a government body) to give the Registrar information relevant to the maintenance of information relating to registrations under this Act.

(2) The request must specify:

(a) the information the entity is to give; and

(b) a period of at least 28 days, beginning on the day on which the request is given, within which the entity is to give the information.

181 Subsection 37(3)

Omit "ASIC", substitute "the Registrar".

182 Subsection 37(5)

Repeal the subsection, substitute:

(5) In complying with the request, the entity must meet any requirements of the data standards.

183 Subsections 37(6) to (8)

Repeal the subsections, substitute:

(6) If:

(a) an entity fails to comply with a request under this section; and

(b) the Registrar reasonably believes that information held by the Registrar to which the request relates is not correct;

the Registrar may delete, correct or annotate the information.

(7) If:

(a) an entity gives the Registrar information in purported compliance with a request under this section; and

(b) the Registrar reasonably believes that the information is incorrect;

the Registrar may decide not to record the information, or to record the information in a corrected or annotated form.

(8) If the Registrar deletes, corrects or annotates information under subsection (6), or decides not to record information or to record it in a corrected or annotated form under subsection (7), the Registrar must notify the entity to whom the business name is registered of the following:

(a) the action the Registrar has taken;

(b) in the case of a correction or annotation—the details of that correction or annotation;

(c) the Registrar's reasons for its decision.

184 Section 38 (heading)

Omit "ASIC", substitute "**the Registrar**".

185 Subsection 38(1)

Omit "lodge with ASIC notice of that fact in accordance with subsection (2)", substitute ", within 28 days of the appointment or authorisation, notify the Registrar of that fact".

186 Subsection 38(2)

Repeal the subsection, substitute:

(2) The notification must meet any requirements of the data standards.

187 Section 39 (heading)

Omit "ASIC", substitute "**the Registrar**".

188 Subsection 39(1)

Omit "lodge with ASIC notice", substitute "notify the Registrar".

189 Subsection 39(2)

Repeal the subsection, substitute:

(2) The notification must meet any requirements of the data standards.

190 Subsection 39(3)

Omit "ASIC receives notice", substitute "the Registrar is notified".

191 Paragraph 39(3)(a)

Omit "ASIC", substitute "the Registrar".

192 Paragraph 39(3)(a)

Omit "Business Name", substitute "business name".

193 Paragraph 39(3)(b)

Repeal the paragraph, substitute:

(b) record the legal personal representative's details.

194 Subsection 40(1)

Omit "lodge with ASIC notice", substitute "notify the Registrar".

195 Subsection 40(2)

Repeal the subsection, substitute:

(2) The notification must meet any requirements of the data standards.

196 Subsections 40(3) and (4)

Repeal the subsections, substitute:

(4) If an entity notifies the Registrar under subsection (1), the Registrar:

(a) must register the business name to the estate of the deceased; and

(b) may record:

(i) the name of the entity as a notified successor; and

(ii) such other information as is required by the data standards.

197 Subsection 40(5)

Omit "ASIC may refuse to enter", substitute "The Registrar may refuse to record".

198 Subsection 40(5)

Omit "if ASIC", substitute "if the Registrar".

199 Subsections 40(6) and (7)

Repeal the subsections, substitute:

(6) The Registrar must delete the record of a notified successor in relation to a business name if the Registrar is notified in relation to the business name under section 39.

(7) If one or more entities is recorded as a notified successor, the Registrar is taken to satisfy an obligation under this Act or the Transitional Act to notify the entity to whom the business name is registered if the Registrar notifies each notified successor.

200 Section 41 (heading)

Omit "ASIC", substitute "the Registrar".

201 Subsection 41(1)

Repeal the subsection, substitute:

(1) If an entity has failed to comply with any provision of this Act or the Transitional Act that requires the entity to give the Registrar any information, the Registrar may notify the entity that the entity must comply with the requirement within 10 business days after the notification is given.

202 Subsection 41(2)

Omit "ASIC", substitute "the Registrar".

203 Subsections 42(1) and (2)

Repeal the subsections, substitute:

(1) The Registrar must cancel the registration of a business name to an entity if the entity requests the Registrar to do so. The request must meet any requirements of the data standards.

204 Subsection 42(3)

Omit "ASIC" (first occurring), substitute "The Registrar".

205 Subsection 42(3)

Omit "give notice in writing to the entity informing the entity that ASIC", substitute "notify the entity that the Registrar".

206 Section 43 (heading)

Omit "ASIC", substitute "the Registrar".

207 Subsection 43(1)

Omit "ASIC may", substitute "The Registrar may".

208 Paragraphs 43(1)(a), (b) and (c)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

209 Subsection 43(2)

Omit "ASIC must, at least 28 days before cancelling the registration, give notice in writing to the entity informing the entity", substitute "The Registrar must, at least 28 days before cancelling the registration, notify the entity".

210 Paragraphs 43(2)(a) and (b)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

211 Subsection 44(1)

Omit "ASIC" (first occurring), substitute "The Registrar".

212 Subsection 44(1)

Omit "if ASIC", substitute "if the Registrar".

213 Subsection 44(2)

Omit "ASIC must", substitute "The Registrar must".

214 Subsection 44(2)

Omit "give notice in writing to the entity informing the entity", substitute "notify the entity".

215 Paragraphs 44(2)(a) and (b)

Omit "ASIC", substitute "the Registrar".

216 Subsection 45(1)

Omit "ASIC", substitute "The Registrar".

217 Subsection 45(2)

Omit "ASIC must", substitute "The Registrar must".

218 Subsection 45(2)

Omit "give notice in writing to the entity informing the entity", substitute "notify the entity".

219 Paragraph 45(2)(b)

Omit "ASIC", substitute "the Registrar".

220 Subsection 46(1)

Omit "ASIC", substitute "The Registrar".

221 Subsection 46(2)

Omit "ASIC must", substitute "The Registrar must".

222 Subsection 46(2)

Omit "give notice in writing to the entity information the entity", substitute "notify the entity".

223 Paragraphs 46(2)(a) and (b)

Omit "ASIC", substitute "the Registrar".

224 Subsection 47(1)

Omit "ASIC may", substitute "The Registrar may".

225 Paragraphs 47(1)(a) and (c)

Omit "ASIC", substitute "the Registrar".

226 Subsection 47(2)

Omit "ASIC must", substitute "The Registrar must".

227 Subsection 47(2)

Omit "give notice in writing to the entity", substitute "notify the entity".

228 Paragraph 47(2)(a)

Omit "informing the entity that ASIC", substitute "that the Registrar".

229 Paragraph 47(2)(b)

Omit "inviting the entity to give ASIC", substitute "that the entity is invited to give the Registrar".

230 Subsection 48(1)

Omit "ASIC may", substitute "The Registrar may".

231 Subparagraphs 48(1)(a)(i) and (ii)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

232 Paragraph 48(1)(b)

Omit "ASIC", substitute "the Registrar".

233 Paragraph 48(1)(b)

Omit "Business Names Register", substitute "information recorded by the Registrar under this Act".

234 Paragraph 48(1)(c)

Omit "ASIC", substitute "the Registrar".

235 Subsection 48(2)

Omit "ASIC must", substitute "The Registrar must".

236 Subsection 48(2)

Omit "give notice in writing to the entity informing the entity that ASIC", substitute "notify the entity that the Registrar".

237 Paragraphs 48(2)(a) and (b)

Omit "ASIC", substitute "the Registrar".

238 Subsection 49(1)

Omit "ASIC", substitute "The Registrar".

239 Subsection 49(1)

Omit "in writing".

240 Subsection 49(2)

Omit "ASIC's", substitute "the Registrar's".

241 Subsection 49(3)

Omit "ASIC may give notice in writing to the entity that ASIC", substitute "the Registrar may notify the entity that the Registrar".

242 Subsection 49(4)

Omit "ASIC", substitute "The Registrar".

243 Section 50

Omit "ASIC" (first occurring), substitute "The Registrar".

244 Section 50

Omit "if ASIC", substitute "if the Registrar".

245 Subsection 51(2)

Omit "ASIC must", substitute "The Registrar must".

246 Paragraphs 51(2)(a) and (b)

Omit "ASIC", substitute "the Registrar".

247 Subsection 51(3)

Omit "ASIC's", substitute "the Registrar's".

248 Section 52

Repeal the section, substitute:

52 Notification of cancellation of business name

(1) If the Registrar cancels the registration of a business name to an entity, the Registrar must notify the entity of the decision and the Registrar's reasons for the decision.

(2) However, if the Registrar is unable to contact the entity, the Registrar must publish a notice of the cancellation in the manner that the Registrar thinks fit.

249 Subsections 53(1) to (4)

Repeal the subsections, substitute:

(1) If the Registrar is required, under a provision of this Part, to notify a partnership, the Registrar must also notify each partner within the partnership of whom the Registrar has details.

(2) If the Registrar is required, under a provision of this Part, to notify an unincorporated association or body, the Registrar must also notify each member of the committee of management of the association or body of whom the Registrar has details.

(3) If the Registrar is required, under a provision of this Part, to notify a trust that has 2 or more trustees, the Registrar must also notify each trustee of whom the Registrar has details.

(4) If the Registrar is required, under a provision of this Part, to notify a joint venture, the Registrar must also notify each joint venture entity of whom the Registrar has details.

250 Subsection 54(1)

Omit "ASIC", substitute "the Registrar".

251 Paragraph 54(2)(b)

Omit "ASIC", substitute "the Registrar".

252 Subsections 54(3) and (4)

Omit "ASIC", substitute "The Registrar".

253 Subsection 55(1)

Omit "ASIC", substitute "the Registrar".

254 Subsection 55(2)

Omit "lodge an application with ASIC", substitute "apply to the Registrar".

255 Subsection 55(3)

Repeal the subsection, substitute:

(3) The application must:

(a) meet any requirements of the data standards; and

(b) be accompanied by the renewal fee appropriate to the period sought.

256 Subsections 55(4) and (5)

Omit "ASIC", substitute "The Registrar".

257 Section 56 (after table item 5)

Insert:

5A	Refusal to determine that a business name constituted by or including a restricted word or expression is available to an entity	Subsection 28(2A)	(a) where an entity is specified—that entity; and (b) where a business is specified—the entity carrying on that business
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258 Section 56 (table item 11, column 1)

Omit "include", substitute "record".

259 Section 56 (table item 11, column 1)

Omit "on the Business Names Register".

260 Section 56 (table item 12, column 1)

Omit "enter", substitute "record".

261 Section 56 (table item 12, column 1)

Omit "on the Business Names Register".

262 Section 56 (table item 16)

Repeal the item.

263 Subsection 57(1)

Omit "by ASIC", substitute "by the Registrar".

264 Subsection 57(1)

Omit "lodge an application with ASIC", substitute "apply to the Registrar".

265 At the end of subsection 57(1)

Add:

The application must meet any requirements of the data standards.

266 Subsection 57(2)

Omit "an ASIC member or staff member", substitute "the Registrar".

267 Subsection 57(2)

Omit "lodge an application with", substitute "apply to".

268 Subsection 57(3)

After "An application", insert "under subsection (2)".

269 Paragraph 57(3)(c)

Omit "lodged", substitute "made".

270 Subsection 57(4)

Repeal the subsection, substitute:

(4) An application under subsection (2) for review of a decision must be made within 28 days after the entity is notified of the decision.

271 Subsection 57(5)

Omit "lodged", substitute "made".

272 Subsection 57(6)

Omit "lodged with a review body", substitute "made".

273 Subsection 57(8)

Repeal the subsection, substitute:

(8) If the Registrar, as the review body, has not decided an application by an entity for review of a decision within 28 days after the application is made, the entity may, at any time, notify the review body that the entity wishes to treat the decision as having been affirmed.

(8A) The notification must meet any requirements of the data standards.

(8B) If the Minister, as the review body, has not decided an application by an entity for review of a decision within 60 days after the application is made, the entity may, at any time, notify the review body, in writing, that the entity wishes to treat the decision as having been affirmed.

274 Subsection 57(9)

Omit "notice under subsection (8)", substitute "a notification under subsection (8) or subsection (8B)".

275 Subsection 57(9)

Omit "notice" (wherever occurring), substitute "notification".

276 Subsection 58(1)

Omit "ASIC", substitute "the Registrar".

277 Subsection 58(2)

Omit "lodged", substitute "made".

278 At the end of subsection 58(3)

Add:

; (d) a refusal to determine under subsection 28(2A) that a business name constituted by or including a restricted word or expression is available to an entity.

279 Paragraph 58(4)(a)

Omit "or (b)", substitute ", (b) or (d)".

280 Part 8

Repeal the Part.

281 Sections 63 and 64

Repeal the sections.

282 Subsection 65(1)

Omit "ASIC may", substitute "The Registrar may".

283 Subsection 65(1)

Omit "by ASIC", substitute "by the Registrar".

284 Subsection 65(2)

Omit "ASIC has", substitute "The Registrar has".

285 Subsection 65(2)

Omit "ASIC is", substitute "the Registrar is".

286 Subsection 65(3)

Omit "ASIC", substitute "The Registrar".

287 Sections 66 to 68

Repeal the sections.

288 Section 69 (heading)

Omit "ASIC", substitute "The Registrar".

289 Subsection 69(1) (heading)

Omit "ASIC", substitute "The Registrar".

290 Subsection 69(1)

Omit "ASIC" (first and second occurring), substitute "the Registrar".

291 Paragraph 69(1)(c)

Repeal the paragraph, substitute:

(c) does not meet the requirements (if any) of the data standards; or

292 Subsection 69(1)

Omit "ASIC may", substitute "the Registrar may".

293 Subsection 69(1) (note)

Repeal the note, substitute:

Note: The effect of the Registrar refusing to receive the document is that the document is not given to the Registrar (see subsection (6)).

294 Subsection 69(2)

Omit "ASIC", substitute "the Registrar".

295 Paragraph 69(2)(c)

Omit "in the prescribed form".

296 After subsection 69(2)

Insert:

(2A) Lodgement of the supplementary document must meet any requirements of the data standards.

297 Subsection 69(3) (heading)

Omit "Notice", substitute "Request".

298 Subsection 69(3)

Omit "ASIC may give a written notice to", substitute "The Registrar may request".

299 Subsection 69(3)

Omit ", requiring the entity".

300 Paragraphs 69(3)(a) and (b)

Omit "to ASIC", substitute "the Registrar".

301 Subsection 69(3)

Omit "ASIC considers", substitute "the Registrar considers".

302 Subsection 69(4) (heading)

Omit "Notice", substitute "Request".

303 Subsection 69(4)

Omit "notice" (first, second and third occurring), substitute "request".

304 Subsection 69(4)

Omit "ASIC may specify a later day by giving a written notice to", substitute "The Registrar may specify a later day by notifying".

305 Subsection 69(5) (heading)

Omit "*notice*", substitute "*request*".

306 Subsection 69(5)

Omit "*notice*" (wherever occurring), substitute "*request*".

307 Subsection 69(5)

Omit "*ASIC*", substitute "*the Registrar*".

308 Subsection 69(6)

Omit "*If ASIC*", substitute "*If the Registrar*".

309 Subsection 69(6)

Omit "*lodged with ASIC*", substitute "*given to the Registrar*".

310 Section 70 (heading)

Omit "*ASIC*", substitute "***the Registrar***".

311 Section 70

Omit "*ASIC*", substitute "*the Registrar*".

312 Section 71

Omit "*ASIC*", substitute "*The Registrar*".

313 Section 72

Omit "*ASIC*", substitute "*the Registrar*".

314 Paragraph 73(a)

Omit "*shown in the Business Names Register*", substitute "*recorded by the Registrar under this Act or the Transitional Act*".

315 Paragraph 73(b)

Omit "*on the Business Names Register*", substitute "*recorded by the Registrar under this Act or the Transitional Act*".

316 Section 74

Repeal the section.

317 Section 75 (heading)

Omit "*ASIC*", substitute "***The Registrar***".

318 Section 75

Omit "*ASIC*" (first and second occurring), substitute "*the Registrar*".

319 Section 75

Omit "*, by written notice given to the entity*".

320 Paragraph 75(b)

Omit "*ASIC*", substitute "*the Registrar*".

321 Sections 76 and 77

Repeal the sections.

322 Section 78

Omit all the words before "*liable*", substitute "*The Minister is not*".

323 Section 79

Repeal the section.

324 Subsection 80(1)

Omit all the words after "delegate", substitute "to the Registrar such of the Minister's functions and powers under this Act or the Transitional Act as are prescribed".

325 Subsection 82(1)

Omit "A notice, signed by all the partners in a partnership, may be lodged with ASIC, nominating", substitute "All the partners in a partnership may nominate".

326 Subsection 82(4)

Omit "A notice, signed by all the partners in a partnership, may be lodged with ASIC, withdrawing", substitute "All the partners in a partnership may withdraw".

327 Subsection 82(5)

Repeal the subsection, substitute:

(5) A nomination or withdrawal of a nomination under this section must be given to the Registrar and must meet any requirements of the data standards.

328 Subsection 84(1)

Omit "A notice, signed by all the members of the committee of management of an unincorporated association or body, may be lodged with ASIC, nominating", substitute "All the members of the committee of management of an unincorporated association or body may nominate".

329 Subsection 84(4)

Omit "A notice, signed by all the members of the committee of management of an unincorporated association or body, may be lodged with ASIC, withdrawing", substitute "All the members of the committee of management of an unincorporated association or body may withdraw".

330 Subsection 84(5)

Repeal the subsection, substitute:

(5) A nomination or withdrawal of a nomination under this section must be given to the Registrar and must meet any requirements of the data standards.

331 Subsection 86(2)

Omit "A notice, signed by all the trustees of a trust, may be lodged with ASIC, nominating", substitute "All the trustees of a trust may nominate".

332 Subsection 86(5)

Omit "A notice, signed by all the trustees of a trust, may be lodged with ASIC, withdrawing", substitute "All the trustees of a trust may withdraw".

333 Subsection 86(6)

Repeal the subsection, substitute:

(6) A nomination or withdrawal of a nomination under this section must be given to the Registrar and must meet any requirements of the data standards.

334 Subsection 87(6)

Omit "A notice, signed by all the joint venture entities, may be lodged with ASIC, nominating", substitute "All the joint venture entities may nominate".

335 Subsection 87(8)

Omit "A notice, signed by all the joint venture entities, may be lodged with ASIC, withdrawing", substitute "All the joint venture entities may withdraw".

336 Subsection 87(9)

Repeal the subsection, substitute:

(9) A nomination or withdrawal of a nomination under this section must be given to the Registrar and must meet any requirements of the data standards.

337 Subsection 87(11)

Omit "ASIC", substitute "The Registrar".

338 Subsection 88(4)

Omit "ASIC" (first occurring), substitute "The Registrar".

339 Subsection 88(4)

Omit all the words after "ABN" (first occurring).

Business Names Registration (Transitional and Consequential Provisions) Act 2011

340 Item 13 of Schedule 1

Repeal the item.

341 Item 14 of Schedule 1 (heading)

Omit "ASIC", substitute "The Registrar".

342 Item 14 of Schedule 1

Omit "ASIC may record and use information disclosed to ASIC", substitute "The Registrar may record and use information disclosed to the Registrar".

343 Item 14 of Schedule 1

Omit "(whether under item 13 or otherwise)".

344 Item 14 of Schedule 1 (note)

Repeal the note, substitute:

Note: The Registrar may also request information under section 37 of the Business Names Registration Act.

345 Items 15 and 16 of Schedule 1

Repeal the items, substitute:

15 The Registrar may rely on information disclosed by States and Territories

In exercising powers or performing functions under this Act, the Registrar may rely on information disclosed to it by a State or Territory.

16 What the Registrar must do if information available on transition deficient

(1) This item applies if:

(a) a business name is registered under this Act to an entity or entities; and

(b) the Registrar is satisfied that, because of a deficiency in the information available to ASIC before registration:

(i) the business name has not been registered to the correct entity or entities; or

(ii) other information recorded by ASIC or the Registrar in relation to the registration under this Act is incorrect.

(2) The Registrar must:

(a) correct the information mentioned in subparagraph (1)(b)(i) or (ii), as the case requires; and

(b) notify:

(i) each entity to whom the business name was registered before the correction; and

- (ii) each entity to whom the business name is registered after the correction; and
- (iii) any other person to whom the corrected information relates.

346 Items 18 to 20 of Schedule 1

Repeal the items, substitute:

18 Distinguishing words and expressions

(1) This item applies if 2 or more business names that are identical or nearly identical are registered under this Act.

(2) This item also applies if one or more of the business names are subsequently registered under the Business Names Registration Act under an application to which an entity to whom the business name or names were previously registered has consented by notification under section 31 of that Act.

(3) The Registrar may, by notifying each entity to whom one of the business names is registered, nominate a word or expression to be recorded in relation to the business name registered to that entity.

(4) The Registrar may only nominate a word or expression to an entity if the Registrar is reasonably satisfied the inclusion of the word or expression would assist in distinguishing a business or businesses carried on by the entity from a business or businesses carried on by another entity.

(5) Without limiting subitem (4), a word or expression nominated by the Registrar may be a word or expression identifying the location at which a business is, or businesses are, carried on by the entity under one or more of the business names.

(6) If the Registrar notifies an entity of a nomination, the entity must, within 28 days after the notification, notify the Registrar:

- (a) of the entity's acceptance of the nomination; or
- (b) of an objection to the nomination, and a nomination of an alternative word or expression.

The notification by the entity must meet any requirements of the data standards.

(7) If an entity fails to comply with subitem (6), the entity is taken to have accepted the nomination.

(8) The Registrar must accept the alternative word or expression nominated by the entity unless reasonably satisfied that, if:

- (a) the word or expression were added to the business name; and
- (b) the entity made application to register the business name as altered;

the business name as altered would not be available to the entity under section 25 of the Business Names Registration Act.

(9) The Registrar must:

- (a) notify the entity whether it accepts or rejects the alternative word or expression; and
- (b) if the Registrar rejects the alternative—specify in the notification the word or expression that is to be recorded under item 20.

19 Meaning of *distinguishing word or expression*

A word or expression is the *distinguishing word or expression* that relates to a business carried on by an entity under a business name, if:

- (a) the word or expression is nominated by the Registrar in relation to the business name by notification to the entity under subitem 18(3) and accepted by the entity under paragraph 18(6)(a); or
- (b) the word or expression is nominated by the Registrar in relation to the business name by notification to the entity under subitem 18(3) and taken to have been accepted by the entity under subitem 18(7); or

(c) the word or expression is nominated by the entity in relation to the business name by notification under paragraph 18(6)(b) and accepted by the Registrar under subitem 18(8); or

(d) in a case where an alternative word or expression is nominated in relation to the business name by the entity under paragraph 18(6)(b) and rejected by the Registrar under subitem 18(8)—the word or expression is specified in the Registrar's notification under subitem 18(9).

20 The Registrar must record the distinguishing word or expression

(1) The Registrar must record the distinguishing word or expression that relates to a business or businesses carried on by an entity under a business name registered to the entity.

(2) However, the distinguishing word or expression does not form part of the business name.

(3) The Registrar may remove the record of a distinguishing word or expression in relation to a business name if the Registrar is reasonably satisfied that the removal would not lead to confusion about who is carrying on a business or businesses under that business name.

(4) If the Registrar removes the record, the Registrar must notify the following entities of the removal:

(a) the entity to whom the business name is registered;

(b) each entity for whom the Registrar has contact details to whom the business name, or a nearly identical business name, was formerly registered.

(5) The Registrar may also notify any other entity of the removal of the distinguishing word or expression if the Registrar is reasonably satisfied that the other entity's interests might be affected by the removal.

347 Item 21 of Schedule 1

Omit "entered on the Business Names Register", substitute "recorded by the Registrar".

348 Subitem 22(2) of Schedule 1

Omit "ASIC must", substitute "The Registrar must".

349 Paragraph 22(2)(a) of Schedule 1

Omit "lodges a request with ASIC, in the prescribed form and manner,", substitute "requests the Registrar".

350 After subitem 22(2) of Schedule 1

Insert:

(2A) The request must meet any requirements of the data standards.

351 Item 26 of Schedule 1

Repeal the item.

352 Item 27 of Schedule 1 (table item 3, column 2)

Omit "Subitem 18(9) ", substitute "Subitem 18(8)".

353 Item 27 of Schedule 1 (table item 4, column 2)

Omit "Paragraph 18(10)(b)", substitute "Paragraph 18(9)(b)".

354 Item 27 of Schedule 1 (cell at table item 5, column 1)

Repeal the cell, substitute:

Removing the record of a word or
expression to distinguish an entity

355 Item 28 of Schedule 1 (at the end of the heading)

Add "made by ASIC".

356 After item 28 of Schedule 1

Insert:

28A Internal review of certain decisions made by the Registrar

(1) If a reviewable decision is made by the Registrar other than as a delegate of the Minister, an entity on whose application the decision is reviewable may apply to the Registrar (the *review body*) for review of the decision. The application must meet any requirements of the data standards.

(2) If a reviewable decision is made by the Registrar as a delegate of the Minister, an entity on whose application the decision is reviewable may apply to the Minister (the *review body*) for review of the decision.

(3) An application under subitem (2):

- (a) must set out the reasons for making the application; and
- (b) must be in the prescribed form; and
- (c) must be made in the prescribed manner.

(4) An application under subitem (1) or (2) must be made within 28 days after the entity is notified of the decision.

(5) Despite subitem (4), an application for review may be made within such longer period as the review body allows.

(6) After an application for review is made, the review body must review the decision and:

- (a) affirm the decision under review; or
- (b) vary the decision under review; or
- (c) set aside the decision under review and make a decision in substitution for it.

(7) A decision of the review body under subitem (6) takes effect:

- (a) on a day, provided in the decision, that is after the decision is made; or
- (b) if a day is not so provided—on the day on which the decision is made.

(8) If the Registrar, as the review body, has not decided an application by an entity for review within 28 days after the application is made, the entity may, at any time, notify the review body that the entity wishes to treat the decision as having been affirmed. The notification must meet any requirements of the data standards.

(9) If the Minister, as the review body, has not decided an application by an entity for review within 60 days after the application is made, the entity may, at any time, notify the review body, in writing, that the entity wishes to treat the decision as having been affirmed.

(10) For the purposes of item 29, if an entity gives a notification under subitem (8) or (9), the review body is taken to have refused the entity's application on the day on which the notification or notice is given.

357 Subitem 29(1) of Schedule 1

Omit all the words after "been made", substitute:

by:

- (a) ASIC or the Minister under item 28; or
- (b) the Registrar or the Minister under item 28A.

358 Subitem 29(2) of Schedule 1

Omit all the words after "subitem 28(1)", substitute "or could have made an application under subitem 28A(1), as the case requires".

359 At the end of the Act

Add:

Schedule 3—Transitional provisions relating to the Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019**1 Application of amendments relating to the Business Names Register**

The amendments made by items 102 and 104 to 358 of Schedule 5 to the *Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019* apply on and after the day (the **appointment day**) the Minister appoints, under section 62A of the Business Names Registration Act, a Commonwealth body to be the Registrar.

2 Liability for damages

Section 78 of the Business Names Registration Act, as in force immediately before the appointment day, continues to apply, on and after that day, in relation to an act done or omitted to be done before that day by ASIC or a person mentioned in paragraphs (c) to (e) of that section.

3 Delegation of prescribed functions and powers

A delegation of functions or powers by the Minister in force under section 80 of the Business Names Registration Act immediately before the appointment day continues in force (and may be dealt with) on and after that day as if the delegation were a delegation to the Registrar.

4 Notice nominating or withdrawing nomination of principal contact

A notice that:

(a) nominates, or withdraws the nomination of, a person as the principal contact in relation to an entity under section 82, 84, 86 or 87 of the Business Names Registration Act; and

(b) is lodged with ASIC before the appointment day;

continues in force (and may be dealt with) on and after that day as if the notice had been lodged with the Registrar.

5 Things started but not finished by ASIC

If:

(a) before the appointment day, ASIC started doing a thing under the Business Names Registration Act or Schedule 1 to this Act as in force immediately before that day; and

(b) immediately before that day, ASIC had not finished doing that thing;

then, on and after that day:

(c) ASIC may finish doing the thing as if the thing were being done by the Registrar in the performance or exercise of the Registrar's functions or powers; or

(d) if ASIC does not finish doing the thing under paragraph (c)—the Registrar may finish doing the thing in the performance or exercise of the Registrar's functions or powers.

Corporations Act 2001**360 Subsection 5H(2)**

Repeal the subsection, substitute:

(2) A notice must be lodged with the Registrar before the registration day. The notice must meet any requirements of the data standards.

361 Subsection 5H(3)

After "lodged", insert "with the Registrar".

362 Section 9 (definition of *ACN*)

Omit "by ASIC", substitute "under this Act".

363 Section 9 (definition of *ARBN*)

Omit "by ASIC", substitute "under this Act".

364 Section 9 (definition of *ASIC database*)

Repeal the definition.

365 Section 9 (definition of *Business Names Register*)

Repeal the definition.

366 Section 9 (paragraph (b) of the definition of *continuous disclosure notice*)

Omit "under section 675 lodged", substitute "lodged under section 675".

367 Section 9 (note at the end of the definition of *director*)

Omit "ASIC", substitute "the Registrar".

368 Section 9 (definition of *extract of particulars*)

Omit "by ASIC", substitute "under this Act".

369 Section 9 (paragraph (a) of the definition of *extract of particulars*)

Repeal the paragraph, substitute:

(a) some or all of the particulars in relation to the company, scheme or fund that are:

(i) recorded by the Registrar in the performance or exercise of the Registrar's functions or powers in connection with this Act; or

(ii) recorded in the register or registers maintained by ASIC under subsection 1274(1);

370 Section 9 (definition of *lodge*)

Repeal the definition, substitute:

lodge means:

(a) if the context mentions ASIC—lodge with ASIC in this jurisdiction; or

(b) if the context mentions the Registrar—lodge with the Registrar in this jurisdiction; or

(c) otherwise—lodge with ASIC or the Registrar, as the context requires, in this jurisdiction.

371 Section 9 (definition of *offer information statement*)

Omit "with ASIC", substitute "under this Act".

372 Section 9 (note to the definition of *Product Disclosure Statement*)

After "lodgement", insert "with the Registrar".

373 Section 9 (definition of *profile statement*)

Omit "with ASIC", substitute "under this Act".

374 Section 9 (definition of *prospectus*)

Omit "with ASIC", substitute "under this Act".

375 Section 9 (definition of *responsible entity*)

Omit "ASIC's", substitute "the Registrar's".

376 Section 9 (definition of *return of particulars*)

Omit "by ASIC", substitute "under this Act".

377 Section 9 (paragraph (a) of the definition of *return of particulars*)

Repeal the paragraph, substitute:

(a) some or all of the particulars in relation to the company, scheme or fund that are:

(i) recorded by the Registrar in the performance or exercise of the Registrar's functions or powers in connection with this Act; or

(ii) recorded in the register or registers maintained by ASIC under subsection 1274(1);

378 Subparagraph 88A(1)(a)(i)

Omit "lodged or is required by or under this Act or the ASIC Act to be lodged", substitute "lodged, or is required by or under this Act or the ASIC Act to be lodged, with ASIC or the Registrar".

379 Subsection 100(1)

After "lodged", insert "(with ASIC or the Registrar)".

380 At the end of section 100

Add:

(3) The Registrar may require a person who has lodged with the Registrar a notice or application that includes a statement under paragraph (1)(d) to produce to the Registrar the consent referred to in the statement.

381 Section 106 (heading)

Omit "Commission delegate", substitute "delegates".

382 Section 106

Before "For", insert "(1)".

383 At the end of section 106

Add:

(2) For the purpose of the performance of a function, or the exercise of a power, under this Act by a person to whom the Registrar has delegated functions or powers, a reference to the Registrar in a provision of this Act relating to the performance of the function, or the exercise of the power, includes a reference to the delegate.

Note: For delegations by the Registrar, see section 1270D.

384 Paragraphs 109X(1)(c) and (d)

Omit "ASIC", substitute "the Registrar".

385 Subsection 109X(2)

Omit "ASIC under subsection 5H(2), 117(2), 205B(1) or (4) or 601BC(2)", substitute "the Registrar under section 5H, 117, 205B or 601BC".

386 Paragraph 111AF(1)(a)

Omit "with ASIC".

387 Paragraph 1.1 of the small business guide in Part 1.5

Omit "ASIC (Australian Securities and Investments Commission)", substitute "the Registrar".

388 Paragraph 1.10 of the small business guide in Part 1.5

Omit "ASIC", substitute "the Registrar".

389 Paragraph 3.2 of the small business guide in Part 1.5

Omit "ASIC" (first occurring), substitute "the Registrar".

390 Paragraph 3.2 of the small business guide in Part 1.5

Omit "form with ASIC. The form", substitute "with the Registrar. The application".

391 Paragraph 3.2 of the small business guide in Part 1.5

Omit "ASIC" (last occurring), substitute "the Registrar".

392 Paragraphs 3.3, 3.7, 3.8 and 3.9 of the small business guide in Part 1.5

Omit "ASIC" (wherever occurring), substitute "the Registrar".

393 Paragraph 4.1 of the small business guide in Part 1.5

After "ASIC", insert "or the Registrar".

394 Paragraph 4.2 of the small business guide in Part 1.5

Omit "ASIC" (first occurring), substitute "the Registrar".

395 Paragraph 4.2 of the small business guide in Part 1.5

Omit "on ASIC's database", substitute "by the Registrar".

396 Paragraph 4.2 of the small business guide in Part 1.5

Omit "ASIC on a printed form or, if an agreement is in place to lodge electronically, in accordance with the agreement", substitute "the Registrar".

397 Paragraph 4.2 of the small business guide in Part 1.5

Omit ", 352".

398 Paragraph 4.3 of the small business guide in Part 1.5

Omit "ASIC", substitute "the Registrar (on behalf of the Commonwealth)".

399 Paragraph 4.4 of the small business guide in Part 1.5 (heading)

Omit "ASIC", substitute "*the Registrar*".

400 Paragraph 4.4 of the small business guide in Part 1.5

Omit "ASIC", substitute "the Registrar".

401 Paragraph 4.4 of the small business guide in Part 1.5 (table, heading to column headed "the company must notify ASIC of the change...")

Omit "ASIC", substitute "**the Registrar**".

402 Paragraph 4.4 of the small business guide in Part 1.5 (table item 4, column headed "the company must notify ASIC of the change...")

Omit "ASIC", substitute "the Registrar".

403 Paragraph 5.1 of the small business guide in Part 1.5

Omit "ASIC" (first occurring), substitute "the Registrar".

404 Paragraph 5.1 of the small business guide in Part 1.5

Omit "ASIC" (third and fourth occurring), substitute "the Registrar".

405 Paragraph 5.4 of the small business guide in Part 1.5

Omit "ASIC" (wherever occurring), substitute "the Registrar".

406 Paragraph 6.1 of the small business guide in Part 1.5

Omit "ASIC cancels the company's registration", substitute "the Registrar deregisters the company".

407 Paragraph 10.3 of the small business guide in Part 1.5

Omit "ASIC" (last occurring), substitute "the Registrar".

408 Paragraph 12.6 of the small business guide in Part 1.5 (heading)

Repeal the heading, substitute:

12.6 Deregistration of a company

409 Paragraph 12.6 of the small business guide in Part 1.5

Omit "on the register until ASIC cancels the company's registration", substitute "the Registrar deregisters the company".

410 Subsection 111L(1) (table item 1, column 2)

Omit "ASIC", substitute "the Registrar".

411 Subsection 111L(1) (table item 2, column 2)

Omit "ASIC may direct company to lodge consolidated constitution", substitute "Directing company to lodge consolidated constitution with ASIC or the Registrar".

412 Subsection 111L(1) (table item 4, column 2)

Omit "ASIC", substitute "the Registrar".

413 Subsection 111L(1) (table item 11, column 2)

Omit "ASIC".

414 Subsection 111L(1) (table item 13, column 2)

Omit "ASIC", substitute "the Registrar".

415 Subsections 111N(1), (2), (3) and (4)

Omit "ASIC", substitute "the Registrar".

416 Subsection 117(1)

Omit "ASIC", substitute "the Registrar".

417 Subsection 117(2)

Repeal the subsection, substitute:

Contents of the application

(2) The application must meet any requirements of the data standards.

(2A) Without limiting subsection (2), the application must specify the State or Territory in this jurisdiction in which the company is to be taken to be registered.

418 Subsection 117(4)

Repeal the subsection.

419 Subsection 117(5)

Omit "have the consents and agreements referred to in subsection (2) when the application is lodged", substitute ", when the application is lodged, have any consents and agreements required by the data standards in relation to applications under this section".

420 Section 118 (heading)

Omit "ASIC", substitute "**The Registrar**".

421 Subsection 118(1)

Omit "ASIC", substitute "the Registrar".

422 Paragraph 118(1)(c)

Repeal the paragraph, substitute:

(c) give the company a certificate of registration that meets any requirements of the data standards.

423 Subsection 118(1) (note)

Omit "subsection 1274(7A)", substitute "section 1274AAA".

424 Subsection 118(2)

Repeal the subsection, substitute:

The Registrar must record registration

(2) The Registrar must make a record of the registration.

425 Subparagraph 119A(2)(a)(i)

Omit "paragraph 117(2)(n)", substitute "subsection 117(2A)".

426 Subparagraph 119A(2)(a)(ii)

Omit "paragraph 601BC(2)(o)", substitute "subsection 601BC(3)".

427 Subsection 119A(2) (note 1)

Repeal the note.

428 Subsection 129(2)

Omit "ASIC", substitute "the Registrar".

429 Section 130 (heading)

After "ASIC", insert "or the Registrar".

430 Section 130

After "ASIC", insert "or the Registrar".

431 At the end of paragraph 136(1)(a)

Add "with the Registrar".

432 Subsection 136(5)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

433 After subsection 136(5)

Insert:

(5A) The lodgement must meet any requirements of the data standards.

434 Section 138

Repeal the section, substitute:

138 ASIC may direct company to lodge consolidated constitution

ASIC may do either or both of the following:

- (a) direct a company to lodge a consolidated copy of its constitution with ASIC;
- (b) direct a company to lodge a consolidated copy of its constitution with the Registrar.

435 Subsection 142(1) (note 2)

After "ASIC", insert "or the Registrar".

436 Subsection 142(2)

Omit "ASIC", substitute "the Registrar".

437 Subsection 142(2)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

438 Section 143 (heading)

Omit "ASIC", substitute "The Registrar".

439 Subsection 143(1)

After "ASIC", insert "or the Registrar".

440 Subsection 143(1) (note)

After "ASIC", insert "or the Registrar".

441 Subsections 143(2) and (3)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

442 Paragraph 145(2)(a)

After "lodged", insert "with the Registrar".

443 Paragraph 145(2)(b)

Omit "ASIC", substitute "the Registrar".

444 Subsection 145(3)

Omit "ASIC", substitute "the Registrar".

445 Subsection 145(3)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

446 Subsection 146(1)

Omit "ASIC", substitute "the Registrar".

447 Subsection 146(1)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

448 Subsection 146A(1)

After "ASIC", insert "or the Registrar".

449 Subsection 146A(2)

Omit "in the prescribed form", substitute "with the Registrar".

450 At the end of section 146A

Add:

(3) The notice must meet any requirements of the data standards.

451 Paragraph 147(1)(b)

Omit "on the Business Names Register", substitute "under the *Business Names Registration Act 2011*".

452 Subsections 147(3) and (4) (note)

Omit "ASIC", substitute "the Registrar".

453 Subsection 150(2)

Omit "ASIC", substitute "the Registrar".

454 At the end of subsection 150(2)

Add:

The notification must meet any requirements of the data standards.

455 Subsection 151(2)

Omit "ASIC", substitute "the Registrar".

456 After subsection 151(2)

Insert:

(2AAA) The notification must meet any requirements of the data standards.

457 Subsection 151(2AA)

Omit "to notify ASIC as soon as practicable of the modification", substitute "to give ASIC, as soon as practicable, a notification of the modification that meets any requirements of the data standards".

458 Subsection 151(3)

Omit "ASIC", substitute "The Registrar".

459 Paragraph 151(3)(b)

Omit "ASIC", substitute "the Registrar".

460 Subsection 152(1)

Repeal the subsection, substitute:

(1) A person may lodge an application with the Registrar to reserve a name for a company. If the name is available, the Registrar must reserve it.

Note: For available names, see section 147.

(1A) The application must meet any requirements of the data standards.

461 Subsection 152(2)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

462 At the end of subsection 152(2)

Add "The applicant's request must meet any requirements of the data standards.".

463 Subsection 152(3)

Omit "ASIC" (first occurring), substitute "The Registrar".

464 Subsection 152(3)

Omit "ASIC" (second occurring), substitute "the Registrar".

465 At the end of subsection 152(3)

Add "The applicant's request must meet any requirements of the data standards.".

466 Paragraph 157(1)(b)

Repeal the paragraph, substitute:

(b) lodge an application with the Registrar that meets any requirements of the data standards.

467 Subsections 157(2) and (3), 157A(1) and 157A(3) to (7)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

468 Section 158 (heading)

Omit "ASIC's power", substitute "**Power**".

469 Subsection 158(1)

Omit "ASIC may direct a company in writing", substitute "The Registrar may direct a company".

470 Subsections 158(3) and (4)

Omit "ASIC", substitute "the Registrar".

471 Section 159 (heading)

Omit "ASIC's power", substitute "**Power**".

472 Subsection 159(1)

Omit "ASIC", substitute "The Registrar".

473 Paragraph 159(1)(c)

Omit "ASIC", substitute "the Registrar".

474 Subsection 159(2)

Omit "ASIC", substitute "the Registrar".

475 Section 160 (heading)

Omit "ASIC", substitute "**The Registrar**".

476 Section 160 (note)

Omit "subsection 1274(7A)", substitute "section 1274AAA".

477 Section 160

Omit "ASIC", substitute "the Registrar".

478 Subsection 161A(6A)

Omit "ASIC", substitute "the Registrar".

479 Subsection 161A(6A)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

480 Subsections 162(3) and 163(1)

Omit "ASIC", substitute "the Registrar".

481 Subparagraph 163(2)(c)(i)

Omit "in the prescribed form".

482 Subsection 163(2) (notes 1 and 2)

After "lodge", insert "with the Registrar".

483 After subsection 163(2)

Insert:

(2A) An assent of a kind mentioned in subparagraph (2)(c)(i) must meet any requirements of the data standards.

484 Section 164 (heading)

Omit "ASIC changes", substitute "**Changes to**".

485 Subsection 164(1)

Omit "ASIC" (first occurring), substitute "The Registrar".

486 Paragraphs 164(1)(a) and (b)

Omit "ASIC", substitute "the Registrar".

487 Subsection 164(2)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

488 Subsection 164(3)

Repeal the subsection, substitute:

(3) The notice that the Registrar intends to alter the details of the company's registration:

(a) must be included in the records of the Registrar; and

(b) must be made accessible to the public; and

(c) must meet any requirements of the data standards that relate to the notice (including requirements relating to including the notice in the records of the Registrar and making the notice accessible to the public); and

(d) without limiting paragraph (c), must state that the Registrar will alter the details of the company's registration 1 month after the notice has been made accessible to the public unless an order by a court or the Administrative Appeals Tribunal prevents it from doing so.

489 Subsections 164(4) and (5)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

490 Subsection 164(6)

Omit "ASIC", substitute "The Registrar".

491 Subsection 164(6) (note)

Omit "subsection 1274(7A)", substitute "section 1274AAA".

492 Subsection 164(7)

Omit "ASIC", substitute "the Registrar".

493 Subsection 164(7) (note)

Omit "ASIC", substitute "the Registrar".

494 Subsection 164(7) (note)

Omit "subsection 1274(7A)", substitute "section 1274AAA".

495 Subsection 165(3)

After "ASIC may", insert "direct the Registrar to".

496 At the end of subsection 165(3)

Add "The Registrar must comply with the direction."

497 Subsection 165(4)

Omit "ASIC", substitute "the Registrar".

498 Subsection 165(5)

Omit "ASIC", substitute "The Registrar".

499 Subsection 165(5) (note)

Omit "subsection 1274(7A)", substitute "section 1274AAA".

500 Paragraphs 172(1)(d) and (1A)(d)

Omit "ASIC", substitute "the Registrar".

501 Subsection 172(2) (heading)

Omit "ASIC", substitute "*the Registrar*".

502 Subsection 172(2)

Omit "with ASIC", substitute "with the Registrar".

503 Subsection 175(3)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

504 Subsection 178A(1)

Omit "ASIC", substitute "the Registrar".

505 Subsection 178A(1)

Omit "and in the prescribed form,".

506 At the end of subsection 178A(1)

Add:

The notification must meet any requirements of the data standards.

507 Subsection 178C(1)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

508 Section 178D (heading)

Omit "ASIC", substitute "**the Registrar**".

509 Section 178D

Omit "ASIC" (first occurring), substitute "the Registrar".

510 Section 178D (table heading)

Omit "ASIC", substitute "**the Registrar**".

511 Section 178D (table, heading to column headed "The company must notify ASIC within this time...")

Omit "ASIC", substitute "**the Registrar**".

512 Section 178D (table items 1 to 3, column headed "The company must notify ASIC within this time...")

Omit "ASIC", substitute "the Registrar".

513 Section 178D (table item 3, column headed "The company must notify ASIC within this time...")

Omit "of the particulars of the issue".

514 Section 178D (table item 4, column headed "The company must notify ASIC within this time...")

Omit "ASIC", substitute "the Registrar".

515 Paragraphs 188(1)(f), (h) and (i)

Omit "ASIC", substitute "the Registrar".

516 Subsection 199A(3)

Omit "ASIC or" (wherever occurring), substitute "ASIC, the Registrar or".

517 Subsection 201K(5) (note)

Omit "ASIC", substitute "The Registrar".

518 Section 201L (heading)

Omit "ASIC", substitute "**the Registrar**".

519 Section 201L

Omit "ASIC", substitute "the Registrar".

520 Subsection 201M(2) (note)

After "ASIC", insert "or the Registrar".

521 Section 201S

After "lodge", insert "with the Registrar".

522 Section 204D (note 1)

Omit "ASIC", substitute "the Registrar".

523 Subsection 204E(2) (note)

After "ASIC", insert "or the Registrar".

524 Section 205A (heading)

Omit "ASIC", substitute "**the Registrar**".

525 Subsection 205A(1)

Omit "ASIC written", substitute "the Registrar".

526 Subsection 205A(1)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

527 Subsection 205A(2) (note)

Omit "ASIC", substitute "the Registrar".

528 Section 205B (heading)

Omit "ASIC", substitute "**the Registrar**".

529 Subsection 205B(1)

Omit "ASIC", substitute "the Registrar".

530 Subsection 205B(1)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

531 Subsection 205B(2)

Omit "ASIC", substitute "the Registrar".

532 Subsection 205B(2)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

533 Subsection 205B(3)

Repeal the subsection.

534 Subsection 205B(4)

Omit "ASIC", substitute "the Registrar".

535 Subsection 205B(4)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

536 Subsection 205B(5)

Omit "ASIC", substitute "the Registrar".

537 Subsection 205B(5)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

538 Paragraphs 205B(6)(b) and 205D(2)(b) and (3)(a) and (b)

Omit "ASIC", substitute "the Registrar".

539 Subsection 205D(3)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

540 Subsection 205D(4)

Omit "ASIC", substitute "the Registrar".

541 Section 205E (heading)

Omit "ASIC's", substitute "**the Registrar's**".

542 Subsection 205E(1)

Omit "ASIC" (first occurring), substitute "The Registrar".

543 Subsection 205E(1)

Omit "ASIC" (second occurring), substitute "the Registrar".

544 Subsection 205E(2)

Omit "ASIC", substitute "the Registrar".

545 Subsections 206A(1) and (2) (note)

After "ASIC", insert "or the Registrar".

546 Subsection 206G(2)

Omit "ASIC", substitute "the Registrar".

547 Subsection 206G(2)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

548 Subsection 206G(4)

Omit "ASIC", substitute "the Registrar".

549 At the end of section 206G

Add:

(6) Lodgement of a document with the Registrar under this section must meet any requirements of the data standards.

550 Subsections 206GA(2) and (3)

Repeal the subsections, substitute:

Notice lodged with the Registrar before leave application

(2) If the person lodges a notice with the Registrar under subsection 206G(2), the Registrar must give the ACCC and ASIC a copy of the notice.

Leave orders

(3) If the person lodges a copy of an order with the Registrar under subsection 206G(4), the Registrar must give the ACCC and ASIC a copy of the order.

551 Section 226

After "lodge", insert "with the Registrar".

552 Subsection 235(1)

Omit "ASIC", substitute "the Registrar".

553 Subparagraph 246C(5)(b)(ii)

Omit "ASIC", substitute "the Registrar".

554 Subsection 246D(6)

Omit "ASIC", substitute "the Registrar".

555 Section 246F (heading)

Omit "ASIC", substitute "the Registrar".

556 Subsection 246F(1)

Omit "ASIC a notice in the prescribed form", substitute "the Registrar a notice".

557 After paragraph 246F(1)(b)

Insert:

The notice must meet any requirements of the data standards.

558 Subsection 246F(3)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

559 At the end of subsection 246F(3)

Add:

The lodgement must meet any requirements of the data standards.

560 Paragraphs 247C(2)(a) and 249A(5)(b)

After "ASIC", insert "or the Registrar".

561 Subsection 249B(2)

After "ASIC", insert "or the Registrar".

562 Paragraphs 251A(5)(c) and 253M(3)(c)

Omit "ASIC", substitute "the Registrar".

563 Subsection 254B(1) (note 1)

Omit "ASIC by a notice in the prescribed form (see subsection 246F(1))", substitute "the Registrar by a notice that meets the requirements of the data standards (see subsections 246F(1) and (2))".

564 Subsection 254B(1) (note 2)

Omit "ASIC", substitute "the Registrar".

565 Subsections 254E(2), 254H(4) and 254N(2)

Omit "ASIC", substitute "the Registrar".

566 Section 254X (heading)

Omit "ASIC", substitute "the Registrar".

567 Subsection 254X(1)

Repeal the subsection, substitute:

(1) Within 28 days after issuing shares, a company must give a notice to the Registrar. The notice must meet any requirements of the data standards.

568 Subsection 254X(2)

Omit "ASIC" (first occurring), substitute "the Registrar".

569 Subsection 254X(3) (note)

Repeal the note.

570 Section 254Y (heading)

Omit "ASIC", substitute "the Registrar".

571 Subsection 254Y(1)

Repeal the subsection, substitute:

(1) Within 1 month after shares are cancelled, the company must give a notice to the Registrar. The notice must meet any requirements of the data standards.

572 Subsection 256C(3)

Omit "ASIC", substitute "the Registrar".

573 Subsection 256C(5) (heading)

Omit "ASIC", substitute "the Registrar".

574 Subsection 256C(5)

Omit "ASIC", substitute "the Registrar".

575 At the end of section 256C

Add:

(6) Lodgement of a document with the Registrar under this section must meet any requirements of the data standards.

576 Subsection 257B(1) (table)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

577 Subsection 257C(3) (heading)

Omit "*ASIC*", substitute "*the Registrar*".

578 Subsection 257C(3)

Omit "ASIC", substitute "the Registrar".

579 At the end of section 257C

Add:

(4) The lodgement must meet any requirements of the data standards.

580 Subsection 257D(3) (heading)

Omit "*ASIC*", substitute "*the Registrar*".

581 Subsection 257D(3)

Omit "ASIC", substitute "the Registrar".

582 At the end of subsection 257D(3)

Add:

The lodgement must meet any requirements of the data standards.

583 Section 257E (heading)

Omit "ASIC", substitute "**the Registrar**".

584 Section 257E

Omit "ASIC", substitute "the Registrar".

585 At the end of section 257E

Add:

The lodgement must meet any requirements of the data standards.

586 Subsection 257F(2)

Omit "ASIC", substitute "the Registrar".

587 After paragraph 257F(2)(b)

Insert:

The lodgement must meet any requirements of the data standards.

588 Subsection 257H(3) (note)

Omit "ASIC", substitute "the Registrar".

589 Paragraph 260A(1)(b)

Omit "ASIC", substitute "the Registrar".

590 Subsection 260B(5) (heading)

Omit "*ASIC*", substitute "*the Registrar*".

591 Subsections 260B(5) and (6)

Omit "ASIC", substitute "the Registrar".

592 Subsection 260B(5)

Omit "in the prescribed form".

593 After subsection 260B(6)

Insert:

(6A) The notice must meet any requirements of the data standards.

594 Subsection 260B(7)

Omit "ASIC", substitute "the Registrar".

595 At the end of section 260B

Add:

Requirements for lodgement

(8) Lodgement of a document under this section must meet any requirements of the data standards.

596 Section 283BC (heading)

Omit "ASIC", substitute "the Registrar".

597 Subsection 283BC(1)

Omit "ASIC", substitute "the Registrar".

598 Paragraph 283BC(1)(b)

Omit "prescribed by the regulations", substitute "required by the data standards".

599 Subsection 283BC(2)

Omit "ASIC", substitute "the Registrar".

600 Subsection 283BC(3)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

601 Section 283BCA

Repeal the section, substitute:

283BCA Record of trustees for debenture holders

The Registrar must maintain a record of trustees for debenture holders.

602 Section 283BF (heading)

Omit "ASIC", substitute "the Registrar".

603 Paragraph 283BF(1)(b)

Omit "ASIC (see section 351)", substitute "the Registrar".

604 At the end of subsection 283BF(1)

Add:

The lodgement must meet any requirements of the data standards.

605 Section 283BG (heading)

Omit "ASIC", substitute "the Registrar".

606 Subsection 285(1) (table item 5, column headed "steps")

Omit "ASIC", substitute "the Registrar".

607 Subsection 289(2)

Omit "ASIC written notice in the prescribed form", substitute "the Registrar notice".

608 At the end of subsection 289(2)

Add "The notice must meet any requirements of the data standards.".

609 Paragraphs 292(2)(b) and 302(c)

Omit "ASIC", substitute "the Registrar".

610 Section 302 (note 2)

Omit "ASIC", substitute "the Registrar".

611 Division 5 of Part 2M.3 (heading)

Omit "ASIC", substitute "the Registrar".

612 Section 319 (heading)

Omit "ASIC", substitute "the Registrar".

613 Subsection 319(1)

Omit "ASIC", substitute "the Registrar".

614 At the end of subsection 319(1)

Add "The lodgement of the report must meet any requirements of the data standards.".

615 Section 320 (heading)

Omit "ASIC", substitute "the Registrar".

616 Subsection 320(1)

Omit "ASIC", substitute "the Registrar".

617 At the end of subsection 320(1)

Add "The lodgement must meet any requirements of the data standards.".

618 Subsection 321(1)

Omit "ASIC" (last occurring), substitute "the Registrar".

619 Subsection 322(1)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

620 At the end of subsection 322(1)

Add:

The lodgement must meet any requirements of the data standards.

621 Paragraph 324BB(6)(a)

Omit "on the Business Names Register", substitute "under section 24 of the *Business Names Registration Act 2011*".

622 Paragraph 324BB(6)(b)

Omit "in the prescribed form", substitute "that meets any requirements of the data standards".

623 Paragraph 324DAC(a)

Omit "ASIC", substitute "the Registrar".

624 At the end of section 324DAC

Add:

Lodgement of the copy of the resolution must meet any requirements of the data standards.

625 At the end of subsection 329(2)

Add "with the Registrar. The lodgement must meet any requirements of the data standards.".

626 Paragraph 329(11)(c)

Omit "ASIC", substitute "the Registrar".

627 Paragraph 329(11)(c)

Omit "in the prescribed form".

628 Paragraph 329(11)(d)

Omit "ASIC", substitute "the Registrar".

629 At the end of section 329

Add:

(12) The notice must meet any requirements of the data standards.

630 Subsection 331AC(7)

Omit "ASIC a notice of the removal or resignation in the prescribed form", substitute "the Registrar a notice of the removal or resignation. The notice must meet any requirements of the data standards".

631 Subsection 332A(3)

Omit "ASIC", substitute "the Registrar".

632 At the end of subsection 332A(3)

Add "The lodgement must meet any requirements of the data standards.".

633 Chapter 2N (heading)

Omit "ASIC".

634 Subparagraph 345A(1)(a)(ii)

Omit "in a register maintained by ASIC under section 1274", substitute "under section 118".

635 Paragraph 345A(1A)(b)

Omit "in a register maintained by ASIC under section 1274", substitute "under section 118".

636 Subsection 345A(1A)

Omit "determined by ASIC", substitute "determined by the Registrar".

637 Subsections 345B(1) and (2)

Omit "ASIC's", substitute "the Registrar's".

638 Subsection 345B(3)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

639 Section 345C

Omit "ASIC" (wherever occurring), substitute "the Registrar".

640 Section 346A (heading)

Omit "ASIC", substitute "The Registrar".

641 Subsection 346A(1)

Omit "ASIC", substitute "The Registrar".

642 Subsection 346A(2)

Repeal the subsection.

643 Section 346B (heading)

Omit "ASIC", substitute "The Registrar".

644 Section 346B

Omit "ASIC", substitute "The Registrar".

645 Section 346B

Omit "prescribed by the regulations for the purposes of this section", substitute "specified in the data standards in relation to this section".

646 Paragraph 346C(3)(a)

After "lodged", insert "with the Registrar".

647 Paragraphs 346C(3)(b) and (c)

Repeal the paragraphs, substitute:

(b) must meet any requirements of the data standards; and

648 Subsection 346C(4)

Omit "lodge a prescribed form", substitute "give notice (however described)".

649 Subsection 346C(5)

After "lodged", insert "with the Registrar".

650 Subsection 347A(2)

Omit "ASIC", substitute "the Registrar".

651 Section 347B (heading)

Omit "ASIC", substitute "**the Registrar**".

652 Subsection 347B(1)

Omit "ASIC of that fact, in the prescribed form", substitute "the Registrar".

653 At the end of subsection 347B(1)

Add "The notification must meet any requirements of the data standards."

654 Subsection 347B(2)

Omit "ASIC of that fact, in the prescribed form", substitute "the Registrar".

655 After subsection 347B(2)

Insert:

(2A) A notification under subsection (1) or (2) must meet any requirements of the data standards.

656 Subsection 347B(3)

Omit "this section", substitute "subsection (1) or (2)".

657 Paragraph 347C(1)(c)

Omit "ASIC", substitute "the Registrar".

658 Section 348A (heading)

Omit "ASIC", substitute "**The Registrar**".

659 Subsection 348A(1)

Omit "ASIC" (first occurring), substitute "The Registrar".

660 Subsection 348A(1)

Omit "ASIC suspects", substitute "the Registrar suspects".

661 Subsection 348A(1)

Omit "a register maintained by ASIC under subsection 1274(1)", substitute "records maintained by the Registrar in the performance of functions or the exercise of powers under this Act".

662 Subsection 348A(2)

Repeal the subsection.

663 Section 348B (heading)

Omit "ASIC", substitute "The Registrar".

664 Section 348B

Omit "ASIC", substitute "The Registrar".

665 Section 348C (heading)

Omit "ASIC", substitute "The Registrar".

666 Subsection 348C(1)

Omit "ASIC", substitute "The Registrar".

667 Paragraph 348D(2)(a)

Omit "ASIC", substitute "the Registrar".

668 Paragraphs 348D(2)(b) and (c)

Repeal the paragraphs, substitute:

(b) must meet any requirements of the data standards; and

669 Subsection 348D(3)

Omit "lodge a prescribed form", substitute "give notice (however described)".

670 Subsection 348D(4)

After "lodged", insert "with the Registrar".

671 Section 349A (heading)

Omit "ASIC", substitute "the Registrar".

672 Subsection 349A(1)

Omit "ASIC, in the prescribed form and", substitute "the Registrar,".

673 At the end of subsection 349A(1)

Add "The notification must meet any requirements of the data standards.".

674 Section 349B

Omit "ASIC", substitute "the Registrar".

675 At the end of section 349B

Add:

The notification must meet any requirements of the data standards.

676 Section 349C

Omit "ASIC", substitute "the Registrar".

677 At the end of section 349C

Add:

The notification must meet any requirements of the data standards.

678 Section 349D

Omit "ASIC", substitute "the Registrar".

679 At the end of section 349D

Add "The notification must meet any requirements of the data standards.".

680 Subsection 411(10)

Omit "ASIC", substitute "the Registrar".

681 After subsection 411(10)

Insert:

(10A) Lodgement of the order must meet any requirements of the data standards.

682 Subsection 412(6)

After "registered", insert "by the Registrar pursuant to a direction".

683 Subsection 412(7)

Omit "ASIC" (first occurring), substitute "the Registrar".

684 Subsection 412(8)

Omit "ASIC" (first occurring), substitute "the Registrar".

685 Subsection 412(8)

After "ASIC must not", insert "direct the Registrar to".

686 Paragraph 413(1)(d)

Omit "ASIC", substitute "the Registrar".

687 Subsection 413(3)

Omit "ASIC", substitute "the Registrar".

688 At the end of subsection 413(3)

Add "The lodgement must meet any requirements of the data standards.".

689 Subsection 415(1)

After "lodge", insert "with the Registrar".

690 At the end of subsection 415(1)

Add "The notice must meet any requirements of the data standards.".

691 Paragraph 422(1)(c)

After "lodge", insert "with ASIC".

692 Subsection 422(2)

After "lodge", insert "with ASIC".

693 At the end of subsection 422(3)

Add "with ASIC".

694 Subsection 422(4)

After "report" (wherever occurring), insert "with ASIC".

695 Subsection 422A(3)

After "lodge", insert "with the Registrar".

696 Subsection 422A(4)

Repeal the subsection (not including the note), substitute:

(4) The return must:

- (a) be lodged with the Registrar within 3 months after the end of the control return year; and
- (b) meet any requirements of the data standards.

697 Subsection 422B(3)

Repeal the subsection (not including the note), substitute:

(3) The return must:

(a) be lodged with the Registrar within 1 month after the control of the property of the corporation ends; and

(b) meet any requirements of the data standards.

698 Paragraph 426(a)

After "lodges", insert "with ASIC or the Registrar".

699 Subsections 427(1) to (2)

After "lodge", insert "with the Registrar".

700 Subsection 427(2)

Omit "in the prescribed form".

701 Subsection 427(3)

Omit "lodge notice in the prescribed form", substitute "lodge with the Registrar notice".

702 Subsection 427(4)

After "lodge", insert "with the Registrar".

703 At the end of section 427

Add:

(5) A notice lodged under this section must meet any requirements of the data standards.

704 At the end of subsections 429(4) and (5)

Add "with the Registrar. The lodgement must meet any requirements of the data standards.".

705 Subsection 432(2)

After "lodged", insert "with the Registrar".

706 Paragraph 434(1)(a)

After "document", insert "with ASIC or the Registrar".

707 Section 434H (at the end of the heading)

Add "or the Registrar".

708 At the end of subsection 434H(1)

Add "or the Registrar".

709 Subsection 436DA(4A)

Omit "ASIC", substitute "the Registrar".

710 After subsection 436DA(4A)

Insert:

(4B) The lodgement must meet any requirements of the data standards.".

711 At the end of subsection 438B(2A)

Add "in the prescribed form".

712 Paragraph 438D(1)(c)

After "lodge", insert "with ASIC".

713 At the end of subsection 438D(3)

Add "with ASIC".

714 Paragraph 445FA(1)(e)

Omit "ASIC", substitute "the Registrar".

715 Subsection 445FA(2)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

716 Paragraph 446AA(4)(a)

Omit "ASIC a written notice in the prescribed form", substitute "the Registrar a notice".

717 After subsection 446AA(4)

Insert:

(4A) The notice must meet any requirements of the data standards.

718 Subsection 446C(7) (heading)

Omit "ASIC", substitute "*the Registrar*".

719 Subsection 446C(7)

Omit "ASIC.", substitute "the Registrar. The lodgement must meet any requirements of the data standards.".

720 Subsection 449CA(4A)

Omit "ASIC", substitute "the Registrar".

721 After subsection 449CA(4A)

Insert:

(4B) The lodgement must meet any requirements of the data standards.

722 Subsection 449CA(6A)

Omit "ASIC", substitute "the Registrar".

723 After subsection 449CA(6A)

Insert:

(6B) The lodgement must meet any requirements of the data standards.

724 Paragraph 450A(1)(a)

After "lodge", insert "with the Registrar".

725 After subsection 450A(1)

Insert:

(1AA) A notice under paragraph (1)(a) must meet any requirements of the data standards.

726 Section 450B

Before "As", insert "(1)".

727 Paragraph 450B(b)

Omit "in the prescribed form with ASIC", substitute "with the Registrar".

728 At the end of section 450B

Add:

(2) The notice must meet any requirements of the data standards.

729 Section 450C

Before "As", insert "(1)".

730 Paragraph 450C(a)

After "lodge", insert "with the Registrar".

731 At the end of section 450C

Add:

(2) The notice must meet any requirements of the data standards.

732 Section 450D

Before "Where", insert "(1)".

733 Paragraph 450D(a)

After "lodge", insert "with the Registrar".

734 At the end of section 450D

Add:

(2) The notice must meet any requirements of the data standards.

735 Subsection 461(2)

Omit "ASIC", substitute "the Registrar".

736 At the end of subsection 461(2)

Add "The lodgement must meet any requirements of the data standards.".

737 Paragraph 465A(1)(a)

Omit "notice in the prescribed form", substitute "with the Registrar notice".

738 After subsection 465A(1)

Insert:

(1A) A notice lodged under paragraph (1)(a) must meet any requirements of the data standards.

739 Section 470 (at the end of the heading)

Add "with the Registrar".

740 Subsection 470(1)

Omit "(other than ASIC)".

741 Paragraphs 470(1)(a) to (c)

After "lodge", insert "with the Registrar".

742 Paragraph 470(2)(a)

Repeal the paragraph, substitute:

(a) lodge the order with the Registrar; and

743 Subsection 470(3)

Repeal the subsection, substitute:

(3) A document required to be lodged by subsection (1) or (2) must meet any requirements of the data standards.

744 Subsection 474(3)

Omit "ASIC", substitute "the Registrar".

745 At the end of subsection 474(3)

Add "The lodgement must meet any requirements of the data standards.".

746 Paragraph 481(5)(b)

Omit "ASIC", substitute "the Registrar".

747 At the end of subsection 481(5)

Add "with the Registrar. The lodgement must meet any requirements of the data standards.".

748 Paragraph 482(2A)(b)

After "ASIC", insert "or the Registrar".

749 Subsection 482(5)

After "lodge", insert "with the Registrar".

750 At the end of subsection 482(5)

Add "The lodgement must meet any requirements of the data standards."

751 Paragraph 489EA(1)(b)

After "documents", insert "with ASIC or the Registrar".

752 Paragraph 489EA(3)(a)

Omit "ASIC", substitute "the Registrar".

753 Paragraph 489EA(6)(a)

Omit "on ASIC database", substitute "to the Registrar".

754 Subsection 496(7)

Omit "in the prescribed form", substitute "with the Registrar".

755 After subsection 496(7)

Insert:

(7A) The notice must meet any requirements of the data standards.

756 Paragraph 497(1)(b)

After "lodge", insert "with the Registrar".

757 After subsection 497(1)

Insert:

(1A) Lodgement of the copies must meet any requirements of the data standards.

758 At the end of subsection 497(6)

Add "in the prescribed form".

759 Subsection 506(1B)

Omit "ASIC", substitute "the Registrar".

760 At the end of subsection 506(1B)

Add "The lodgement must meet any requirements of the data standards."

761 Subsection 506A(3)

Omit "ASIC", substitute "the Registrar".

762 After subsection 506A(3)

Insert:

(3A) The lodgement must meet any requirements of the data standards.

763 Subsection 506A(6)

Omit "ASIC", substitute "the Registrar".

764 After subsection 506A(6)

Insert:

(6A) The lodgement must meet any requirements of the data standards.

765 Subsection 507(11)

Omit "ASIC", substitute "the Registrar".

766 At the end of subsection 507(11)

Add "The lodgement must meet any requirements of the data standards."

767 Subsection 509(1) (heading)

Omit "*ASIC*", substitute "*The Registrar*".

768 Subsection 509(1)

Omit "with ASIC", substitute "with the Registrar".

769 Subsection 509(1)

Omit "ASIC must", substitute "the Registrar must".

770 Subsection 509(2) (heading)

Omit "*ASIC*", substitute "*The Registrar*".

771 Subsection 509(2)

Omit "that ASIC", substitute "that the Registrar".

772 Subsection 509(3)

After "lodge", insert "with the Registrar".

773 At the end of subsection 509(3)

Add "The lodgement must meet any requirements of the data standards."

774 Subsection 510(1A)

Omit "ASIC", substitute "the Registrar".

775 At the end of subsection 510(1A)

Add "The lodgement must meet any requirements of the data standards."

776 Paragraph 533(1)(d)

After "lodge", insert "with ASIC".

777 Subsections 537(1) and (2)

Omit "in the prescribed form" (wherever occurring), substitute "with the Registrar".

778 At the end of section 537

Add:

(3) A notice lodged under this section must meet any requirements of the data standards.

779 Subsection 545(3)

After "ASIC", insert "or the Registrar".

780 Paragraph 568A(1)(a)

After "lodge", insert "with the Registrar".

781 After subsection 568A(1)

Insert:

(1A) A notice under paragraph (1)(a) must meet any requirements of the data standards.

782 Paragraph 568B(1)(a)

After "such notice" (first occurring), insert "with the Registrar".

783 At the end of paragraph 568B(1)(c)

Add "with the Registrar".

784 Paragraphs 568C(3)(a) and (b)

After "lodged notice of the disclaimer", insert "with the Registrar".

785 Subsections 573(1) and (2)

Omit "ASIC.", substitute "the Registrar. The lodgement must meet any requirements of the data standards.".

786 Paragraph 579A(3)(a)

Omit "ASIC", substitute "the Registrar".

787 Subsection 579A(3)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

788 Paragraph 579B(3)(a)

Omit "ASIC", substitute "the Registrar".

789 Subsection 579B(3)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

790 Paragraph 579C(5)(a)

Omit "ASIC", substitute "the Registrar".

791 Subsection 579C(5)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

792 Paragraph 579C(6)(a)

Omit "ASIC", substitute "the Registrar".

793 Subsection 579C(6)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

794 Paragraph 579C(7)(a)

Omit "ASIC", substitute "the Registrar".

795 Subsection 579C(7)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

796 Subsections 579E(13), 579F(3), 579G(8) and 579H(5) and (6)

Omit "ASIC.", substitute "the Registrar. The lodgement must meet any requirements of the data standards.".

797 Paragraph 589(3)(a)

Omit "ASIC has published in the prescribed manner".

798 At the end of paragraph 589(3)(a)

Add "has been published".

799 Subsection 601AA(1)

Omit "ASIC", substitute "the Registrar".

800 After subsection 601AA(1)

Insert:

Application requirements

(1A) The application must meet any requirements of the data standards.

801 Subsection 601AA(3) (heading)

Omit "ASIC", substitute "*The Registrar*".

802 Subsection 601AA(3)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

803 Paragraphs 601AA(4)(a) and (b)

Omit "ASIC", substitute "the Registrar".

804 Subsection 601AA(4)

Omit "ASIC must", substitute "the Registrar must".

805 Paragraph 601AA(4)(c)

Repeal the paragraph, substitute:

(c) make a record of the proposed deregistration; and

806 Paragraph 601AA(4)(d)

Omit "in the prescribed manner".

807 Subsection 601AA(4A)

Omit "ASIC", substitute "the Registrar".

808 Subsection 601AA(5)

Omit "ASIC", substitute "The Registrar".

809 After subsection 601AA(5)

Insert:

(5A) The Registrar must refuse to deregister a company under this section if ASIC notifies the Registrar that ASIC objects to the deregistration.

810 Subsection 601AA(6)

Omit "ASIC" (first occurring), substitute "The Registrar".

811 Subsection 601AA(7)

Omit "Subsection (6)", substitute "Subsections (5A) and (6)".

812 Subsection 601AA(7)

Omit "ASIC's", substitute "the Registrar's".

813 Section 601AB (heading)

Repeal the heading, substitute:

601AB Deregistration—initiated by the Registrar**814 Subsection 601AB(1) (heading)**

Omit "ASIC", substitute "*the Registrar*".

815 Subsection 601AB(1)

Omit "ASIC may", substitute "The Registrar may".

816 Paragraph 601AB(1)(b)

After "documents", insert "with ASIC or the Registrar".

817 Paragraph 601AB(1)(c)

Omit "ASIC", substitute "the Registrar".

818 Subsections 601AB(1A) and (1B)

Omit "ASIC", substitute "The Registrar".

819 Subsection 601AB(2)

Omit "ASIC" (first occurring), substitute "The Registrar".

820 Subsection 601AB(2)

Omit "ASIC" (second occurring), substitute "the Registrar".

821 Paragraph 601AB(2)(b)

After "lodged", insert "with ASIC or the Registrar".

822 Subsection 601AB(3)

Omit "ASIC" (first occurring), substitute "the Registrar".

823 Subsection 601AB(3)

Omit "it must", substitute "the Registrar must".

824 Subparagraph 601AB(3)(a)(iv)

Repeal the subparagraph.

825 After paragraph 601AB(3)(a)

Insert:

(ab) make a record of the proposed deregistration; and

826 Paragraph 601AB(3)(b)

Omit "in the prescribed manner".

827 Subsection 601AB(3A)

Omit "ASIC", substitute "the Registrar".

828 Subsection 601AB(4)

Omit "ASIC" (first occurring), substitute "The Registrar".

829 Subsection 601AB(4)

Omit "ASIC" (second occurring), substitute "the Registrar".

830 Subsection 601AB(5)

Omit "ASIC", substitute "The Registrar".

831 After subsection 601AB(5)

Insert:

(5A) The Registrar must refuse to deregister a company under this section if ASIC notifies the Registrar that ASIC objects to the deregistration.

832 Subsection 601AB(6)

Omit "ASIC" (first occurring), substitute "The Registrar".

833 Subsection 601AB(7)

Omit "Subsection (6)", substitute "Subsections (5A) and (6)".

834 Subsection 601AB(7)

Omit "ASIC's", substitute "the Registrar's".

835 Subsection 601AC(1)

Omit "(1) ASIC", substitute "The Registrar".

836 Paragraph 601AC(1)(c)

After "lodged", insert "with the Registrar".

837 Subsection 601AH(1) (heading)

Omit "ASIC", substitute "*the Registrar*".

838 Subsection 601AH(1)

Omit "ASIC may", substitute "The Registrar may".

839 Subsection 601AH(1)

Omit "ASIC is", substitute "the Registrar is".

840 After subsection 601AH(1)

Insert:

(1AA) The Registrar:

(a) may reinstate the registration of a company if ASIC is satisfied that the company should not have been deregistered; and

(b) must reinstate the registration if ASIC directs the Registrar to do so.

841 Subsection 601AH(1A)

Omit "ASIC", substitute "The Registrar".

842 Paragraph 601AH(1A)(a)

Omit "ASIC", substitute "the Registrar".

843 Subsection 601AH(2)

Omit "ASIC", substitute "the Registrar".

844 Paragraph 601AH(3)(a)

Omit "ASIC", substitute "the Registrar".

845 Paragraph 601AH(3)(a)

After "subsection (1)", insert ", (1AA)".

846 Subsection 601AH(4)

Repeal the subsection, substitute:

Registrar to publish notice of reinstatement

(4) The Registrar must publish notice of a reinstatement.

847 Subsection 601AH(4A)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

848 Subsection 601AH(5)

Omit "ASIC" (first occurring), substitute "the Registrar".

849 Subsection 601AJ(1)

Omit "ASIC", substitute "the Registrar".

850 Subsection 601AJ(2)

Omit "be in the prescribed form", substitute "meet any requirements of the data standards".

851 Section 601AK (heading)

Omit "ASIC", substitute "**The Registrar**".

852 Section 601AK

Omit "ASIC" (first occurring), substitute "The Registrar".

853 Section 601AK

Omit "ASIC" (second occurring), substitute "the Registrar".

854 Section 601AL (heading)

Omit "ASIC", substitute "**The Registrar**".

855 Subsection 601AL(1)

Omit "ASIC" (first occurring), substitute "The Registrar".

856 Paragraph 601AL(1)(a)

Omit "ASIC", substitute "the Registrar".

857 Subsection 601BC(1)

Omit "ASIC", substitute "the Registrar".

858 Subsections 601BC(2) to (4)

Repeal the subsections, substitute:

(2) The application must meet any requirements of the data standards.

(3) Without limiting subsection (2), the application must specify the State or Territory in this jurisdiction in which the company is to be taken to be registered.

859 Subsection 601BC(5)

Omit "have the consents and agreements referred to in subsection (2) when the application is lodged", substitute ", when the application is lodged, have any consents and agreements required by the data standards in relation to applications under this section".

860 Subsections 601BC(6) to (9)

Repeal the subsections.

861 Section 601BD (heading)

Omit "ASIC", substitute "**The Registrar**".

862 Subsection 601BD(1)

Omit ", ASIC", substitute "with the Registrar, the Registrar".

863 Paragraph 601BD(1)(c)

Repeal the paragraph, substitute:

(c) give the body a certificate of registration that meets any requirements of the data standards.

864 Subsection 601BD(1) (note)

Omit "subsection 1274(7A)", substitute "section 1274AAA".

865 Subsection 601BD(2)

Repeal the subsection, substitute:

The Registrar must record registration

(2) The Registrar must make a record of the registration.

866 Subsection 601BJ(3)

Omit "ASIC", substitute "the Registrar".

867 Subsection 601BL(1)

Omit "(1)".

868 Subsection 601BL(1)

Omit "ASIC must remove the body's name from the appropriate register kept for the purposes of Division 1 or 2 of Part 5B.2".

869 Subsection 601BL(2)

Repeal the subsection.

870 Section 601CB

Repeal the section, substitute:

601CB Application for registration

(1) A registrable Australian body may lodge with the Registrar an application for registration under this Division.

(2) The application must meet any requirements of the data standards.

(3) The Registrar must, subject to this Part:

(a) grant the application and register the body under this Division by making a record of the body's name; and

(b) allot to the body an ARBN distinct from the ARBN or ACN of each body corporate (other than the body) already registered as a company or registered body under this Act.

871 Subsection 601CC(1)

After "lodge", insert "with the Registrar".

872 Subsections 601CC(2) to (4)

Repeal the subsections, substitute:

(2) If the Registrar has reasonable cause to believe that a registered Australian body does not carry on business interstate, the Registrar may give the body a notice that:

(a) is to that effect; and

(b) informs the body that, if no response showing cause to the contrary is received within 1 month from the date of the notice, the Registrar will publish notice with a view to cancelling the body's registration.

(3) Unless the Registrar receives, within 1 month after the date of the notice, a response to the effect that the body is still carrying on business interstate, the Registrar may:

(a) give the body a notice informing the body that, at the end of 3 months after the date of the notice, the body's registration will, unless cause to the contrary is shown, be cancelled; and

(b) publish the notice.

(4) At the end of the period specified in a notice given under subsection (3), the Registrar:

(a) may, unless cause to the contrary has been shown, cancel the body's registration; and

(b) if the registration is cancelled—must publish notice of the cancellation.

(4A) A response by the body showing cause to the contrary for the purposes of paragraph (2)(b) or (3)(a) must meet any requirements of the data standards.

(4B) However, if ASIC notifies the Registrar of its objection to the cancellation, cause to the contrary is taken to have been shown for the purposes of those paragraphs.

873 Subsection 601CC(5)

Omit "whose name has been struck off the register", substitute "whose registration has been cancelled under this section".

874 Subsection 601CC(6)

Repeal the subsection.

875 Subsections 601CC(7) to (9)

Repeal the subsections, substitute:

(7) If the Registrar is satisfied that a body's registration was cancelled as a result of an error on the Registrar's part, the Registrar may reinstate the body's registration. On reinstatement, the body is taken never to have ceased to be registered under this Division.

(8) A person who is aggrieved by the cancellation of a body's registration may, within 15 years after the cancellation, apply to the Court for the registration to be reinstated.

(9) If, on an application under subsection (8), the Court is satisfied that:

(a) at the time of the cancellation, the body was carrying on business interstate; or

(b) it is otherwise just for the body's registration to be reinstated;

the Court may, by order:

(c) direct the body's registration to be reinstated; and

(d) give such directions, and make such provisions, as it thinks just for placing the body and all other persons in the same position, as nearly as practicable, as if the body's registration had never been cancelled.

876 Subsection 601CC(10)

Omit "name is taken never to have been struck off", substitute "registration is taken never to have been cancelled. The lodgement must meet any requirements of the data standards".

877 Subsection 601CC(11)

Repeal the subsection, substitute:

(11) If a body's registration is reinstated under this section, the Registrar must publish notice of that fact.

878 Subsection 601CC(12)

After "a document", insert "with ASIC or the Registrar".

879 Section 601CDA

Omit "with ASIC", substitute "with the Registrar".

880 Paragraph 601CDA(b)

After "ASIC", insert "or the Registrar".

881 Section 601CE

Repeal the section, substitute:

601CE Application for registration

(1) A foreign company may lodge with the Registrar an application for registration under this Division.

(2) The application must meet any requirements of the data standards.

(3) The Registrar must, subject to this Part:

(a) grant the application and register the foreign company under this Division by making a record of the foreign company's name; and

(b) allot to the foreign company an ARBN distinct from the ARBN or ACN of each body corporate (other than the company) already registered as a company or registered body under this Act.

882 Subsection 601CF(2)

Omit "ASIC", substitute "The Registrar".

883 Subsection 601CG(1)

After "lodges", insert "with the Registrar".

884 At the end of subsection 601CG(1)

Add:

The lodgement must meet any requirements of the data standards.

885 Subsection 601CG(2)

Omit ", verified in writing in the prescribed form to be a true copy,".

886 After subsection 601CG(2)

Insert:

(2A) Lodgement of the copy must meet any requirements of the data standards.

887 Subsection 601CG(4)

Omit all the words after "lodge", substitute "a statement by the local agent. The statement must meet any requirements of the data standards".

888 Subsection 601CH(1)

After "lodge", insert "with the Registrar".

889 Subsection 601CK(1)

After "lodge", insert "with the Registrar".

890 Subsection 601CK(1)

Omit all the words after "origin".

891 After subsection 601CK(1)

Insert:

(1A) Lodgement of the copies must meet any requirements of the data standards.

892 Paragraphs 601CK(3)(a) to (d)

After "lodge", insert "with the Registrar".

893 Subsections 601CK(5), (5A), (6) and (9)

After "lodge", insert "with the Registrar".

894 Subsection 601CK(9)

Omit "in the prescribed form".

895 At the end of subsection 601CK(9)

Add:

The return must meet any requirements of the data standards.

896 Subsection 601CK(10)

Omit "be lodged", substitute "meet any requirements of the data standards and be lodged with the Registrar".

897 Subsection 601CL(1)

After "lodge", insert "with the Registrar".

898 Subsection 601CL(2)

Omit "Where ASIC", substitute "If the Registrar".

899 Subsection 601CL(2)

Omit "ASIC must remove the foreign company's name from the register", substitute "the Registrar must cancel the foreign company's registration".

900 Subsections 601CL(3) to (5)

Repeal the subsections, substitute:

(3) If the Registrar has reasonable cause to believe that a registered foreign company does not carry on business in this jurisdiction, the Registrar may give the foreign company a notice that:

(a) is to that effect; and

(b) informs the foreign company that, if no response showing cause to the contrary is received within 1 month from the date of the notice, the Registrar will publish notice with a view to cancelling the foreign company's registration.

(4) Unless the Registrar receives, within 1 month after the date of the notice, a response to the effect that the foreign company is still carrying on business in this jurisdiction, the Registrar may:

(a) give the foreign company a notice informing the foreign company that, at the end of 3 months after the date of the notice, the foreign company's registration will, unless cause to the contrary is shown, be cancelled; and

(b) publish the notice.

(5) At the end of the period specified in a notice given under subsection (3), the Registrar:

(a) may, unless cause to the contrary has been shown, cancel the foreign company's registration; and

(b) if the registration is cancelled—must publish notice of the cancellation.

(5A) A response by the foreign company showing cause to the contrary for the purposes of paragraph (3)(b) or (4)(a) must meet any requirements of the data standards.

(5B) However, if ASIC notifies the Registrar of its objection to the cancellation, cause to the contrary is taken to have been shown for the purposes of those paragraphs.

901 Subsection 601CL(6)

Omit "whose name has been struck off the register", substitute "whose registration has been cancelled under this section".

902 Subsection 601CL(7)

Repeal the subsection.

903 Subsections 601CL(8) to (10)

Repeal the subsections, substitute:

(8) If the Registrar is satisfied that a foreign company's registration was cancelled as a result of an error on the Registrar's part, the Registrar may reinstate the foreign company's registration. On reinstatement, the foreign company is taken never to have ceased to be registered under this Division.

(9) A person who is aggrieved by the cancellation of a foreign company's registration may, within 15 years after the cancellation, apply to the Court for the registration to be reinstated.

(10) If, on an application under subsection (9), the Court is satisfied that:

(a) at the time of the cancellation, the foreign company was carrying on business interstate; or

(b) it is otherwise just for the foreign company's registration to be reinstated;

the Court may, by order:

(c) direct the foreign company's registration to be reinstated; and

(d) give such directions, and make such provisions, as it thinks just for placing the foreign company and all other persons in the same position, as nearly as practicable, as if the foreign company's registration had never been cancelled.

904 Subsection 601CL(11)

Omit "name is taken never to have been struck off", substitute "registration is taken never to have been cancelled. The lodgement must meet any requirements of the data standards".

905 Subsection 601CL(12)

Repeal the subsection, substitute:

(12) If a foreign company's registration is reinstated under this section, the Registrar must publish notice of that fact.

906 Subsection 601CL(13)

After "a document", insert "with the Registrar".

907 Paragraph 601CL(14)(a)

After "lodged", insert "with the Registrar".

908 Section 601CP (heading)

Omit "ASIC", substitute "the Registrar".

909 Section 601CP

After "lodge", insert "with the Registrar".

910 Section 601CTA

Omit "with ASIC", substitute "with the Registrar".

911 Paragraph 601CTA(b)

After "ASIC", insert "or the Registrar".

912 Subsection 601CT(2)

After "lodge", insert "with the Registrar".

913 At the end of subsection 601CT(2)

Add:

The notice must meet any requirements of the data standards.

914 Subsection 601CT(3)

After "lodge", insert "with the Registrar".

915 At the end of subsection 601CT(3)

Add:

The notice must meet any requirements of the data standards.

916 Subsection 601CT(4)

Omit "a notice, in the prescribed form, of the change.", substitute "with the Registrar a notice of the change. The notice must meet any requirements of the data standards.".

917 Subsection 601CU(1)

Omit all the words after "name,", substitute "the Registrar must give the body a certificate of the body's registration under that Division that meets any requirements of the data standards".

918 Paragraph 601CV(1)(b)

After "lodged", insert "with the Registrar".

919 Subsection 601CV(1)

Omit "change, together with such documents (if any) as the regulations require.", substitute "change. The notice must meet any requirements of the data standards.".

920 Paragraph 601CX(2)(b)

Omit "ASIC", substitute "the Registrar".

921 At the end of subsection 601CX(4)

Add "with the Registrar".

922 Paragraph 601CZC(1)(d)

Omit "ASIC", substitute "the Registrar".

923 Section 601CZC(2)

Omit "ASIC", substitute "the Registrar".

924 After subsection 601CZC(2)

Insert:

(2A) The notice must meet any requirements of the data standards.

925 Subsection 601DA(1)

Omit "in the prescribed form with ASIC", substitute "with the Registrar".

926 Subsection 601DA(1)

Omit "ASIC" (second occurring), substitute "the Registrar".

927 After subsection 601DA(1)

Insert:

(1A) The application must meet any requirements of the data standards.

928 Subsection 601DA(2)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

929 Subsection 601DA(3)

Omit "ASIC (first occurring)", substitute "The Registrar".

930 Subsection 601DA(3)

Omit "ASIC (second occurring)", substitute "the Registrar".

931 At the end of section 601DA

Add:

(4) A request under subsection (2) or (3) must meet any requirements of the data standards.

932 Paragraph 601DC(1)(b)

Omit "on the Business Names Register", substitute "under the *Business Names Registration Act 2011*".

933 Subsections 601DC(3) and (4) (note)

Omit "ASIC", substitute "the Registrar".

934 Subsection 601DD(3)

Omit "on the Business Names Register", substitute "under the *Business Names Registration Act 2011*".

935 Section 601DH (heading)

Omit "ASIC", substitute "the Registrar".

936 Subsection 601DH(1)

Omit "ASIC", substitute "the Registrar".

937 After subsection 601DH(1)

Insert:

(1AA) The notice must meet any requirements of the data standards.

938 Subsection 601DH(2) (not including the notes)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

939 Subsection 601DH(2) (note 3)

Omit "ASIC", substitute "The Registrar".

940 Section 601DJ (heading)

Omit "ASIC's", substitute "The Registrar's".

941 Subsection 601DJ(1)

Omit "ASIC", substitute "The Registrar".

942 Subsection 601DJ(3)

Omit "ASIC", substitute "the Registrar".

943 Subsection 601DJ(4)

Omit "ASIC alters", substitute "the Registrar alters".

944 Subsection 601DJ(4) (note)

Omit "ASIC", substitute "The Registrar".

945 Subsection 601EB(3)

Omit "ASIC must keep", substitute "The Registrar must make".

946 Section 601EC (heading)

After "ASIC", insert "or the Registrar".

947 Section 601EC

After "ASIC", insert "or the Registrar".

948 Section 601FJ (heading)

Omit "ASIC", substitute "the Registrar".

949 Subsection 601FJ(1)

Omit "ASIC's record of registration", substitute "a record of registration made or held by the Registrar".

950 Paragraphs 601FL(2)(a) and (c)

Omit "ASIC", substitute "the Registrar".

951 After subsection 601FL(2)

Insert:

(2A) The notice must meet any requirements of the data standards.

952 Paragraphs 601FM(2)(a) and (c)

Omit "ASIC", substitute "the Registrar".

953 After subsection 601FM(2)

Insert:

(2A) The notice must meet any requirements of the data standards.

954 Subsections 601FP(3)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

955 After subsection 601FP(3)

Insert:

(3A) The notice must meet any requirements of the data standards.

956 Subsection 601FP(4)

Omit "ASIC", substitute "the Registrar".

957 Subsection 601FQ(4)

Omit "ASIC" (first occurring), substitute "the Registrar".

958 Subsection 601FQ(4)

Omit "ASIC" (second occurring), substitute "The Registrar".

959 After subsection 601FQ(4)

Insert:

(4A) The notice must meet any requirements of the data standards.

960 Subsection 601GC(2)

Omit "ASIC", substitute "the Registrar".

961 After subsection 601GC(2)

Insert:

(2A) Lodgement of the copy must meet any requirements of the data standards.

962 After subsection 601GC(3)

Insert:

(3A) The responsible entity must lodge with the Registrar a consolidated copy of the scheme's constitution if ASIC directs it to do so.

(3B) If the copy is lodged with the Registrar, the lodgement must meet any requirements of the data standards.

963 Subsection 601HE(3)

After "ASIC", insert "or, if ASIC so directs, with the Registrar".

964 At the end of section 601HE

Add:

(4) If the copy is lodged with the Registrar, the lodgement must meet any requirements of the data standards.

965 Subsection 601HF(1)

After "lodge", insert "with ASIC or the Registrar".

966 After subsection 601HF(1)

Insert:

(1A) If the copy is lodged with the Registrar, the lodgement must meet any requirements of the data standards.

967 Subsection 601HG(7)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

968 At the end of subsection 601HG(7)

Add:

The lodgement must meet any requirements of the data standards.

969 Section 601HI

Before "If", insert "(1)".

970 Section 601HI

Omit "ASIC" (first occurring), substitute "the Registrar".

971 Section 601HI

Omit "ASIC" (second occurring), substitute "The Registrar".

972 Section 601HI

Before "the change complies", insert "ASIC is satisfied that".

973 At the end of section 601HI

Add:

(2) The request must meet any requirements of the data standards.

974 Subsection 601KB(5)

Omit "ASIC.", substitute "the Registrar. The lodgement must meet any requirements of the data standards.".

975 Subsection 601KE(3)

Omit "ASIC.", substitute "the Registrar. The notice must meet any requirements of the data standards.".

976 Subsection 601NC(2)

Omit "ASIC", substitute "the Registrar".

977 After subsection 601NC(2)

Insert:

(2A) The giving of the notice to the Registrar must meet any requirements of the data standards.

978 Subsection 601PA(3)

Omit all the words after "proposed", substitute "deregistration to the Registrar and the responsible entity".

979 After subsection 601PA(3)

Insert:

(3A) The Registrar must make a record, of the proposed deregistration, and make the notice available to the public.

(3B) Two months after the notice is made available, ASIC may deregister the scheme.

980 Subparagraph 601PB(1)(e)(ii)

After "lodged", insert "with ASIC or the Registrar".

981 Paragraph 601PB(2)(c)

Repeal the paragraph, substitute:

(c) to the Registrar; and

982 After subsection 601PB(2)

Insert:

(2A) The Registrar must, on being notified under paragraph (2)(c), make a record of the proposed deregistration.

983 Paragraph 630(5)(c)

Omit "ASIC", substitute "the Registrar".

984 After subsection 630(5)

Insert:

(5A) The lodgement must meet any requirements of the data standards.

985 Section 632 (diagram)

Omit " ASIC" (wherever occurring), substitute " Registrar".

986 Subsection 633(1) (table items 2, 4, 6, 9 and 13, column headed "Steps")

Omit "ASIC", substitute "the Registrar".

987 After subsection 633(1)

Insert:

(1A) Lodgement of a copy of a document under table item 2 or 13 must meet any requirements of the data standards.

(1B) A notice mentioned in table item 4 or 9 must meet any requirements of the data standards.

988 Paragraph 633(4)(b)

Omit "ASIC", substitute "the Registrar".

989 After subsection 633(4)

Insert:

(4A) If the notice is lodged with the Registrar, it must meet any requirements of the data standards.

990 Section 634 (diagram)

Omit " ASIC" (wherever occurring), substitute " Registrar".

991 Subsection 635(1)

After "bid is made.", insert "Lodgement of a copy of a document mentioned in the table must meet any requirements of the data standards.".

992 Subsection 635(1) (table items 5, 7 and 12, column headed "Steps")

Omit "ASIC", substitute "the Registrar".

993 Paragraph 636(1)(e)

Omit "ASIC" (first occurring), substitute "the Registrar".

994 Paragraph 636(1)(e)

Omit "ASIC takes no", substitute "neither ASIC nor the Registrar takes".

995 After subsection 636(1)

Insert:

(1A) Lodgement of the bidder's statement must meet any requirements of the data standards.

996 Paragraph 636(3)(c)

Omit "ASIC", substitute "the Registrar".

997 Subsections 637(1) and (2)

Omit "ASIC", substitute "the Registrar".

998 After subsection 638(1)

Insert:

(1AA) Lodgement of the statement must meet any requirements of the data standards.

999 Paragraph 638(5)(c)

Omit "ASIC", substitute "the Registrar".

1000 Subsections 639(1) and (2)

Omit "ASIC", substitute "the Registrar".

1001 At the end of subparagraphs 643(1)(c)(i) and 644(1)(c)(i)

Add "with the Registrar".

1002 Paragraph 645(1)(c)

Omit "ASIC", substitute "the Registrar".

1003 Subsections 645(2), (3) and (4)

Omit "ASIC", substitute "the Registrar".

1004 Section 646

Omit "ASIC", substitute "the Registrar".

1005 Paragraph 647(3)(a)

Omit "ASIC", substitute "the Registrar".

1006 After subsection 647(3)

Insert:

(3A) Lodgement of a supplementary statement must meet any requirements of the data standards.

1007 Subsection 648G(9)

Omit "ASIC.", substitute "the Registrar. Lodgement must meet any requirements of the data standards.".

1008 Paragraphs 649C(1)(a) and (2)(b)

Omit "ASIC", substitute "the Registrar".

1009 After subsection 649C(2)

Insert:

(2A) The notice must meet any requirements of the data standards.

1010 Paragraphs 650C(2)(a) and 650D(1)(b)

Omit "ASIC", substitute "the Registrar".

1011 After subsection 650D(1)

Insert:

(1A) Lodgement of the notice must meet any requirements of the data standards.

1012 Paragraph 650D(4)(a)

Repeal the paragraph, substitute:

(a) the notice was lodged with the Registrar on a specified date; and

1013 Paragraph 650D(4)(b)

Omit "ASIC takes no", substitute "neither ASIC nor the Registrar takes".

1014 Paragraph 650F(3)(b)

Omit "ASIC", substitute "the Registrar".

1015 After subsection 650F(3)

Insert:

(3A) If the notice is lodged with the Registrar, the lodgement must meet any requirements of the data standards.

1016 Section 654B

Omit "lodged", substitute "given".

1017 Paragraph 654C(3)(b)

Omit "ASIC", substitute "the Registrar".

1018 After subsection 654C(3)

Insert:

(3A) The lodgement must meet any requirements of the data standards.

1019 Subsection 660B(3)

After "lodged", insert "with the Registrar".

1020 Paragraph 661B(1)(a)

Omit "in the prescribed form".

1021 At the end of paragraph 661B(1)(a)

Add:

(iii) meets any requirements of the data standards; and

1022 Paragraphs 661B(1)(b) and (d)

Omit "ASIC", substitute "the Registrar".

1023 Subsection 661B(1) (note)

Omit "ASIC", substitute "the Registrar".

1024 Paragraph 661B(2)(b)

Omit "ASIC", substitute "the Registrar".

1025 Subsection 661D(1)

Omit "ASIC", substitute "the Registrar".

1026 Paragraph 662B(1)(a)

Omit "in the prescribed form".

1027 At the end of paragraph 662B(1)(a)

Add:

(iv) meets any requirements of the data standards; and

1028 Paragraph 662B(1)(b)

Omit "ASIC", substitute "the Registrar".

1029 Subparagraph 662B(1)(c)(i)

Omit "ASIC", substitute "the Registrar".

1030 Paragraph 662B(1)(d)

Omit "ASIC", substitute "the Registrar".

1031 Subsection 662B(1) (note)

Omit "ASIC", substitute "the Registrar".

1032 Paragraph 662B(2)(b)

Omit "ASIC", substitute "the Registrar".

1033 Paragraph 663B(1)(a)

Omit "in the prescribed form".

1034 At the end of paragraph 663B(1)(a)

Add:

(iv) meets any requirements of the data standards; and

1035 Paragraph 663B(1)(b)

Omit "ASIC", substitute "the Registrar".

1036 Paragraph 663B(1)(d)

Omit "ASIC", substitute "the Registrar".

1037 Subsection 663B(1) (note 2)

Omit "ASIC", substitute "the Registrar".

1038 Paragraph 663B(2)(b)

Omit "ASIC", substitute "the Registrar".

1039 Section 664AA

Omit "ASIC", substitute "the Registrar".

1040 Subsection 664C(1)

Omit "in the prescribed form".

1041 At the end of subsection 664C(1)

Add:

; and (f) meets any requirements of the data standards.

1042 Paragraphs 664C(2)(a) and (b)

Omit "ASIC", substitute "the Registrar".

1043 Subsection 664C(2) (note)

Omit "ASIC", substitute "the Registrar".

1044 Subsections 664C(3) and 664E(2)

Omit "ASIC", substitute "the Registrar".

1045 At the end of subsection 664E(2)

Add:

Lodgement of the copy must meet any requirements of the data standards.

1046 Paragraph 664E(3)(b)

Omit "ASIC", substitute "the Registrar".

1047 After subsection 664E(3)

Insert:

(3A) Lodgement of the list with the Registrar must meet any requirements of the data standards.

1048 Paragraph 665B(1)(a)

Omit "in the prescribed form".

1049 At the end of paragraph 665B(1)(a)

Add:

(v) meets any requirements of the data standards; and

1050 Paragraphs 665B(1)(b), (c) and (e)

Omit "ASIC", substitute "the Registrar".

1051 Subsection 665B(1) (note 2)

Omit "ASIC", substitute "the Registrar".

1052 After subsection 665B(1)

Insert:

Lodgement requirements

(1A) Lodgement of the notice with the Registrar must meet any requirements of the data standards.

1053 Paragraph 665B(2)(b)

Omit "ASIC", substitute "the Registrar".

1054 Paragraph 666A(2)(a)

Omit "ASIC", substitute "the Registrar".

1055 Subparagraphs 670A(1)(j)(i) and 670C(1)(c)(i)

After "lodged", insert "with the Registrar".

1056 Subsection 670D(6)

After "lodged", insert "with the Registrar".

1057 Paragraphs 672DA(2)(d) and (3)(d)

Omit "ASIC", substitute "the Registrar".

1058 Subsection 672DA(4)

Omit "ASIC", substitute "the Registrar".

1059 After subsection 672DA(4)

Insert:

(4A) The notice must meet any requirements of the data standards.

1060 Subsection 672DA(4) (note)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

1061 Subparagraph 675(2)(c)(ii)

Omit "ASIC", substitute "the Registrar".

1062 Subsection 675(2)

Omit "ASIC containing the information.", substitute "the Registrar containing the information. The notice must meet any requirements of the data standards."

1063 Section 705 (table item 2, column headed "Type")

Omit "ASIC", substitute "the Registrar".

1064 Section 705 (table item 3, column headed "Type")

Omit "ASIC" (second occurring), substitute "the Registrar".

1065 Subparagraphs 708A(11)(b)(i) and (ii)

Omit "ASIC", substitute "the Registrar".

1066 At the end of subsection 708A(11)

Add:

Lodgement of the prospectus must meet any requirements of the data standards.

1067 Subsections 709(1) and (1B)

Omit "material already lodged with ASIC", substitute "material held by the Registrar".

1068 Subsection 711(7) (heading)

Omit "*ASIC*", substitute "*the Registrar*".

1069 Paragraph 711(7)(a)

Omit "ASIC", substitute "the Registrar".

1070 Paragraph 711(7)(b)

Omit "ASIC takes no", substitute "neither ASIC nor the Registrar takes".

1071 Subsection 712(1) (heading)

Omit "*lodged with ASIC*", substitute "*held by the Registrar*".

1072 Subsection 712(1)

Omit "has been lodged with ASIC", substitute "is covered by subsection (1A)".

1073 After subsection 712(1)

Insert:

(1A) This subsection covers a document that:

(a) is held by the Registrar (including a document that was lodged with ASIC); and

(b) may be accessed by the public in accordance with the disclosure framework.

1074 Subsection 712(4)

Omit "ASIC", substitute "the Registrar".

1075 At the end of subsection 712(4)

Add:

However, the document must satisfy paragraph (1A)(b) and meet any requirements of the data standards.

1076 Paragraph 713(3)(b)

Repeal the paragraph, substitute:

(b) documents lodged with the Registrar in relation to the body may be accessed by the public in accordance with the disclosure framework.

1077 Subparagraphs 713(4)(a)(i) to (iii)

Omit "ASIC", substitute "the Registrar".

1078 Subsection 713B(5)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

1079 At the end of subsection 713B(5)

Add:

Lodgement of the offer-specific prospectus must meet any requirements of the data standards.

1080 Subsection 713C(1)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

1081 After subsection 713C(1)

Insert:

(1A) Lodgement of the document must meet any requirements of the data standards.

1082 Paragraphs 713C(4)(a) and 713D(1)(b)

Omit "ASIC", substitute "the Registrar".

1083 After subsection 713D(1)

Insert:

(1A) Lodgement of the document must meet any requirements of the data standards.

1084 Subsection 713D(3)

Omit "ASIC", substitute "the Registrar".

1085 Section 713E (heading)

Omit "lodged with ASIC", substitute "held by the Registrar".

1086 Subsection 713E(1)

Omit "document (the *lodged document*) that has been lodged with ASIC", substitute "lodged document".

1087 Subsection 713E(4)

Omit "ASIC", substitute "the Registrar".

1088 At the end of subsection 713E(4)

Add:

However, the document must satisfy paragraph (b) of the definition of *lodged document* (in subsection (6)) and meet any requirements of the data standards.

1089 At the end of section 713E

Add:

(6) A *lodged document* is a document that:

- (a) is held by the Registrar (including a document that was lodged with ASIC); and
- (b) may be accessed by the public in accordance with the disclosure framework.

1090 Subparagraph 714(1)(e)(i)

Omit "ASIC", substitute "the Registrar".

1091 Subparagraph 714(1)(e)(ii)

Omit "ASIC takes no", substitute "neither ASIC nor the Registrar takes".

1092 After subsection 714(1)

Insert:

(1A) Lodgement of the copy of the statement must meet any requirements of the data standards.

1093 Subparagraph 715(1)(f)(i)

Omit "ASIC", substitute "the Registrar".

1094 Subparagraph 715(1)(f)(ii)

Omit "ASIC takes no", substitute "neither ASIC nor the Registrar takes".

1095 After subsection 715(1)

Insert:

(1A) Lodgement of the copy of the statement must meet any requirements of the data standards.

1096 Subsections 716(1) and (1B)

Omit "ASIC", substitute "the Registrar".

1097 Paragraph 716(2)(c)

Omit "ASIC", substitute "the Registrar".

1098 Section 717 (table item 2, column headed "Action required")

Omit "ASIC", substitute "the Registrar".

1099 Section 717 (table item 4, column headed "Action required")

After "lodged", insert "with the Registrar".

1100 Subsection 718(1)

Omit "ASIC", substitute "the Registrar".

1101 Subsection 718(1) (note 3)

Repeal the note.

1102 Subparagraph 719(1)(c)(i)

After "lodged", insert "with the Registrar".

1103 Subsections 719(1) and (1A)

Omit "ASIC", substitute "the Registrar".

1104 Paragraph 719(2)(c)

Omit "ASIC", substitute "the Registrar".

1105 Subsection 719(2)

After "document must", insert "meet any requirements of the data standards and".

1106 Subsection 719(2)

Omit "ASIC" (last occurring), substitute "the Registrar".

1107 Subsection 719(3)

After "document must", insert "meet any requirements of the data standards and".

1108 Subsections 719(3) to (5)

Omit "ASIC", substitute "the Registrar".

1109 Subparagraphs 719A(1)(c)(i) and (1)(d)(ii)

Omit "ASIC", substitute "the Registrar".

1110 Paragraph 719A(1)(e)

Omit "ASIC", substitute "the Registrar".

1111 Subsections 719A(2) and (3)

Omit "ASIC", substitute "the Registrar".

1112 Paragraph 719A(4)(c)

Omit "ASIC", substitute "the Registrar".

1113 Subsection 719A(4)

After "document must", insert "meet any requirements of the data standards and".

1114 Subsection 719A(4)

Omit "ASIC" (last occurring), substitute "the Registrar".

1115 Subsection 719A(5)

After "document must", insert "meet any requirements of the data standards and".

1116 Subsection 719A(5)

Omit "ASIC", substitute "the Registrar".

1117 Subsection 719A(6)

After "document must", insert "meet any requirements of the data standards and".

1118 Subsection 719A(6)

Omit "ASIC", substitute "the Registrar".

1119 Section 720

After "The lodgement", insert "with the Registrar".

1120 Subparagraph 724(1)(d)(i)

After "lodged", insert "with the Registrar".

1121 Subsection 727(1)

Omit "ASIC", substitute "the Registrar".

1122 Subparagraphs 728(1)(c)(i) and 730(1)(c)(i)

After "lodged", insert "with the Registrar".

1123 Subsection 733(4)

After "lodged", insert "with the Registrar".

1124 Subsection 734(4)

Omit "ASIC", substitute "the Registrar".

1125 Subparagraph 738ZG(9)(b)(i)

After "lodged", insert "with the Registrar".

1126 Paragraphs 739(1)(a) and (b)

Omit "ASIC", substitute "the Registrar".

1127 Subsection 792B(5) (note 1)

Repeal the note.

1128 Subsection 792B(5) (note 2)

Omit "Note 2", substitute "Note".

1129 After subsection 792B(5)

Insert:

(6) However, to the extent that the licensee is required to give the notice and information, to ASIC or the Registrar, under any other provision of this Act, the licensee may comply with subsection (5) by giving the notice and information under that other provision.

1130 Section 792C (heading)

Omit "ASIC".

1131 Subsections 792C(1) and (2)

Omit "ASIC", substitute "the Registrar".

1132 Subsection 792C(3)

Repeal the subsection, substitute:

(3) The giving of the information must meet any requirements of the data standards.

1133 Subsection 821B(4) (note 1)

Omit "Note 1", substitute "Note".

1134 Subsection 821B(4) (note 2)

Repeal the note.

1135 After subsection 821B(4)

Insert:

(5) However, to the extent that the licensee is required to give the notice and information, to ASIC or the Registrar, under any other provision of this Act, the licensee may comply with subsection (4) by giving the notice and information under that other provision.

1136 Paragraph 853A(c)

Repeal the paragraph, substitute:

(c) the individual is included in the record the Registrar maintains under section 1274AA.

1137 Subsection 904C(3) (note 1)

Repeal the note.

1138 Subsection 904C(3) (note 2)

Omit "Note 2", substitute "Note".

1139 At the end of section 904C (after the note)

Add:

(4) However, to the extent that the licensee is required to give the notice and information, to ASIC or the Registrar, under any other provision of this Act, the licensee may comply with subsection (3) by giving the notice and information under that other provision.

1140 Section 910A (definition of *recent advising history*)

Repeal the definition.

1141 Section 910A (definition of *Register of Relevant Providers*)

Repeal the definition.

1142 Section 916F (heading)

Omit "ASIC", substitute "**the Registrar**".

1143 Subsection 916F(1)

Omit "with ASIC a written notice (in accordance with subsection (2))", substitute "a notice with the Registrar".

1144 After subsection 916F(1)

Insert:

(1AAA) The notice must meet any requirements of the data standards.

1145 Subsection 916F(3)

Omit "notify ASIC, by lodging a written notice,", substitute "lodge a notice with the Registrar".

1146 After subsection 916F(3)

Insert:

(3A) The notice must meet any requirements of the data standards.

1147 Subsection 921J(2) (heading)

Omit "*ASIC*", substitute "*the Registrar*".

1148 Paragraph 921J(2)(b)

Omit "entered on the Register of Relevant Providers".

1149 Division 9 of Part 7.6 (heading)

Omit "**Registers**", substitute "**Records**".

1150 Subdivision A of Division 9 of Part 7.6

Repeal the Subdivision, substitute:

Subdivision A—Records generally

922A Records relating to financial services

(1) The Registrar must maintain records relating to financial services.

Note: The data standards may deal with how the Registrar is to maintain the records.

(2) The regulations may prescribe the fees that a person must pay to the Registrar in relation to access to those records.

Note: For access to these records, see the disclosure framework.

1151 Subdivision B of Division 9 of Part 7.6 (heading)

Omit "the Register of Relevant Providers", substitute "relevant providers".

1152 Sections 922D to 922G

Repeal the sections, substitute:

922D Obligation to notify the Registrar about a person who becomes a relevant provider

(1) A notice must be lodged under this section with the Registrar if a person becomes a relevant provider.

Note: A financial services licensee required to lodge a notice under this section may obtain information from a relevant provider under section 922N.

(2) The notice must meet any requirements of the data standards.

1153 Section 922H (heading)

Omit "ASIC", substitute "the Registrar".

1154 Subsection 922H(1)

Omit ", in accordance with section 922L,", substitute "with the Registrar".

1155 Paragraph 922H(1)(a)

Omit "in the Register of Relevant Providers", substitute ", under section 922Q, in the records maintained under section 922A".

1156 Paragraph 922H(1)(b)

Repeal the paragraph, substitute:

(b) a notice is lodged under section 922D in relation to a relevant provider by a financial services licensee without including the information, required by the data standards, relating to:

(i) the relevant financial products in relation to which the relevant provider is authorised to provide personal advice to retail clients; and

(ii) whether the relevant provider is authorised to provide class of product advice in relation to some or all of those products;

and the information becomes known to the licensee after the notice is lodged.

1157 Subsection 922H(2)

Repeal the subsection, substitute:

(2) The notice must meet any requirements of the data standards.

1158 Subsections 922L(1) and (2)

After "A notice", insert "lodged with ASIC".

1159 Section 922M (at the end of the heading)

Add "or the Registrar".

1160 Subsection 922M(2)

Repeal the subsection.

1161 Subdivision C of Division 9 of Part 7.6 (heading)

Repeal the heading, substitute:

Subdivision C—Recording information about relevant providers**1162 Section 922Q**

Repeal the section, substitute:

922Q Recording information about relevant providers

The Registrar must enter, in the records maintained under section 922A, details relating to each person who is or was a relevant provider.

Note: The data standards may deal with which details are to be entered in those records.

1163 Section 922R

Omit "ASIC", substitute "The Registrar".

1164 Section 922S

Repeal the section.

1165 Subsection 990B(6)

Omit "written notice with ASIC stating that the licensee has made the appointment and specifying the name of the person or firm", substitute "notice with the Registrar. The notice must meet any requirements of the data standards".

1166 Paragraph 990L(3)(b)

After "ASIC", insert "or the Registrar".

1167 Subparagraphs 1012DA(1)(b)(i) and (ii)

Omit "ASIC", substitute "the Registrar".

1168 Subparagraphs 1013FA(2)(a)(i) and (ii)

Omit "ASIC", substitute "the Registrar".

1169 Paragraph 1013G(a)

Omit "ASIC", substitute "the Registrar".

1170 Paragraph 1013I(2)(b)

Repeal the paragraph, substitute:

(b) the Registrar provides access to copies of documents lodged with the Registrar in relation to the scheme.

1171 Subparagraphs 1013I(3)(a)(i) and (ii)

Omit "ASIC", substitute "the Registrar".

1172 Section 1013J (heading)

Omit "ASIC", substitute "the Registrar".

1173 Section 1013J

Omit "with ASIC" (wherever occurring), substitute "with the Registrar".

1174 Paragraph 1013J(b)

Omit "ASIC takes", substitute "ASIC and the Registrar take".

1175 Sections 1014J and 1014L

Omit "ASIC", substitute "the Registrar".

1176 Section 1015B (heading)

Omit "ASIC", substitute "the Registrar".

1177 Subsections 1015B(1) and (2) and 1015D(1)

Omit "ASIC", substitute "the Registrar".

1178 Subsection 1015D(2)

Omit "ASIC, in electronic form,", substitute "the Registrar".

1179 After subsection 1015D(2)

Insert:

(2A) The notice must meet any requirements of the data standards.

1180 Subparagraph 1015E(1)(b)(i)

Omit "ASIC", substitute "the Registrar".

1181 Subsection 1015E(2)

Omit "ASIC", substitute "the Registrar".

1182 Section 1016B (heading)

Omit "ASIC", substitute "the Registrar".

1183 Paragraph 1016B(1)(a)

Omit "ASIC", substitute "the Registrar".

1184 Subparagraphs 1018A(4)(c)(i) and (d)(i)

Omit "ASIC", substitute "the Registrar".

1185 Subparagraphs 1021M(1)(a)(i) and (3)(a)(i)

Omit "ASIC", substitute "the Registrar".

1186 Paragraph 1072E(10)(a)

After "ASIC", insert "or the Registrar".

1187 Section 1100A (heading)

After "ASIC", insert "or the Registrar".

1188 Subsections 1100A(1) and (2)

After "information to ASIC", insert "or the Registrar".

1189 Subsection 1100A(2)

After "ASIC's", insert "or the Registrar's".

1190 Subsection 1200C(5)

Omit "ASIC", substitute "the Registrar".

1191 Paragraph 1200C(5)(a)

Omit "in the prescribed form (if any)".

1192 At the end of subsection 1200C(5)

Add:

; and (c) any other documents or information that the data standards require to be lodged.

The notice mentioned in paragraph (a), and the lodgement of that notice and of any document or information mentioned in paragraph (c), must meet any requirements of the data standards.

1193 Paragraph 1200C(6)(b)

Omit "ASIC under section 1200D", substitute "the Registrar under paragraph (5)(b)".

1194 Subsection 1200C(6)

Omit "must have lodged with ASIC", substitute "must have lodged with the Registrar".

1195 At the end of section 1200C

Add:

(7) The lodgement under subsection (6) must meet any requirements of the data standards.

1196 Paragraph 1200D(1)(b)

Omit "(which, if regulations are in force for the purposes of section 1200E, must comply with those regulations)".

1197 Paragraph 1200D(1)(e)

Omit ", in the prescribed form (if any)",

1198 Paragraph 1200D(1)(g)

Omit ", in the prescribed form (if any)".

1199 Paragraph 1200D(1)(h)

Omit "offeror," substitute "offeror".

1200 Paragraph 1200D(1)(i)

Repeal the paragraph.

1201 Subsections 1200D(2) and (3)

After "a document or information", insert "with the Registrar".

1202 Section 1200E

Repeal the section.

1203 Subsection 1200G(9)

Omit "ASIC", substitute "the Registrar".

1204 At the end of subsection 1200G(9)

Add "The lodgement must meet any requirements of the data standards."

1205 Subsection 1200G(9) (heading to column headed "the offeror must lodge with ASIC:")

Omit "ASIC", substitute "the Registrar".

1206 Subsection 1200G(9) (table items 5 to 7, column headed "the offeror must lodge with ASIC")

Omit "in the prescribed form (if any)".

1207 After subsection 1200G(9)

Insert:

(9A) A notice mentioned in item 5, 6 or 7 of the table must meet any requirements of the data standards.

1208 Paragraph 1200G(11)(b)

Omit "ASIC", substitute "the Registrar".

1209 Subsection 1200H(2)

Omit "ASIC written notice, in the prescribed form (if any)", substitute "the Registrar notice".

1210 At the end of subsection 1200H(2)

Add:

The notice must meet any requirements of the data standards.

1211 Paragraph 1200H(3)(b)

Omit "ASIC", substitute "the Registrar".

1212 Paragraph 1200L(1)(a)

Omit "ASIC" (wherever occurring), substitute "the Registrar".

1213 Paragraph 1200L(3)(a)

Omit "ASIC", substitute "the Registrar".

1214 Subsection 1200N(1) (table item 1, column headed "If, in relation to:", paragraph (c))

Omit "1200D(1)(i)", substitute "1200C(5)(c)".

1215 Paragraph 1200R(2)(b)

Omit "ASIC", substitute "the Registrar".

1216 Section 1200S (heading)

Omit "ASIC", substitute "the Registrar".

1217 Section 1200S

Before "If", insert "(1)".

1218 Section 1200S

Omit "ASIC written notice, in the prescribed form (if any)", substitute "the Registrar notice".

1219 At the end of section 1200S

Add:

(2) The notice must meet any requirements of the data standards.

1220 Subparagraph 1213B(5)(a)(iv)

Omit "on the Business Names Register", substitute "under the *Business Names Registration Act 2011*".

1221 Subsection 1274(1)

Omit "must", substitute "may".

1222 Subparagraph 1274(2)(a)(iaa)

Repeal the subparagraph.

1223 Subparagraph 1274(2)(a)(ia)

Omit "(other than subsection 792C(1), section 1015B or section 1015D)".

1224 Subparagraph 1274(2)(a)(ii)

Omit "1287 (notification of matters by registered auditors)".

1225 Subparagraph 1274(2)(a)(ii)

Omit ", 30-1 of Schedule 2 (annual liquidator returns)".

1226 Subparagraph 1274(2)(a)(iva)

Repeal the subparagraph.

1227 Paragraph 1274(2)(b)

Repeal the paragraph, substitute:

(b) require a certificate authorised by this Act to be given by ASIC; or

1228 Subsections 1274(2A) to (2C)

Repeal the subsections.

1229 Subsection 1274(8)

After "ASIC" (wherever occurring), insert "or the Registrar".

1230 Paragraph 1274(8)(h)

Omit all the words after "supplementary", substitute:

document be lodged:

(i) with ASIC in the prescribed form; or

(ii) with the Registrar in accordance with any requirements of the data standards.

1231 Subsection 1274(9)

After "ASIC" (wherever occurring), insert "or the Registrar".

1232 Paragraph 1274(11)(a)

After "lodging", insert "with ASIC or the Registrar".

1233 Subsection 1274(11)

After "ASIC" (wherever occurring), insert "or the Registrar".

1234 After subsection 1274(15)

Insert:

(15A) If information about a person is held by the Registrar, the Registrar may at any time require that person to give the Registrar information about the person, being information of the kind held by the Registrar.

1235 Subsection 1274(16)

Omit "The person", substitute "A person to whom subsection (15) or (15A) applies".

1236 At the end of subsection 1274(16)

Add "or the Registrar, as the case requires".

1237 Before section 1274AA

Insert:

1274AAA Evidentiary value of certificate of registration

A certificate issued by the Registrar stating that a company has been registered under this Act is conclusive evidence that:

(a) all requirements of this Act for its registration have been complied with; and

(b) the company was duly registered as a company under this Act on the date specified in the certificate.

1238 Section 1274AA (heading)

Omit "Register", substitute "Records".

1239 Subsection 1274AA(1)

Omit "ASIC must keep a register", substitute "The Registrar must maintain records".

1240 Subsections 1274AA(2) and (3)

Repeal the subsections.

1241 Sections 1274A to 1275

Repeal the sections.

1242 Section 1285

Repeal the section, substitute:

1285 Registrar must maintain records of auditors

(1) The Registrar must maintain records of particulars of persons who are registered as auditors, including persons whose registration as an auditor has been suspended.

(2) Maintaining the records may involve removing a record relating to a particular person.

1243 Paragraph 1287(1)(b)

Repeal the paragraph, substitute:

(b) a change occurs in any matter relating to a person who is a registered company auditor;

(i) particulars of which have been recorded by the Registrar; and

(iii) which is specified in the data standards as a matter to which this paragraph applies;

1244 Subsection 1287(1)

Omit ", in the prescribed form,"; substitute "with the Registrar".

1245 After subsection 1287(1)

Insert:

(2) The lodgement under subsection (1) must meet any requirements of the data standards.

1246 Subsection 1287(4)

After "lodge", insert "with ASIC".

1247 Paragraph 1289(5)(b)

After "lodged", insert "with ASIC or the Registrar".

1248 At the end of paragraph 1296(1)(b)

Add "with ASIC and the Registrar".

1249 At the end of subsection 1296(1)

Add "The lodgement with the Registrar must meet any requirements of the data standards.".

1250 Section 1299E

Repeal the section, substitute:

1299E Registrar must maintain records of authorised audit companies

(1) The Registrar must maintain records of particulars of companies registered as authorised audit companies, including companies whose registration as authorised audit companies has been suspended.

(2) Maintaining the records may involve removing a record relating to a particular company.

1251 Subsection 1299F(3)

Repeal the subsection, substitute:

(3) An authorised audit company must notify the Registrar if a change occurs in any matter relating to the company:

(a) particulars of which have been recorded by the Registrar; and

(b) which is specified in the data standards as a matter to which this subsection applies.

1252 Paragraph 1299F(4)(c)

Omit "ASIC in the prescribed form", substitute "the Registrar".

1253 At the end of subsection 1299F(4)

Add:

; and (d) meet any requirements of the data standards.

1254 Paragraph 1299F(5)(a)

Repeal the paragraph, substitute:

(a) details of a matter would be recorded by the Registrar in relation to the company if it were to be registered; and

1255 Paragraph 1301(1)(d)

After "lodged", insert "with the Registrar".

1256 At the end of paragraph 1301(1)(d)

Add:

; and (iii) meeting any requirements of the data standards.

1257 Paragraph 1301(4)(b)

Repeal the paragraph, substitute:

(b) either:

(i) the corporation does not lodge with the Registrar notice of the change within 14 days after the change; or

(ii) the notice does not meet the requirements (if any) of the data standards;

1258 Subsection 1304(1)

After "lodge" (wherever occurring), insert "with ASIC or the Registrar".

1259 Subsection 1308(2)

After "ASIC", insert "or the Registrar".

1260 Subsection 1308(4)

After "lodged", insert "with ASIC or the Registrar".

1261 Paragraph 1308(6)(a)

After "lodged", insert "with ASIC or the Registrar".

1262 Section 1310 (heading)

After "ASIC", insert "or the Registrar".

1263 Section 1310

After "hinder ASIC", insert "or the Registrar".

1264 At the end of subparagraph 1317AA(1)(b)(i)

Add "or the Registrar".

1265 After paragraph 1317AE(2)(a)

Insert:

(ab) is made to the Registrar; or

1266 After paragraph 1317B(1)(b)

Insert:

(ba) the Registrar; or

1267 Paragraphs 1317C(d) and (e)

After "ASIC", insert "or the Registrar".

1268 Paragraph 1317C(k)

After "documents etc.", insert "with ASIC or the Registrar".

1269 Subsection 1317D(1)

After "ASIC", insert "the Registrar,".

1270 Paragraph 1317DAA(2)(b)

After "lodged" (wherever occurring), insert "with the Registrar".

1271 Paragraph 1317DAE(1)(j)

After "ASIC", insert "or the Registrar".

1272 Paragraph 1317DAE(6)(b)

Omit "ASIC", substitute "the Registrar".

1273 Subparagraph 1317DAE(7)(a)(ii)

Omit "ASIC", substitute "the Registrar".

1274 Subparagraph 1317DAF(3)(b)(ii)

After "ASIC", insert "or the Registrar".

1275 Subsection 1317DAG(2) (table item 3, column headed "If the disclosing entity fails to:")

After "ASIC", insert "or the Registrar".

1276 Paragraph 1322(4)(b)

After "ASIC", insert ", or any information recorded by the Registrar,".

1277 Subparagraph 1325B(1)(b)(iii)

After "ASIC", insert "or the Registrar (or both)".

1278 Section 1344

After "ASIC", insert "or the Registrar".

1279 At the end of subsection 1345A(1A)

Add:

; or (c) the Registrar, a member of the Registrar (if the Registrar is a body with members) or a staff member of the Registrar.

1280 Subparagraph 1351(4)(a)(i)

Omit "ASIC", substitute "the Registrar".

1281 Paragraph 1354(1)(a)

After "document", insert "with ASIC or the Registrar".

1282 Section 1355

Omit "or ASIC, the Minister or ASIC", substitute ", ASIC or the Registrar, the Minister, ASIC or the Registrar".

1283 Section 1360

After "ASIC", insert "or the Registrar".

1284 After paragraph 1362(a)

Insert:

(ab) imposes on the Registrar a duty to allow the inspection or search of the document, or to make available information; or

1285 Paragraph 1364(2)(m)

After "documents", insert "with ASIC or the Registrar".

1286 Paragraph 1366(a)

After "lodged", insert "with ASIC".

1287 Paragraph 1366(b)

After "documents" (first occurring), insert "lodged with ASIC".

1288 Section 1367

After "be lodged", insert "with ASIC".

1289 Subsection 1389(1)

After "ASIC", insert "or the Registrar".

1290 Section 1392

After "ASIC" (first occurring), insert "or the Registrar".

1291 Section 1392

Omit "or register it maintains", substitute ", register or records ASIC or the Registrar maintains".

1292 Subsections 1465(3) and 1470(1)

After "ASIC", insert "or the Registrar".

1293 Section 1501B (note)

After "ASIC", insert "or the Registrar".

1294 Section 1546A

Before "In", insert "(1)".

1295 At the end of section 1546A

Add:

(2) A reference in this Part to a provision of this Act as inserted by the amending Act includes a reference to that provision as amended.

1296 Subsection 1546B(3) (note 2)

Omit "ASIC", substitute "The Registrar".

1297 Subsection 1546E(5)

After "those sections", insert ", or in any provisions of the data standards that relate to section 922Q,".

1298 Subsection 1546G(5) (including the note)

Repeal the subsection.

1299 Sections 1546J to 1546N

Repeal the sections.

1300 Sections 1546P, 1546Q, 1546R and 1546W (heading)

Omit "ASIC", substitute "the Registrar".

1301 Subsection 1546W(1)

Omit "under this section, in the prescribed form,", substitute "with the Registrar under this section".

1302 Subsection 1546W(1)

After "was lodged", insert "with ASIC or the Registrar".

1303 Subsection 1546W(2)

Repeal the subsection, substitute:

(2) The notice must meet any requirements of the data standards.

1304 Section 1546X (heading)

Omit "ASIC", substitute "**the Registrar**".

1305 Subsection 1546X(1)

Omit "under this section, in the prescribed form,", substitute "with the Registrar under this section".

1306 Subsection 1546X(2)

Repeal the subsection, substitute:

(2) The notice must meet any requirements of the data standards.

1307 Section 1546Y (heading)

Omit "ASIC", substitute "**the Registrar**".

1308 Subsection 1546Y(1)

Omit "under this section, in the prescribed form,", substitute "with the Registrar under this section".

1309 Subsection 1546Y(2)

Repeal the subsection, substitute:

(2) The notice must meet any requirements of the data standards.

1310 Section 1546Z (heading)

Omit "ASIC", substitute "**the Registrar**".

1311 Subsection 1546Z(1)

Omit "under this section, in the prescribed form,", substitute "with the Registrar under this section".

1312 Subsection 1546Z(2)

Repeal the subsection, substitute:

(2) The notice must meet any requirements of the data standards.

1313 Subsection 1546Z(3)

Omit "mentioned in subsection (2)", substitute "the person begins undertaking work and training in accordance with subsection 921B(4)".

1314 Section 1551 (definition of *Register of Liquidators*)

Repeal the definition.

1315 Section 1554

Repeal the section.

1316 Subsection 1562(1)

Omit "with ASIC a notice, in the approved form, relating to the event.", substitute "with the Registrar a notice relating to the event. The notice must meet any requirements of the data standards.".

1317 Section 1599 (heading)

After "ASIC", insert "**or the Registrar**".

1318 In the appropriate position in Chapter 10

Insert:

Part 10.34—Transitional provisions relating to Schedule 5 to the Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019**1646 Application of amendments relating to registers under this Act**

The amendments made by items 360 to 1371 of Schedule 5 to the *Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019* apply on and after the day (the **appointment day**) the Minister appoints, under section 1270 of this Act, a Commonwealth body to be the Registrar.

1647 Things started but not finished by ASIC

If:

(a) before the appointment day, ASIC started doing a thing under this Act as in force immediately before the appointment day; and

(b) immediately before that day, ASIC had not finished doing that thing; and

(c) after that day, that thing falls within the powers or functions of the Registrar;

then, on and after that day:

(d) ASIC may finish doing the thing as if the thing were being done by the Registrar in the performance or exercise of the Registrar's functions or powers; or

(e) if ASIC does not finish doing the thing under paragraph (d)—the Registrar may finish doing the thing in the performance or exercise of the Registrar's functions or powers.

1648 Register of Liquidators

The Registrar must include in the record maintained under section 15-1 of Schedule 2 details contained, immediately before the appointment day, in the Register of Liquidators formerly established and maintained under section 15-1 of Schedule 2 as in force immediately before the appointment day.

1319 Section 5-5 of Schedule 2 (definition of *Register of Liquidators*)

Repeal the definition.

1320 Division 15 of Part 2 of Schedule 2

Repeal the Division, substitute:

Division 15—Registered liquidators**15-1 Recording registration etc. of liquidators**

The Registrar must maintain a record relating to persons who are, or have been, registered liquidators.

Note: ASIC notifies the Registrar who should be registered as a liquidator, and whether registrations should be renewed or cancelled: see subsections 20-30(2), 20-75(2) and 40-35(3A).

1321 Subsection 20-30(1) of Schedule 2 (at the end of the note)

Add "or the Registrar".

1322 Subsection 20-30(2) of Schedule 2

Repeal the subsection, substitute:

(2) ASIC registers the applicant by notifying the Registrar that the applicant should be registered as a liquidator.

1323 Subsection 20-75(2) of Schedule 2

Repeal the subsection, substitute:

(2) ASIC renews the registration of the applicant by notifying the Registrar that the applicant's registration should be renewed.

1324 Subsection 30-1(1) of Schedule 2

Omit "ASIC", substitute "the Registrar".

1325 After subsection 30-1(3) of Schedule 2

Insert:

(3A) The lodgement of a return under subsection (1) must meet any requirements of the data standards.

1326 Subsection 35-5(1) of Schedule 2

Omit "ASIC", substitute "the Registrar".

1327 Section 40-1 of Schedule 2

After "document, to ASIC", insert "or the Registrar".

1328 Section 40-1 of Schedule 2

After "*given to ASIC*", insert "*or the Registrar*".

1329 Section 40-1 of Schedule 2

After "to give ASIC", insert "or the Registrar".

1330 At the end of subsections 40-5(1) and (6) of Schedule 2

Add "or the Registrar".

1331 Subsection 40-10(1) of Schedule 2

After "to ASIC" (wherever occurring), insert "or the Registrar".

1332 Paragraph 40-10(2)(a) of Schedule 2

After "ASIC", insert "or the Registrar (as the case requires)".

1333 Paragraph 40-15(6)(a) of Schedule 2

After "ASIC", insert "or the Registrar".

1334 Subsection 40-15(7) of Schedule 2

Omit "ASIC's power", substitute "any power of ASIC or the Registrar".

1335 After subsection 40-35(3) of Schedule 2

Insert:

ASIC must notify the Registrar

(3A) ASIC must notify the Registrar of the decision.

1336 Subsection 40-35(4) (heading) of Schedule 2

After "*notice*", insert "*etc.*".

1337 Subsection 40-35(4) of Schedule 2

After "business days", insert ", or to notify the Registrar under subsection (3A),".

1338 At the end of subsection 40-55(1) of Schedule 2

Add:

; (i) that the Registrar should publish specified information in relation to the committee's decision and the reasons for that decision.

1339 Section 40-65 of Schedule 2

Repeal the section, substitute:

40-65 Giving effect to the committee's decision

ASIC and the Registrar (as applicable) must give effect to the committee's decision.

1340 Section 40-95 of Schedule 2

Before "If", insert "(1)".

1341 At the end of section 40-95 of Schedule 2

Add:

(2) ASIC and the Registrar (as applicable) must give effect to the committee's decision.

1342 Subparagraph 50-35(2)(b)(v) of Schedule 2

Omit "or ASIC's", substitute ", ASIC's or the Registrar's".

1343 Section 55-1 of Schedule 2

After "ASIC", insert "and the Registrar".

1344 Section 70-1 of Schedule 2

Omit "ASIC" (first and second occurring), substitute "the Registrar".

1345 Subsection 70-5(2) of Schedule 2 (note)

After "lodge", insert "with the Registrar".

1346 Subsection 70-5(3) of Schedule 2

After "lodge", insert "with the Registrar".

1347 Paragraph 70-5(4)(a) of Schedule 2

Repeal the paragraph, substitute:

(a) meet any requirements of the data standards; and

1348 Paragraph 70-5(4)(b) of Schedule 2

Omit "ASIC", substitute "the Registrar".

1349 Subsection 70-5(6) of Schedule 2

After "lodged", insert "with the Registrar".

1350 Subsection 70-6(2) of Schedule 2

After "lodge", insert "with the Registrar".

1351 Paragraph 70-6(3)(a) of Schedule 2

Repeal the paragraph, substitute:

(a) meet any requirements of the data standards; and

1352 Paragraph 70-6(3)(b) of Schedule 2

Omit "ASIC", substitute "the Registrar".

1353 Subsection 70-6(3) of Schedule 2 (note 2)

Omit "ASIC", substitute "The Registrar".

1354 Subsection 70-6(4) of Schedule 2

After "lodged", insert "with the Registrar".

1355 Subdivision F of Division 70 of Part 3 of Schedule 2 (at the end of the heading)

Add "or the Registrar".

1356 Section 70-60 of Schedule 2 (at the end of the heading)

Add "or the Registrar".

1357 At the end of subsection 70-60(1) of Schedule 2

Add "or the Registrar (or both)".

1358 Paragraphs 70-60(2)(a) and (b) of Schedule 2

After "produced", insert "to ASIC".

1359 At the end of paragraph 70-60(2)(c) of Schedule 2

Add "to ASIC".

1360 After subsection 70-60(2) of Schedule 2

Insert:

(2A) The giving of information, providing of reports or producing of documents to the Registrar as provided for by the Insolvency Practice Rules must meet any requirements of the data standards.

1361 Subsection 70-60(3) of Schedule 2 (note)

After "ASIC", insert "or the Registrar".

1362 Subclause 4(2) of Schedule 4 (heading)

After "ASIC", insert "*or the Registrar*".

1363 Subclause 4(2) of Schedule 4

After "ASIC", insert "or the Registrar".

1364 Subclause 4(2) of Schedule 4

After "lodged", insert "with ASIC".

1365 Subclause 27(2) of Schedule 4

Omit "ASIC" (wherever occurring), substitute "the Registrar".

1366 At the end of subclause 27(2) of Schedule 4

Add:

The lodgement must meet any requirements of the data standards.

1367 Subparagraph 29(4)(a)(ii) of Schedule 4

Omit "ASIC", substitute "the Registrar".

1368 Subsection 32(1) of Schedule 4

Omit "ASIC must register the disclosure statement if", substitute "The Registrar must register the disclosure statement if ASIC notifies the Registrar that ASIC is".

1369 Paragraph 36(2)(d) of Schedule 4

Omit "ASIC", substitute "the Registrar".

1370 Subparagraph 36(2)(m)(i) of Schedule 4

Omit "ASIC", substitute "the Registrar".

1371 Subparagraph 36(2)(m)(iii) of Schedule 4

Omit "ASIC takes no", substitute "neither ASIC nor the Registrar takes".

Income Tax Assessment Act 1997

1372 Subsection 30-5(4AA) (note)

Repeal the note, substitute:

Note: The fact that gifts to a recipient are deductible will be recorded by the Registrar.

1373 Paragraph 30-5(4AB)(b)

Repeal the paragraph, substitute:

(b) the Registrar to keep a record about gifts to the entity or to a fund, authority or institution operated by the entity that are deductible.

1374 Section 30-226

Omit:

If the entity has an ABN, the Australian Business Registrar must state in the Australian Business Register that the entity is a deductible gift recipient.

substitute:

If the entity has an ABN, the Registrar must keep a record of the fact that the entity is a deductible gift recipient.

1375 Section 30-229 (heading)

Repeal the heading, substitute:

30-229 Registrar must keep a record of deductibility of gifts to deductible gift recipient**1376 Subsection 30-229(1)**

Omit all the words after "ABN,", substitute "the Registrar must make a record to the effect that the deductible gift recipient is a deductible gift recipient for a specified period".

1377 Subsection 30-229(1) (note 1)

Repeal the note, substitute:

Note 1: The making (or otherwise) of the record does not affect whether you can deduct a gift to the fund, authority or institution.

1378 Subsection 30-229(3)

Repeal the subsection, substitute:

(3) The Registrar may remove the record after the end of the period.

1379 Subsection 30-229(4)

Omit "Australian Business Registrar", substitute "Registrar".

1380 Subsection 30-229(4)

Omit "statement appearing in the Australian Business Register", substitute "record made".

1381 Subsection 30-229(4)

Omit "true", substitute "accurate".

1382 Paragraphs 30-229(4)(a) to (c)

Repeal the paragraphs, substitute:

(a) alter the record; or

(b) remove the record if it is not accurate; or

(c) remove the record and make another record for the purposes of this section.

1383 Section 30-315 (table item 17A)

Repeal the item, substitute:

17A	Registrar to record deductible gift recipients	section 30-229
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1384 Subsection 995-1(1) (definition of *Australian Business Register*)

Repeal the definition.

1385 Subsection 995-1(1) (definition of *Australian Business Registrar*)

Repeal the definition.

1386 Subsection 995-1(1)

Insert:

data standards means standards made by the Registrar under section 13 of the *Commonwealth Registers Act 2019* to the extent that they relate to the Registrar's functions or powers in connection with the *A New Tax System (Australian Business Number) Act 1999*.

Note: The data standards deal with how the Registrar's functions and powers are performed and exercised. For example, they may provide for:

- (a) the collection of information; and
- (b) the manner and form in which information is given to the Registrar; and
- (c) the manner and form of communication between the Registrar and persons who give information to the Registrar or seek to access information held by the Registrar.

Registrar has the same meaning as in the *A New Tax System (Australian Business Number) Act 1999*.

1387 Subsection 995-1(1) (at the end of the definition of *taxation law*)

Add:

; or (d) the *A New Tax System (Australian Business Number) Act 1999* or regulations made under that Act.

National Consumer Credit Protection Act 2009

1388 Section 71 (heading)

Omit "ASIC", substitute "**the Registrar**".

1389 Subsection 71(1) (heading)

Omit "ASIC", substitute "*the Registrar*".

1390 Subsection 71(1)

Omit "ASIC a written", substitute "the Registrar a".

1391 Subsection 71(1)

Omit "subsection (3)", substitute "subsection (1A)".

1392 After subsection 71(1)

Insert:

(1A) A notice under subsection (1) must meet any requirements of the data standards.

1393 At the end of subsection 71(2)

Add "and in the approved form".

1394 Subsection 71(3) (at the end of the heading)

Add "*under subsection (2)*".

1395 Subsection 71(4) (heading)

Omit "ASIC", substitute "*the Registrar*".

1396 Subparagraph 71(4)(b)(i)

Repeal the subparagraph, substitute:

(i) a detail (if any) required by the data standards to be included in a notice under subsection (1) changes; or

1397 Subsection 71(4)

Omit "ASIC a written", substitute "the Registrar a".

1398 Subsection 71(5)

Repeal the subsection, substitute:

(5) A notice under subsection (4) must meet any requirements of the data standards.

1399 Subsection 72(1)

Omit "ASIC", substitute "the Registrar".

1400 Subsection 72(2)

Omit "ASIC must give written", substitute "The Registrar must give".

1401 Division 2 of Part 5-1 (heading)

Omit "Registers", substitute "Recording information".

1402 Sections 213 and 214

Repeal the sections, substitute:

213 Record keeping

The Registrar must maintain a record of information relating to credit activities.

Note: For access to this information, see the disclosure framework under Subdivision C of Division 1A of Part 5-1.

1403 Subparagraph 227(4)(b)(ii)

After "ASIC", insert "or the Registrar".

1404 Section 233

Omit "or ASIC under this Act, the Minister or ASIC", substitute ", ASIC or the Registrar under this Act, the Minister, ASIC or the Registrar".

1405 Section 236

After "ASIC", insert "or the Registrar".

1406 Paragraph 237(a)

After "ASIC", insert "or the Registrar".

1407 Section 240 (heading)

After "ASIC", insert ", the Registrar".

1408 Subsection 240(1)

After "ASIC,", insert "the Registrar".

1409 Paragraph 240(2)(b)

After "ASIC,", insert "the Registrar".

1410 Subsection 281(1)

After "ASIC" (last occurring), insert "or the Registrar".

1411 Section 323 (paragraph relating to Division 3)

After "ASIC's", insert "or the Registrar's".

1412 Division 3 of Part 7-1 of Chapter 7 (heading)

Repeal the heading, substitute:

Division 3—Review of decisions of ASIC or the Registrar

1413 Section 327 (heading)

After "ASIC", insert "or the Registrar".

1414 Subsection 327(1)

After "ASIC" (first occurring), insert "or the Registrar".

1415 Section 328

After "ASIC" (wherever occurring), insert "or the Registrar".

National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009**1416 At the end of the Act**

Add:

Schedule 7—Transitional provisions relating to the Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019**1 Application of amendments relating to registers under the National Credit Act**

The amendments made by items 1388 to 1415 of Schedule 5 to the *Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019* apply on and after the day (the **appointment day**) the Minister appoints, under section 212A of the National Credit Act, a Commonwealth body to be the Registrar.

2 Things started but not finished by ASIC

If:

(a) before the appointment day, ASIC started doing a thing under the National Credit Act as in force immediately before that day; and

(b) immediately before that day, ASIC had not finished doing that thing; and

(c) after that day, that thing falls within the powers or functions of the Registrar;

then, on and after that day:

(d) ASIC may finish doing the thing as if the thing were being done by the Registrar in the performance or exercise of the Registrar's functions or powers; or

(e) if ASIC does not finish doing the thing under paragraph (d)—the Registrar may finish doing the thing in the performance or exercise of the Registrar's functions or powers.

Superannuation Industry (Supervision) Act 1993**1417 Subsection 10(1)**

Insert:

data standards means standards made by the Registrar under section 13 of the *Commonwealth Registers Act 2019* to the extent that they relate to the Registrar's functions or powers in connection with this Act.

Note: The data standards deal with how the Registrar's functions and powers are performed and exercised. For example, they may provide for:

(a) the collection of information; and

(b) the manner and form in which information is given to the Registrar; and

(c) the manner and form of communication between the Registrar and persons who give information to the Registrar or seek to access information held by the Registrar.

Registrar has the meaning given by section 21.

1418 Subsection 10(1) (paragraph (rg) of the definition of reviewable decision)

After "Regulator", insert "or the Registrar".

1419 At the end of Division 2 of Part 1

Add:

21 Meaning of Registrar

A reference in this Act to the Registrar is a reference to:

(a) if only one Commonwealth body is appointed as Registrar under section 6 of the *Commonwealth Registers Act 2019*—that body; or

(b) if more than one Commonwealth body is appointed under that section, but only one Commonwealth body is appointed under that section with functions and powers in connection with this Act—the Commonwealth body appointed under that section with those functions and powers; or

(c) if more than one Commonwealth body is appointed under that section, and more than one Commonwealth body is appointed under that section with functions and powers in connection with this Act:

(i) if the reference relates to one or more particular functions or powers—any Commonwealth body so appointed with any of those particular functions or powers; or

(ii) otherwise—any of the Commonwealth bodies appointed under that section with functions and powers in connection with this Act.

1420 Section 128H

Before "If", insert "(1)".

1421 Paragraph 128H(c)

Repeal the paragraph, substitute:

(c) a change occurs in any matter required to be included in a record of particulars relating to an approved SMSF auditor or suspended SMSF auditor maintained by the Registrar under section 128J; or

1422 Section 128H

Omit "give to the Regulator, in the approved form, particulars of that event", substitute "notify the Registrar of the event".

1423 Section 128H (note)

Repeal the note.

1424 At the end of section 128H

Add:

(2) The notification must meet any requirements of the data standards.

1425 Subdivision C of Division 1A of Part 16

Repeal the Subdivision, substitute:

Subdivision C—Registrar must record certain particulars

128J Particulars relating to approved SMSF auditors etc.

(1) The Registrar must maintain records of particulars relating to the following persons:

(a) a person who is an approved SMSF auditor or suspended SMSF auditor;

(b) a person whose registration as an approved SMSF auditor has been cancelled under section 128E;

(c) a person for whom an order disqualifying a person from being an approved SMSF auditor is in force under section 130F.

(2) Maintaining the records may involve removing a record relating to a particular person.

1426 Subsection 128L(1) (table items 6 to 8)

Repeal the items, substitute:

6	Notifying the Registrar of an event under section 128H within 1 month after the notification was due	The person giving the notification
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7	Notifying the Registrar of an event under section 128H more than 1 month after the notification was due	The person giving the notification
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1427 Subsections 128L(2) and (4)

After "Regulator", insert "(or, for item 6 or 7 of the table, the Registrar)".

1428 Subsection 128L(4)

After "Regulator's", insert "(or, for one of those table items, the Registrar's)".

1429 Subsection 128L(5)

Omit "(other than a matter referred to in item 8 of the table in subsection (1))".

1430 Subsection 128L(6)

After "Regulator", insert "(or, for item 6 or 7 of the table, the Registrar)".

1431 Section 128M

Repeal the section.

1432 Section 285

After "Regulator,", insert "the Registrar,".

Taxation Administration Act 1953**1433 Subsection 6B(6A)**

Repeal the subsection, substitute:

(6A) For the purposes of subsection (6), if the Commissioner is appointed as the Registrar under section 6 of the *Commonwealth Registers Act 2019*, the Commissioner's powers and functions include powers and functions given to the Commissioner in the Commissioner's capacity as that Registrar.

1434 Subsection 8(1A)

Omit "his or her capacity as Registrar of the Australian Business Register", substitute "the Commissioner's capacity as the Registrar (within the meaning of the *A New Tax System (Australian Business Number) Act 1999*)".

1435 Subsections 16-147(5) and (6) in Schedule 1

Repeal the subsections, substitute:

(5) If the Commissioner decides to register the entity, the Registrar must maintain a record of information relating to registrations under this section.

(6) A record in relation to the registration of an entity is taken to be a notification of the entity for the purposes of subsection (4).

1436 At the end of subsection 16-147(7) in Schedule 1

Add "to register an entity".

1437 Subsection 16-148(7) in Schedule 1

Repeal the subsection, substitute:

(7) The Registrar must maintain a record of information relating to cancellations of registrations under this section.

1438 At the end of subsection 16-148(8) in Schedule 1

Add "to cancel an entity's registration".

1439 Section 426-1 in Schedule 1

Omit ", and entry of the details of endorsement on the Australian Business Register", substitute "and the recording of information about the endorsement by the Registrar".

1440 Subdivision 426-C of Part 5-35 of Chapter 5 in Schedule 1 (heading)

Repeal the heading, substitute:

Subdivision 426-C—Registrar must record certain statements**1441 Section 426-65 in Schedule 1 (heading)**

Repeal the heading, substitute:

426-65 Registrar must record certain statements**1442 Subsection 426-65(1) in Schedule 1**

Omit "an entity that", substitute "an entity".

1443 Subsection 426-65(1) in Schedule 1

Omit "Australian Business Registrar must enter in the Australian Business Register", substitute "Registrar must make a record of".

1444 Subsection 426-65(1) in Schedule 1 (note 1)

Omit "An entry (or lack of entry)", substitute "The recording (or otherwise)".

1445 Subsection 426-65(2) in Schedule 1

Repeal the subsection, substitute:

(2) The Registrar may remove the record of the statement after the end of the period.

1446 Subsection 426-65(2A) in Schedule 1

Omit "Australian Business Registrar must also enter in the Australian Business Register", substitute "Registrar must also maintain a record of".

1447 Subsection 426-65(2B) in Schedule 1

Omit "Australian Business Registrar may remove the statements from the Australian Business Register", substitute "Registrar may remove the records of the statements".

1448 Subsection 426-65(3) in Schedule 1

Omit "Australian Business Registrar must take reasonable steps to ensure that a statement appearing in the Australian Business Register", substitute "Registrar must take reasonable steps to ensure that a statement recorded".

1449 Paragraph 426-65(3)(a) in Schedule 1

Before "statement", insert "record of the".

1450 Paragraph 426-65(3)(b) in Schedule 1

Omit "statement from the Register", substitute "record of the statement".

1451 Paragraph 426-65(3)(c) in Schedule 1

Repeal the paragraph, substitute:

(c) remove the record of the statement and make a record of another statement for the purposes of this section.

1452 Subsection 426-65(4) in Schedule 1

Omit "an entry in the Australian Business Register", substitute "a record".

1453 Section 426-104 in Schedule 1 (heading)

Repeal the heading, substitute:

426-104 Registrar must record public ancillary fund status**1454 Subsection 426-104(1) in Schedule 1**

Omit "Australian Business Registrar must enter in the Australian Business Register in relation to the fund", substitute "Registrar must make a record of".

1455 Subsection 426-104(1) in Schedule 1 (note 1)

Omit "An entry (or lack of entry)", substitute "The recording (or otherwise)".

1456 Subsection 426-104(1) in Schedule 1 (note 2)

Omit "Australian Business Register will also show if a public ancillary fund", substitute "Registrar will also record a statement about a public ancillary fund that".

1457 Subsection 426-104(2) in Schedule 1

Omit "Australian Business Registrar must take reasonable steps to ensure that a statement appearing in the Australian Business Register", substitute "Registrar must take reasonable steps to ensure that a statement recorded".

1458 Paragraph 426-104(2)(a) in Schedule 1

Before "statement", insert "record of the".

1459 Paragraph 426-104(2)(b) in Schedule 1

Omit "statement from the Register", substitute "record of the statement".

1460 Section 426-115 in Schedule 1 (heading)

Repeal the heading, substitute:

426-115 Registrar must record private ancillary fund status**1461 Subsection 426-115(1) in Schedule 1**

Omit "Australian Business Registrar must enter in the Australian Business Register in relation to the fund", substitute "Registrar must make a record of".

1462 Subsection 426-115(1) in Schedule 1 (note 1)

Omit "An entry (or lack of entry)", substitute "The recording (or otherwise)".

1463 Subsection 426-115(1) in Schedule 1 (note 2)

Omit "Australian Business Register will also show if a private ancillary fund", substitute "Registrar will also record a statement about a private ancillary fund that".

1464 Subsection 426-115(2) in Schedule 1

Omit "Australian Business Registrar must take reasonable steps to ensure that a statement appearing in the Australian Business Register", substitute "Registrar must take reasonable steps to ensure that a statement recorded".

1465 Paragraph 426-115(2)(a) in Schedule 1

Before "statement", insert "record of the".

1466 Paragraph 426-115(2)(b) in Schedule 1

Omit "statement from the Register", substitute "record of the statement".

Part 3—Application of amendments**1467 Application of amendments relating to the Australian Business Register**

The amendments made by items 20 to 101, 1372 to 1387 and 1433 to 1466 of this Schedule apply on and after the day the Minister appoints as Registrar, under section 6 of the *Commonwealth Registers Act 2019*, a Commonwealth body with functions and powers in connection with the *A New Tax System (Australian Business Number) Act 1999*.

1468 Application of amendments relating to certain registers under the *Superannuation Industry (Supervision) Act 1993*

The amendments made by items 1417 to 1432 of this Schedule apply on and after the day (the *appointment day*) the Minister appoints as Registrar, under section 6 of the *Commonwealth Registers Act 2019*, a Commonwealth body with functions and powers in connection with the *Superannuation Industry (Supervision) Act 1993*.

1469 Things started but not finished by ASIC under the *Superannuation Industry (Supervision) Act 1993*

If:

(a) before the appointment day, ASIC started doing a thing under the *Superannuation Industry (Supervision) Act 1993* as in force immediately before that day; and

(b) immediately before that day, ASIC had not finished doing that thing; and

(c) after that day, that thing falls within the powers or functions of the Registrar;

then, on and after that day:

(d) ASIC may finish doing the thing as if the thing were being done by the Registrar in the performance or exercise of the Registrar's functions or powers; or

(e) if ASIC does not finish doing the thing under paragraph (d)—the Registrar may finish doing the thing in the performance or exercise of the Registrar's functions or powers.

Schedule 6—Director identification numbers***Corporations (Aboriginal and Torres Strait Islander) Act 2006*****1 After paragraph 21-1(3)(e)**

Insert:

(ea) the person's director identification number, or the fact that the person does not have a director identification number;

2 After paragraph 22-1(4)(d)

Insert:

(da) the person's director identification number, or the fact that the person does not have a director identification number;

3 After paragraph 23-1(4)(d)

Insert:

(da) the person's director identification number, or the fact that the person does not have a director identification number;

4 Subsection 304-5(4)

Repeal the subsection, substitute:

(4) The personal details of a person who is a director, alternate director, secretary or contact person are:

(a) the person's given and family names; and

(b) all of the person's former given and family names; and

(c) the person's date and place of birth; and

(d) the person's address; and

(e) the person's director identification number, or the fact that the person does not have a director identification number.

Note: For *address*, see section 304-15.

5 After Part 6-7

Insert:

Part 6-7A—Director identification numbers

308-1 What this Part is about

Directors of Aboriginal and Torres Strait Islander corporations, and possibly other officers, are required to have director identification numbers. The Commonwealth Registrar gives director identification numbers on application from those directors or other officers.

Note: For the Commonwealth Registrar, see section 694-120 of this Act.

308-5 Giving and cancelling director identification numbers

(1) The Commonwealth Registrar must, by notifying a person who has applied under section 308-10, give the person a director identification number if the Commonwealth Registrar is satisfied that the person's identity has been established.

(2) The Commonwealth Registrar must make a record of the person's director identification number.

(3) The Commonwealth Registrar may, by notifying a person, cancel the person's director identification number if:

(a) the Commonwealth Registrar is no longer satisfied that the person's identity has been established; or

(b) the Commonwealth Registrar has given the person another director identification number.

(4) If:

(a) at the time the person is given a director identification number under this section, the person is not an eligible officer; and

(b) the person does not, within 12 months after that time, become an eligible officer;

the person's director identification number is taken to have been cancelled at the end of the 12 month period.

308-10 Applying for a director identification number

(1) An eligible officer may apply to the Commonwealth Registrar for a director identification number if the officer does not already have a director identification number.

(2) The Commonwealth Registrar may direct an eligible officer to apply to the Commonwealth Registrar for a director identification number (whether or not the officer already has a director identification number).

(3) A person who is not an eligible officer may apply to the Commonwealth Registrar for a director identification number if:

(a) the person intends to become an eligible officer within 12 months after applying; and

(b) the person does not already have a director identification number.

(4) An application for a director identification number must meet any requirements of the data standards.

Note: A person may commit an offence if the person knowingly gives false or misleading information (see section 561-1 of this Act and section 137.1 of the *Criminal Code*).

308-15 Eligible officers

(1) An *eligible officer* is:

(a) a director of an Aboriginal and Torres Strait Islander corporation who:

(i) is appointed to the position of a director; or
(ii) is appointed to the position of an alternate director and is acting in that capacity;
regardless of the name that is given to that position; or
(b) any other officer of an Aboriginal and Torres Strait Islander corporation who is an officer of a kind prescribed by the regulations;
but does not include a person covered by a determination under subsection (2) or (3).

(2) The Commonwealth Registrar may determine that a particular person is not an *eligible officer*. The Commonwealth Registrar must notify the person of the determination.

(3) The Commonwealth Registrar may, by legislative instrument, determine that a class of persons are not *eligible officers*.

308-20 Requirement to have a director identification number

(1) An eligible officer commits an offence if the officer does not have a director identification number.

Penalty: 25 penalty units.

(2) Subsection (1) does not apply if:

(a) the officer applied to the Commonwealth Registrar under section 308-10 for a director identification number:

(i) before the day the officer first became an eligible officer (or an eligible officer within the meaning of the *Corporations Act 2001*); or

(ii) if the regulations specify an application period—within that period, starting at the start of that day; or

(iii) within the longer period (if any) the Commonwealth Registrar allows under section 308-30, starting at the start of that day; and

(b) the application, and any reviews arising out of it, have not been finally determined or otherwise disposed of.

Note: A defendant bears an evidential burden in relation to the matters in subsection (2): see subsection 13.3(3) of the *Criminal Code*.

(3) Subsection (1) does not apply if the officer became an eligible officer without the officer's knowledge.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

(4) An offence based on subsection (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

(5) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: This subsection is a civil penalty provision (see section 386-1).

Note 2: Section 694-55 defines *involved in*.

308-25 Requirement to apply for a director identification number

(1) An eligible officer commits an offence if:

(a) the Commonwealth Registrar, under subsection 308-10(2), directs the officer to apply for a director identification number; and

(b) the officer does not apply to the Commonwealth Registrar under section 308-10 for a director identification number:

- (i) within the application period under subsection (2) of this section; or
- (ii) within such longer period as the Commonwealth Registrar allows under section 308-30.

Penalty: 25 penalty units.

(2) The application period is the period of:

- (a) the number of days specified in the direction; or
- (b) if the number of days is not specified in the direction—28 days;

after the day the Commonwealth Registrar gives the direction.

(3) An offence against subsection (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

(4) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: This subsection is a civil penalty provision (see section 386-1).

Note 2: Section 694-55 defines *involved in*.

308-30 Commonwealth Registrar may extend application periods

(1) The Commonwealth Registrar may, on the application of an eligible officer, allow, as a longer period for applying to the Commonwealth Registrar under section 308-10 for a director identification number:

- (a) the period specified in the application; or
- (b) such other period as the Commonwealth Registrar considers reasonable.

Note: An application for an extension of the period for applying can be made, and the period can be extended, after the period has ended: see section 694-50.

(2) The Commonwealth Registrar may, by legislative instrument, allow, for persons included in a specified class of persons, a longer period for applying to the Commonwealth Registrar under section 308-10 for a director identification number.

308-35 Infringement notices

(1) Subsections 308-20(1) and 308-25(1) are subject to an infringement notice under Part 5 of the Regulatory Powers Act.

Note: Part 5 of the Regulatory Powers Act creates a framework for using infringement notices in relation to provisions.

Infringement officer

(2) For the purposes of Part 5 of the Regulatory Powers Act, each member of the staff of the Commonwealth Registrar who holds, or is acting in, an office or position that is equivalent to an SES employee is an infringement officer in relation to subsections 308-20(1) and 308-25(1) of this Act.

Relevant chief executive

(3) For the purposes of Part 5 of the Regulatory Powers Act, the relevant chief executive in relation to subsections 308-20(1) and 308-25(1) of this Act is:

- (a) the person specified as the relevant chief executive in the Commonwealth Registrar's instrument of appointment under section 6 of the *Commonwealth Registers Act 2019*; or
- (b) if there is no person specified—the Commonwealth Registrar.

Matters to be included in an infringement notice

(4) Subparagraph 104(1)(e)(iii) of the Regulatory Powers Act applies to an infringement notice relating to an alleged contravention of subsection 308-20(1) or 308-25(1) of this Act as if that subparagraph did not require the notice to give details of the place of the contravention.

308-40 Applying for additional director identification numbers

(1) A person commits an offence if:

- (a) the person applies for a director identification number; and
- (b) the person knows that the person already has a director identification number.

Penalty: 100 penalty units or imprisonment for 12 months, or both.

(2) Subsection (1) does not apply if the Commonwealth Registrar directed the person under subsection 308-10(2) to make the application.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2): see subsection 13.3(3) of the *Criminal Code*.

(3) Subsection (1) does not apply if the person purports to make the application only in relation to Part 9.1A of the *Corporations Act 2001*.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

(4) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: This subsection is a civil penalty provision (see section 386-1).

Note 2: Section 694-55 defines *involved in*.

308-45 Misrepresenting director identification numbers

(1) A person commits an offence if the person intentionally represents to an Aboriginal and Torres Strait Islander corporation, as the director identification number of the person or another person, a number that is not that director identification number.

Penalty: 100 penalty units or imprisonment for 12 months, or both.

(2) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: This subsection is a civil penalty provision (see section 386-1).

Note 2: Section 694-55 defines *involved in*.

6 After paragraph 386-1(1)(b)

Insert:

- (ba) subsections 308-20(5), 308-25(4), 308-40(4) and 308-45(2) (director identification numbers);

7 At the end of Part 17-2

Add:

694-120 Commonwealth Registrar

A reference in this Act to the Commonwealth Registrar is a reference to:

(a) if only one Commonwealth body is appointed under section 6 of the *Commonwealth Registers Act 2019*—that body; or

(b) if more than one Commonwealth body is appointed under that section, but only one Commonwealth body is appointed under that section with functions and powers in connection with this Act—the Commonwealth body appointed under that section with those functions and powers; or

(c) if more than one Commonwealth body is appointed under that section, and more than one Commonwealth body is appointed under that section with functions and powers in connection with this Act:

(i) if the reference relates to one or more particular functions or powers—any Commonwealth body appointed with any of those particular functions or powers; or

(ii) otherwise—any of the Commonwealth bodies appointed under that section with functions and powers in connection with this Act; or

(d) if none of paragraphs (a), (b) and (c) applies—the Registrar within the meaning of the Corporations Act.

8 Section 700-1

Insert:

Commonwealth body has the same meaning as in the *Commonwealth Registers Act 2019*.

Commonwealth Registrar has the meaning given by section 694-120.

data standards means standards made by the Registrar under section 13 of the *Commonwealth Registers Act 2019* to the extent that they relate to the Registrar's functions or powers in connection with this Act.

director identification number means a director identification number given under:

(a) section 308-5; or

(b) section 1272 of the *Corporations Act 2001*.

eligible officer has the meaning given by section 308-15.

Regulatory Powers Act means the *Regulatory Powers (Standard Provisions) Act 2014*.

9 Application of amendments

(1) The amendments of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* made by this Schedule apply on and after the day (the **application day**) the Minister appoints, under section 6 of the *Commonwealth Registers Act 2019*:

(a) a Commonwealth body (within the meaning of that Act) to be the Registrar (within the meaning of that Act); or

(b) if more than one such body is appointed—such a body with functions and powers in connection with Part 6.7A of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* as amended by this Act.

(2) If a person was an eligible officer immediately before the application day:

(a) if a period (the **transitional application period**) is specified under subsection (3) of this section—section 308-20 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* as amended by this Act applies to the person as if:

(i) the reference in subparagraph 308-20(2)(a)(ii) of that Act as so amended to an application period specified by regulations were instead a reference to the transitional application period; and

(ii) references in paragraph 308-20(2)(a) of that Act as so amended to the day the person first became an eligible officer (or an eligible officer within the meaning of the *Corporations Act 2001*) were instead references to the day the transitional application period came into effect; and

(b) until the transitional application period comes into effect—section 308-20 of that Act as so amended does not apply to the person.

(3) The Minister may, by legislative instrument, specify the transitional application period for the purposes of subsection (2).

(4) If a person:

- (a) was not an eligible officer immediately before the application day; and
- (b) becomes an eligible officer within the 12 month period starting on the application day;

section 308-20 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* as amended by this Act applies to the person as if a period of 28 days were the application period specified in regulations made for the purposes of subparagraph 308-20(2)(a)(ii) of that Act as so amended.

Corporations Act 2001

10 Section 9

Insert:

director identification number means a director identification number given under:

- (a) section 1272; or
- (b) section 308-5 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*.

eligible officer has the meaning given by section 1272B.

11 Before Part 9.1

Insert:

Part 9.1A—Director identification numbers

1272 Giving and cancelling director identification numbers

(1) The Registrar must, by notifying a person who has applied under section 1272A, give the person a director identification number if the Registrar is satisfied that the person's identity has been established.

(2) The Registrar must make a record of the person's director identification number.

(3) The Registrar may, by notifying a person, cancel the person's director identification number if:

- (a) the Registrar is no longer satisfied that the person's identity has been established; or
- (b) the Registrar has given the person another director identification number.

(4) If:

(a) at the time the person is given a director identification number under this section, the person is not an eligible officer; and

(b) the person does not, within 12 months after that time, become an eligible officer;

the person's director identification number is taken to have been cancelled at the end of the 12 month period.

1272A Applying for a director identification number

(1) An eligible officer may apply to the Registrar for a director identification number if the officer does not already have a director identification number.

(2) The Registrar may direct an eligible officer to apply to the Registrar for a director identification number (whether or not the officer already has a director identification number).

(3) A person who is not an eligible officer may apply to the Registrar for a director identification number if:

- (a) the person intends to become an eligible officer within 12 months after applying; and
- (b) the person does not already have a director identification number.

(4) An application for a director identification number must meet any requirements of the data standards.

Note: A person may commit an offence if the person knowingly gives false or misleading information (see section 1308 of this Act and section 137.1 of the *Criminal Code*).

1272B Eligible officers

(1) An *eligible officer* is:

(a) a director of a company, or of a body corporate that is a registered Australian body or registered foreign company, who:

- (i) is appointed to the position of a director; or
- (ii) is appointed to the position of an alternate director and is acting in that capacity; regardless of the name that is given to that position; or

(b) any other officer of a company, or of a body corporate that is a registered Australian body or registered foreign company, who is an officer of a kind prescribed by the regulations; but does not include a person covered by a determination under subsection (2) or (3).

(2) The Registrar may determine that a particular person is not an *eligible officer*. The Registrar must notify the person of the determination.

(3) The Registrar may, by legislative instrument, determine that a class of persons are not *eligible officers*.

1272C Requirement to have a director identification number

(1) An eligible officer must have a director identification number.

(2) Subsection (1) does not apply if:

(a) the officer applied to the Registrar under section 1272A for a director identification number:

(i) before the day the officer first became an eligible officer (or an eligible officer within the meaning of the *Corporations Act (Aboriginal and Torres Strait Islander) Act 2006*); or

(ii) if the regulations specify an application period—within that period, starting at the start of that day; or

(iii) within the longer period (if any) the Registrar allows under section 1272E, starting at the start of that day; and

(b) the application, and any reviews arising out of it, have not been finally determined or otherwise disposed of.

Note: A defendant bears an evidential burden in relation to the matters in subsection (2): see subsection 13.3(3) of the *Criminal Code*.

(3) Subsection (1) does not apply if the officer became an eligible officer without the officer's knowledge.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

(4) An offence based on subsection (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

(5) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: Subsection (5) is a civil penalty provision (see section 1317E).

Note 2: Section 79 defines *involved*.

1272D Requirement to apply for a director identification number

(1) An eligible officer whom the Registrar has directed under subsection 1272A(2) to apply for a director identification number must apply to the Registrar under section 1272A for a director identification number:

- (a) within the application period under subsection (2) of this section; or
- (b) within such longer period as the Registrar allows under section 1272E.

(2) The application period is the period of:

- (a) the number of days specified in the direction; or
- (b) if the number of days is not specified in the direction—28 days;

after the day the Registrar gives the direction.

(3) An offence based on subsection (1) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

(4) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: Subsection (3) is a civil penalty provision (see section 1317E).

Note 2: Section 79 defines *involved*.

1272E Registrar may extend application periods

(1) The Registrar may, on the application of an eligible officer, allow, as a longer period for applying to the Registrar under section 1272A for a director identification number:

- (a) the period specified in the application; or
- (b) such other period as the Registrar considers reasonable.

Note: An application for an extension of the period for applying can be made, and the period can be extended, after the period has ended: see section 70.

(2) The Registrar may, by legislative instrument, allow, for persons included in a specified class of persons, a longer period for applying to the Registrar under section 1272A for a director identification number.

1272F Infringement notices

(1) Subsections 1272C(1) and 1272D(1) are subject to an infringement notice under Part 5 of the Regulatory Powers Act.

Note: Part 5 of the Regulatory Powers Act creates a framework for using infringement notices in relation to provisions.

Infringement officer

(2) For the purposes of Part 5 of the Regulatory Powers Act, each member of the staff of the Registrar who holds, or is acting in, an office or position that is equivalent to an SES employee is an infringement officer in relation to subsections 1272C(1) and 1272D(1) of this Act.

Relevant chief executive

(3) For the purposes of Part 5 of the Regulatory Powers Act, the relevant chief executive in relation to subsections 1272C(1) and 1272D(1) of this Act is:

- (a) the person specified as the relevant chief executive in the Registrar's instrument of appointment under section 1270; or
- (b) if there is no person specified—the Registrar.

Matters to be included in an infringement notice

(4) Subparagraph 104(1)(e)(iii) of the Regulatory Powers Act applies to an infringement notice relating to a contravention of subsection 1272C(1) or 1272D(1) of this Act as if that subparagraph did not require the notice to give details of the place of the contravention.

1272G Applying for additional director identification numbers

(1) A person must not apply for a director identification number if the person knows that the person already has a director identification number.

Note: Failure to comply with this subsection is an offence: see subsection 1311(1).

(2) Subsection (1) does not apply if the Registrar directed the person under subsection 1272A(2) to make the application.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2): see subsection 13.3(3) of the *Criminal Code*.

(3) Subsection (1) does not apply if the person purports to make the application only in relation to Part 6.7A of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3): see subsection 13.3(3) of the *Criminal Code*.

(4) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: Subsection (4) is a civil penalty provision (see section 1317E).

Note 2: Section 79 defines *involved*.

1272H Misrepresenting director identification numbers

(1) A person must not intentionally represent to a Commonwealth body, company or registered body, as the director identification number of the person or another person, a number that is not that director identification number.

Note: Failure to comply with this subsection is an offence: see subsection 1311(1).

(2) A person who contravenes, or is involved in a contravention of, subsection (1) contravenes this subsection.

Note 1: Subsection (2) is a civil penalty provision (see section 1317E).

Note 2: Section 79 defines *involved*.

12 Subsection 1317E(1) (after table item 45A)

Insert:

45B	subsection 1272C(5)	requirement to have a director identification number
45C	subsection 1272D(4)	requirement to apply for a director identification number
45D	subsection 1272G(4)	applying for additional director identification numbers
45E	subsection 1272H(2)	misrepresenting a director identification number

Note: This item does not commence at all if Schedule 1 to the *Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019* commences before or on the same day as the provisions covered by table item 4 in subsection 2(1) of this Act. See table item 5 in subsection 2(1) of this Act.

13 In the appropriate position in subsection 1317E(3)

Insert:

Subsection 1272C(5)	requirement to have a director financial services identification number
Subsection 1272D(4)	requirement to apply for a director financial services identification number
Subsection 1272G(4)	applying for additional director financial services identification numbers
Subsection 1272H(2)	misrepresenting a director financial services identification number

14 In the appropriate position in Chapter 10

Insert:

Part 10.35—Transitional provisions relating to Schedule 6 to the Treasury Laws Amendment (Combating Illegal Phoenixing) Act 2019

1649 Director identification numbers

(1) Part 9.1A applies on and after the day (the *application day*) the Minister appoints, under section 1270:

- (a) a Commonwealth body to be the Registrar; or
- (b) if more than one such body is appointed—such a body with functions and powers in connection with Part 9.1A.

(2) If a person was an eligible officer immediately before the application day:

(a) if a period (the *transitional application period*) is specified under subsection (3) of this section—section 1272C applies to the person as if:

(i) the reference in subparagraph 1272C(2)(a)(ii) to an application period specified by regulations were instead a reference to the transitional application period; and

(ii) references in paragraph 1272C(2)(a) to the day the person first became an eligible officer (or an eligible officer within the meaning of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*) were instead references to the day the transitional application period came into effect; and

(b) until the transitional application period comes into effect—section 1272C does not apply to the person.

(3) The Minister may, by legislative instrument, specify the transitional application period for the purposes of subsection (2).

(4) If a person:

- (a) was not an eligible officer immediately before the application day; and
- (b) becomes an eligible officer within the 12 month period starting on the application day;

section 1272C applies to the person as if a period of 28 days were the application period specified in regulations made for the purposes of paragraph 1272C(2)(b).

15 Schedule 3 (after table item 328D)

Insert:

328E	Subsection 1272C(1)	60 penalty units.
328F	Subsection 1272D(1)	60 penalty units.
328G	Subsection 1272G(1)	100 penalty units or imprisonment for 12 months, or both.

328H	Subsection 1272H(1)	100 penalty units or imprisonment for 12 months, or both.
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Note: This item does not commence at all if Schedule 1 to the *Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019* commences before or on the same day as the provisions covered by table item 4 in subsection 2(1) of this Act. See table item 8 in subsection 2(1) of this Act.

16 In the appropriate position in Schedule 3

Insert:

Subsection 1272C(1)	60 penalty units
Subsection 1272D(1)	60 penalty units
Subsection 1272G(1)	1 year imprisonment
Subsection 1272H(1)	1 year imprisonment

Income Tax Assessment Act 1936

17 At the end of section 202

Add:

; and (u) to facilitate the administration of Part 9.1A of the *Corporations Act 2001* or Part 6-7A of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*.

Taxation Administration Act 1953

18 Paragraphs 8WA(1AA)(b) and 8WB(1A)(a) and (b)

Omit "or (t)", substitute ", (t) or (u)".

I expect every member of the government to vote in favour of these amendments. It's a pretty simple case. They voted for it once in their party room, whether that be the National party room or the Liberal party room. They then cheered on the then minister, the member for Fadden, when he introduced this bill in exactly the same form as this in February this year. This amendment is exactly the same bill that the member for Fadden, the then minister, introduced in this House in February this year. We believe that it's worthy of support of every individual member of this place because, without director identification numbers, the dodgy directors will continue to rip off unwitting contractors, unwitting customers. They'll continue to rip people off to the tune of billions of dollars every year.

The members opposite, if they are not going to support the Labor amendments, have to ask themselves this: what has changed between February this year and today? What has changed in the last few months which made it an urgent priority in February but something that doesn't need to be considered today? If the answer is 'nothing' but you still vote against the Labor amendments, I want you to know this: every time a constituent walks into your electorate office and says, 'I've been burnt by a dodgy director', 'I've been burnt by a dodgy builder', 'I have lost my money' or 'I am owed money', you will have to say to them: 'I did nothing. I had the opportunity to do something about this but I chose to do nothing.' I call on every member of this House to vote in the same way that you did in February this year: vote for the Labor amendments.

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (12:09): We won't be supporting the amendments, and there is a range of reasons why. This is a very poorly advised attempt by the Labor Party to tie the director identification number into this bill. They are very worthy measures—those are not my words, but the words of the shadow

minister. And to show just how little understanding they have of this issue, Labor's amendments that the shadow minister held up cross-reference to other bills in the broader package of modernising business registers legislation. This means that the law and amendments, as moved by the shadow minister, couldn't actually even be applied as written because they reference legislation that doesn't exist. So when the Labor Party talks about doing their homework and helping the government, what they've done is copied and pasted from the government. But because they have such little understanding there is legislation and other measures referenced here that do not exist.

So under no circumstances can the Labor Party even support their own amendments! They cannot support amendments that refer to legislation that doesn't exist. The reason that has occurred is because the Labor Party, like an undergraduate cheat in an exam, has copied the person next to them without understanding what they were copying! I can inform the shadow minister and the opposition that we will not be supporting these amendments. And I would ask him not to support his own amendments, because his own amendments do not work!

The SPEAKER: The question is that the opposition amendments be agreed to.

The House divided. [12:16]

(The Speaker—Hon. Tony Smith)

Ayes66
 Noes73
 Majority.....7

AYES

Aly, A
 Bird, SL
 Burke, AS
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Kearney, G
 Khalil, P
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)

Bandt, AP
 Bowen, CE
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Jones, SP
 Keogh, MJ
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z

AYES

Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

NOES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Katter, RC
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morrison, SJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Question negatived.

Bill agreed to.

Third Reading

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (12:20): I seek leave of the House to move the third reading immediately.

Leave not granted.

Mr SUKKAR: I move:

That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay.

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

The House divided. [12:24]

(The Speaker—Hon. Tony Smith)

Ayes	77
Noes	60
Majority.....	17

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Haines, H
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morrison, SJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Sharma, DN
 Steggall, Z
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilkie, AD

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Goodenough, IR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Katter, RC
 Laming, A
 Leeser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharkie, RCC
 Simmonds, J
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, RJ

AYES

Wilson, TR
Wyatt, KG
Zimmerman, T

Wood, JP
Young, T

NOES

Aly, A
Bowen, CE
Burney, LJ
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
Leigh, AK
McBride, EM
Mitchell, RG
Murphy, PJ
O'Connor, BPJ
Owens, JA
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilson, JH

Bird, SL
Burke, AS
Burns, J
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freelander, MR
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
Keogh, MJ
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
Neumann, SK
O'Neil, CE
Payne, AE
Plibersek, TJ
Rowland, MA
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Zappia, A

Question agreed to.

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (12:26): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures) Bill 2019

Foreign Acquisitions and Takeovers Fees Imposition Amendment (Near-new Dwelling Interests) Bill 2019

Second Reading

Cognate debate.

Consideration resumed of the motion:

That this bill be now read a second time.

Dr CHALMERS (Rankin) (12:29): I thank the chamber for the opportunity to speak in support of the Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures) Bill 2019 and the Foreign Acquisitions and Takeovers Fees Imposition Amendment (Near-new Dwelling Interests) Bill 2019. But in doing so, the shadow housing minister, the member for Blaxland, who is at the table as well, and I say that we don't think these bills or indeed this government are doing enough to improve housing affordability in this country.

The Australian dream of owning a place you can call your own obviously isn't a reality for all Australians; it's out of reach for too many people, and particularly young people, and I'd invite the House to consider these 10 facts. First, the percentage of Australians who own their own home has dropped to its lowest level since Robert Menzies was Prime Minister back in the 1960s. Second, the cost of housing continues to rise as wages continue to stagnate. Third, house prices in our major cities have gone up by over 15 per cent in the last five years. Fourth, prices in Melbourne have gone up by 30 per cent and prices in Sydney have gone up by 20 per cent over that period. Fifth, it can take a typical household more than 10 years to save a 20 per cent deposit. Sixth, the household debt to income ratio has skyrocketed to almost 200 per cent, which is the highest it has ever been. Seventh, the number of Australians behind in their mortgage today is at its greatest level since the global financial crisis. Eighth, over one million low-income households are in financial housing stress and over 40 per cent of low-income households renting in Australia are suffering rental stress. Ninth, there are more homeless Australians than ever before. And, tenth, with forecasts of continuing double-digit price increases in Sydney and Melbourne at the same time as the RBA expects wages to continue to stagnate, this problem is actually expected to get worse, not better.

Housing affordability is a massive issue. It's an intergenerational issue. It's a key issue for our community, for our country and for governments at all levels. But while Australians are struggling, this government has no comprehensive plan to deal with it. It has no plan to fix the floundering economy, no plan to lift wages and no plan to seriously address housing affordability, which has gotten worse on its watch. That's why I move:

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

"whilst not declining to give the bill a second reading, the House notes that under this Government, housing affordability has gotten worse, and as a result:

(1) the percentage of Australians who own their own home has dropped to its lowest level since Robert Menzies was Prime Minister back in the 1960s;

(2) the number of Australians behind in their mortgage payments is at its highest level since the global financial crisis;

(3) the Australian Institute of Health and Welfare has shown that in 2017–18 over one million low income households were in financial housing stress and that 43.1 per cent of low income households renting in Australia were suffering rental stress; and

(4) there are more homeless Australians than ever before".

The government's management of these bills has been nothing short of a debacle. Those opposite announced these measures in the 2017 budget—more than 2½ years ago. Two and a half years have passed and the government still hasn't implemented them. They've had to fix mistake after mistake after mistake, including some that we identified from this side of the House, during that time. There are members of the government who think this whole bill is a mistake. With regard to the removal of the capital gains tax exemption, our old mate the member for Fadden was reported as saying:

Sometimes things get announced and don't get progressed and it's just best to leave it that way.

Regarding the detail of the bills, there are really four main parts to the measures in the bills. They remove the entitlement to the CGT main residence exemption for foreign residents, they clarify the application of the principal asset test, they provide a capital gains tax incentive for investment in affordable housing and they enable a reconciliation payment for near-new dwelling certificates. During that 2½-year period, but particularly when it was first announced, there have been some legitimate concerns raised by the community. Representing a big Kiwi community in South-East Queensland, I know New Zealand citizens living in Australia were especially concerned that they would be negatively affected. On top of that, Australians living abroad—there is something like 100,000 Australians living or working offshore—have been concerned they'd be impacted by the changes. These criticisms of the bills were a factor in the government waiting until after the election to bring these proposed changes to the House.

Another big factor is the fact that there have been improvements made to the bill, and we welcome those. The original bill had some substantial flaws. These changes will have the effect of lessening the impact, particularly on Australian expats overseas and New Zealanders living here in Australia. We were pleased that we could advocate on behalf of both of those groups and to help get the outcome that is now in these bills, which have been changed from what was first proposed in the budget of 2017. The government has also moved to make arrangements for certain life events, new amendments which allow foreign residents to still access the main-residence exemption when they've had particular life events, such as divorce, death, terminal illness—all of those sorts of difficult issues. I want to congratulate my predecessor in this gig the member for McMahon, and also the member for Fenner, for fighting hard for so many of these positive changes which are being implemented in this bill. The government has also extended the transition period until the middle of next year. That's a good thing because it has relieved some of the uncertainty for taxpayers overseas. These are good developments. They make what was a bad bill in 2017 a better bill and something that we are able to support.

As I said earlier, the Australian dream of owning your own place isn't a reality for too many Australians, particularly young Australians. Too many people think that a home of their own is simply out of reach. I think it is fair to say that, although we are supporting these bills and although there are welcome steps in these bills, nobody should pretend that they will fix the lack of affordable housing in this country or have a significant impact on housing

affordability. The details of the bills are all in the memoranda, so I won't go through them in too much detail, but I will flag a couple of concerns with the aspect of the bill which goes to the CGT arrangements for affordable housing. We are not convinced that it will actually add to the amount of housing. We're worried it may just cause more churn. There are other issues that we have raised over the last couple of years that we think still apply, and we note that the National Affordable Housing Consortium has said that the increase in the discount from 50 to 60 per cent is grossly inadequate to drive investment. So we support the bills, but we don't think they will be game changers when it comes to housing affordability.

There are couple of other important points that I want to raise because they are very closely related. When we talk about housing affordability, yes, it goes to tax arrangements and, yes, it goes to the incentives in the system, the provision and public housing. All of these things are important, but there are two things that don't get talked about enough by those opposite when they talk about housing affordability.

The first one is stagnant wages. One of the reasons why we have record household debt, one of the reasons why we have substantial mortgage stress is that wages in this country are stagnant. The Reserve Bank deputy governor did a terrific job yesterday of laying out what we're up against. He said that over the last seven years or so—so largely the life of those opposite in government—low wages growth in this country has become the 'new normal', in the Reserve Bank deputy governor's words. Feeble, weak wages growth has become a feature of the economic mismanagement of those opposite. If the Australian people want to know whether this is deliberate or accidental, I refer them to the finance minister's views, publicly expressed, that slower wages growth is a deliberate design feature of the government's economic policy framework. So for all of those Australians who feel with some justification that no matter how hard they work they just can't keep up with the cost of child care or electricity or servicing the mortgage, as we see in so much of the data, those Australians should know that the finance minister and, indeed, the cabinet of the Morrison government want it to be that way. This stagnant wages growth is a deliberate design feature, in the finance minister's own words. Wages growth under this government is actually the weakest it's been under any government. In the most recent data, which came out in the last week or two, we saw that wages growth had slowed even further. This is a big problem, and the fact that people's wages are not keeping up with the cost of living, that it's harder and harder to service the mortgage or to pay the rent is related to the issue of housing affordability. That's an important consideration which barely gets a mention by those opposite when they talk about housing affordability.

The second related point goes to monetary policy. The Reserve Bank governor last night gave a speech about unconventional monetary policy and quantitative easing. As he has said repeatedly, there is not enough effort being put into fiscal policy—the efforts of the government in the budget—to boost an economy which has been floundering and which has deteriorated even since the election.

The point we make about the governor's speech is that he wouldn't even be needing to contemplate these quite extreme monetary policy measures if the government was doing a good job managing the economy. If the government was doing its job managing the economy in the interests of workers and pensioners, we wouldn't have a Reserve Bank that has already had to cut interest rates to record lows—to a quarter of what they were during the GFC. We

would haven't the Reserve Bank contemplating quantitative easing if the government was doing its job and coming to the table with a measured, proportionate and responsible fiscal policy to not only help the Australian economy and boost the Australian economy but, more importantly, help the workers, pensioners and families who make up our society. That's another important issue here, when we talk about housing affordability.

We have got interest rates at 75 basis points, the lowest they've ever been—a quarter of what they were during the GFC. The real risk there is that the effectiveness of those low interest rates is diminishing over time. Monetary policy can't do the heavy lifting that it could do when rates were higher, so we've got a real problem here: a government that won't come to the table and a Reserve Bank running out of runway when it comes to monetary policy and contemplating quantitative easing. The real risk here is that, as official rates get lower and lower, asset prices get puffed up, which at the same time as not stimulating enough demand in the economy makes houses more unaffordable. Plus, it's hard on savers who are relying on interest—a substantial chunk of the population for whom savings is an important part of the way they provide for themselves and for their loved ones. That's a substantial issue which deserves more discussion as we debate these bills in this House.

In summary, we support the bills. We don't think they will be a silver bullet. We think they are worthy of support, with the improvements that have been made since we have been arguing for them. But there is a problem of housing affordability in this country, and it has many facets. It impacts particularly on the young, but not just the young. It is a function of stagnant wages and what the Reserve Bank has had to do to boost the economy in the absence of a government that has any plan to boost an economy which has deteriorated on its watch.

The DEPUTY SPEAKER (Mrs Wicks): Is the amendment seconded?

Mr Clare: Yes, the amendment is seconded, and I reserve my right to speak.

The DEPUTY SPEAKER: The original question was that this bill be now read a second time. To this the honourable member for Rankin has moved as an amendment that all words after 'That' be omitted with a view to substituting other words. The question now is that the amendment be agreed to.

Mr BANDT (Melbourne) (12:42): I rise to speak on the Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures) Bill 2019 and the Foreign Acquisitions and Takeovers Fees Imposition Amendment (Near-new Dwelling Interests) Bill 2019. Young people are getting screwed. Nowhere is this more apparent than when it comes to housing. We are in a society now where, for young people, doing the right thing is no longer enough. You can go to school, to uni or to TAFE, you can finish your degrees and you can then graduate, go out and look for work and, under this government, find yourself facing a world of insecure unemployment and low wages. Then, when you try to find a house, not only may you well have a debt hanging around your neck as a result of having done the right thing and studied but you go out and look for a house and find that so many of them are out of reach, not only for buying but even for renting.

In my electorate of Melbourne, we're at the point now where most renting is severely unaffordable, even for an average student share house. There is no city in Australia where it is affordable to rent on Newstart, and many Australians are finding themselves under increasing housing stress. When it comes to buying a place, if you even think that you are on the ladder

towards buying a place, you find yourself in a situation that previous generations have just not found themselves in. Go back a couple of decades and you will find that an average house cost about six times a young person's income upon graduating. Fast forward to now, and it's above 12 times. With low wages, high house prices and high levels of debt, people are finding themselves unable to put a roof over their heads. Why is it the case that having a roof over your head is no longer affordable? The biggest reason is that in this country we've stopped thinking about housing as a basic right that every citizen should have and started thinking about it more as an investment class to favour the very wealthy, with the government funnelling billions of dollars of tax subsidies into pushing up prices. As a result, if a young person goes to an auction now to try to buy a house—

Government members interjecting—

Mr BANDT: I'm very pleased that half of the coalition has come in to listen to this speech—it is the best reception I've ever got—but they might like to listen quietly because the message from young people needs to be heard.

Government members interjecting—

Mr BANDT: No wonder they shout; they represent the generations that already have five, six or seven houses—and they are intent on passing laws that prop that up at the expense of young people. So what happens if a young person goes to an auction to buy a house? They are bidding against someone who may already have two or three houses and is about to buy a new one knowing they can push the price up and up and up and knowing that, even if they pay over the odds for that house, they can then claim any loss as a tax break and a few years later sell the house and get a tax break on that as well. This comes at the cost of billions of dollars that could be spent on affordable housing, renewable energy, schools, hospitals and making university free. Instead the government is saying: 'There's scarce money around. What are we going to do with it? We are going to put it into giving people who already have a couple of houses a subsidy to go and buy more and push up prices even further.' As a result, so many young people are now priced out of the housing market and the rental market.

There's another reason it is so hard for people to afford a home: wages have stagnated or gone backwards. If you have just finished school and you're looking for a place to live and/or a job—you have done TAFE or university—you face the highest level of insecure work we've ever had and low wages. So you don't have enough money in your pocket to afford rent, let alone a mortgage. If you are lucky enough to get a meeting with the bank manager, if you are on a short-term contract—as so many people now are—the bank manager says, 'How can I be guaranteed you will have a job next year?' Graduate teachers in schools are being put on one-year contracts. There will always be schools. Why can't these jobs be permanent? Putting people into insecure work makes it impossible for them to plan their lives and do basic things like buying a house.

But there's a third reason why we have this problem at the moment. As well as this government's intention to give billions of dollars in subsidies to people who already have three or four houses at the expense of people who have none, as well as this government driving down wages to the point where we're seeing low levels of wage growth—in fact, some wages are going backwards—we have not seen new builds of public housing for decades. Part of the way to both bring down rents and make houses more affordable to people is to build

public housing at the bottom end of the market. By definition, people who live in public housing are on low incomes. People who may be on Newstart or in low-wage jobs—

Mr Falinski interjecting—

Mr BANDT: I hear the interjection that apparently public housing is something like Soviet Russia. That is what you would expect from someone who is born with a silver spoon in their mouth, who has never had to live in public housing. I am proud to have the highest level of public housing in Victoria in my electorate. The people who live there make a contribution to this society. They contribute far more than the backbench of the Liberal Party ever does—people who sit there sucking on the public teat—

The DEPUTY SPEAKER (Mrs Wicks): The member for Melbourne will resume his seat. I'd ask two things. Firstly, Member for Melbourne, if you could withdraw those marks.

Mr BANDT: I don't think there's anything to withdraw. There is nothing to withdraw. I made no imputation against any individual person. If they think there's something to withdraw then an individual who is aggrieved can get up and say it, and I'll consider what they have to say.

The DEPUTY SPEAKER: I call the member for New England.

Mr Joyce: Look, we've shown quite some tolerance through this person's speech, but I think the last iteration—of sucking, and I won't go on with it—needs to be withdrawn. I think it is a gross reflection.

The DEPUTY SPEAKER: I would ask the member for Melbourne to assist the order of the House if he would withdraw the last remark. If I could then, I'd like to address some remarks to those members on my right.

Mr BANDT: I withdraw.

The DEPUTY SPEAKER: Thank you, Member for Melbourne. Members on my right, it is extremely difficult for me to be able to hear the debate, to be able to hear what the member for Melbourne is saying. I have asked several times for order and I would ask that that be respected, or I will be forced to resort to the standing orders. I will not say this again. The member for Melbourne has the call.

Mr BANDT: Thank you, Madam Deputy Speaker. If there were any doubt about the point that I was making, we have a government that is funnelling billions in public subsidies towards people who already have houses, including those who've already got several houses, and that comes at the expense of people who've got none. So, for those who sit there enjoying their massive subsidies for having their three or four houses—and we all know what's on the parliamentary register; we all know how many houses people have got—to turn around, interject and say anyone who is living in public housing doesn't have the right to an affordable house over their head because somehow that is akin to Soviet Russia shows exactly the mentality of this government and why inequality is at a 70-year high under this government. People who live in public housing have a right to a roof over their heads. They have the right to ask government for help. It is not just those who have got two, three or four houses who have the right to come in here and say, 'Give us more public subsidies so that we can buy even more.'

Everyone in this society has the right to an affordable roof over their head, whether they live in public housing, whether they're a young person trying to enter the housing market or whether they're an older woman who finds herself in her 50s in the fastest-growing group of homeless people. That is older women who find, after having their marriage end, that they don't have enough superannuation or enough to live on. Everyone in this country has the right to a roof over their head and an affordable rate. If only we could get back to thinking like that. If some continue thinking that somehow government getting involved in assisting people putting a roof over their head is Soviet Russia, as the government is claiming from the interjections we've heard that haven't been withdrawn, we will continue becoming a more unequal society. The fact is that the government cannot see that, if you've got a dollar of public money and you have a choice about how to spend it, the better thing to do, rather than continuing to allow subsidies that inflate the price of housing, like negative gearing and capital gains tax for people who've already got several houses, is instead to put that money into helping states build more public housing. We would be killing a number of birds with one stone.

We could have a construction-led economic recovery in this country by building affordable housing. The Greens have a costed plan as part of our Green New Deal to say that we will build half a million new public and affordable houses over the next decade, subsidised by winding back the unfair tax breaks for those who've already got several houses. If we as a society said, 'We need some rebalancing because young people are priced out of the housing market, and perhaps we need to redirect some of the subsidies we're giving at the moment to people who have three or four houses already and put them into building affordable housing for people at the bottom end of the market or people who are coming into the rental market, expanding the public housing stock in this country,' we'd not only help drive down rents and make housing more affordable for people but also find that Australia becomes a more equal place. It should be the job of every government and every generation to leave the country better off for the ones who come after it, but we are not at that point at the moment. We are at the point at the moment where young people don't have the money they need to buy a house, because houses have become too expensive and the work that they get is insecure. And there is not enough public housing being built for the people who are in genuine need.

For anyone who comes into an event in Melbourne, you come in down the Tullamarine Freeway and you hit the red and yellow CityLink sticks and you'll see those big tower blocks that are there in Melbourne. They were all built in about the 1960s. The state government is also responsible here, because there has not been a new build of public housing on the scale that we saw in the 1960s since the 1960s. Population has gone up but they have not built new public housing. There was an effort under the Rudd government to put some money into building new public housing but that ended up being a massive exercise in cost shifting. In a number of respects state governments just took the money and said, 'Thank you very much. We're not going to spend any more out of our own pockets.' And we didn't have the growth in new public housing we needed.

If the federal government is serious about tackling housing affordability it needs to say perhaps part of the answer is building new public housing. Work with the state governments so that there's no cost shifting, and take this money that we're currently giving in negative gearing and capital gains tax subsidies and use it to build more public housing stock. Then we

could also lead a charge—and I implore the housing minister to consider this—for national rental standards where we end no-ground evictions right across the country, where we have rent caps for the people who have accepted that they may be in a rental for a very long time and where we limit the amount that landlords are able to continue to boost up and up and up the amount of rent that people pay just because they know that the market is so tight and renters have nowhere else to go. These are some meaningful things that you could do to address the housing pressure, but it requires a mind shift. It requires moving away, as the government said in their own words, from thinking that a roof above someone's head is some kind of soviet-era Stalinist plan and instead saying something very basic, which is that everyone in this country, no matter how much you earn or what age you are, has the right to a roof over their head at an affordable rate. If that was the enshrined principle then we could have rental reform, we could have housing reform and Australia could become a much more equal society.

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (12:58): In summing up, I want to thank those who have contributed to the debate. The government recognises the importance of additional investment to meet Australians' needs for more affordable housing, as well as making it easier for Australians to get into the housing market. It's important to the wellbeing of all Australians and access to secure and affordable housing no doubt improves social and economic participation, and education and health outcomes, which is why it is such a focus of the Morrison government.

These bills represent an important step in ensuring that Australians have access to secure and affordable housing, and encouraging investment into affordable rental housing, while continuing to strengthen the integrity of Australia's tax system. It follows the Treasury Laws Amendment (Housing Tax Integrity) Act and the Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures No. 1) Act, which give effect to a number of measures that support housing affordability for all Australians, which were announced in the 2017-18 budget.

Schedule 1 to the main bill delivers on the government's commitment to implement tighter rules for foreign residents owning Australian property. This schedule introduces reforms to strengthen the capital gains tax rules for foreign residents. Foreign residents will be denied access to the main residence CGT exemption with grandfathering arrangements, importantly, until 30 June 2020. However, those who have been a foreign resident for six years or less may be able to continue to access the main residence exemption if certain life events, as defined, occur during that period of foreign residency. The principal asset test will also be modified to address an integrity issue with the CGT rules for indirect interests in Australian real property. These two reforms were announced alongside an expansion of the foreign residence CGT withholding regime which has already been legislated and came into effect on 1 July 2017.

Schedule 2 to the bill, meanwhile, allows resident investors in qualifying affordable renting housing to obtain a CGT discount of up to 60 per cent. The changes will provide up to an additional 10 per cent CGT discount for investments in affordable housing, thereby encouraging increased investment in affordable rental housing.

Schedule 3 to the bill is a technical amendment which supports changes announced in the 2017-18 budget that streamlined the foreign investment framework. This amendment introduces a reconciliation payment for dwellings sold by a developer under the near-new

dwelling exemption certificate that was introduced by regulation on 24 June 2017. This ensures that, where a near-new dwelling is sold by a developer to a foreign person, the developer provides a reconciliation payment in respect of that sale. It ensures integrity in that system.

Thank you again to those who have contributed to this debate and participated in the public consultation with the government on these measures. I therefore commend the bill to the House. The government will not be supporting the opposition's amendment.

The SPEAKER: The original question was that this bill now be read a second time. To this the honourable member for Rankin has moved as an amendment that certain words after 'That' be omitted with a view to substituting other words. The immediate question before the House is that the amendment moved by the honourable member for Rankin be agreed to.

The House divided. [13:05]

(The Speaker—Hon. Tony Smith)

Ayes64
Noes75
Majority.....11

AYES

Albanese, AN
Bandt, AP
Bowen, CE
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Georganas, S
Gorman, P
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
Neumann, SK
O'Neil, CE
Payne, AE
Plibersek, TJ
Rowland, MA
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Aly, A
Bird, SL
Burke, AS
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Freeland, MR
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Murphy, PJ
O'Connor, BPJ
Owens, JA
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

NOES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Haines, H
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharkie, RCC
 Simmonds, J
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Goodenough, IR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morrison, SJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Sharma, DN
 Steggall, Z
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP
 Young, T

Question negatived.

Original question agreed to.

Bill read a second time.

Third Reading

The SPEAKER (13:10): Is leave granted for the third reading to be moved immediately?

Leave not granted.

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (13:10): I move:

That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay.

The SPEAKER: The question is the motion moved by the minister be agreed to.

The House divided. [13:14]

(The Speaker—Hon. Tony Smith)

Ayes76
 Noes64
 Majority.....12

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Haines, H
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharkie, RCC
 Simmonds, J
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, RJ
 Wood, JP
 Young, T

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Goodenough, IR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morrison, SJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Sharma, DN
 Steggall, Z
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilkie, AD
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

NOES

Albanese, AN
 Bird, SL
 Burke, AS
 Burns, J

Aly, A
 Bowen, CE
 Burney, LJ
 Butler, MC

NOES

Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
Neumann, SK
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilson, JH

Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Murphy, PJ
O'Connor, BPJ
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Zappia, A

Question agreed to.

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (13:16): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Foreign Acquisitions and Takeovers Fees Imposition Amendment (Near-new Dwelling Interests) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.

Third Reading

Mr SUKKAR (Deakin—Assistant Treasurer and Minister for Housing) (13:18): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**National Disability Insurance Scheme Amendment (Streamlined Governance)
Bill 2019**

Second Reading

Mr ROBERT (Fadden—Minister for the National Disability Insurance Scheme and Minister for Government Services) (13:19): I present the revised explanatory memorandum to this bill and move:

That this bill be now read a second time.

This bill amends the National Disability Insurance Scheme Act 2013 to introduce streamlined governance arrangements that will simplify rule-making and decision-making under the act.

The bill makes important provisions that will give the Commonwealth minister responsible for the National Disability Insurance Scheme increased certainty about timing of decisions under the act requiring state and territory agreement, including appointments and terminations to the board of the NDIA and the NDIS Independent Advisory Council and the making or amending of some of the NDIS rules. It includes provisions to ensure that information held by the NDIA and the NDIS commission can be obtained by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, or the disability royal commission. The bill also ensures that the states and territories will continue to have an essential and strong role in the stewardship scheme.

These administrative arrangements will ensure that the governance arrangements that underpin the NDIS are efficient and effective, building on the recommendations from an independent review of the act in 2015, the Productivity Commission inquiry into the costs of the NDIS in 2017 and intergovernmental agreements supported by the Council of Australian Governments.

The NDIS is one of the largest social and economic policy reforms in Australia's history.

The scheme is continuing to grow apace as it rolls out across the country. Over 310,000 Australians are currently receiving support through the NDIS, and around 114,000 of these people are receiving support for the very first time. The vision of the NDIS, to enable every Australian with a significant and permanent disability to access the reasonable and necessary support they need to participate fully in their communities, is progressively being realised.

Since 1 July this year, the NDIS has been available across the continent. The scheme will continue to grow at a rapid pace over the next few years, with around 500,000 participants estimated to benefit from the scheme over the next five years.

This government has been fully committed to the NDIS from day one. We are bringing forward this bill to establish streamlined governance arrangements to ensure that the governance structure that underpins the NDIS is effective, efficient and adaptive.

The NDIS is a significantly complex reform, with governance shared between the Commonwealth and state and territory governments. The current NDIS governance structure includes a legislative framework, the NDIA board, the NDIS Independent Advisory Council and the Council of Australian Governments Disability Reform Council. Each body plays an important role in ensuring the NDIS remains true to its objectives.

Under current legislative and governance settings, the states and territories have significant roles and responsibilities in NDIS policy and funding arrangements. Setting and amending NDIS rules and the giving of directions to the chief executive and NDIA board, as well as making appointments and terminations, generally requires unanimous agreement from all jurisdictions. This has resulted in a governance structure that is complex, with decision-making processes being more time-consuming and less efficient than required for such a significant reform.

Difficulties with the current governance arrangements have been consistently identified during the NDIS trial and transition periods. Past experiences of the requirement to obtain unanimous agreement from all states and territories has meant that NDIS rules, or amendments to rules, which have agreement at the officials' level have taken up to 10 months to be formally agreed before they could be registered.

Unnecessary delays in decision-making was recognised as a critical issue by the Productivity Commission in its 2017 review of NDIS costs. In the PC's final report, handed down in October 2017, while acknowledging the complexity of shared governance arrangements and the valuable knowledge and expertise of all governments for designing and refining the Scheme, the PC concluded:

... such timeframes could pose significant operational difficulties for the NDIA.

The shared governance arrangements requiring unanimous agreement from states and territories to progress a large range of critical issues is indeed cumbersome and complicated. This reduces the Commonwealth's ability to respond rapidly and flexibly to emerging issues.

This government, along with the states and territories, has therefore reached the view that better arrangements are required as the NDIS approaches full scheme. Changes will improve the effectiveness of governance arrangements to provide an agile and responsive legislative environment.

This is good news for Australians living with significant and permanent disability, their families and carers who are set to benefit from the NDIS. These changes will simplify what is a complicated and inefficient system of decision-making.

The changes proposed by this government include introducing a 28-day consultation process with state and territory disability ministers on matters under the NDIS Act that require agreement. If they do not respond after 28 days they will be taken to have agreed. All state and territory disability ministers have been consulted and have been voluntarily following the 28-day convention since November 2017. Formalising this commitment in law provides the right incentives for all governments to manage the NDIS efficiently.

The changes proposed by this government also establish arrangements with the Commonwealth minister to be able to appoint members to the NDIA board based on majority agreement of the states and territories, instead of under the current requirement for unanimous agreement.

The NDIA board is responsible for overseeing the implementation of the NDIS and its long-term sustainability. The board manages the financial and delivery risk of the scheme, including maintaining an actuarial and insurance approach to decision-making. The board develops the NDIA's business strategies, manages risks to the organisation and the NDIS and, through its CEO, handles the day-to-day management of the NDIA.

The NDIA board is a national board, not a representative board. Members are appointed to the board if they have the right skills and expertise to carefully manage the significant scale, cost and potential risk in delivering the NDIS—without regard to where they live.

Allowing the minister to appoint board members based on majority agreement will ensure that the best and majority-supported candidates are appointed in instances where there is not unanimous agreement.

The changes proposed by this government also establish arrangements for the Commonwealth minister to be able to appoint members to the NDIS Independent Advisory Council, based on consultation with states and territories.

The function of the advisory council is to provide the board with independent advice, which the board must consider when performing its duties, having regard to the role of families, carers and other significant persons in the lives of people with disability.

The changes proposed by this government also establish new arrangements for consultation with states and territories relating to any proposed changes to some NDIS rules—namely, those rules that relate to the payment of NDIS amounts and the NDIA CEO's power to disclose information. These are consequential amendments that will have no impact on the scheme's purpose or design, people's access to the NDIS, the determination of participants' reasonable and necessary supports or the content of their plans.

Finally, the changes proposed establish a clear authority for the disability royal commission to obtain information from the NDIA and the NDIS commission. This will help to ensure public confidence that the disability royal commission has the information it needs to do its job.

The NDIS and its beneficiaries deserve the best and most efficient governance arrangements possible. The changes proposed in this bill will help us deliver this world-leading reform.

The Morrison government is committed to working with states and territories and the NDIA to deliver a fully funded, high-quality NDIS. This bill represents a significant step forward, cutting red tape and ensuring governance arrangements for the NDIS enable responsive delivery and agile decision-making as we move into full scheme.

I commend this bill.

Mr SHORTEN (Maribyrnong) (13:27): I rise to oppose the National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019. With this bill the government is seeking a lower bar for the appointment of board members of the National Disability Insurance Agency. The current standard in legislation is that the Commonwealth and all states and territories support the appointment of a board member other than the chair. This bill seeks to lower that standard to a majority of the group. This is not the way forward for this important national scheme.

We've recently had research out of the University of Western Australia, a report called *Six years and counting: the NDIS and the Australian disability services system, a white paper*. The study draws on 63 reports on the NDIS written since 2013. Amongst its disturbing conclusions are as follows:

- The NDIS is not working for many it is intended to support

- The 2018/19 \$4 billion+ underutilisation and clear signs of unsustainability in the disability services sector confirm this reality ...

In one conclusion the report states:

Importantly, these are not simply "transition problems" or "risks that will be solved as markets adjust". The current state of the system is the new system. It is a system that only works for some service users and for some service providers. It is increasingly evident that it leaves major gaps in terms of responsibility allocation and funding capacity between state/territory and the Commonwealth governments in critical service areas such as housing, health, education and employment. It also leaves states and territories to pick up the bill when people with disability are diverted to other health and welfare systems due to supply breakdown.

Whilst this is a good study out of the University of Western Australia, nearly anyone with experience of the NDIS in 2019 can tell you it has some major problems. As Bob Dylan said, you don't need a weatherman to know which way the wind blows. We don't actually need a sixty-fourth academic study to tell us that the NDIS is not working anywhere near as it should be consistently for all people with disability in Australia. You only need to spend a little time talking and listening to people with a disability, their carers and loved ones to get a real sense of what's going on. Some success stories, but too many failures.

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

STATEMENTS BY MEMBERS

Gilmore Electorate: Slow Food South Coast

Mrs PHILLIPS (Gilmore) (13:30): Last week I had the pleasure of attending the Slow Food South Coast annual local Producers Grant and Snail of Approval awards at Ulladulla. Over 100 local producers were at this wonderful event celebrating our slow food producers. Slow Food South Coast is the largest slow food organisation in Australia. Being a slow food producer can be a difficult task. There are so many external factors that impact on whether you have a good season or a bad season. It is tough work. Sometimes farming can be a lonely job but having a strong community, like that of Slow Food South Coast, can make the world of difference.

In my electorate on the New South Wales South Coast we are uniquely placed to take advantage of this growing global hunger for good, clean and fair food. We have a large local farming community producing amazing local food. We have an industry crying out for support, suffering through the drought and high unemployment. But we probably have one of the key ingredients—a huge tourism industry. Slow Food South Coast is doing so much to educate, celebrate and support our community, and I'm pleased to be able to show my appreciation for that. Thank you to the event organisers, the leader of Slow Food South Coast, Rosie Cupitt, and committee members. Thank you to all the local slow food producers for going slow and coming together to support each other.

Grey Electorate: Riesling Trail

Mr RAMSEY (Grey—Government Whip) (13:31): The Clare Valley is undoubtedly one of the most beautiful regions in South Australia, if not Australia. A couple of weeks ago I was there to commemorate the completion of and to open the Riesling Trail. The railway in the

Clare Valley served the Clare Valley for 66 years from 1918 through to 1984 and, since that time, local individuals have worked together to install a cycling and walking trail. The Riesling Trail, 33 kilometres, terminates in Auburn in the south and connects on to the Rattler Trail, which was put together by a similar group of volunteers and takes the railway through to Riverton, a very picturesque part of the world.

It was a great pleasure to be there last week with Allan Mayfield, the president of the Riesling Trail Association, to mark the fact that the Commonwealth invested \$160,000 in this project, which provided a new bridge over the Wakefield River to replace one that was removed when the railway was shut down. The state government committed \$120,000 and there were significant local contributions from the Riesling Trail committee. I call out and thank Gossip Wines for their generous donation, the Clare Valley council and the Clare Valley wine growers association. It was a big community effort. I congratulate them. It was great to be there with them.

Brand Electorate: Infrastructure

Ms MADELEINE KING (Brand) (13:33): If ever the people of Rockingham, from Singleton to Golden Bay, Secret Harbour, Baldivis, Port Kennedy and Warnbro needed any reminding that the Liberal Party of this country and the Morrison Liberal government do not care about them, just have a look at the recent infrastructure announcements. There was not a single federal government cent for any infrastructure in Brand. Not a single cent. And that's not the worst of it. They've given us less than nothing by seeking to pork-barrel a Liberal-held seat in Western Australia. They have blackmailed and bullied the state Labor government into delaying its long-promised Karnup train station in favour of the Lakelands train station. So not only do we not get a single Liberal government cent, we get less than nothing because now we have lost the Karnup train station as well. Thank you for less than nothing, Mr Morrison.

Labor supports the move to bring infrastructure projects forward. It is important; it will create jobs and it will help the economy those opposite are intending to wreck. But the people around Karnup, who this station would serve, are very angry and they rightly should be. This was a long-term plan for a large train station that would service people across the electorate, including the people of Lakelands. The Liberals do not care about the people of Brand. There have been two consecutive elections and not a single commitment to the communities of Brand. I've had a gutful of this Liberal government treating the people of my community like absolute rubbish. They should be ashamed of themselves.

Winds of Joy

Mr SHARMA (Wentworth) (13:34): Last week I swapped out my brogues for boat shoes to take part in the Winds of Joy program with students from Centennial Park School. This is one of many transformative programs offered by Sailors with disABILITIES, which is a not-for-profit organisation based in Darling Point providing free sailing programs for children, youth and adults affected by disability or disadvantage. This program is specially designed for children with a disability and uses sailing as a tool to build confidence, self-esteem and new relationships in a team environment. The yachts are specially adapted to accommodate wheelchairs so every student can have the opportunity to steer and learn basic sailing skills.

On board that day, I was joined by a dozen students from Centennial Park School, a school for children who have been diagnosed with mental health problems and other disorders, as well as a number of skippers and trained volunteers to guide and mentor them. It was an extraordinary experience, and I'm grateful for the opportunity to see the students take on unique challenges in a safe environment. Together we created unforgettable memories and gave these children a sense of ownership and achievement in their lives.

I commend the founder of Sailors with disABILITIES, David Pescud, for his visionary leadership, and thank the many volunteers and donors, who have been generous in funding and facilitating this program. I look forward to joining them on the water again one day soon.

Immigration

Ms RYAN (Lalor—Opposition Whip) (13:36): I rise today regarding Jae, the son of my constituents Yuang and Tony Woodward. Jae came to Australia with his brother and mother as a young student and, whilst his mother and brother applied successfully for citizenship, Jay, unfortunately, didn't apply. This left him, after living here for 20 years, having to return to South Korea. He was advised that his visa was to expire and that there were no avenues to apply for a new visa. He promptly returned, breaking no laws. The department advised that he would have to return because there was a biological father in that country. Remember he has lived here for 20 years.

He returned. He has begun to think about re-applying for entry after three years, as is the law. He abided by the decision and has been living in South Korea for over three years. He recently started to look for a pathway to be reunited with the only family he knows. There are no visas available for Jae, as his estranged father is assumed to still be alive, even though he's had no contact with him in over three years. The department advised my office that, even if Jae were eligible to apply as a sole remaining relative, this visa is not viable, as the current processing time is 50 years. I raise this in this House to ask this government to assist and reunite Jae with his loving mother, father and brother.

Cystic Fibrosis

Mr SIMMONDS (Ryan) (13:37): Maddie is a quiet achiever who shows great care and initiative. At eight years old, in year 2 at Mater Dei Catholic Primary School in Ashgrove, Maddie was the youngest participant in Ryan to be awarded my Julian Simmonds Young Community Leader Award for 2019. Throughout this year Maddie, with the support of her family and friends, has gone above and beyond to raise community awareness and fundraise for a cause that is close to her heart: cystic fibrosis, or CF. Maddie has a younger brother, Jack, who has cystic fibrosis. Jack is just six. Maddie is passionate about making a difference in everything that she does and, seeing firsthand what CF does to an individual, Maddie decided, with the support of her parents, to compete in the Noosa Triathlon this year to raise money and awareness for Cystic Fibrosis Queensland.

As momentum and excitement gathered in preparation for the Noosa Triathlon, Maddie had the creative initiative of running a local dog wash and bake sale. With the help of her school friend Tilly, the girls baked homemade dog treats and approached local companies to donate dog shampoo for the event. The whole community got behind the girls, and they raised \$1,200. In total this year, Maddie and her extended family have raised almost \$12,000 for CF. She asked me to wear this pin today and raise awareness for this debilitating disease. Every

four days a baby is born with CF, and it affects them. Thank you, Maddie, for being such an inspiration.

Household and Personal Debt

Mr DICK (Oxley) (13:39): Since parliament last sat, there's been outrageous new data released by the Consumer Action Law Centre and the Stop the Debt Trap Alliance which has shown that the number of households currently holding a payday loan is now fast approaching the one million mark. Payday loans are almost exclusively used by people on low or very low incomes to try to keep their heads above water. With flatlining wages and low incomes as hallmarks of this government, research has shown that 15 per cent of people who take out a payday loan will fall into a debt cycle to the outrageous fees and interest rates of almost 900 per cent. An estimated 324,00 Australian households have been allowed to enter a debt path that may result in bankruptcy. This represents a rise of 23.13 per cent of all borrowers, with 41 per cent of these being women and single parents. The Consumer Action Law Centre report was compiled by more than 20 members of the Stop the Debt Trap Alliance. They are out there every day fighting against the loan sharks. Sadly they do not have a government that is worried about people being ripped off by loan sharks in this country. Every single member opposite should be aware of this outrageous predatory behaviour by loan sharks in their electorates, yet they sit there and do absolutely nothing. We will continue to raise this as an issue. It has been years and years. All we need is for the government to have the guts to stand up— *(Time expired)*

Organ and Tissue Donation

Mr STEVENS (Sturt) (13:40): I rise today to raise the very important topic of organ donation, and I'd like to start by commending my home state of South Australia. In South Australia, whenever you apply or re-apply for a driver's licence, you have the opportunity to indicate that you wish to be an organ donor. This is very important particularly where we see the untimely, unexpected and tragic death of someone who may not have had a conversation with their family about their wishes around organ donation. We are given the opportunity to express our wishes proactively, if we choose to do so, when we apply for our driver's licence. What this means is that families and loved ones in that terrible circumstance where they have lost someone close to them have an indication of what that person's wishes were. So when asked by a medical team if the family are prepared to give consent for the organs to be donated, they've got an indication of what the will of the person was.

This is not the case in most other jurisdictions in this country. Although it's not a matter of Commonwealth policy—it's one for each of the states to consider—I strongly urge that people give consent for their organs to be donated. I'll be taking the matter up as a representative and an advocate to see this kind of opportunity provided to all Australians—not just in South Australia but across this country. It leads to fantastic outcomes. In the terrible circumstance where there has been loss of life, another life can be saved. *(Time expired)*

Tasmania: Anti-Protest Laws

Mr WILKIE (Clark) (13:42): I have repeatedly raised concerns that the federal government is turning Australia into a police state. Now it seems the states are just as bad. Today the Tasmanian parliament is debating anti-protest laws that include heavy penalties—a jail term of up to 21 years—for protesters who interfere with business operations or just

threaten to do so. Less draconian legislation previously did pass the Tasmanian parliament but it was ruled invalid by the High Court, who said the law 'exhibited Pythonesque absurdity and was broad, vague and confusing'. Tasmanians are protesting about a lot of things—better health care, the protection of our unique World Heritage Areas, climate change and animal welfare. Now they need to protest for the very right to protest. The right to protest is an integral part of democracy. It gives the public the opportunity to stand up to politicians and say what they want. That is something politicians really should appreciate and listen to. The alternative is the stuff of a police state. Australia is a strong and proud democracy but that's slowly being chipped away and eroded by our governments. I urge the Tasmanian parliament—in particular, Madeleine Ogilvie and Sue Hickey—to vote against these laws and throw them in the trash where they belong.

Herbert Electorate: Endeavour Foundation

Mr THOMPSON (Herbert) (13:43): How good is Townsville? The work of the Endeavour Foundation in Townsville is absolutely incredible and I want to pay tribute to this amazing organisation today. A few weeks ago I had the privilege of visiting the foundation's Townsville factory, where old TVs are pulled apart and components reused, old clothing is made into cleaning rags, and confidential documents from the city's businesses are shredded. Working extremely hard at all this work are people with various levels of intellectual disabilities. They are clearly very able to carry out these tasks—and they even made fun of me, as I found some of the tasks quite challenging. I was met by two legends—John and Doug—who were to be my guides for the tour. You could tell from their enthusiasm and the smiles on their faces that they were extremely proud of what they achieve from day to day. I have to say it was probably the happiest workplace I have ever visited, second to this one.

The Endeavour Foundation's supported employment program is clearly worth its weight in gold. I'm a big believer in meaningful engagement and meaningful employment and what the Endeavour Foundation is doing here. I also met with family members. They came in to meet me and spoke about how good it was for their relatives to be out there working and doing things within the community.

Science

Mr DAVID SMITH (Bean) (13:45): I hope members and senators have taken the opportunity today to meet some of the hundreds of scientists who are here as part of the Science meets Parliament program. Australian scientists are the hit machine of scientific invention when governments back them in, from the black-box flight recorder and the bionic ear to wi-fi and the Gardasil cancer vaccine. Science meets Parliament is now in its 20th year. It's a great opportunity to hear about research and applied science that is happening right across the country and to hear from experts in the field on the challenges they are facing.

It's a pity that the Prime Minister isn't meeting any of the scientists, but we shouldn't be surprised. He's keen to avoid it, both here and abroad. Like Stephen Colbert, it's probably because he thinks 'science has a left-wing bias'. He could have used the opportunity to engage with a metadata expert or an expert in native grasses. We have some of the world's best universities, some of the world's best science institutions, like CSIRO and DSTG, and some of the world's best scientists and engineers, but they are being undermined by this government and other conservative governments around the country. We have CSIRO and DSTG being placed under ridiculous staffing caps that are preventing critical work from being done. We

are a backmarker in the OECD in terms of the percentage of GDP that goes to R&D, and now we have the politicisation of ARC grants. Our scientists deserve better.

Bondi to Manly Walk

Mr ZIMMERMAN (North Sydney) (13:46): How good is the new Bondi to Manly walk, which is opening shortly? There can be little doubt about the beauty of Sydney's magnificent harbour and the iconic Bondi and Manly beaches. With this in mind, I'm very excited to rise today to speak about the progress of the Bondi to Manly walk, which will be officially opened at an event at Milsons Point in my electorate on 8 December. This exciting project will link the 80 kilometres of existing coastal and harbourside walking tracks starting at Bondi Beach, traversing South Head, the Harbour Bridge and North Head, and finishing at Manly. Those doing all or part of the walk will experience Sydney's incredible natural beauty, places of rich Indigenous heritage and many of our city's great cultural icons. In my electorate, the walk will include harbourside gems around Milsons Point, Kirribilli and Neutral Bay, including Sub Base Platypus, which is already a popular destination. Many residents in my electorate are keen walkers, and I know they will be some of its most avid users. I have no doubt that the walk will become one of Sydney's most popular tourist activities for both domestic and international visitors to our city.

The development of the walk has involved collaboration between six councils, eight state agencies and the federal government's Sydney Harbour Federation Trust—an achievement in itself. The idea of creating a Bondi to Manly walk has been evolving for over a decade now, with work progressing steadily on this important project. I congratulate all of those involved, including the project's chair, former senator John Faulkner, and his enthusiastic team of walk supporters. It will be a great event when this walk gets underway.

Dobell Electorate: Road Infrastructure

Ms McBRIDE (Dobell) (13:48): Out of necessity, Central Coast Council this week voted to enter into a funding agreement with the Morrison government to accept a \$70 million roads package. That sounds like a good headline number, and our region needs a boost in road funding—the NRMA has named the Central Coast as having one of the biggest transport infrastructure backlogs in the whole of New South Wales—but it disguises the facts of the Liberals' so-called Central Coast roads commitment. The fact is that this Liberal roads package is not a package for the Central Coast; it's a package for the Liberal-held electorate of Robertson. Over 90 per cent of the road spending provided by this government, \$63.4 million, will be spent on roads south of Wamberal. My electorate, which covers the northern area of the Central Coast, will receive only 9.2 per cent of the funding, or \$6.4 million. Dobell is the part of the Central Coast earmarked for significant population growth over the next 20 years.

Can the Prime Minister please tell the people of my electorate of Dobell, the people of the northern area of the Central Coast, why the federal government will be spending \$419 per person on roads in Robertson over the next four years but only \$39 per person on roads in Dobell? I call on this government to put road safety ahead of politics and properly fund roads in Dobell.

Fisher Electorate: Indian Community

Mr WALLACE (Fisher) (13:49): I'm delighted to say that, among the many changes happening on the Sunshine Coast today, we are welcoming to our region a growing, vibrant

and successful community of people with Indian ancestry. In just five years, between 2011 and 2016, the number of people with Indian ancestry living on the Sunshine Coast doubled, with almost 2,000 individuals recorded in the most recent data.

People with Indian ancestry are making an ever-increasing and ever more visible contribution to my electorate of Fisher. I recently had the pleasure of meeting some of these new Sunshine Coast residents through my church, Our Lady of the Rosary, in Caloundra, where people of Indian ancestry are playing a greater and greater role in our community. Others lit lamps all over the coast or joined together in a satsang in Maroochydore during the recent Diwali celebrations.

This week I met the High Commissioner of India, Mr Gitesh Sarma, and his deputy, Mr Karthigeyan, with the Parliamentary Friends of India, which the member for Berowra helped to organise. I know that the high commissioner is as excited as I am about the growing Indian presence on the Sunshine Coast. I'm looking forward to working with him and getting to know more about this dynamic new community on the Sunshine Coast in the months and years to come.

CapTel

Ms TEMPLEMAN (Macquarie) (13:51): Betty Levy, 103 years old, lives in Springwood—in Buckland—and she absolutely loves hearing from her sons and grandsons over the phone. She can do that because she uses CapTel. But that CapTel service is about to end.

Betty has a Medal of the Order of Australia for her services to the Red Cross. She's partially deaf, so the phone is hard to use. She can speak into it but she can't always hear what's said. I met with Betty and her son Chris to see how CapTel works. Basically, what happens is that the phone rings, she picks it up, she hits a button, and all of a sudden the words from the caller on the other end of the phone appear in large text and scroll on the phone's screen. Betty can't hear a word through the phone, but she can see the words on the screen. That means she's able to be connected with her family, who live in Sydney, not in the Blue Mountains.

From 1 February a new provider is going to end this service. Betty says it is her lifeline. She is one of 4,000 people who rely on it and she's really worried about being left without it. The government claims not to be excluding CapTel from the new tender, but it's forcing elderly people onto smartphones, all for an \$8 million saving. It's replacing a really simple process with a nine-step teletypewriter process. I urge the minister to do more so that Betty and thousands of other people can keep using CapTel and not be left in silence.

Murray-Darling Basin

Mr DRUM (Nicholls—Chief Nationals Whip) (13:53): The communities and the primary producers of the southern connected basin in the Murray-Darling Basin are increasingly feeling the impact of the lack of affordable water as they try to produce the nation's food and fibre. Next week a convoy of irrigators, which could number in the thousands, is going to descend on Canberra to raise awareness of the drought and the hardship irrigators are experiencing. They are also very aware of the policies that the Labor Party took to this year's election, and how they were going to introduce buybacks. That is a fact.

The thought of losing another 450 gigalitres out of the available agricultural water is just too harsh to acknowledge. What we have to understand is that the 450 gigalitres of up water that is hanging over the heads of the southern connected basin—the 450 gigalitres that needs to be recovered—is protected by the socioeconomic neutrality test. If recovering this water is going to have a negative social or economic impact on those communities then that water cannot be recovered. I think it's time that we had a serious conversation to acknowledge that this final 450 gigalitres of the Murray-Darling Basin Plan is simply going to be too harsh, too damaging and too detrimental to the communities that live up and down the Murray-Darling Basin.

Darwin International Laksa Festival

Mr GOSLING (Solomon) (13:54): As I flew down here to the nation's capital from Darwin, in Darwin the winners of the Darwin International Laksa Festival were being announced. I want to thank all the incredible eateries in Darwin that participated and thank everyone for all the innovation that also went on with laksas—everything from laksa sausages, laksa ice cream and laksa chocolate. I want to thank everyone—all the Territorians who supported this and the wonderful local businesses that went into the competition and put their best laksa forward. Anyone who loves laksa is a winner, in my eyes. The winner of the judge's choice laksa, however, went to Chok's Place. Well done for winning that one. The people's choice went to the Asian Pot restaurant. Well done to them. Cold Rock laksa ice cream won the inspired choice award, with Moorish Cafe's panna cotta winning the people's choice inspired award. Congratulations to all those who participated in a wonderful event, and I invite everyone to come to Darwin for next year's International Laksa Festival. In the time remaining, let me just say that laksas are wonderful. They're very tasty, and we have the best ones in the world in Darwin, so come up!

New South Wales: Bushfires

Mrs WICKS (Robertson) (13:56): Our nation has witnessed dozens of terrible bushfires, including in New South Wales and also near my electorate of Robertson, where the Gospers Mountain fire has been burning through hundreds of thousands of acres of the Wollemi National Park. We're incredibly grateful to the firies and the RFS volunteers who have done such an outstanding job.

Among those affected by the fires are actually our animals and wildlife that have been displaced from their native habitats. The staff at the Australian Walkabout Wildlife Park in Calga have been working tirelessly with numbers of volunteers to evacuate hundreds of wildlife out of the park to safe homes until the threat passes. This included their two resident wombats, Aly and Hippo, who had to be airlifted by helicopter to the Featherdale Wildlife Park in Doonside. The staff at the Australian Reptile Park are also working to ensure that they're ready to evacuate wildlife if required.

With koala habitats completely devastated by the bushfires in northern New South Wales, I was pleased to announce last Friday that the Pearl Beach Arboretum has been successful in receiving a \$20,000 grant from the federal government to go towards a detailed study to help reintroduce koala populations into Pearl Beach. This study, in partnership with the University of Sydney, really could not have come at a better time, and, hopefully, will provide koalas recovering at the Port Macquarie Koala Hospital, potentially, a new home on the Central Coast at some stage in the future.

In closing, I again thank all of our local firies and RFS volunteers on the Central Coast who have been on the frontline. We cannot thank you enough.

Morrison Government

Mr WATTS (Gellibrand) (13:57): The Australian public expects their elected representatives and their government to govern in the national interest, not in their personal or partisan interests. That's why we have checks on the exercise of power in our democracy—to make sure that our leaders, our elected representatives, are working for the people, not for themselves. But the current Prime Minister has contempt for anyone and everything that has the impertinence to question his reign. The Morrison government is so arrogant that it believes it is above the scrutiny of the media, the parliament, question time, Senate estimates and FOI. Even the Prime Minister's own colleagues have told the media on background that they are worried that the Prime Minister is behaving like an emperor.

Yesterday we saw a new low in accountability. Caesar decreed that the Minister for Energy and Emissions Reduction needn't be accountable to the ministerial standards, despite being under active police investigation. He gagged the Labor leader from debating the minister's conduct in this parliament twice in a day. Then he personally called the New South Wales Police Commissioner about this investigation. The PM is so arrogant that he believes the rules of democratic accountability don't apply to him. He can't bring himself to do the right thing—to act in the national interest, not the partisan interest. He can't bring himself to be the bigger person. He is a pygmy Prime Minister, a tiny Trump who believes anyone who questions him is engaged in a conspiracy against the nation. Leaders who have contempt for public accountability have contempt for the public. The Australian public are entitled to expect the government to do better. *(Time expired)*

Police Referrals

Mr TIM WILSON (Goldstein) (13:59): I'd like to bring to the House's attention the constant abuse by the opposition of referring matters to our police services, who do an outstanding job. There are so many of them. There is Senator Don Farrell, who did it to members of the AAT. The member for Moreton has had his go, as has the member for Barton. Of course, the member for Kingsford Smith did it to me on a completely baseless allegation. But there's nobody who loves it more than the shadow Attorney-General. He issues them out like a dodgy doctor. He even got a pad printed that says 'AFP referrals'; that's how much he loves it! Everybody gets an AFP referral, and they are all on the basis of false allegations. They are against everybody, whether it's former Prime Minister Tony Abbott, the Attorney-General, the minister for human services—

The SPEAKER: The member for Goldstein will resume his seat. In accordance with standing order 43, the time for members' statements has concluded.

QUESTIONS WITHOUT NOTICE

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:00): My question is addressed to the Prime Minister. Shortly before question time yesterday, New South Wales police issued a statement announcing that detectives had launched Strike Force Garrad. 'As investigations are ongoing, no further information is available'—that's what they said. Why

did the Prime Minister disregard that statement and call the New South Wales police commissioner to ask for further information?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:01): Yesterday I informed the House on four separate occasions that I would be contacting and speaking with the New South Wales Police Force regarding the matters raised for the first time in question time by the Leader of the Opposition. The purpose of my call was to fulfil my undertaking to the House and to discharge my responsibility under the Statement of Ministerial Standards to inform myself of the nature, substance and instigation of the investigation underway.

I do not intend to base serious assessments of my duties under the Statement of Ministerial Standards on media reports or comments made by the Labor Party. The commissioner considered it appropriate to inform me on the nature, substance and instigation of the investigation, and was also advised of my subsequent statement to the House. I advised the House that this was my intention in order to satisfy my responsibilities, and after question time I returned to the House and informed the House of those actions. I table the statement.

Economy

Mrs ARCHER (Bass) (14:02): My question is to the Prime Minister. Will the Prime Minister advise the House how the Morrison government's stable and certain economic management is strengthening the nation's finances while investing in the infrastructure and services that Australians need now and into the future?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:02): I thank the member for Bass for her question. Responsible economic management is about making the right decisions to balance the financial resilience of the country, investing in growth and ensuring that we keep the budget in good order. I can say that Standard & Poor's has today said that our government is getting this balance right and making the right decisions. I refer the House to the statement by S&P Global Ratings that strong fiscal outcomes are key to Australia's AAA credit rating. It says the Australian government is on target to return its budget to surplus after a decade in deficit:

... we believe Australia's outlook is sound and forecast growth of about 2.4 per cent between 2020 and 2022.

We expect growth to be supported by strong population growth, public expenditure, low unemployment, more policy certainty following the Commonwealth government election in May, and stabilising property prices in Sydney and Melbourne.

This growth compares well to Australia's AAA peers. It also notes that there have been growing calls for the government to increase fiscal stimulus:

If this fiscal stimulus involves substantial spending initiatives and changes the trajectory of the budget, then doing so could increase downward pressure on our rating and outlook for Australia.

While spending initiatives are likely to support the economy, they're also likely to weaken Australia's fiscal flexibility to respond to future unforeseen economic shocks.

What our government is doing is investing in our economy and guaranteeing the essentials that Australians rely on from a position of fiscal and financial strength. And that has occurred as a result of the careful and disciplined economic management of this government over these last six successive budgets. That investment, achieved without putting up taxes, achieved

without driving the budget into deficit and that is now being undertaken as we reduce debt, says of our government that we can put \$9½ billion extra into the economy this year and next year we can do that through low-tax relief, by our stimulus investments into drought-affected areas and also through the bringing forward of infrastructure investments—some \$1.8 billion in this year and next year alone.

But there's also some \$3 billion in additional investment that is going into our defence industries, a key part of what has been our economic program over many years. We are investing from a position of fiscal strength. The Labor Party would return us to the days of fiscal panic.

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:05): My question is again addressed to the Prime Minister. Yesterday and just now the Prime Minister told the House that he had 'spoken with the New South Wales police commissioner, Mick Fuller, about the instigation, the nature and the substance of their inquiries.' How on earth was it appropriate for you as Prime Minister to speak to the New South Wales police commissioner about the substance of an investigation on the very day it was launched?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:06): Yesterday in the House I said this—

Honourable members interjecting—

The SPEAKER: The Prime Minister will pause for a second. I'm just saying to members on both sides that I need to listen carefully to the answer. Members interjecting I will need to deal with very quickly. The Prime Minister has the call.

Mr MORRISON: I'm going to go through what I said yesterday to refresh the Leader of the Opposition's memory because it seems to have been lacking this morning. Yesterday I said very clearly:

This is a very recent matter, and I will be happy to take advice from the New South Wales police in relation to any matters that they're pursuing.

Mr Bowen interjecting—

Then I said:

I will be taking advice from the New South Wales police on any matter that they are currently looking at—

The SPEAKER: The Prime Minister will pause. The member for McMahon will leave under 94(a).

The member for McMahon then left the chamber.

Mr MORRISON: I said:

I will be taking advice from the New South Wales police on any matter that they are currently looking at, and I will form a view, based on taking that advice, in considering these issues.

That was the second time. The third time, I said:

What I will do is what I said in response to the last question: I will speak directly to the New South Wales Police Force and understand the nature of what these reports are, and then I will make the necessary assessments of that case at that time.

That was the third time. The fourth time, I said:

I'm going to leave the matters of pursuing these issues to the New South Wales Police.

The SPEAKER: The Prime Minister will resume his seat. The Leader of the Opposition on a point of order?

Mr Albanese: Yes, Mr Speaker—on relevance. The question went to the why he raised the substance of the investigation. That's the problem here.

The SPEAKER: The Leader of the Opposition can resume his seat.

Mr Irons interjecting—

The SPEAKER: Just before I call the Prime Minister, the member for Swan is warned. The question had a number of elements and, as I have said ad nauseam, the Prime Minister and other ministers are required to be directly relevant and he's being directly relevant to the subject matter of the question. The Prime Minister has the call.

Mr MORRISON: Then I said:

I'm going to leave the matters of pursuing these issues to the New South Wales Police. I will speak directly to the New South Wales Police, I will consider the information they provide me about this matter and I will exercise my responsibilities under the standards once I have had the opportunity to have those discussions.

I said this on four occasions in the House yesterday in response to questions. I would suggest to the Leader of the Opposition that, if he is going to ask questions, he should listen to the answers and not sulk, as the Labor Party have been in a constant sulk for the last six months. What I did yesterday is what I told the House I would do, and then I went and did it. Out of absolute courtesy, as I should to this House, I came back into this House and fully put forward those issues and the assessment that I had taken. I refer the Leader of the Opposition to the comments by the commissioner today. Mick Fuller has said today, in a doorstep interview:

The Prime Minister didn't ask me any questions that were inappropriate, he didn't ask for anything that was inappropriate and I'm comfortable with the discussion that we had that ran over a few minutes.

Infrastructure

Mr HOGAN (Page—Deputy Speaker) (14:10): My question is to the Deputy Prime Minister and the Minister for Infrastructure, Transport and Regional Development. Would the Deputy Prime Minister inform the House how the Morrison-McCormack government is providing stability and certainty through the delivery of infrastructure projects, particularly in my electorate of Page?

Mr McCORMACK (Riverina—Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development and Leader of the Nationals) (14:10): I want to acknowledge the role and the presence of the member for Page during the very trying bushfires in his area. He, like other members of this House on all sides of the parliament, has been there for his people. We will continue to be there through this difficult summer.

I do thank the member for Page for his question. He is correct; the government is spending \$100 billion on infrastructure. There's a particular presence in the electorate of Page, as there is in the other 150 electorates right throughout Australia. It's a pipeline of investment over the next decade being rolled out to get people home sooner and safer. Last week, we committed more than \$3.8 billion in bring-forwards, as well as new funding for infrastructure projects right across this nation. In every state and in both territories, we're driving jobs and we're

strengthening the economy by paving the way for key projects that are going to be economic drivers and job-creators.

In New South Wales, we brought forward \$530 million in funding and provided an additional \$41 million to deliver projects to improve safety and efficiency across that state. In the member's electorate of Page, the Woolgoolga-to-Ballina section of the Pacific Highway has been allocated an extra \$20 million in funding to enable the completion of this project in late 2020. This project, as the member for Page well knows, has 129 kilometres currently under construction, employing more than 3,200 people. It's a lot of people. That's a lot of workers. That's a lot of money being invested in the member's electorate. A 26-kilometre stretch of road is already open to traffic.

A core focus of this upgrade has been road safety outcomes. This additional funding completes infrastructure projects already under construction and underway in the electorate of Page. The new bridge over the Clarence River at Harwood is an integral component of the Woolgoolga-to-Ballina upgrade of the Pacific Highway. The people of Woolgoolga, the people of Ballina, and everyone in between—everybody who uses that highway, and that's most of us, if not all of us—knows how important this is for road safety. Indeed, it spans four lanes and accommodates a mid-river shipping lane height of 30 metres above water level to allow road and maritime traffic to flow simultaneously. It is a magnificent structure. It needs to be seen to be believed. The architecture, the design work is something that all of us can be proud of. The work that's gone into that is something truly to behold.

The total \$5.64 billion suite of upgrades for the Pacific Highway will cut up to 2½ hours of travel time between Hexham and the Queensland border. That's the Liberals and Nationals getting on with building the infrastructure that Australians need. That's the provision of stability and certainty our nation needs, our nation wants, our nation expects, our nation deserves.

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:13): My question is again addressed to the Prime Minister. Today Commissioner Fuller said his conversation with the Prime Minister was 'an extremely short conversation in that he just wanted confirmation we were conducting an investigation'. But the Prime Minister told the House that they spoke 'about the instigation, the nature and the substance of their inquiries'. How does the Prime Minister reconcile his account to the parliament with Commissioner Fuller's public statement about the nature of their conversation?

Mr Husic interjecting—

The SPEAKER: The member for Chifley is warned.

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:14): I stand by all the statements I've made on this matter. I note that in the same press conference a journalist asked the police commissioner today, 'Did the Prime Minister asked to be kept updated by you?' He said: 'No, not at all. I gave him an assurance we would move the matter as quickly as possible, and I didn't say that because of any particular person.' This is what he went on to say: 'To be honest with you, these types of investigations can consume an enormous amount of resources from New South Wales police and they are a great diverter of

my time.' The police commissioner said that. That's what the police commissioner in New South Wales said.

The Leader of the Opposition seems a little confused that I called the police commissioner—

Mr Marles interjecting—

Ms Plibersek interjecting—

Government members interjecting—

The SPEAKER: The Prime Minister will pause for a second. The Deputy Leader of the Opposition will cease interjecting—as will the member for Sydney, as will members on my right. The Prime Minister has the call.

Mr MORRISON: Thank you, Mr Speaker. As I told the House four times yesterday I was going to talk to the New South Wales police, I don't know who they thought I was going to call. Did they think I was going to call the parking infringements officer at the Sutherland police station? Maybe I was going to call the water police, or the dog squad, or perhaps the commander of the police band! But I spoke to the police commissioner because I needed to know, to exercise my responsibilities both to this House and under the ministerial standards, to exercise the assessment that is required of me on those matters. That's what I said I would do and that's what I did. I have reported it back to this House. I think that sets out the matter pretty clearly.

Ms Kearney interjecting—

Mr Pasin interjecting—

Mr Giles interjecting—

The SPEAKER: The Member for Cooper is now warned as well. The member for Barker has been interjecting and will cease, as will the member for Scullin.

National Integrity Commission

Ms STEGGALL (Warringah) (14:16): To the Prime Minister: trust in politicians is at an all-time low and it is dipping day by day. This is our responsibility to fix. Parliament is paralysed by these allegations that need to be investigated by an independent body. Could you please inform the House when the government's bill on a national integrity commission will be introduced? Will the bill include powers to investigate parliamentarians and their staff?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:16): I thank the member for her question. In relation to the first matter—I understand she was referring to the matters that were raised within this House yesterday regarding the issue that the Leader of the Opposition has raised—that matter is being dealt with by the New South Wales Police Force. I for one have total confidence in the New South Wales Police Force. As the son of a retired member of the New South Wales Police Force, I'm not going to cop any assertions made by the Labor Party about the integrity of officers of the New South Wales Police Force. I have total confidence in their ability to undertake investigations on any matter at all. In relation to the second matter you raised, I'll ask the Attorney to update the House.

Ms Plibersek interjecting—

The SPEAKER: Before he does, the member for Sydney is warned.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (14:17): Member, with respect to the second part of your question as to whether or not the body would have investigative powers over parliamentarians as part of its jurisdiction, the answer is yes. On the first part of the question, with respect to timing, these were matters that I raised at the National Press Club in a quite long speech last week. It's my intention to have a draft out for public consultation either early next year or later this year. That draft at the moment is up in excess of 300 pages. It is a complicated matter. Not the least of which reason is to ensure that this body fits into the myriad existing bodies that already do a range of investigative and oversight responsibilities for a range of different agencies and departments in the public sector. I'm very happy if you wish to seek a briefing on the progress of that to give it to you personally, or with other members of the crossbench.

Small Business

Mr VAN MANEN (Forde—Chief Government Whip) (14:18): My question is to the Treasurer. Will the Treasurer explain to the House how the Australian Business Growth Fund and other initiatives are helping small businesses in creating certainty and stability for the future, including my electorate of Forde?

Mr FRYDENBERG (Kooyong—Treasurer) (14:18): I thank the member for Forde for his question and acknowledge his extensive experience running his own small business, in financial services, before he came to this place and backing more than 17,000 small businesses across his electorate—like Lynda who runs Poppy's Chocolate in Beenleigh. On this side of the House we're upholding and supporting the words, the values, the principles of our party's founder, Sir Robert Menzies. When he talked about the strivers, the planners, the ambitious ones being small business they were the skilled artisans, they were the shopkeepers, they were the farmers. They were the people who formed the backbone of our economy and, indeed, the backbone of our society. The coalition has announced that we will be establishing a \$540 million Business Growth Fund. Now, this will have a contribution from the Commonwealth as well as the major banks and HSBC, and today I can inform the House that Macquarie Bank will also be part of the Business Growth Fund, with an additional \$20 million.

This money will be patient and passive capital. It will be an equity stake in small- and medium-sized businesses. Between \$5 million and \$15 million will be contributed to businesses that have a turnover of between \$2 million and \$100 million. It's based on a successful model in both the United Kingdom and in Canada. It's an alternative for businesses seeking to grow, innovate, invest and hire more people by borrowing more money from the bank. This is about an equity injection, as opposed to increasing debt.

It builds on the other initiatives that we have announced, backing small business: bringing forward tax cuts down to 25 per cent for small businesses and medium-sized businesses, and ensuring that we're cutting red tape, particularly for food exporters and those small microbusinesses that are employing their first person. It's ensuring that small businesses are getting paid on time. We've established within the AAT a separate Small Business Taxation Division. We have set up a \$2 billion securitisation fund to boost liquidity in the markets and to boost lending to small businesses. And in this year's budget, we extended the instant asset write-off, which is being used by hundreds of thousands of small businesses around the country, to \$30,000.

But I'm asked, are there any alternative approaches? We, on this side of the House, took to the Australian people lower taxes for millions of Australians. But those opposite took a plan of \$387 billion, which included higher taxes on family businesses. I hear junior Sir Tax-a-lot over there—

The SPEAKER: No! The Treasurer will refer to members by their correct titles.

Mr FRYDENBERG: The reality is that we on this side of the House will always stand for lower taxes and supporting small business.

The SPEAKER: The Treasurer's time has concluded.

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:21): My question is again to the Prime Minister. This morning on *Sky News*, Malcolm Turnbull said about the Prime Minister's phone call to the New South Wales police commissioner, 'It would have been much better if it had not been made,' because it is important the inquiry, 'is seen to be conducted entirely free of political influence.' With the benefit of hindsight, does the Prime Minister agree with Malcolm Turnbull?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:22): Well, only those who are in possession of all the facts in relation to this matter can make any real judgement about the call that I have made. As I said yesterday, I advised the House I was going to make the contact; no objection was raised by the Leader of the Opposition yesterday, I note.

On four separate occasions, I advised this House that I would be contacting the New South Wales Police Force and, as I said, I don't know who they expected I would have otherwise called. And on not one occasion, including the Leader of the Opposition's haughty, breathless motion that he sought to bring into this House, did he make any complaint, about the matter in which he now—

The SPEAKER: The Prime Minister will resume his seat. The Leader of the Opposition on a point of order.

Mr Albanese: The Prime Minister is misleading the House; I didn't get an opportunity to speak yesterday. They gagged the vote. They shut it down.

The SPEAKER: The Leader of the Opposition will resume his seat. I'm not going to have tit-for-tat on procedure. The Prime Minister is being relevant to the question.

Mr MORRISON: I take the point that the Leader of the Opposition has made. He could have asked me any question in relation to the four times that I raised this issue in the House, but he didn't once. When he came to this dispatch box and he moved a motion about my alleged conduct in this matter—

Ms Butler interjecting—

The SPEAKER: The member for Griffith.

Mr MORRISON: did any part of that motion refer to this matter?

Ms Butler interjecting—

The SPEAKER: The Prime Minister will pause for a second. The member for Griffith will leave under 94(a).

The member for Griffith then left the chamber.

Mr MORRISON: So, frankly, it's a bit rich today that the Leader of the Opposition this morning couldn't remember four occasions yesterday—four occasions!—and he wants people to believe that he did not hear one of those references to the New South Wales police. This morning apparently I was speaking in another language, or maybe it was because of the din of the chamber and all the breathless shouting from those on the other side, that he failed to hear. But what's very clear is that the Leader of the Opposition is just not being fair dinkum about this. He is desperate in his attacks here because he knows that he's the one under pressure. He knows that he's the one who comes into this place with trumped-up claims because at the end of the day he's got nothing.

Mr Brian Mitchell interjecting—

Ms Kearney interjecting—

The SPEAKER: The member for Lyons and the member for Cooper are warned. I'm just making that very clear to them now, in between questions.

Trade Unions

Mr SIMMONDS (Ryan) (14:25): My question is to the Attorney-General and the Minister for Industrial Relations. Will the Attorney outline to the House how the Morrison government's stable and certain approach will help to stamp out criminality and union thuggery on building sites right across Australia? Is the Attorney aware of any alternative approaches?

Ms Kearney interjecting—

The SPEAKER: Before I call the Attorney—that didn't last long—the member for Cooper can leave under 94(a).

The member for Cooper then left the chamber.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (14:25): I thank the member for his question. As the member is well aware, the cost of union militancy, union unlawfulness and union thuggery on construction sites around Australia is both financial, to the Australian economy—it's estimated that 30 per cent of the unnecessary costs of infrastructure like schools, roads, hospitals represent the unlawful behaviour of unions on construction sites—and human. When we ask ourselves, 'Who are the people that are being lied to, bullied, intimidated and threatened?' The very sad fact is that that is a very long list. Who are the people that are the subject of this outrageous behaviour by the CFMMEU on construction sites? They are apprentices, they are small-business people, they are tradies, they are contractors, they are subcontractors, they are female police officers, they are female building site inspectors and they are work health and safety inspectors. In fact, it is essentially any worker or small-business person who turns up to a construction site and who has exercised their right not to join the CFMMEU. They are in the crosshairs of the bullying, the thuggery and the intimidation.

Last evening the government's ensuring integrity bill was debated at the second reading stage in the Senate. There were 15 speeches by Labor senators; 37,000 words. The CFMMEU was mentioned only once in 37,000 words, and in relation to the issue of safety. Sadly, it was not acknowledged by members opposite in the other place that the CFMMEU are in court

next week on criminal charges for intimidating a state work health and safety inspector at a building site in Cairns. That is what they are appearing for in court next week. We did have one interesting statement, though, from the Labor senator Glenn Sterle. This is his contribution in 37,000 words that could have been devoted to protecting apprentices, contractors, tradies and small-business people. The good senator said union officials 'have to break the law'. That was his contribution to a debate on a bill meant to ensure integrity in workplaces. Is that the position of the opposition leader of the Labor Party, that union officials have to break the law? Is that the official Labor position with respect to union criminality, that union officials have to break the law? And it happens week after week after week. On multiple sites in Wollongong and Sydney last year the allegations are that CFMMEU officials spat on workers and uploaded them onto Facebook pages where they were subject to further abuse, and you do nothing about it. *(Time expired)*

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:28): My question is addressed to the Prime Minister. I refer to his previous answer, where the Prime Minister, in dismissing Malcolm Turnbull's comments this morning, just said that only those with all the facts can make judgements about this matter. Does the Prime Minister have any information about this matter which is not in the public domain?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:29): I refer to my previous statements, because I've made pretty clear the assessment that I've made and the conversation that I have had with the police commissioner on this matter reported to this House in what I've said here today.

What I find interesting about the Leader of the Opposition's line of inquiry—he has made reference to my earlier statements and that, of course, brings in the matter of the earlier questions that the Leader of the Opposition has raised on these matters. The Leader of the Opposition is seeking to prosecute a case here that says that if media have reported that a matter is under investigation by a law enforcement body then the standard should be that that person should stand aside. That's what the Leader of the Opposition is prosecuting in this case.

If that's the case, why is it that former Prime Minister Julia Gillard, and I refer to March 2013—Ross Mitchell, a detective in Victoria Police's fraud squad, stated that Prime Minister Julia Gillard was under investigation over her role in the creation of an AWU slush fund. He said: 'Let me make this perfectly clear. The Prime Minister of Australia, Julia Gillard, is under investigation by police. This is fact.'

Mr Brian Mitchell interjecting—

The SPEAKER: The member for Lyons will leave under 94(a).

The member for Lyons then left the chamber.

Mr MORRISON: He said: 'I hadn't planned to add to what I said yesterday out of respect for the detectives on the case. But if the Prime Minister's office wants to deny she's being investigated, as has been reported last night and today, then I will once again correct that record.' Now, the then Prime Minister obviously didn't stand aside in relation to those matters. I remember the press conference—

The SPEAKER: The Prime Minister will resume his seat.

Government members interjecting—

The SPEAKER: Members on my right!

Mr Porter interjecting—

The SPEAKER: The Attorney-General.

Mr Buchholz interjecting—

The SPEAKER: The member for Wright will stop pointing and gesticulating. I'm not sure what he's trying to say. If he actually wants to say something, he needs to rise and stand on a point of order.

An honourable member interjecting—

The SPEAKER: No, I just don't do sign language, okay? The Leader of the Opposition on a point of order.

Mr Albanese: Thanks, Mr Speaker; on relevance. It was a very succinct question: does the Prime Minister have any information which is not in the public domain, which follows his suggestion—

The SPEAKER: The Leader of the Opposition can resume his seat. Again, the Leader of the Opposition doesn't need to repeat the question. I have a very concise summary of it.

An honourable member interjecting—

The SPEAKER: Are you expecting me to rule on the point of order? Good. The Prime Minister is being relevant. Given the nature of the question and the preamble, which was tight, but given the nature of it, he is entitled to compare and contrast in answering your question. The Prime Minister has the call.

Mr MORRISON: That is the case of the former Prime Minister Julia Gillard, but there is a member of the Leader of the Opposition's front bench today who was formerly the Leader of the Opposition. According to the *Herald Sun*, while Labor leader, the member for Maribyrnong was the subject of a nine-month police investigation, which concluded in August 2014. Now, he continued to serve over that entire period. I don't remember the Labor Party suggesting that the fact he was under police investigation at the time was a matter that should cause him to stand aside. I know the current Leader of the Opposition was desperately trying at that time to get him to stand aside, but only for his own political purposes while he was knifing him! But if the proposition which has been put forward by the Leader of the Opposition is the press report of someone being investigated is cause for someone to stand aside, well those on that side just don't measure up.

Illicit Drugs

Ms BELL (Moncrieff) (14:33): My question is to the Minister for Home Affairs. Will the minister outline to the House the stable and certain approach the Morrison government is taking to support our law enforcement agencies to keep drugs off our streets?

Mr DUTTON (Dickson—Minister for Home Affairs) (14:33): I thank the honourable member for her question. Last week I had the great honour of visiting some of our law enforcement agencies, along with the commissioner of the Australian Federal Police, Reece Kershaw. We congratulated them on the closure of quite a remarkable job that they had been involved in for a period of about 10 months. It meant they'd had contact with their

international counterparts, so we had also representatives from the Dutch police force there because together—our law enforcement and intelligence agencies working with their international counterparts—they had been able to disrupt a criminal syndicate that had planned to import into our country 850 kilograms of crystalline MDMA and 548 litres of MDMA oil. It had an estimated street value of \$302 million and the quantity of drugs had the potential to be processed into 15 million tablets.

We know that some of those tablets were destined for schoolies on the Gold Coast and in other destinations around the country, and that, because of this disruption, those drugs were taken from our streets. Mr Speaker, I can tell you, as the parent of a teenager who just came back from schoolies, that I had some hair before schoolies started but no hair by the end of it! But she got back safely. I am misleading the House a little there; I'm sorry! But, nonetheless, it's a lot of stress for parents.

Mr Albanese interjecting—

Mr DUTTON: That comb-over works for you, Albo, that's all I'll say! I've accepted my fate—the comb-over works for you!

Government members interjecting—

The SPEAKER: Members on my right! I also urge the minister not to be distracted.

Mr DUTTON: I'm sorry. But I can say that we're working closely with our law enforcement agencies. We want to fund them properly, because we want them to be working on jobs that will keep Australians safe. We want to make sure that the investment into our law enforcement agencies allows the police to disrupt these criminal networks so that these drugs don't go into the hands of young Australians to destroy those lives.

What we've seen in the last 24 hours or so from those opposite is the complete contrast to that position of the government. The shadow Attorney-General has now referred people to the police on nine occasions, but do you know what his score is, Mr Speaker? It's nought from nine—nought from nine! He's a serial offender. He sits there in his pompous way, looking across—as he does now—believing somehow that he has a superior view. He does this to try to assassinate the character of people in this place. He fails dismally and he should stop tying up police resources and make sure he gets out of the way— *(Time expired)*

DISTINGUISHED VISITORS

The SPEAKER (14:36): Just before I call the Leader of the Opposition, I would like to inform members that we have in the Speaker's Gallery this afternoon Ms Tamar Zandberg, a member of the Israeli Knesset. On behalf of the House, a very warm welcome to question time to you.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:36): My question is addressed to the Prime Minister, and I refer to his previous answers. When did the Prime Minister tell this House during question time yesterday that he intended to call the police commissioner and ask him about the substance of the criminal investigation, after the police had said in a written statement that no further information was available?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:37): At 2.14, I said:

This is a very recent matter, I said, and I'll be happy to take advice from the New South Wales police in relation to any matters they're pursuing.

I then said, in answer to the same question:

I will be taking advice from the New South Wales police on any matter that they are currently looking at, and I will form a view, based on taking that advice, in considering these issues.

At 14:23, I said:

What I will do is what I said in response to the last question: I will speak directly to the New South Wales Police Force and understand the nature of what these reports are, and then I will make the necessary assessments of that case at that time.

And at 14:28, I said:

I'm going to leave the matters of pursuing these issues to the New South Wales Police. I will speak directly to the New South Wales Police—

I said, directly' Mr Speaker—

I will consider the information they provide me about this matter and I will exercise my responsibilities under the standards once I have had the opportunity to have those discussions.

I made it very clear that I was speaking to the police about these matters. I said I would; no objection was raised by those opposite. They have sought on the next day to trump up something else. What we have done is acted as we said we would here in this House. As Prime Minister, I undertook that call, I came back into the House and I reported that to the House.

Western Australia: Infrastructure

Mr HASTIE (Canning) (14:39): My question is to the Minister for Population, Cities and Urban Infrastructure. Will the minister outline to the House how the Morrison government's stable and certain economic plan has allowed us to bring forward infrastructure spending on crucial projects, including in the great state of Western Australia? And are there any alternative approaches?

Mr TUDGE (Aston—Minister for Population, Cities and Urban Infrastructure) (14:39): I thank the member for Canning for his question. The member for Canning joined myself and the finance minister, along with the Premier of Western Australia and the transport minister, just last week in bringing forward \$868 million into the forward estimates for Western Australian infrastructure. That means the amount of money we'll be spending in Western Australia on infrastructure has been increased from \$4.5 billion to \$5.4 billion in just the next four years alone. By bringing forward these projects—

Ms Ryan interjecting—

The SPEAKER: The member for Lalor will cease interjecting!

Mr TUDGE: Obviously it will support thousands of jobs. It means commuters can get home sooner and safer and, of course, it supports the economy overall. We announced 14 projects on that day. One of them was in the member for Canning's electorate—he has been a passionate advocate of this for a long time—and that is Lakelands Station. That's an \$80 million project, of which we're putting in \$64 million, and it breaches what is presently a 23-

kilometre gap between the train stations. It is good for local residents' convenience, it will take hundreds of cars off the roads by providing that extra stop and it will create 200 jobs in the process. We made the announcement on the Mitchell Freeway. We also announced that day the next stage of the Mitchell Freeway. That alone will create 500 jobs. The project we announced will start next year and, when complete, will save commuters up to 40 minutes every single week on morning commute times. The Great Eastern Highway upgrade—which I know the member for Hasluck is particularly keen to see—will create 70 jobs. The Fremantle Bridge—I know the member for Fremantle is excited to see this underway—is going to create 1,500 jobs.

A government member: He's celebrating.

Mr TUDGE: He's celebrating the fact this will create 1,500 jobs and is being brought forward. We have funded these things through careful financial management. While bringing taxes down, while coming back to surplus, we've been able to fund these infrastructure projects in Western Australia. The contrast with when the Labor Party was last in government and trying to fund infrastructure projects in Western Australia—where do you think they went to fund those projects? Higher taxes. Back in 2011-12—

Ms Madeleine King interjecting—

The SPEAKER: The member for Brand!

Ms Madeleine King interjecting—

The SPEAKER: The member for Brand!

Mr TUDGE: Back in 2011-12 they explicitly said they would increase taxes—in this case, the mining tax—to fund infrastructure.

Ms Madeleine King interjecting—

The SPEAKER: The member for Brand is warned!

Mr TUDGE: Of course, that didn't work very well. But they've never learnt, in the six years since. In 2019, where were they going to fund infrastructure from? Higher taxes once again. Chairman Swan is in the building today. He was the architect of all this— *(Time expired)*

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:42): My question is addressed to the Prime Minister. When members of his government were the subject of a police investigation, John Howard said the following: 'I told my colleagues that the Federal Police should be allowed to carry out this investigation without let or hindrance from me or anybody in the federal government.' Given John Howard's example, why did the Prime Minister call the New South Wales Police Commissioner and, according to him, discuss the substance of the criminal investigation?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:43): I have already answered this matter as to the purpose of my making the call to the New South Wales Police Commissioner, and that was to inform myself of the investigation that, it had been reported to me in this place, had been led. I informed myself of those matters—

Ms Plibersek: You put out a statement. Why don't you read the statement?

The SPEAKER: The member for Sydney!

Mr MORRISON: I had a conversation with the Police Commissioner. I note that the Commissioner has said today:

The Prime Minister didn't ask me any questions that were inappropriate, he didn't ask for anything that was inappropriate and I'm comfortable with the discussion that we had ... over a few minutes.

It's important under the statement of ministerial standards because, as Prime Minister, I have to make assessments about how they apply in these circumstances when investigations of this matter arise. So I informed myself of those matters—as I told this House I would and then went and did—and then reported back to this House as I should have.

Economy

Dr MARTIN (Reid) (14:44): My question is for the Minister representing the Minister for Trade, Tourism and Investment. Will the minister update the House on how the Morrison government's stable and certain trade policies are strengthening our economy?

Mr TEHAN (Wannon—Minister for Education) (14:44): Can I thank the member for Reid for her question. It's fantastic to note that she's asking questions that are really relevant to her electorate and which will make sure that jobs continue to grow in her electorate.

Since we came to office, we have concluded FTAs with China, Korea and Japan, as well as the Trans-Pacific Partnership. And yesterday a further step was taken in finalising FTAs with Indonesia, Peru and Hong Kong. When we came to office, 26 per cent of our trade was covered by FTAs. As a result of our government's policies, that is now 70 per cent. That means for our exporters that they have frameworks and they have certainty when it comes to exporting. This means that they can create jobs.

One in five jobs is created in this nation as a result of trade. When it comes to rural and regional areas, it's one in four. It is incredibly important to our nation. As a result of these FTAs with Indonesia, with Peru and with Hong Kong, we're going to see further access to these important markets for our grain, beef and dairy farmers; for our education sector; for our financial services sector; and for our mining services sector. Right across the board we're going to see improved access. And what will this lead to? This will lead to jobs.

Our government has created 1.5 million jobs since we came to office. What are we aiming to do? Create 1.25 million jobs in the next five years. What is going to be one of the key ingredients? What is going to be one of the most important drivers of us meeting that target? It's going to be exports. It's going to be trade agreements. It's going to be making sure that our farmers have the certainty that they need to be able to export. It's going to mean making sure that our financial services sector has the certainty to be able to export. It's going to mean that our education providers have the certainty that they need to be able to access the markets that are so important to our future.

This has been one of the absolute drivers of our government since we came to office: making sure these frameworks are there to provide the certainty that we need to continue to create jobs—right across this nation but also, importantly, to create jobs in regional and rural areas, where trade is absolutely essential to our industries.

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:47): My question is again to the Prime Minister. I refer to his call to the New South Wales police commissioner. Did the Prime Minister get any advice from the secretary of the Department of the Prime Minister and Cabinet prior to making that call? Were any note takers present, and, if so, will the Prime Minister release those notes to clarify the difference between his and the police commissioner's accounts of their conversation?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:48): Obviously, I don't accept the assertion that the Leader of the Opposition just made about the nature of that call. Secondly, the normal arrangements applied for those calls and the normal processes apply for accessing any information in relation to those matters.

Exports

Mr CHRISTENSEN (Dawson) (14:48): My question is to the Minister for Regional Services, Decentralisation and Local Government and Assistant Trade and Investment Minister. Will the minister update the House on how the Morrison-McCormack government is growing export industries and creating stability and certainty for Australia through its trade agenda?

Mr COULTON (Parkes—Minister for Regional Services, Decentralisation and Local Government and Assistant Trade and Investment Minister) (14:48): I'd like to thank the member for Dawson for his question and recognise his knowledge of and passion for the exporters in his electorate, particularly in the beef and sugar industries.

All members on this side of the House recognise the important contribution our agricultural and mineral exports make to Australia's economic prosperity and to the vitality of our regional and rural communities. Trade makes a significant contribution to our economy, creating more jobs—more higher-paying jobs, I might say—and increasing our capacity to pay for the essential services that Australians rely on. For this reason, improving access to our exporters for international markets is critically important. That's why the Morrison-McCormack government is continuing to deliver on its ambitious trade agenda.

In this context, I welcome the passage through the Senate yesterday of the legislation to implement the FTAs with Indonesia, Peru and Hong Kong. These three agreements deliver real outcomes for businesses in regional Australia, including in the member for Dawson's electorate. The agreement with Peru will deliver zero tariffs on beef within five years, giving Australian beef producers the same access to the Peruvian markets as US farmers. This agreement also provides Australian sugar producers with better access than Peru has provided to any other exporter in the last twenty years and historic new access for our dairy producers—all-important to the member for Dawson. The agreement with Indonesia will deliver significant new access for our exporters of live cattle, beef, sheepmeat, feed grains and dairy. Only a couple of weeks ago, when I was in Indonesia at the Indonesian Australia Business Council meeting, our exporters were already in Indonesia making those contacts to take advantage of these agreements.

Our agriculture sector recognises the very real outcomes that will be generated by these agreements. Canegrowers have stated that the Peru-Australia free trade agreement will deliver an extra \$13.5 million to the cane farmers in phase 1 of the deal alone. The Red Meat

Advisory Council has described the Peruvian market as a new market with emerging potential for our beef and sheepmeat exporters. The National Farmers Federation has made the very important and relevant point that, when many farmers are doing it tough and in some regions managing consecutive years of drought, the agreement with Indonesia ensures there are valuable export markets in place ready for our agricultural goods to take advantage of when the drought breaks and productivity is once again on the rise.

The benefits of these agreements are not just for big business; they benefit every Australian. Under the Morrison-McCormack government, record numbers of SME exporters are taking advantage of the agreements we have concluded. *(Time expired)*

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:51): My question is again addressed to the Prime Minister. Isn't it the case that when the Prime Minister called the New South Wales police commissioner, all he had in mind was his own political interest and not the national interest? Why does this Prime Minister think none of the usual rules of integrity and accountability apply to him and his government?

Mr MORRISON (Cook—Prime Minister and Minister for the Public Service) (14:52): Mr Speaker, that was more of a smear than a question. That reflects, I think, poorly on the Leader of the Opposition in these matters, especially given this: yesterday the Leader of the Opposition made reference to this matter and asked me the very specific question, 'What action will the Prime Minister take?' Subsequently, he then referred to clause 7.1 of the ministerial standards and he asked me again, 'Prime Minister, what are you going to do to implement it?' In response to his question, I said that my actions—to ensure that I could acquit my responsibilities under the ministerial standards—were to inform myself of the matter which he had raised in this House. He actually asked me to go through this process—

Ms Ryan interjecting—

The SPEAKER: The member for Lalor is continually interjecting. She will cease interjecting.

Mr MORRISON: My answer to his question is that I sought to speak—and did speak—to the Commissioner of the New South Wales Police Force to specifically undertake my responsibilities both to this House and under the ministerial standards. I don't know who he thought I should have spoken to. I was very clear that I was going to talk to the New South Wales Police Force. In my answers to the questions yesterday I said I would speak to them. No objection was raised by the Leader of the Opposition then. Who did he think I'd speak to? The ambulance service? The fire brigade? I had to inform myself of the matter which he raised. So my answer to him is: you asked me to exercise these responsibilities; I exercised them and I have provided my answers clearly to this House in a way that was completely telegraphed. The Leader of the Opposition either wasn't listening or didn't care, or it didn't suit him.

Defence Projects

Small Business

Mrs McINTOSH (Lindsay) (14:54): My question is to the Minister for Defence Industry. Will the Minister outline to the House how the Morrison government's stable and certain

economy ensures essential defence projects and enables us to open new opportunities for Australian small businesses?

Ms PRICE (Durack—Minister for Defence Industry) (14:54): I'd like to thank the member for Lindsay for her question. Like her, we are just as proud of the Australian government's investment in Australian small businesses in defence industry. It's because of the Morrison government's stable and certain approach to the economy that we have got a record investment of \$200 billion in our defence capability. This enables us to create Australian jobs and new opportunities for small business. This record investment is not just about equipping our defence forces, as important as that is; it is creating opportunities for small and medium-sized Australian businesses and creating jobs at the same time.

Just last week the member for Lindsay and I had the pleasure of announcing our government's investment of \$95 million into a new naval guided weapons maintenance facility in Orchard Hills in Western Sydney. The good news is that 95 per cent of this contract will be sourced from Australian businesses. The \$95 million investment in Western Sydney will create local jobs, and I'm sure local opportunities, for people in the member for Lindsay's electorate. I'd like to take the opportunity to commend the member for Lindsay for establishing the Lindsay jobs of the future program. This forum is encouraging kids to be educated and trained in the jobs that are coming to Western Sydney. Well done, the member for Lindsay.

I've also had the great pleasure recently of announcing the Morrison government's \$15.7 million investment in a new health centre to be built at the Simpson Barracks in Watsonia in Victoria. The good news there is 90 per cent of the work of that contract will go to Australian contractors. At the same time, I also announced a \$16.7 million investment in a new health centre at Puckapunyal, which is in the member for Nicholls' electorate. I'm sure there will be local contractors who are very interested in that project as well. Again, 93 per cent of this work will go to local Australian companies.

The really good news is that in the last financial year, as reported recently by the Department of Finance, \$8.1 billion of defence contracts were awarded to Australia's small and medium-sized businesses—great news indeed. In the last financial year alone there was a 30 per cent increase in contracts to small and medium-sized Australian businesses across the board.

That's what a stable and certain approach to an economy allows you to do and that's why the Morrison government is funding our essential defence projects. We're backing small and medium-sized businesses and at the same time creating Australian jobs.

MOTIONS

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (14:57): I seek leave to move the following motion:

That the House:

(1) notes that:

(a) shortly before Question Time yesterday, the NSW Police issued a statement confirming that detectives had launched Strike Force Garrad to investigate a fraudulent document used by the Minister for Emissions Reduction;

(b) the statement by the NSW Police said "as investigations are ongoing, no further information is available";

(c) despite that statement and only hours later, the Prime Minister called the NSW Police Commissioner and sought further information, later telling the Parliament they had spoken "about the instigation, the nature and the substance of their inquiries";

(d) today, Malcolm Turnbull said it would have been much better had the Prime Minister's phone call to the NSW Police Commissioner not been made because it was important the inquiry "is seen to be conducted entirely free of political influence"; and

(e) when Members of his Government were the subject of a police investigation, John Howards said "I told my colleagues that the Federal Police should be allowed to carry out this investigation without let or hindrance from me or anybody in the federal government"; and

(2) therefore resolves, the Prime Minister acted inappropriately by:

(a) calling the NSW Police Commissioner when all he had in mind was his own political interest and not the national interest; and

(b) thinking none of the usual rules of integrity and accountability apply to him.

Leave not granted.

Mr ALBANESE: I move:

That so much of the standing orders be suspended as would prevent the Leader of the Opposition from moving the following motion immediately—That the House:

(1) notes that:

(a) shortly before Question Time yesterday, the NSW Police issued a statement confirming that detectives had launched Strike Force Garrad to investigate a fraudulent document used by the Minister for Emissions Reduction;

(b) the statement by the NSW Police said "as investigations are ongoing, no further information is available";

(c) despite that statement and only hours later, the Prime Minister called the NSW Police Commissioner and sought further information, later telling the Parliament they had spoken "about the instigation, the nature and the substance of their inquiries";

(d) today, Malcolm Turnbull said it would have been much better had the Prime Minister's phone call to the NSW Police Commissioner not been made because it was important the inquiry "is seen to be conducted entirely free of political influence"; and

(e) when Members of his Government were the subject of a police investigation, John Howards said "I told my colleagues that the Federal Police should be allowed to carry out this investigation without let or hindrance from me or anybody in the federal government"; and

(2) therefore resolves, the Prime Minister acted inappropriately by:

(a) calling the NSW Police Commissioner when all he had in mind was his own political interest and not the national interest; and

(b) thinking none of the usual rules of integrity and accountability apply to him.

The fact is—

The SPEAKER: The Leader of the Opposition will resume his seat. The Leader of the House.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (15:01): I move:

That the Member be no longer heard.

The SPEAKER: The question is that the Leader of the Opposition be no further heard.

The House divided. [15:06]

(The Speaker—Hon. Tony Smith)

Ayes72
Noes64
Majority.....8

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morrison, SJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Burney, LJ
Butler, MC
Chalmers, JE

Aly, A
Bird, SL
Burns, J
Byrne, AM
Clare, JD

NOES

Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Question agreed to.

The SPEAKER (15:08): Is the motion seconded?

Mr BUTLER (Hindmarsh) (15:08): Seconded. They've finally drawn attention away from this minister, with the focus now on the Prime Minister.

The SPEAKER: The member for Hindmarsh will resume his seat. The Leader of the House?

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (15:08): I move:

That the member be no longer heard.

The SPEAKER: The question is that the member for Hindmarsh be no further heard.

The House divided. [15:10]

(The Speaker—Hon. Tony Smith)

Ayes72
 Noes65
 Majority.....7

AYES

Alexander, JG
 Andrews, KJ

Allen, K
 Andrews, KL

AYES

Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morrison, SJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Keogh, MJ
King, CF

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Khalil, P
King, MMH

NOES

Leigh, AK
 McBride, EM
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Marles, RD
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Question agreed to.

The SPEAKER (15:11): The question now is that the motion moved be agreed to. I call the Deputy Leader of the Opposition.

Mr MARLES (Corio—Deputy Leader of the Opposition) (15:11): No standards, no integrity, just a bunch of dumb—

The SPEAKER: The Deputy Leader of the Opposition will resume his seat. I call the Leader of the House.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (15:11): I move:

That the question be put.

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

The House divided. [15:13]

(The Speaker—Hon. Tony Smith)

Ayes72
 Noes65
 Majority.....7

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR

AYES

Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morrison, SJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Goodenough, IR
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mulino, D
Neumann, SK
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Khalil, P
King, MMH
Marles, RD
Mitchell, RG
Murphy, PJ
O'Connor, BPJ
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC

NOES

Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Question agreed to.

The SPEAKER (15:14): The question now is that the motion moved by the Leader of the Opposition be agreed to.

The House divided. [15:15]

(The Speaker—Hon. Tony Smith)

Ayes62
 Noes72
 Majority.....10

AYES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burns, J
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hill, JC
 Jones, SP
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Shorten, WR
 Snowdon, WE
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Aly, A
 Bird, SL
 Burney, LJ
 Butler, MC
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Hayes, CP
 Husic, EN
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Smith, DPB
 Stanley, AM (teller)
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

NOES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morrison, SJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Simmonds, J
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP
 Young, T

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Goodenough, IR
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharma, DN
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

Question negatived.

QUESTIONS WITHOUT NOTICE

Pharmaceutical Benefits Scheme

Ms FLINT (Boothby—Government Whip) (15:21): My question is to the Minister for Health. Will the minister outline to the House how the Morrison government's stable and certain economy enables the government to support those living with HIV, including through making life-changing medicines available through the Pharmaceutical Benefits Scheme?

Mr HUNT (Flinders—Minister for Health and Minister Assisting the Prime Minister for the Public Service and Cabinet) (15:21): I want to thank the member for Boothby for her commitment and leadership on a bipartisan approach to important public health issues in this place. Only last night, along with the member for Dobell, she helped co-sponsor the approach

to endometriosis. I know that the member for Forrest has been a great advocate. The former member for Canberra, Gai Brodtmann, has been a great advocate in this space.

Equally, though, the great task of bringing safety and support to those Australians facing HIV or the risk of HIV has been a bipartisan commitment for more than three decades. Earlier, when former Prime Minister Bob Hawke passed, the Prime Minister acknowledged the role and leadership of his predecessor, Neal Blewett, and others in bringing HIV and AIDS campaigns to the national consciousness. That's been continued over many decades. I am delighted to say that the work today is yielding the fruit of many years of hard work.

In particular we now have the latest figures, which show a 23 per cent reduction in the number of people contracting HIV in Australia over the last five years. Eight hundred and thirty-three Australians contracted HIV in the last year for which we have figures, and 28,000 Australians are living with HIV, but, because of the commitment and the work of successive governments, there has been a dramatic change. Indeed, because of the collective work of medical research and the availability of pharmaceuticals in Australia today, no Australian need pass or lose their lives.

Recently in the May budget, we were able to commit \$45 million towards the national blood borne virus and sexually transmitted disease strategy. That included \$20 million to assist in reduction of HIV transmission rates and increased treatment adoption in Indigenous communities. Today we were able to announce a further \$3 million for the leaders in those communities to assist with reduction of HIV and decreasing stigma relating to HIV across Australia. But we were also, very importantly, today able to build on the announcement of PrEP and its availability—it is assisting 32,000 people across Australia—with a new announcement of Dovato, which will be placed on the Pharmaceutical Benefits Scheme. This medicine, which will help patients with HIV manage their condition and allow it to be treated as a chronic disease, will help 850 patients who would otherwise have had to pay over \$8½ thousand a year access it for as little as \$6.50 a script. It's a medicine which changes lives. It's a medicine which extends lives. It's a medicine which improves lives. It's a medicine which builds on three decades of commitment to collective, bipartisan action for HIV and AIDS in Australia.

Mr Morrison: I ask that further questions be placed on the *Notice Paper*.

STATEMENT BY THE SPEAKER

The SPEAKER (15:24): Before members leave, I want to make a brief statement with respect to the Federation Chamber. It's just for the information of members. I've had a number of queries.

Some members will be aware that last night, during the grievance debate, and again this morning, during constituency statements, a number of closure motions were moved in the Federation Chamber, under standing order 80, which were not agreed on the voices. Under standing order 188, unresolved questions from the Federation Chamber are reported to the House for resolution. However, by the time the matters could have been dealt with by the House the relevant items of business had concluded.

There are a number of precedents for not proceeding to deal with unresolved questions which have become redundant in such circumstances. I refer members to page 786 of *House of Representatives Practice* and to the various examples, provided in the footnotes, of

situations where divisions on unresolved questions were not proceeded with. For the information of members, I propose to follow the practice of my predecessors in not proceeding to divisions on these questions.

DOCUMENTS

Presentation

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (15:25): Documents are tabled in accordance with the list circulated to honourable members earlier today. Full details of the documents will be recorded in the *Votes and Proceedings*.

AUDITOR-GENERAL'S REPORTS

The SPEAKER (15:25): I present the Auditor-General's performance audit report No. 14 of 2019-20, entitled *Commonwealth resource management framework and the clear read principle: across entities*.

Document made a parliamentary paper in accordance with the resolution agreed to on 28 March 2018.

MATTERS OF PUBLIC IMPORTANCE

Aged Care

The SPEAKER (15:26): I have received a letter from the honourable member for Franklin proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The government's failure on aged care.

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—

Ms COLLINS (Franklin) (15:26): The government's response on Monday to the royal commission that it called into aged care in Australia was an absolute failure. When the government responded to the royal commission, it announced 10,000 home care packages. What we know, of course, is that today there are 120,000 older Australians waiting for home care. That figure shows that older Australians and their families and loved ones are not going to get their home care any sooner because of the government's announcement. Indeed, when you look at the detail of the government's announcement what you actually see is that 5,500 packages will become available from December in the first year. That is it: 5,500 in response to what the government's own royal commissioners have said is neglect—neglect! That's their own royal commissioners talking about the government's responsibility to older Australians.

It's not just Labor saying this. We heard from the sector on Monday afternoon and evening about this royal commission response. I'm going to quote National Seniors Australia, who said the government's announcement of an extra 10,000 home care packages is 'less than the number of people who died last year waiting for a package' and 'barely addresses 10 per cent of the current waiting list'. Aged & Community Services Australia said the aged-care announcement will 'not even touch the sides of demand'. Leading Age Services Australia said it was a 'missed opportunity' and that those 110,000 older Australians remaining on the list

will be 'left disappointed in the lead-up to Christmas'. They will indeed be left disappointed, because we know that, even if 5,000 packages become available in December, there are still 115,000 older Australians waiting for their home care.

'Neglect', the royal commissioners called it—neglect! That is the royal commission that the government called. After six years, four ministers and billions of dollars ripped out of the aged-care system, the government's own royal commissioners said it was neglect, and the best the government can do is fund 5,500 packages in the first year. That is outrageous. It's simply not good enough. It is continuing to fail older Australians and their families and loved ones.

I get calls from families all around the country, sadly, who have loved ones in the system, and my question to the government—to the minister and the Prime Minister—is: what do you say to the people you take calls from? What do you say to the 95-year-old woman who has a terminal illness and who has been told she'll need to wait 22 months to get a home care package?

What do you say to that? Why is that okay? How do you stand in here and say, 'What a great job we're doing. We've got this announcement and we're dealing with it.' When you get calls like that, what do you say to people? How in Australia today is that okay? Why is the government not doing something about the national priority queue for home care?

I was alerted yesterday to a situation where somebody had a loved one who had been waiting for home care but they had passed away, sadly, like 16,000 other older Australians who passed away without their home care package in the year 2017-18. We don't know how many people died last financial year waiting for their home care package. I was alerted to the fact they got a letter from My Aged Care saying, 'Good news: your home care package has turned up,' 2½ years after their loved one was deceased. How does the government not know somebody has passed away for 2½ years? It is just incredible that the government cannot manage the simple things. They clearly don't have a plan to deal with aged care but they should; they've had more than a dozen reports sitting on their desks.

We heard the government's excuse for not dealing with home care was, 'We can't roll them out because, you know, we might get some dodgy providers and/or, you know, we don't have the workforce.' Well the government's had sitting on its desk for over a year a workforce task force report that it actually paid for. Its own architect and author has criticised the government for not implementing the recommendations fast enough. There are 14 actions in that report. Professor Pollaers told the royal commission he was disappointed in the government. He should be. We're all pretty disappointed in the government and its response to aged care.

The findings in one of those reports by Kate Carnell into what happened at Earle Haven on the Gold Coast is similar to the findings made in the review of the national aged-care quality regulatory processes of which Ms Kate Carnell was a co-author. What she is referring to here is that she did a report for the government into what happened at Oakden in South Australia and made to a certain extent the same findings as those made in relation to Earle Haven on the Gold Coast. The Oakden report has been sitting on the minister's desk for two years. Why does it take this government's royal commission for them to do something but, importantly, still not enough? What is it going to take for this government to seriously consider acting and reforming aged care properly in Australia today? When we have 120,000 older Australians waiting on the home care list and the government is told this is neglect, when the commissioners describe what is happening in Australia when it comes to young people in

residential care as a national disgrace, when we hear reports that around 70 per cent of the residents at Earle Haven were under chemical restraint, the government needs to do better. It needs to do better.

I was pleased we finally got an updated regulation tabled in the Senate this week. I have been talking to the minister for some time about how his current regulation that came in on 1 July has not been sufficient. He has tabled an upgraded regulation but, I guess, the proof will be in the pudding. How much will the tightening of the regulations actually reduce chemical restraint? People are very concerned when they go into residential aged care and see their loved ones sitting in a corner drugged up. That's what happens. Why does it happen? Sometimes there are behavioural issues and it is required. But often, we know, it is due to a lack of staff in some facilities. This is not good enough.

We have said on our side of politics for a long time that there are not enough staff in aged care and they are not paid enough. The government has had a workforce task force report sitting on its desk for more than a year. We need to do better, we need to resource aged care better, and the government needs to do something about it. The government comes in here and talks about priorities, talks about all these things that it's allegedly doing. What is it actually doing in aged care? It has a royal commission interim report and its best response to 120,000 people waiting is to deliver 5,500 packages from 1 December? It's not good enough. It is absolutely not good enough to those older Australians, their families and their loved ones that we're getting such a lacklustre response from the government. It's saying, 'Don't worry, we'll respond when the royal commission final report comes down in November next year.' Well, if its response is going to be anything like the response to the interim report, it is hardly going to be worth waiting for, because this area needs serious reform.

The government has been asleep at the wheel. We have had six years, four ministers and billions of dollars ripped out. Let's not forget it was the current Prime Minister, in his first budget, who pulled \$1.2 billion out of aged care. That came on top of the half a billion dollars he pulled out in the MYEFO beforehand and on top of the \$100 million for the dementia supplement that Tony Abbott pulled out in 2014. They have ripped billions of dollars out of aged care. What we have today is an aged-care system based on their neglect. That is what the royal commissioners are saying—neglect. What do you say to the calls from family members who have loved ones in their 90s who cannot get the care they need? What do you say to that? How much sooner because of your announcements are these people going to get their home care packages? The truth is: the government knows it can't put a time frame on it, because these people are not going to be getting their home care any sooner because of what the government has done.

I can't wait for the home care package waitlist to come out in December. I'm very interested in the figure of how many people died last financial year. The government seems to be hiding figures and sitting on the facts and the data. It's not good enough from this government. People expect transparency and information, and they need to be told the truth about how long they are going to wait for aged-care services in Australia today. It cannot go on—that the government, when it has a royal commission, when it talks about how much it gives a damn, does next to nothing. That is what it is doing: next to nothing. What it has done in its response is but a drop in the ocean compared to the reforms that are required. Not all of this takes money. This needs a government that gives a damn to actually do something.

Mr HUNT (Flinders—Minister for Health and Minister Assisting the Prime Minister for the Public Service and Cabinet) (15:36): I want to start by noting that the Prime Minister called, as one of his first actions in the role, a royal commission into aged care following on from the revelations and the increasing information about the agony and the tragedy that occurred in Oakden, in the South Australian state-run facility under the previous Labor government. That was a national scandal and a national shame.

Ms Collins interjecting—

Mr HUNT: If the member wants to make light of a national scandal and a national shame in Oakden, then I feel that that is unfortunate and inappropriate.

Ms Collins: You have not responded to the recommendations! You're saying I'm saying something I'm not!

The DEPUTY SPEAKER (Mr Hogan): The member for Franklin will stop interjecting.

Mr HUNT: We called this royal commission because of the tragedy, the scandal, that we saw in Oakden. We realised that there was an increasingly unacceptable level of evidence that that which had been in place over the course of some decades—this is reinforced by the findings of the royal commissioners in the interim report—was not at the standard we would want. We wanted to shine a light both on the past and towards the future. Those are the reasons why the commission was called.

I want to start by acknowledging and thanking the royal commissioners, Commissioner Briggs and the now past Commissioner Tracey, for their work so far. Commissioner Tracey wrote almost to his last days. He was determined to prepare and to complete his work in the course of the interim report. I spoke to him shortly after he was diagnosed with what was a terminal condition that was aggressive and was going to have a very fast-acting outcome on his advice to me. I said, 'Nothing is more important than your health.' He said, 'With respect, nothing is more important than the health of older Australians.' It was one of the most powerful moments I have had the privilege to be a part of in dealing with any public official in any role in Australia.

Having said that, the commissioners made strong, clear findings. They recognised, even on the first page of their report, that as a country we had decadal challenges across government, across providers and across the community. They pointed to 'a culture of ageism', in their own words, which we needed to address as a country. It's our watch and our time to do that. In particular, the commission set out three areas of primary responsibility for action now. They were, firstly, home care, and the ability to take further steps on that front; secondly, medication management, with regard to dementia and the abuse of that for chemical restraint; and, thirdly, the work that needs to be done to remove young people from aged care where they are inappropriately housed in aged care.

In relation to home care, we have accepted the advice of the commission that there is a moment in history where we can unify the home care and home support programs, and the government has committed to so doing. That is a fundamentally important step. It has been done so that we can tailor the treatment for individuals that best supports their needs, to provide the services and care which best reflect what they need. I thank the commissioners for their work in outlining that program. The commission report very specifically sets out that, in adding home care packages, care had to be given to making sure that there was an appropriate

increase in workforce. The history here is that over the last 18 months the government has added 44,000 home care packages. The opposition added none. The opposition was given a chance at the election to add packages. I have here Labor's Fair Go budget plan. There is a section on ALP commitments on health and Medicare. Under Medicare, apart from the fact that they would end the freeze, they have zero, zero, zero, zero over four years. It was the same thing in relation to home care packages. There was \$337 billion worth of taxes and not one home care place, at the very moment they were seeking to enter into government. This was after the royal commission had been called. How many home care packages did they add? Not one home care package.

To put all of this in context, we have increased the number of home care places from 60,000 under the previous government to 150,000 this year. That is a 150 per cent increase at a time the population has increased by just over 10 per cent. Interestingly, when Labor was last in government there was a \$1.15 billion home care budget. Now there is a \$3.2 billion home care budget. Funding has almost tripled. There has been an almost 200 per cent increase in the time that we have been in government. What that means is that the fastest growth is in home care places, but we have committed to do more with the extra 10,000 places focused on the higher levels. That is part of a broader program where we have set out the tailored program, we have committed to working towards the goal of ending waiting periods inherited from a previous government, reduced in just the last year where we added 25 per cent in one year to the size of a home care program and a home care program which will have grown 150 per cent in our time in government.

Think of what the ratio of home care places was to population and to the elderly population under the previous government and think of what it is now.

Ms Collins interjecting—

The DEPUTY SPEAKER (Mr Hogan): The member for Franklin is warned.

Mr HUNT: In our time, we have more than doubled the ratio of home care places to those who need, on our watch, not just faster than the growth of inflation and not just faster than the growth of the population but faster on a dramatic scale than the growth of people who are older than 75 years of age. We have committed to a profound, fundamental rethink of the system by unifying it, by tailoring it and by working towards ending waiting times as part of that fundamental reform and then taking the immediate step of the injection of 10,000 places commensurate with the advice of the royal commission, as I raised with Commissioner Briggs only this week.

One of the other fundamental reforms is in relation to medication management. On the day of the royal commission, we had success in winning the support of COAG Health Council ministers to ensure that medication management was, for the first time, as part of quality and the safe use of medicines, raised to the level of a national health priority. Now we have also taken the step of placing Risperidone on a restricted prescription arrangement as of 1 January, after consultation with the medical community. That means there will be a maximum of 12 weeks for this antipsychotic without any capacity to extend beyond that unless there is an express approval through the approvals process. That's an unusual arrangement in relation to medicines, but a critical arrangement. It has won the support of the medical community and the aged-care community, and that is about protecting the lives and the quality of care of older Australians.

Nobody has done this before, but we're doing this on our watch, in our time and directly in response to the commission. At the same time, we're adding \$35 million for medication management and for greater training of the workforce in relation to dealing with patients with dementia. In many cases, sadly, there are psychotic episodes, cases of self-harm or, sometimes, cases of violence towards other residents. With this additional combination of \$25 million for medication management and \$10 million for training, we are providing that support.

Finally, the third area that the commission set out was the removal of young people from residential care. We have accepted the commission's three goals of removing people under the age of 45 by 2022, removing people under the age of 65 by 2025 and ensuring that we are not bringing people under the age of 65 into the aged-care system where there is not an exceptional circumstance in that time. All of these things come together to represent a response to the commission. We thank them, we honour them and we will continue their work.

Ms KEARNEY (Cooper) (15:46): The government has squandered its responsibility in its response to the Royal Commission into Aged Care Quality and Safety's interim report. It has failed to provide the genuine reform which would truly fix the aged-care sector. This is a third-term government which constantly throws its hands in the air, seemingly baffled by the problems in aged care and unaware of the countless reports which provide solutions sitting on the minister's desk.

Take workforce: yesterday, the government blamed workforce as one of the reasons they can't fix home care packages, claiming that if they expand all their places they may be filled by staff who might not be properly trained. Well, one of this government's first actions was to rip out the \$1.5 billion that Labor had put into a workforce strategy supplement. They've had a workforce task force report, which the member for Franklin reminded them of just before, sitting on their desks for more than a year now. It has 14 actions in it. The author of that, Professor John Pollaers, said in his royal commission evidence that he was disappointed by the government's lack of action when it comes to workforce. So for the government to say, 'Oh, we haven't done anything on workforce, so we can't have any more home care packages,' is absolutely appalling. This is their problem. It is their fault. They are in government; we have to keep reminding them! They've been there for six years.

Workforce is one of the most crucial parts to fixing our broken aged-care system. We've heard time and time again that staff are pushed to the limit. They want and need more time to care. It has emerged as a key issue at the aged-care royal commission, and is something which the wonderful aged-care unions, the United Workers Union, the ANMF and the HSU, have been raising for years. Staffing numbers, skill mix, staff training, qualifications and experience are key concerns which negatively impact on the ability of staff to provide quality care.

The impetus to get this right is huge. We must have a quality workforce which sees aged-care workers getting the respect and dignity they deserve. Aged care is not babysitting; as a nurse, I know that. I want to send a big shout-out to all the nurses and carers in the unions who are here this week campaigning against the government's awful anti-union-busting bills.

To another issue: the government seems to have no capacity for accountability and transparency in aged care. The government's announcement promises 'pockets' of money, but

doesn't provide any clear policy guidance on how taxpayers can be assured that their money will actually be directed to care. All funding should come with tighter accountability to ensure that providers do not siphon off any money to excessively line their own pockets. It was recently reported that more than half of the nursing homes run by Australia's largest private provider, Bupa, are failing basic standards of care, and 30 per cent are putting the health and safety of the elderly at serious risk. I'm sorry, but the question has to be asked: how does a provider that receives nearly half a billion dollars in taxpayer subsidies get away with this? Funding should be tied to care. It is a simple premise. If a for-profit provider is making millions of dollars out of publicly funded beds yet is neither providing enough staff nor delivering quality care then that must be addressed.

Finally, this week one of my constituents, Lily Coy, was interviewed by Channel Nine, recounting an experience that hundreds of thousands of older Australians have experienced. Lily is 86 years old. She spent 18 months begging for a home care package. She said:

I wasn't coping. I couldn't walk from the table to the sink.

She said having to demand the assistance she was entitled to was 'humiliating', and her package was only granted when my office intervened. She said:

We're not bits of paper. We're not numbers on a bit of paper.

And Lily said she feels awful thinking about others who are still waiting for home care packages:

I feel terrible. It makes me feel so guilty and sad.

She shouldn't feel guilty and sad; the government should feel guilty and sad!

This week's announcement of 10,000 home care packages means there are still 110,000 Australians assessed and waiting. The crisis is getting worse. The government has no idea what it means to watch an elderly parent waiting in vain for assistance at home. The solution isn't simple; it requires thought and genuine reform. But, as the government, it is your job. Do your job! Workers in aged care and silent Australians, the ones dying waiting for home care packages, are depending on you.

Mrs MARINO (Forrest—Assistant Minister for Regional Development and Territories) (15:51): I'm pleased to rise on this particular matter of public importance. For those of us who have had family in aged-care facilities or needing home and community care, we understand just what a challenging space this is. We want the people we love the most to get the most care that they possibly can.

There was no doubt when the Prime Minister announced the royal commission—it was one of his first decisions and a very wise one. But he did say at the time that we had to be really prepared for what would come out of that, and he was entirely correct in that statement. The government has responded to the royal commission's interim report and some of the findings in there, in three priority areas: home packages, use of chemical restraints and younger people in residential aged care. They were three of the priority areas identified in the interim report. There are going to be 10,000 extra home care packages as well as funding for medication management programs and for additional dementia training and support.

Having had a mother in permanent care with dementia, I understand personally the very great challenge that this presented and how it was really important for us as a family to take part in her care as much as we possibly could, because essentially our mother was trading one

home for another. We saw that part of our job as her family was to love and care for her when she was in that facility as much as we did when she was home. Given that often the only real part of her day that she could remember was us, we took that role particularly seriously. There were times of the day where she was able to cope better than others and times of the day where her mind was more focused than others. We treasured those moments, but I don't underestimate for one moment how challenging her condition was for her and for those who were trying to care for her in that facility. So I really appreciate the work that people in aged care do and how each one of us who has a loved one in a facility needs to be very much part of their lives irrespective of where they are.

I'm also really pleased to talk about a wonderful facility called Treendale Gardens in my part of the world. It actually caters for young people who have previously been in aged-care facilities. This was a direct relationship between, at the time, the local state Liberal government that donated land; the Rotary club that took this on as a project; John Castrilli, the local state member who took it on; and the MS society, which built and runs this facility. It is a genuine way of addressing this issue for young people who are currently in aged-care facilities.

I also at this point want to acknowledge that, in spite of the findings and the toughness of this royal commission, there are very good home care providers out there today doing a fabulous job in what they do. The Aged Care Services Australia Aged Care Awards recognised recently and highlighted the important work that is being done in aged care across Australia. They recognised one of South West Community Care's outstanding services to clients in their homes with the WA aged-care Provider of the Year award. They also achieved the Employer Excellence in Aged Care Award at the Western Australian Regional Achievement and Community Awards. They offer extensive care and activities. They also provide a whole lot of love to people who need it most. CEO Claire Roach is very passionate about delivering services in true partnership with South West Community Care clients, and they love the people who care for them. She's also very rightly proud of those skilled and caring staff. I want to congratulate and thank South West Community Care, Claire Roach and her staff, for their work and thank every one of those workers who spend their time caring for our loved ones when they need intensive care.

Mr ROB MITCHELL (McEwen—Second Deputy Speaker) (15:56): There is one statement we can make which is absolutely clear: the Morrison government has failed older Australians in aged care. We say this because, over six years, four ministers and dozens and dozens of reports, they have yet to deliver long-term or actual reform. What we've seen throughout this failure of a government, with all their prime ministers and failed ministers, has been a constant deflection of responsibility that they never accept. This is a government led by a Prime Minister who, as Treasurer, cut \$1.2 billion out of aged care.

You heard the minister before. He should always start his contributions with 'once upon a time' because it's a fairytale that he brings in. They put a little bit of money back, but they neglect to mention that they took a whole lot out to start with. They cut it down here, then put a little tiny bit in and go, 'Aren't we good?' and congratulate themselves. We know what they did to try to hoodwink the Australian people with the lie before the election that the budget was back in black. It was done because this government attacks the most vulnerable people in

this country. It held money from the NDIS. It took money out of aged care and now says pensioners should be working longer and harder.

What we have seen in aged care through the royal commission is an abject failure of this minister and his predecessors. We know the royal commission was called for because this government was failing and the minister was asleep at the wheel. The entire time, he sat there and said, 'Well, if it comes on my desk, I'll have a look at it.' This is everyday Australians who are being punished by this government each and every day.

I was talking to a local resident in Sunbury the other day. He was telling me about the issue that he's had. He was assessed for his package and had to wait 18 months for a level 4. He had a stroke that saw him left with some brain damage, paralysis down both arms and poor hearing and eyesight. We've already seen today, as the shadow minister rightly pointed out, that only 5,500 of these home care packages will be delivered. One hundred and ten thousand people will not get access to the care that they rightly deserve. These are the people that put this nation where it is, and this government wants to use them to rip the money out and treat them poorly. It is absolutely wrong that, each and every day, Australians are missing out on the care and the help that they need, because the government is incompetent or deliberately nasty. I'm not sure which one it will be, but I'm tipping that what we're seeing is a bit of column A and a bit of column B.

Older Australians have served this country and delivered us the prosperity that we have, and they deserve to be treated fairly. We can't have people dying while they're waiting for home care packages. That is just fundamentally wrong. These are vulnerable people, but this government says, 'Don't worry about them, they'll be right; we'll just keep moving on.' None of those opposite will ever stand up and say: 'We are sorry for what we've done. We should address this.' They want to hide and obfuscate about the issues we have. We have people every single day looking for help and support to get the aged-care packages that they desperately need. People are watching their loved ones deteriorate in their health and wellbeing, and families are having extra stress and financial strains, because the government is too incompetent to actually get out there and prioritise the important things. They won't prioritise people. They'll happily support banks, but they won't prioritise people. In the meantime, you've got families that are going to breaking point because they can't get the help and assistance that they deserve.

The member for Cooper talked about the workforce. Let's talk about the workforce, because that is so important. This is a government that has failed on workforce. It does not care enough to ensure that people who are in aged-care facilities get the help and support they need by having properly trained people who are able to deal with the issues that get faced in aged-care facilities, like dementia. I have a very close friend whose mother was attacked in an aged-care facility and died. There was no help and assistance available. That is a disgrace that sits wholly and squarely on the Prime Minister's shoulders because he's the one who, as Treasurer, took the money out, which means we don't have the workforce that we need and we don't have the support in aged-care facilities.

It's time the government gave up on their rhetoric and actually did something for Australian people. The people that put them there are the ones they should be looking after, not themselves as they have been doing and continue to do right up to today.

Dr MARTIN (Reid) (16:02): The findings of the interim report into Australia's aged-care system demonstrated that aged care in this country needs significant change to ensure our older Australians receive the best possible care in their most vulnerable years. In fact, it was the Prime Minister who made the decision to call the royal commission as one of his first actions in this role, and I commend him for his leadership. Labor didn't do it, and now they're trying to politicise it just to score some cheap political points. Disgraceful!

The findings of the interim report were damning and deeply upsetting to Australian families who have loved ones supported in the aged-care sector. I'm pleased that on Monday our government announced \$537 million for urgent action in response to the interim report. We are investing \$496.3 million for an additional 10,000 home care packages for those with the highest need in order to reduce wait times and to connect people to care sooner. The first of these additional home care packages will be available from 1 December this year. We are providing additional funding to reduce the misuse of chemical restraints. We are investing \$4.7 million to support the implementation of the Younger People in Residential Aged Care Action Plan to remove young people with disabilities from residential aged care and we are setting ambitious targets to stop new younger people entering aged care by the end of 2022. It's important to highlight that these measures are not the end of the discussion on how our country's aged-care sector can be reformed. Instead, they are responses to three key findings of the royal commission requiring immediate action.

As a government, we are making record investments across aged care. Under Labor, \$13.3 billion in 2012-13 was spent. Under our Morrison government, \$21.7 billion has been spent in 2019-20. Last financial year there were 1.3 million Australians receiving support through the aged-care system, from basic home supports up to residential aged care. We've rolled out reforms to ensure a greater standard of aged care is enforced. This includes the establishment of the Aged Care Quality and Safety Commission to ensure that standards of care are improved.

This financial year will see the delivery of a total of 150,000 home care packages, up from 60,000 available in 2012-13. Every year under this government the number of home care packages has gone up, the number of residential care places has gone up and aged-care funding has gone up. Labor, at the election, provided no additional funding in their costings for home care places or any additional funding for aged-care quality workforce or residential aged care. Reforming the aged-care sector is this government's priority. It is the Morrison government who are leading the way for reform. We are doing it, not those opposite. We are delivering \$537 million worth of funding to respond to the interim report, and there will be further responses when the final report from the royal commission into aged care is released.

Mr HAYES (Fowler—Chief Opposition Whip) (16:05): The standard of care for our elderly should not be compromised through restrictions of resources or for the budget bottom line. The aged-care system urgently needs a skill mix of medical, nursing and care staff. That's not the view expressed publicly by the opposition; it's the view expressed publicly by someone who's regularly quoted by the Prime Minister, and the minister on this occasion, Dr Tony Bartone, the President of the AMA—that militant organisation. He actually speaks the truth and, when necessary, is prepared to be brave enough to talk about the system, which he has, and which those on the other side continue to ignore. He really does put in perspective exactly what is going on here. None of those opposite could take any pleasure in the way that

they have responded to the interim report of the Royal Commission into Aged Care Quality and Safety. What we're seeing is a litany of issues from the lack of staff, low-paid staff, lack of resourcing in the industry.

Granted, the government has delivered 10,000 additional home care packages. I've got to say, that is a drop in the ocean when you think there are 120,000 Australians on waiting lists at the moment. By the way, even though they've been approved for a package, they've been on waiting lists to receive them for up to, and over, two years. That is another statistic which is absolutely frightening. In one year alone, 16,000 people died while on that waiting list, waiting for the appropriate care. That is outrageous for a country like Australia, a country that professes to care about the vulnerable. Who is more vulnerable in our community than the aged?

The government initiated the Royal Commission into Aged Care Quality and Safety and Labor supported that. But they went into it kicking and screaming. How long did it take after all the activity that took place on this side of the parliament, criticising minister after minister? By the way, since they've been in government, those opposite have had four separate ministers who have had the opportunity to address this. Over that period of time, do you know what? They actually strangled the funding of aged care by about \$2 billion, and that all started when the then Treasurer—Scott Morrison, the current Prime Minister—in his very first budget under the Turnbull government, decided to pull almost \$2 billion out of aged care to meet the bottom line. This is all about meeting the budgetary bottom line.

If those opposite want to take some joy in that, I wouldn't go jumping up and down in your electorates. Not just the elderly but their loved ones will punish you for that sort of behaviour. The simple fact is the system is broken. You don't need to go any further than the royal commission to see that. The royal commission has found that the aged-care system has failed to deliver uniformly safe quality care. It is unkind, uncaring towards elderly people and there are too many instances of neglect. That's from the royal commission, the one they set up, the one that they're just not listening to at the moment. To put it further in perspective, Commissioners Richard Tracey and Lynelle Briggs said it is a sad and shocking system that diminishes Australia as a nation, yet the government are here today saying they are doing wonders in aged care. You've got to be joking. This system is broken. The interim report—yes, it is another report, but this report is another confirmation of the desperate situation facing older Australians.

In their report, the commissioners have listed three things that require urgent and immediate attention by this government: ensuring that older Australians are getting the care they need at home—well, that's a big zero, given the size of the waiting list; preventing the overreliance on chemical restraints; and ending the unacceptable number of young people entering residential care. We would encourage the government to read that report carefully and do what they say—act immediately. *(Time expired)*

Ms BELL (Moncrieff) (16:10): Yesterday, the government announced its actions on the recommendations of the report of the royal commission into aged care. Establishing the royal commission was the Prime Minister's own decision; he wasn't dragged, kicking and screaming to that decision. And he said at the time, soon after the election, that all Australians needed to brace themselves for some of the findings. This was indeed the case. Some difficult stories of our most vulnerable citizens have been told and, indeed, heard by this government. The

government's new measures address the three priority areas of home care packages, chemical restraint and younger people in home care. They include investing \$496.3 million for an additional 10,000 home care packages—care that they need at home; providing \$25.5 million to improve medication management programs to reduce the use of medication as a chemical restraint on aged-care residents and at home; and new restrictions on the use of medication as a chemical restraint—tick; delivering \$10 million for additional dementia training and support for aged-care workers and providers, including to reduce the use of chemical restraints; and investing \$4.7 million to help meet new targets to remove younger people with disabilities from residential aged care. That's another tick—to those on the other side.

In line with the long-term direction identified by the royal commission, the government will progress further measures, including providing simpler aged-care assessments by creating a single assessment workforce and network, and establishing a single unified system for care of our elderly in the home.

Can I just take a moment to highlight a point for the House by asking a pretty simple question: what did those opposite have planned in the lead-up to the election? What was their plan for the aged-care sector? There was no additional funding in their costings for home care places—zero! There was nothing for aged-care quality, for workforce or residential aged care. There was zero, zip-a-dee-doo-dah, zilch!

Let me remind those opposite and, indeed, those listening out there what the Morrison government has actually implemented to date. Overall, we've invested \$2.7 billion since the 2018-19 budget into home care packages. That's a 25 per cent increase in one year. As the Minister for Health just outlined, it's the fastest growth in home care packages. We have established the new Aged Care Quality and Safety Commission and implemented the new, consumer focused Aged Care Quality Standards. The Charter of Aged Care Rights has been put into place, covering 14 fundamental protections for all aged-care programs, from safe, quality care to independence, information, personal privacy, control, fairness and choice. We have responded to the interim report with a funding package—I will say it again for those opposite with tin ears—of \$537 million.

All we see from those opposite is negativity; we don't see any cooperation in this sector. We see our most vulnerable citizens being used to score political points in the press. Those opposite continue to do it today. I've seen it for months at home up in Queensland, in Moncrieff and in Nerang, where the local Labor member for Gaven and Senator Watt continue to use the residents of Earle Haven to lift their profile. This is inappropriate. They are conducting bogus rallies outside my office on a Saturday morning to get press. It's a stunt, a political stunt. They are petrified that they're going to lose the state seat of Gaven in Queensland to the LNP and so they're trying to raise the profile of their local member, because the LNP has a fantastic candidate in Kirsten Jackson, can I say.

Additionally, the government has accepted all 23 recommendations of the Carnell report and is now working hard to improve the sector. It would do those opposite well to admit that their state colleagues in Queensland made the wrong call to move the 71 residents out of Earle Haven. They moved the residents out when they didn't need to. They moved frail and elderly residents out in the state of Queensland when they didn't need to. The Labor member herself was moving people out of Earle Haven unnecessarily and in the middle of the night. I pay tribute to the emergency services, who were so professional, and to the residents, the families

and the selfless staff who worked so hard and stayed behind to assist all those elderly residents who were moved out by Queensland state Labor unnecessarily.

Mrs ELLIOT (Richmond) (16:15): I think what those opposite fail to realise is that people are actually dying at the moment. We need to see action and much more funding when it comes to aged care. This is a serious matter. This is a government that has failed across the board. They've not just failed; they've made the system chronically worse. Their cuts have been severe. We have a totally broken aged-care system which is in complete crisis. In doing this, the government has totally failed our seniors, the very people who built our nation. They worked hard, paid their taxes and raised their families. In their older years when they need aged-care services, whether that be home care or residential care, this government has totally abandoned them in both those areas. The fact is that those harsh choices by the Liberal and National Party hurt our older Australians.

This government's record is shameful, and in the regions we blame the National Party for this shameful record. We blame them for the cuts to the vital services because many older Australians cannot access the care they need. This government has had many years and four different ministers to deliver long-term reform, to inject funding into aged care, but all it has delivered is a broken system that is getting worse day by day. One of the issues I hear about every day is the difficulty of accessing home care, particularly in my region with an ageing population. It is distressing for those that need care and for their families. Most older Australians want to remain in their homes for as long as possible. This government's cuts are making it extremely difficult.

Many of those stories are heartbreaking. Those people are waiting for the care they need, the care they deserve, and the list grows longer each year. As a nation we should be judged by how we treat our elderly. Yet the Liberals and Nationals have done nothing but cut the funding, and there is no plan to reverse the cuts. As of June 2019 there were 120,000 older Australians waiting for a home care package. This included more than 70,000 older Australians on the waiting list with no home care package at all. Of those 120,000 waiting for home care, many are waiting for more than two years for the care they have been approved for. That is shameful. We know that 14,000 older Australians entered residential care early because they couldn't get the home care package they were approved for. So, shamefully, many people are dying waiting for that package. This is truly unacceptable. Why won't they do anything? The fact is that 16,000 older Australians died in just one year waiting for home care. Why are they not talking about that?

This week the Morrison government's response to the royal commission was a complete missed opportunity to provide the genuine reform that this country needs when it comes to aged care. The 10,000 additional home care packages announced by the government are nowhere near enough, considering the need out there. It doesn't address the chronic underfunding of home care and the need that's there. And there's no guarantee the government's package will mean older Australians will get any care sooner. We know this government has cut billions from aged care. As the number of older Australians waiting for home care grew from just over 88,000 to 120,000, the Prime Minister continued with cuts. They have continued with the mismanagement and the cuts.

This announcement of 10,000 home care packages means there are still 110,000 people waiting. What will happen to them? Will they languish at home waiting for that package?

There is a desperate need. This government have chosen to ignore more than a dozen reviews—so many reports, inquiries and recommendations for fixing the aged-care system. These were compiled by experts across the aged-care sector, and the government have ignored every single one. I don't know how many more people have to tell them what's required to fix it; they won't listen to any of the older Australians, they won't listen to their families, they won't listen to the experts and they won't read any of the reports. They just don't seem to care. It is a total crisis.

We've also seen the complaints increasing. In general, they've doubled to almost 8,000 in one year, and the reason the complaints are going up is that the government keeps cutting more. They have grossly failed to resource the sector properly, and so there are fewer staff and less funding towards that regulatory regime which we desperately need.

We've seen the prime example of this on the Gold Coast, at Earle Haven. What an atrocious situation it was there—and totally the fault of this government, with their lack of funding and lack of a regulatory regime to protect our older people. The fact is that this government cannot be trusted when it comes to aged care. They cannot be trusted to look after our older Australians, whether that be in-home care or residential aged care. It is a chronic crisis situation and something must be done urgently.

Mr TED O'BRIEN (Fairfax) (16:20): About, maybe, 20 months ago my wife and I looked over our newborn baby boy in hospital. We were waiting for his big sister to arrive so that they could meet. And, as we looked down at that miracle of life, a midwife approached us with that knowing smile that midwives often carry—such magnificent people they are—and we were unashamedly gushing with joy, as parents do. The midwife said something to us that has remained with me. She made a comment along the lines of, 'You know, you're just as vulnerable when you leave this world as you are when you enter it.' Looking down at our baby boy, who was crying, she went on to say: 'When you leave this world, you might be just as gummy. You actually may not be able to control your bowels and you may not be able to communicate what it is that you want. But when you seem to be on the other side and about to leave this world, the one thing you don't have that newborns do have is that typical doting love surrounding you.'

When the royal commission was announced, being from an electorate where nearly one in five people are over the age of 65, I decided to have forums with age-care providers, with aged-care workers and with the loved ones of clients. And, as an electorate, we put forward a submission to the royal commission. But the words of the midwife, as politically incorrect as they may have been, loomed large. A conclusion I drew was that regardless of whatever policy changes come from a royal commission, what is needed—not just from people in politics but across civil society—is a cultural shift for how we treat our elderly.

I was delighted, therefore, when the preliminary report was tabled, that the Prime Minister said:

But I want to stress again that what we really need to establish above and beyond everything else is a culture of respect for older Australians.

That's indeed true, and the substance of the government's response follows through with that sentiment. It's a response that focuses particularly on three areas: the first is more home care packages; secondly, better management of medicine and physical restraint; and, thirdly, helping transition young people out of residential aged care. There is no doubt that more will

need to be done, and the government acknowledges that. But we continue to step up and to do everything we possibly can. That's why this royal commission is so important and that the substance of the government's response is delivering adequately to it.

What has concerned me about this debate today has been the shrilling we've heard from the Labor Party around this issue. They've talked about the need for leadership, but being a leader, surely, is at least being good to your word. Showing respect to the elderly is surely at least about telling them the truth about their sector. But what we have heard from members opposite today has been a complete lack of respect for seniors. They have demonstrated their incapacity to lead.

In 2012-13 the whole-of-government funding to aged care from the Labor Party was \$13.3 billion. In 2018-19 it was \$21.6 billion—an increase of 60 per cent. These are actual figures. Home care funding from Labor in 2012-13 was \$1.1 billion. It was \$3.4 billion from the coalition in 2018-19. That's an increase by three times. Home care packages have more than doubled under the coalition, yet we've had those members opposite prepared to absolutely disrespect the elderly by coming to this chamber and telling untruths. This government is taking the reforms necessary. We will continue to listen to the royal commission.

The DEPUTY SPEAKER (Mr Hogan): The time for the discussion has concluded.

COMMITTEES

Migration Joint Committee

Membership

The DEPUTY SPEAKER (Mr Hogan) (16:25): I have received advice from the Chief Government Whip nominating Mr Drum to be a member of the Joint Standing Committee on Migration in place of Dr Martin.

Mr HOWARTH (Petrie—Assistant Minister for Community Housing, Homelessness and Community Services) (16:26): I ask leave of the House to move a motion for the appointment of a member to the Joint Standing Committee on Migration.

Leave not granted.

MOTIONS

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (16:26): I move:

That so much of the standing orders be suspended as would prevent the Leader of the Opposition from moving the following motion immediately:

That the House:

(1) notes that:

(a) today in Question Time the Prime Minister refused to answer questions about his telephone call with the New South Wales Police Commissioner in which he discussed the instigation, nature and substance of the criminal investigation concerning the Minister for Energy and Emissions Reduction;

(b) the Prime Minister's account of the conversation is at odds with the account of the NSW Police Commissioner; and

(2) therefore, the House calls on the Government to table the following documents before rise tonight:

(a) the transcript of the telephone call between the Prime Minister and the New South Wales Police Commissioner on Tuesday, 26 November 2019;

(b) any briefing provided by the Department of the Prime Minister and Cabinet in relation to the call; and

(c) any notes taken by the Prime Minister, his staff or departmental officials during the call.

This is a government that does not like scrutiny—not from the media, not from the parliament, not from Senate committees and not with the formation of Strike Force Garrad. The government, with that, now faces the kind of scrutiny it can't avoid: police scrutiny. The long arm of the law is reaching right out into the heart of this government. We have a circumstance whereby the Minister for Energy and Emissions Reduction has engaged in activity in order to make a point against climate change action against the Lord Mayor of Sydney. A document was produced and given to the *Daily Telegraph* which we know was not—

The DEPUTY SPEAKER (Mr Hogan): The assistant minister, on a point of order?

Mr HOWARTH (Petrie—Assistant Minister for Community Housing, Homelessness and Community Services) (16:28): I move:

That the Member be no longer heard.

The SPEAKER: The question is that Leader of the Opposition be no further heard.

The House divided. [16:32]

(The Speaker—Hon. Tony Smith)

Ayes70
Noes66
Majority.....4

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI

AYES

McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Murphy, PJ
O'Connor, BPJ
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Georganas, S
Gorman, P
Haines, H
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
Neumann, SK
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Question agreed to.

CHAMBER

The SPEAKER (16:35): Is the motion seconded?

Mr BUTLER (Hindmarsh) (16:35): It is seconded. There's never been a government this arrogant about scrutiny—

The SPEAKER: The member for Hindmarsh will resume his seat. The Leader of the House.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (16:36): I move:

That the Member be no longer heard.

The SPEAKER: The question is that the member be no further heard.

The House divided. [16:37]

The Speaker—Hon. Tony Smith

Ayes	70
Noes	66
Majority.....	4

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Simmonds, J
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharma, DN
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG

AYES

Young, T

Zimmerman, T

NOES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Giles, AJ
 Gosling, LJ
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Aly, A
 Bird, SL
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Georganas, S
 Gorman, P
 Haines, H
 Husic, EN
 Kearney, G
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Question agreed to.

The SPEAKER (16:37): The question now is that the motion moved by the Leader of the Opposition be agreed to.

Ms CATHERINE KING (Ballarat) (16:38): This is a government that does not want to be held—

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (16:38): I move:

That the question be put.

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

The House divided. [16:39]

(The Speaker—Hon. Tony Smith)

Ayes70
 Noes67
 Majority.....3

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leeson, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Simmonds, J
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP
 Young, T

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharma, DN
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

NOES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA

Aly, A
 Bird, SL
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Georganas, S

NOES

Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Kearney, G
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 Neumann, SK
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 O'Connor, BPJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Question agreed to.

The SPEAKER (16:42): The question now is that the motion moved by the Leader of the Opposition be agreed to.

The House divided. [16:42]

(The Speaker—Hon. Tony Smith)

Ayes67
 Noes70
 Majority.....3

AYES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Kearney, G

Aly, A
 Bird, SL
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Keogh, MJ

CHAMBER

AYES

Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
Neumann, SK
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Murphy, PJ
O'Connor, BPJ
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

NOES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ

NOES

Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

Question negatived.

COMMITTEES**Migration Joint Committee****Membership**

The DEPUTY SPEAKER (Mr S Georganas) (16:47): I have received advice from the Chief Government Whip nominating Mr Drum to be a member of the Joint Standing Committee on Migration in place of Dr Martin.

Mr HOWARTH (Petrie—Assistant Minister for Community Housing, Homelessness and Community Services) (16:48): I ask leave of the House to move a motion for the appointment of a member to the Joint Standing Committee on Migration.

Leave not granted.

BILLS**Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019****Consideration in Detail**

Bill—by leave—taken as a whole.

Mr HOWARTH (Petrie—Assistant Minister for Community Housing, Homelessness and Community Services) (16:50): I present a supplementary explanatory memorandum to the bill and ask leave of the House to move government amendments (1) to (10) as circulated together.

Leave granted.

Mr HOWARTH: I move government amendments (1) to (10) as circulated together.

(1) Schedule 1, page 4 (after line 23), after item 3, insert:

3A After subsection 123UO(3)

Insert:

(3A) If:

- (a) a voluntary income management agreement in relation to a person is in force; and
- (b) the person's usual place of residence is within the Northern Territory;

the Secretary may, by written notice given to the person, terminate the agreement. The termination takes effect on a day specified in the notice (which must not be earlier than the day on which the notice is given).

(2) Schedule 1, item 27, page 10 (after line 8), after paragraph 124PGE(1)(b), insert:

- (ba) the person has not reached pension age; and

(3) Schedule 1, item 27, page 10 (after line 25), after paragraph 124PGE(2)(b), insert:

- (ba) the person has not reached pension age; and
- (4) Schedule 1, item 27, page 11 (after line 17), after paragraph 124PGE(3)(b), insert:
 - (ba) the person has not reached pension age; and
- (5) Schedule 1, item 39, page 14 (line 30), omit "100%", substitute "80%".
- (6) Schedule 1, item 39, page 15 (line 2), omit "(including 0%)".
- (7) Schedule 1, item 39, page 15 (line 7), omit "100%", substitute "80%".
- (8) Schedule 1, item 39, page 15 (line 10), omit "and including 0%".
- (9) Schedule 1, item 44, page 19 (after line 2), after paragraph 127(4)(aa), insert:
 - (aaa) a decision to give a notice under subsection 123UO(3A); or
- (10) Schedule 1, item 45, page 19 (after line 10), after paragraph 144(l), insert:
 - (laa) a decision to give a notice under subsection 123UO(3A);

Ms BURNEY (Barton) (16:51): The amendments in question were announced by the minister acting for the minister in the other place without any discussion with the Labor Party. We were able to negotiate for us to have some time to look at those amendments, which we have subsequently done, and I recognise that we were given that flexibility. I have looked very closely at the amendments and consulted with the appropriate people within my party on the amendments. We are not going to be accepting any of the amendments. The three amendments are not acceptable to the Labor Party.

As I have made clear to the House, Labor does not support this bill in its current form. We do not support compulsory income management being forced on whole groups of Territorians simply because of where they live, who they are or what payment they are on. Twelve years after the intervention in the Northern Territory, it is absolutely clear that compulsory broad based income management in the Northern Territory has not worked. It has, however, marginalised, stigmatised and made everyday life much, much harder. It has not improved the lives and circumstances of First Nations people. This cashless debit card proposal is discriminatory. It goes against the evidence, and it is wrong to force it on so many Territory communities who have clearly said they do not want it. That is why we will be opposing the amendments.

In a media release on 25 March this year, the former social services minister, the member for Bradfield, said about the government's plan for the cashless debit card in the Northern Territory:

For existing participants on the Income Management and BasicsCard program, there will be no change to the operating principles, including the percentage to be quarantined, which will remain at 50 per cent ...

That's a very definite statement by the minister. Let's see what's happened. We know this is not what the government really wants, and these amendments today prove it. They are the first step in a plan to quarantine 80 per cent of payments in the Northern Territory making it harder for people to buy food and second-hand goods in remote communities. The cashless debit card restricts 80 per cent of a person's income everywhere else. It is only a matter of time before the government uses these amendments to snatch 80 per cent of people's benefits in the Territory as well. If the government were serious about keeping the quarantine rate at 50 per cent, that is what the amendment would say. Instead, the secret plan they've had all along is now in black and white. We also see amendments in relations to age pensioners. Let

me be clear: if the government was really serious about not putting Territory pensioners—or other people who manage their money well, have never taken drugs and deserve to be treated with respect—onto the cashless debit card, they would withdraw the bill altogether. What communities in Northern Territory need is access to more jobs and economic development opportunities, access to clean water and secure food supplies, and access to better health and education services.

I recently met with the emergency relief providers in Darwin, who said that the punitive social security breaching practices of this government were forcing people in remote areas to give up and stop claiming social security. This is trapping whole communities in poverty. There are stories of food being so short that people are forced by the system to lock themselves in their bedrooms to eat. This is wrong. It should not be happening in Australia. There is so much the parliament could do to fix it, but this bill and these amendments are not the solution. This bill will only make matters worse.

Mr SNOWDON (Lingiari) (16:56): The Social Security (Administration) Amendment (Income Management to Cashless Debit Card Transition) Bill 2019 is a rotten bill. We said that at the outset. These amendments confirm how rotten it is. I have said, when I've had the opportunity to: why would you do this without actually talking to people—sitting down, negotiating and giving them the opportunity to say yes, they agree, or no, they don't?

Aboriginal people in the Northern Territory have been smacked around by successive governments for 12 years, and they are sick and tired of it. When we see these amendments being put at the third reading speech summing up the legislation, all it demonstrates is the lack of any intent by this government to act in any way which might have been seen as bipartisan in trying to get our support—let alone going and talking to people prior to it.

We've had Aboriginal people in this parliament this week lobbying the crossbenchers and talking to people about the lack of consultation that's taken place over this piece of legislation. The BasicsCard was bad enough, and it's still poor. It's still dreadful. It was imposed in the same way in which this is being imposed. Why are we treating Aboriginal people in the Northern Territory as if they're not citizens? Why are we treating Aboriginal people in the Northern Territory as if they just don't matter? Why are we saying to them that the assumption behind all of this is: 'You're all on the grog or on drugs, or are gamblers, and you can't look after your kids'?

Nothing could be further from the truth. We have seen very effective alcohol measures in the Northern Territory. Alcohol consumption has come down, violence against the person as a result of alcohol aggravated assault has gone down—not because of these cards but because of deliberate decisions by the Northern Territory government to introduce a floor price on alcohol and ban certain people from accessing alcohol. That's what's happened. That's made a material difference. They've had police on bottle shops stopping people from drinking alcohol who shouldn't get access to alcohol. They are the things that have made a difference.

This will not make a difference except to scar people further. I can't understand, as I said previously in this debate, how people in this place who believe in democracy could actually sit here and say to us that they believe they should impose this sort of legislation on people in Australia today without them having an option to get out of it. This should be optional. People might want to have their income managed—they're entitled to do so—but to have a blanket approach, a universal approach, which is what is being proposed by this government, is

nonsensical, hurtful and harmful, and it means that we show absolute disrespect for the First Nations people of this land. It is about time we wake up to ourselves, and that's why I think it's very important that we oppose these amendments, just as we're opposing the legislation.

The SPEAKER: The question is that the government amendments be agreed to.

The House divided. [17:03]

(The Speaker—Hon. Tony Smith)

Ayes72
Noes66
Majority.....6

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Katter, RC
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Rishworth, AL
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP

Aly, A
Bird, SL

NOES

Bowen, CE
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Kearney, G
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 Neumann, SK
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Question agreed to.

The SPEAKER (17:09): The question now is that this bill, as amended, be agreed to.

The House divided. [17:09]

(The Speaker—Hon. Tony Smith)

Ayes72
 Noes63
 Majority.....9

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ

CHAMBER

AYES

Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Katter, RC
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
McBride, EM
Mitchell, RG
Murphy, PJ
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA

Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)

NOES

Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Shorten, WR
 Snowdon, WE
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr HOWARTH (Petrie—Assistant Minister for Community Housing, Homelessness and Community Services) (17:10): I ask leave of the House to move the third reading immediately.

Leave not granted.

Mr HOWARTH: I move:

That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay.

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

The House divided. [17:12]

(The Speaker—Hon. Tony Smith)

Ayes	72
Noes	63
Majority	9

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Katter, RC
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB

AYES

Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
McBride, EM
Mitchell, RG
Murphy, PJ
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Question agreed to.

Mr HOWARTH (Petrie—Assistant Minister for Community Housing, Homelessness and Community Services) (17:13): I move:

That this bill be now read a third time.

The SPEAKER: The question is that this bill be now read a third time.

The House divided. [17:15]

(The Speaker—Hon. Tony Smith)

Ayes72
Noes63
Majority.....9

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Katter, RC
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Aly, A
 Bird, SL
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hayes, CP
 Husic, EN
 Kearney, G
 Khalil, P
 King, MMH
 McBride, EM
 Mitchell, RG
 Murphy, PJ
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Bandt, AP
 Bowen, CE
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Haines, H
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, CF
 Leigh, AK
 Mitchell, BK
 Mulino, D
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

Question agreed to.

Bill read a third time.

**National Disability Insurance Scheme Amendment (Streamlined Governance)
 Bill 2019**

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Mr SHORTEN (Maribyrnong) (17:17): As I was saying, Labor will oppose the National Disability Insurance Scheme (Streamlined Governance) Bill 2019. We will oppose it for a number of reasons, which I will continue to go through.

To recap briefly: the University of Western Australia was commissioned to do a white paper into the disability system—in particular, the National Disability Insurance Scheme. The disability white paper by UWA found grave and serious problems with the rollout of the NDIS. It's the 64th review that the government has had into the NDIS since 2013. But perhaps

we don't need the UWA review to tell us what's going on with the NDIS and its problems. It's a matter of just listening to the people in the scheme, the people working in the scheme and the people caring for people in the scheme.

In fact, in the last 4½ or five months I've attended 21 town hall meetings and further roundtables. I've had the privilege, with Labor members, of meeting with thousands of ordinary people—people with disabilities, people caring for people with disabilities and people working in the system. We've been listening to people's experiences of the NDIS and the agency which runs it.

I think all members of parliament here know in their heart of hearts about meeting their 20th mother at the end of her tether, their 20th parent clutching their severely disabled child or their 20th mum with that thousand-yard stare where she just can't get sense out of her planner. Then, when the planner rings, perhaps they haven't read the reports of the occupational therapist or the speech pathologist. Or maybe that planner no longer works in the system; there is a new person and she has to start again. When these mums are getting the bureaucratic run-around from the agency just because they're trying to do the very best for their child, you know the system is not working.

When you hear the same stories over and over again, you know this is not the invention of a few cranks or of some petty, vengeful people—someone who wasn't happy with a particular decision. These are not people who are trying to rot the system. As a member of parliament you learn to recognise legitimate cries for help happening all over the nation, because there are genuine issues in the rollout of this important scheme that cannot and should not be ignored any longer. Mild, vanilla statements from the minister don't cut it for families trying to make ends meet and to care for someone with a profound or severe disability.

This government says that its legislation is about streamlining the governance. But it's starting at the top, and it should actually start at the bottom. It should do more, in fact, to streamline the governance by making sure there are deadlines in the system so that the participants, when they request decisions, aren't kept waiting indefinitely because of a lack of accountability. The problems impacting on the NDIS are problems which have been caused largely by the neglect of this important and vital scheme by the current federal government for these last six years.

And there's not just neglect; there's financial vandalism as well. You can't take \$4.6 billion out of a national public scheme and not expect there to be consequences, for the metaphorical wheels to fall off the system. Of course, you can be tricky, you can engage in spin. Our current Prime Minister worked in marketing, so he would know all of the dark arts. The current Liberal marketing approach is to say it's just a \$4.6 billion underspend. No, it's not; it means far more than that. It's \$4.6 billion which people who are entitled to packages of support are not able to spend because the system is dysfunctional. It's been stripped from people with disability who really need the help. Instead, it's been stuck somewhere else to buttress a Clayton's surplus. As we all know, \$4.6 billion is \$4.6 billion. Call it whatever you want, but what it really constitutes is wheelchairs not purchased, speech pathology lessons not provided, service providers not being properly paid and subsidising the system. It means hoists not installed, home modifications not made, personal care not provided and taxi fares not paid for.

I won't linger on this point of the underspend, or even the government's gross mismanagement of what should be the world's best disability scheme. I make these points because the government, with this bill, is now saying that it wants to have more power to do more of the same. They are saying: 'See that smouldering bin fire that used to be the NDIS? Let us loose to do a bit more of that good gear!' When you are not doing a shining job, your power should not be increased.

As mentioned in the previous speech, the bill seeks to lower the standard for the requirement for the appointment of board members of the NDIA. It has the effect of disempowering states and territories in relation to that process. There is a problem with this in principle and there is a problem with this in practice. Firstly, there is the issue of principle. The NDIS is a national scheme—it was the absorption and merger of state schemes and the national scheme—but it was never intended just to be a top-down scheme for a small group of people on a hill in Canberra. At its best, the NDIS is a scheme for Australians from Gundagai to Humpty Doo and from Oodnadatta to Penguin. But the more it is centralised and delocalised, and the more the states are taken away from some of the core decision-making, the more every Australian loses out.

As I've travelled around the country, I've heard from participants in the scheme that there are common issues—delays, underfunding, use of labour hire workers, an inability to have consistent decision-making. There are thin markets, which means there are just no services available and you can't spend your package. There's the issue of red tape and the ongoing issue of 'planner lotto'. As I've travelled around Australia in this portfolio I've discovered that, as distinctive as the common problems are, there are localised problems in particular jurisdictions. In Tasmania, transport is a massive issue. The state government's pulling out of funding taxi services for people with a disability. There is a complete dearth of allied health professionals in the state. In my home state of Victoria, there are emergency disability housing shortages. The NDIS was created to stop the crisis, not to contribute to the crisis.

In Western Australia, there is no senior NDIA presence. There's no factoring in of coast-to-coast time differences for Western Australians seeking help from the agency. In fact, as the Western Australian NDIS committee put it to me, the NDIS is 'a 2 pm scheme': if you don't ring by 2 pm in the west, you have to wait until the next day. This isn't good enough. In fact, one of the main thrusts of the University of Western Australia white paper I referenced earlier is that the states and territories need to be consulted more, not less; cooperated with by the Commonwealth more, not less; engaged with by the scheme more, not less; and be given a greater and more meaningful role in this Australian project. Does this independent expert analysis sound like a call for more centralisation? No, it most certainly does not. Is it a good time in the rollout of the scheme to lessen the influence of states and territories in choosing the leaders of the National Disability Insurance Agency? I suggest it is the worst of times for this.

I said there were problems in principle with taking away the power from all of the states to have to agree to choose the directors of the board of the agency. I said that, secondly, there is a problem in practice. We've seen what successive Liberal governments have done with their powers of appointment. You only need to look at the Administrative Appeals Tribunal and the way the Liberals have stacked that organisation with their mates and cronies. The current Attorney-General alone has appointed six former coalition parliamentarians and eight former

coalition staffers to the Administrative Appeals Tribunal. Clearly, the Administrative Appeals Tribunal qualification to serve is that you were once a Liberal. What sort of appointees to the NDIA should we expect from this government once it's empowered itself and diluted the roles of states and territories? If in future it only requires a majority of states and territories, then, if there are five Liberal states and territories and a Liberal Commonwealth government, what sort of people can we expect given the track record of the complete dilution and vandalism of the AAT? Would we see independent effective people of goodwill? Hopefully. Would we see people with lived experience of disability? Maybe. Or would we in fact see more mates and cronies who are happy to slash and burn this vital public service? That would be the odds-on favourite. My money is on that outcome—more jobs for more Liberal friends.

Let's look at a couple of the government's recent appointments to the NDIA. First, there was that remarkable period where the government did not bother to appoint a CEO for the NDIA. It was an epic 170-day wait where the rudderless agency of billions of dollars did not have a permanent leader. Only under sustained pressure from Labor did the minister eventually stop sitting on his hands and choose Mr Martin Hoffman to be CEO. Mr Martin Hoffman has been described in the press on multiple occasions as a friend of the minister, but he also claims to be an independent public servant. This could be true. But just a few days into his reign as CEO Mr Hoffman was forced to delete his Twitter account after it emerged he had made several unwise posts that did not seem to be very independent. And just eight days into his new job Mr Hoffman was gifted by Mr Robert an annual bonus of \$166,260 on top of his pay packet of \$554,220. What was the \$160,000 KPI that he met by day 8 of his appointment, other than his being there for eight days?

We should also consider the chair of the NDIA, Helen Nugent. Dr Nugent, who has suffered accusations of corporate conflicts of interest, is paid a six-figure salary. She is embroiled in a controversy involving a deceased participant of the National Disability Insurance Scheme. Mr Tim Rubenach died in pain still waiting for the NDIA to send him a specialised bed and wheelchair that he had been promised a year earlier. He waited one year. The conflicted NDIA chair, Helen Nugent, has so far refused to tell Mr Rubenach's loved ones or the Australian public why she had private information about his case sent to her Macquarie Bank email and what the nature of that information was. Dr Nugent and NDIS minister Stuart Robert are pretending there is no issue with her corporate conflict. But these are the facts: Dr Nugent is a former Macquarie director; Macquarie, appropriately, wants to get profitable work from NDIS work; and Dr Nugent holds NDIA meetings at an office she retains with Macquarie and maintains a Macquarie email.

Under sustained questioning by Labor in Senate estimates, the Secretary of the Department of Social Services, Kathryn Campbell, revealed that a review commissioned by the department found that using the private email 'was not best practice and that it introduced privacy risk'. Further, because of Dr Nugent's actions, NDIS staff will now have to chase down emails containing NDIA information on private servers, like Macquarie's, will have to take them from those servers, will have to return the information to the NDIA and will have to delete them from those servers. What a lot of costly cleaning up the organisation will have to do because of the actions of the chair. To be fair, and I think it can't be put any other way, the chairwoman of the NDIA is meant to be leading the NDIA, not using it as her mop-up squad.

The department has admitted that resources that should be used to help people with disability are now being expended in spoonfeeding the chair, buying her special computer equipment, organising a portal and teaching her how to access her NDIA email. At best, this is amateur hour at the highest levels of the NDIA. Doesn't it seem like these are scenarios where more involvement from the states and territories might have yielded a better result?

People with disability deserve focused, independent leadership from this vital agency. They need proper state and territory influence on its operations. The danger of diluting the truly national character of this scheme is not just some parliamentary debating point. The quality of agency leadership flows through to the quality of services to Australians with disability. People with disability and their carers are the people who should matter in this decision-making. Too often that is lost sight of. Rather than call for streamlined governance of the appointment of the board, perhaps the Commonwealth could instead consider introducing legislation that would provide that, after a mandated period of time, decisions under the scheme would be deemed to have been approved, including, but not limited to, decisions concerned with planning, plan reviews and amendments and appeals of planning decisions. There should be time-limited decision-making on the provision of services under the scheme, including, but not limited to, assistive technology, home modifications, car modifications and care. There should be a set period of time after which invoices that are owed to service providers are settled by the Commonwealth.

I'm gravely concerned that everything is topsy-turvy in this legislation. The priority is to make the system accountable to individuals. The system was created to look after people. Why should a family have to get together the costs of a report or several reports, go through the history of the participant, provide it to a planner and then there be no deadline on the planner to make a decision? Why should it be that the draft plan, before it is finally approved, can't be provided to the participants and their families and those interested in sufficient time for the family to be consulted before the plan decision is made? Why should it be the case that when you seek a modest amendment to a plan—to vary a modification, to vary therapy, to vary hours of care to feed someone who is profoundly disabled—there can't be a deadline after which it is deemed to have been accepted, rather than all of the pressure of the system going back onto the individual and there being no accountability on the organisation? This is why we oppose the bill, because streamlined governance should start with the people in the system. There are better ways to revitalise the NDIS than to centralise Commonwealth control of its leadership. That is why we oppose the bill today.

(Quorum formed) I move:

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

"the House:

- (1) declines to give the bill a second reading; and
- (2) calls on the Government to introduce legislation to provide that, after a mandated period of time, decisions under the scheme are deemed to be approved, including but not limited to decisions concerned with:
 - (a) planning, plan reviews, amendments, and appeals of planning decisions;
 - (b) provision of services under the scheme including assistive technology, home modifications, and care; and
 - (c) settlement of invoices owed to service providers."

The DEPUTY SPEAKER (Mr Rob Mitchell): Is the amendment seconded?

Ms Collins: I second the amendment and reserve my right to speak.

The DEPUTY SPEAKER: The original question was that this bill be now read a second time. To this the honourable member for Maribyrnong has moved an amendment that all words after 'That' be omitted with a view to substituting other words. The question now is that the amendment be agreed to.

Ms SHARKIE (Mayo) (17:35): The National Disability Insurance Scheme, or NDIS, is one of the most significant social policy schemes introduced into Australia, and Centre Alliance remains committed to supporting this scheme and its aims to improve the lives of people with a disability. However, there are always teething issues with major policy initiatives, and it would be fair to say that the current mechanisms for governing the administration of the National Disability Insurance Agency are causing unreasonable delays. For example, we have one nomination to the NDIA board that took more than 18 months of negotiations because state and territories could not reach a unanimous decision, and this is not good governance.

The National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019 seeks to simplify appointments to the two boards that advise the NDIA by changing the requirements around consultation and agreement with the states and territories. These changes are designed to improve efficient running of the NDIA, and it should be noted the states and territories have already agreed to each of these measures and some are already in operation, albeit informally. It should also be noted the NDIS minister still has, and always had, the power to appoint members to one of the boards, and state and territory governments must still be consulted about appointments to the other board. Broad consultation on internal administration remains in place.

There are many real issues that concern me about the treatment of NDIS participants, including the failure to provide draft plans and the inconsistent experience of participants because some planners do not have the appropriate skills and training. I have raised these issues in the past and I will continue to advocate on these important issues. Earlier this year, I called on the then Minister for the National Disability Insurance Scheme to intervene and allow clients of the NDIS to review their draft plans before they're submitted for final assessment. Too often errors and misunderstandings in the draft planning stage have led to woefully inadequate plans, months of delay and exclusion from services for people with disabilities. I was deeply concerned when the then minister told me that, to remedy these issues, people could just ask for an internal review if they had a problem. NDIS participants and their families are telling me that these reviews are taking weeks and often months to resolve. Withholding draft plans from participants has disempowered and frustrated a number of families, leaving them feeling betrayed and misled by a scheme that was designed to empower them to thrive in their community. However, I'm pleased to see that the government is making progress in this area, with the minister announcing a plan to ensure quality decision-making within the NDIS—specifically, the rollout of joint planning meetings and the provision of draft plan summaries from April next year.

In the meantime, the streamlined governance bill will enhance good governance in administrative bodies and prevent the farcical delays that have previously plagued the NDIA executive. The Productivity Commission gave evidence during a Senate inquiry into the

legislation and found that the changes were administrative in nature and need not wait until the conclusion of the Tune review. The Tune review is an investigation being conducted by Mr David Tune, an independent expert in public administration. The review concerns the standards of the experience of NDIS participants with a view to preparing a participant service guarantee and is not concerned with the internal administrative arrangements of boards. I share the view that this legislation does not need to wait for Mr Tune to deliver his findings at the end of the year.

Finally, I want to draw attention to the challenges faced by older Australians who, purely because they have acquired their disability after the age of 65, are not able to access the NDIS—for example, individuals like the approximately 2,000 people in Australia living with motor neurone disease, who will gradually lose the ability to speak, swallow and breathe. While I'm a strong supporter of the NDIS, it is disappointing that the same level of individualised support will not be made available to a significant proportion of the population who acquire a disability that is not part of the ageing process. By way of example, the level 4 home care package provides an individual with a means test subsidy amount limited to approximately \$50,000 per annum. The NDIS, on the other hand, is not means tested and is not limited to a prescribed maximum funding amount. This inequity prompted Mrs Bobbie English to begin a petition calling for an end to the discrimination against people over the age of 65. I congratulate Mrs English on her advocacy and the thousands of people who have already signed the petition. As we approach the International Day of People with Disability, I call on the government to explain how they intend to address the funding imbalance, given that the care and needs of older Australians are only likely to increase alongside our ageing population.

I think we are doing a lot of good for a lot of people. However, like so many public policy areas that we have, it is somewhat of a lottery and some people are missing out. I urge the government in particular to consider the needs of people that acquire a disability post the age of 65 and who are unable to access the NDIS. We are a country with a big enough heart and enough funding to make sure that they too can be included.

Ms PRICE (Durack—Minister for Defence Industry) (17:43): The National Disability Insurance Scheme Amendment (Streamlined Governance) Bill 2019 establishes streamlined governance arrangements that will simplify rule-making and decision-making under the National Disability Insurance Scheme Act. The changes also support the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability by ensuring it has clear authority to obtain information from the NDIA and the NDIS commission. I would like to thank members for their contribution to this debate. I commend this bill to the House.

The SPEAKER: The original question was that this bill be now read a second time. To this the honourable member for Maribyrnong has moved an amendment that all words after 'that' be omitted with a view to substituting other words. The immediate question before the House is that the amendment moved by the honourable member for Maribyrnong be agreed to.

The House divided. [17:48]

(The Speaker—Hon. Tony Smith)

Ayes	63
Noes	73

Majority.....10

AYES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

NOES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Haines, H
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A

CHAMBER

NOES

Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharkie, RCC
 Simmonds, J
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

Leeser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Sharma, DN
 Steggall, Z
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP
 Young, T

Question negatived.

The SPEAKER (17:51): The question now is that this bill now be read a second time.

The House divided. [17:53]

(The Speaker—Hon. Tony Smith)

Ayes73
 Noes63
 Majority.....10

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Haines, H
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leeser, J
 Littleproud, D
 Marino, NB
 McCormack, MF

AYES

McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharkie, RCC
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Smith, DPB
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freelander, MR
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Shorten, WR
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Question agreed to.

Bill read a second time

Third Reading

Mr ROBERT (Fadden—Minister for the National Disability Insurance Scheme and Minister for Government Services) (17:56): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

MOTIONS

Prime Minister

Mr ALBANESE (Grayndler—Leader of the Opposition) (17:57): I seek leave to move the following motion:

That the House:

(1) notes that;

(a) today in Question Time, the Prime Minister told the House that in March 2013, a then detective in Victoria Police's fraud squad, Ross Mitchell, made a statement about former Prime Minister Julia Gillard;

(b) that statement was made word for word by radio host Ben Fordham—a fact which is clear from *The Australian* newspaper article by Hedley Thomas dated 27 April 2013 which reports that statement; and

(c) in attempting to defend a Minister who has deliberately misled the Parliament, the Prime Minister today has misled the Parliament; and

(2) therefore, the House calls on the Prime Minister to do what is required by the House and his own Ministerial Standards and attend the Chamber to correct his misleading statement at 9.30 am tomorrow.

This scandal just keeps getting deeper. This was a prepared statement by the Prime Minister today where he put the words of Ben Fordham into the mouth of a Victorian police officer. The fact is that this just continues—

The SPEAKER: I will just clarify: did the Leader of the Opposition seek leave?

Mr ALBANESE: I did and I'm getting a good run here! If they're not paying attention, that's their fault.

The SPEAKER: Is leave granted?

Mr Porter: Leave is not granted.

Mr ALBANESE: I suspect I got out more than I will get out now. I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from moving the following motion immediately:

That the House:

(1) notes that;

(a) today in Question Time, the Prime Minister told the House that in March 2013, a then detective in Victoria Police's fraud squad, Ross Mitchell, made a statement about former Prime Minister Julia Gillard;

(b) that statement was made word for word by radio host Ben Fordham—a fact which is clear from *The Australian* newspaper article by Hedley Thomas dated 27 April 2013 which reports that statement; and

(c) in attempting to defend a Minister who has deliberately misled the Parliament, the Prime Minister today has misled the Parliament; and

(2) therefore, the House calls on the Prime Minister to do what is required by the House and his own Ministerial Standards and attend the Chamber to correct his misleading statement at 9.30 am tomorrow. The fact is that this government, in trying to protect this minister, is bringing down the Prime Minister.

The SPEAKER: The Leader of the Opposition will resume his seat.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (18:00): I move:

That the Member no longer be heard.

The SPEAKER: The question is that the Leader of the Opposition be no further heard.

The House divided. [18:05]

(The Speaker—Hon. Tony Smith)

Ayes	70
Noes	66
Majority.....	4

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Simmonds, J
 Sukkar, MS

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharma, DN
 Stevens, J
 Taylor, AJ

AYES

Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Question agreed to.

The SPEAKER (18:07): Is the motion seconded?

Mr BUTLER (Hindmarsh) (18:07): I second it. Misleading the parliament has become an infectious disease on that side of the House—

The SPEAKER: The member for Hindmarsh will resume his seat. The Leader of the House.

Mr Porter: I move:

That the Member be no longer heard.

The SPEAKER: The question is that the member for Hindmarsh be no further heard.

The House divided. [18:09]

(The Speaker—Hon. Tony Smith)

Ayes70
Noes66
Majority.....4

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD

NOES

Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Collins, JM
Dick, MD
Elliot, MJ
Frelander, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Question agreed to.

The SPEAKER (18:10): The question now is that the motion moved by the Leader of the Opposition be agreed to. The member for Isaacs.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (18:10): This—

The SPEAKER: The member for Isaacs will resume his seat. The Leader of the House.

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (18:10): I move:

That the question be now put.

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

The House divided. [18:11]

(The Speaker—Hon. Tony Smith)

Ayes70
Noes66
Majority.....4

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE

Allen, K
Andrews, KL
Bell, AM
Buchholz, S

AYES

Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK

NOES

Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

Question agreed to.

The SPEAKER (18:13): The question now is that the motion moved by the Leader of the Opposition to suspend standing orders be agreed to.

The House divided. [18:13]

(The Speaker—Hon. Tony Smith)

Ayes66
Noes70
Majority.....4

AYES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)

AYES

Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Wilson, JH

Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD
Zappia, A

NOES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

Question negatived.

DOCUMENTS**Prime Minister****Presentation**

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (18:18): I am going to table a document, which is a letter from the Prime Minister to you, Mr Speaker, a copy of which I've also provided to you.

The letter does correct the record regarding the attribution of a statement, being a statement setting out the fact of an investigation with respect to former Prime Minister Julia Gillard was in existence at the relevant time. I would note that that does not change the fact which remains, that there was such an investigation with respect to former Prime Minister Julia Gillard in existence, but I will simply table that document.

Mr Bowen: You could have just said this in the debate!

The SPEAKER: The document is tabled. The member for McMahon is complicating the situation and preventing the Leader of the Opposition from seeking the call.

Mr ALBANESE (Grayndler—Leader of the Opposition) (18:19): Thank you, Mr Speaker, on indulgence, given the statement and given that we weren't given the courtesy of—

The SPEAKER: I will just ask the Leader of the Opposition to resume his seat. Obviously, this places the chair in a difficult position. The minister, as I know the Leader of the Opposition will appreciate, is perfectly entitled to table any document. The minister is perfectly entitled to table any document, and to do so without leave, which he's done. That document, which you'll see, I haven't read yet; it's just before me now. As a courtesy he writes to me with respect to question time today, so that document's now been tabled. As I said yesterday, as much as it pains me, I can't allow a precedent for indulgences to be followed. Perhaps the best course—

Mr Albanese interjecting—

The SPEAKER: Yes, I know you are. Obviously, it's open to the Leader of the Opposition to take other action, as indeed he did yesterday. What I suggest now is that the letter's been tabled, the Leader of the Opposition has a copy of it and I can't grant him indulgence to continue the debate of question time, no matter what the circumstances. What I'd really need to do is probably just move to the next item. The Leader of the Opposition.

Mr ALBANESE: I was trying to save the parliament some time.

The SPEAKER: I understand that.

Mr ALBANESE: If need be, I will move that so much of standing orders be suspended as would prevent the Leader of the Opposition to respond to the actions of the Leader of the House in tabling the letter from the Prime Minister.

The SPEAKER: Are you asking leave or are you moving?

Mr ALBANESE: No, I'm moving:

That so much of the standing orders be suspended as would allow the Leader of the Opposition to speak in response to the the Leader of the House tabling a letter from the Prime Minister concerning his misleading the Parliament.

What we saw today is a misleading—

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (18:21): I move:

That the Member be no longer heard.

The SPEAKER: The question is that the member be no longer heard.

The House divided. [18:26]

(The Speaker—Hon. Tony Smith)

Ayes70
Noes65
Majority.....5

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE

Aly, A
Bird, SL
Burney, LJ

NOES

Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Zappia, A

Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilson, JH

Question agreed to.

The SPEAKER (18:29): Is the motion seconded?

Mr BUTLER (Hindmarsh) (18:29): Sending a letter is no substitute for coming in and having the courage to correct the record!

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (18:29): I move:

That the Member no longer be heard.

The SPEAKER: The question is that the member for Hindmarsh be no further heard.

The House divided. [18:30]

(The Speaker—Hon. Tony Smith)

Ayes70
Noes65
Majority.....5

AYES

Alexander, JG
Andrews, KJ

Allen, K
Andrews, KL

AYES

Archer, BK
Broadbent, RE
Chester, D
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Bell, AM
Buchholz, S
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gee, AR
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH

NOES

Leigh, AK
 McBride, EM
 Mitchell, RG
 Neumann, SK
 Owens, JA
 Perrett, GD
 Plibersek, TJ
 Rowland, MA
 Sharkie, RCC
 Smith, DPB
 Stanley, AM (teller)
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Zappia, A

Marles, RD
 Mitchell, BK
 Mulino, D
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Rishworth, AL
 Ryan, JC (teller)
 Shorten, WR
 Snowdon, WE
 Steggall, Z
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilson, JH

Question agreed to.

The SPEAKER (18:32): The question is that the motion moved by the Leader of the Opposition be agreed to. The member for McMahon?

Mr BOWEN (McMahon) (18:32): You can't ring the Victorian Police Commissioner as well as—

The SPEAKER: The Leader of the House?

Mr PORTER (Pearce—Attorney-General, Minister for Industrial Relations and Leader of the House) (18:32): I move:

That the question be now put.

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

The House divided. [18:33]

(The Speaker—Hon. Tony Smith)

Ayes70
 Noes65
 Majority.....5

AYES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hastie, AW

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Hammond, CM
 Hawke, AG

AYES

Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Simmonds, J
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Howarth, LR
Irons, SJ
Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharma, DN
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freeland, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z

NOES

Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Zappia, A

Templeman, SR
Thwaites, KL
Watts, TG
Wilson, JH

Question agreed to.

The SPEAKER (18:35): The question now is that the motion moved by the Leader of the Opposition be agreed to.

The House divided. [18:36]

(The Speaker—Hon. Tony Smith)

Ayes65
Noes70
Majority.....5

AYES

Albanese, AN
Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Dreyfus, MA
Fitzgibbon, JA
Georganas, S
Gorman, P
Haines, H
Hill, JC
Jones, SP
Keogh, MJ
King, CF
Leigh, AK
McBride, EM
Mitchell, RG
Neumann, SK
Owens, JA
Perrett, GD
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Smith, DPB
Stanley, AM (teller)
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Zappia, A

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dick, MD
Elliot, MJ
Freelander, MR
Giles, AJ
Gosling, LJ
Hayes, CP
Husic, EN
Kearney, G
Khalil, P
King, MMH
Marles, RD
Mitchell, BK
Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Snowdon, WE
Steggall, Z
Templeman, SR
Thwaites, KL
Watts, TG
Wilson, JH

NOES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT
 Laming, A
 Leaser, J
 Littleproud, D
 Marino, NB
 McCormack, MF
 McVeigh, JJ
 O'Brien, LS
 Pasin, A
 Pitt, KJ
 Price, ML
 Robert, SR
 Simmonds, J
 Sukkar, MS
 Tehan, DT
 Tudge, AE
 Wallace, AB
 Wilson, RJ
 Wood, JP
 Young, T

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ
 Kelly, C
 Landry, ML
 Ley, SP
 Liu, G
 Martin, FB
 McIntosh, MI
 Morton, B
 O'Brien, T
 Pearce, GB
 Porter, CC
 Ramsey, RE (teller)
 Sharma, DN
 Stevens, J
 Taylor, AJ
 Thompson, P
 van Manen, AJ
 Wicks, LE
 Wilson, TR
 Wyatt, KG
 Zimmerman, T

Question negatived.

The SPEAKER (18:40): I will make a very brief statement for the clarity of members with respect to what's happening with the tabling of the document. What the Leader of the House has done is table a letter to me from the Prime Minister. He provided it to me, as I said, just prior to tabling. Obviously, in terms of adding to an answer, it can be done after question time or between items of business. It can indeed be done by writing to the Clerk, as *Practice* points out on page 566, in which case it would be treated as a question on notice. I'm just assuring the House: obviously, if I'd received the letter earlier, I would have taken steps to ensure it was tabled, but the Leader of the House has tabled it. I just wanted to make sure that there wasn't any confusion on that matter.

Mr ALBANESE (Grayndler—Leader of the Opposition) (18:41): I have a question to you arising from that. *House of Representatives Practice* would ensure that the normal practice would be that, if there has been a misleading of the parliament, the person who has done the

misleading would correct the record. The Prime Minister has absolutely legitimate reasons for not being here, which is why my motion asked him to correct the record at 9.30 am tomorrow morning. Is it permissible for the tabling of a correction of a misleading of parliament to be done by another minister other than the person who has misled the parliament—in this case, the Prime Minister, in a very clear, extensive misleading. The letter is all—

The SPEAKER (18:42): No, we're not going to debate the matter. I will give the Leader of the Opposition the benefit of my opinion, because I've been thinking about it through the course of the divisions. Without trying to be difficult, let me go back. There are two things here. A minister or Prime Minister can correct an answer during question time—

Mr Albanese interjecting—

The SPEAKER: Given we have an audience, I might as well go through it once! I know the bits you know, but I think it's important that other members understand too. A minister or a Prime Minister can correct an answer during question time at the end of question time or between items of business throughout the course of the day. Alternatively—and the *Practice* does make this clear, and it does use that word—additional or corrected information may be given in writing to the Clerk, in which case it's treated as a question on notice. What that would mean, and I know the Clerk's listening, is that, had that course occurred, and I'm just making this factual point, that would have occurred sometime later—I think on tomorrow's *Notice Paper*. Can a minister, indeed the Leader of the House or a duty minister, table any document without leave? They can. There is a letter that has come to me that the Leader of the House has decided to table, so that's perfectly in order. When it comes to accusations of deliberately misleading the House, that can only be done by substantive motion. The correction is there as a tabled document.

The only other ways it could have been done, obviously, are in person—and you're telling me for the first time that the Prime Minister has engagements preventing him being here. I don't have his diary, but you've said that that's why your motion stipulated 9.30. The only alternative would have been to have written to the Clerk. That's been done many times before—that's in *Practice*—and it still would have ended up within this House, albeit at a later time, I have to say. I am just assuming that the letter to me and its being tabled was to provide it as soon as possible. That's what I'm assuming. The Leader of the Opposition is right—normally, members don't write to me—but the document has been tabled. The only point I wanted to make was that I didn't want members to think I'd had a letter and not acted upon. It was literally, as the Leader of the House knows, handed to me about 30 seconds before he tabled it. That's fine, as long as the House has it. My interests are in making sure the House has the information before it.

Mr ALBANESE (Grayndler—Leader of the Opposition) (18:45): I accept fully that you have behaved flawlessly in terms of the actions which you took. The question here is that this isn't just a correcting of the record; this is a mislead that occurred—an accusation made that something was said against a former Prime Minister. It's very serious, and—

The SPEAKER (18:46): The Leader of the Opposition will resume his seat. I've granted indulgence on this. Normally, I have to say, I wouldn't be taking questions on the matter, but I'm doing it because I've made a statement. In fact, the standing orders make clear that I can be asked questions of administration, not with rulings. I don't want to end it in a blunt fashion, but I'm just allowing this course as I have up till now. My answer to the Leader of the

Opposition is that I'm not going to get into debates. He's making assertions and he's got plenty of opportunities to prosecute those through various means while the House is sitting. That's all I can say.

Mr ALBANESE (Grayndler—Leader of the Opposition) (18:46): Just briefly and finally, the opposition would expect the Prime Minister himself to correct the record at 9.30 tomorrow morning as a courtesy to the House, given that there's a concession in that letter that the House has indeed been misled.

BILLS

Health Legislation Amendment (Data-matching and Other Matters) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Mr BOWEN (McMahon) (18:47): The Labor Party will be supporting this bill, the Health Legislation Amendment (Data-matching and Other Matters) Bill 2019. This legislation updates the National Health Act 1953 and the Health Insurance Act 1973 and related legislation to improve Medicare compliance by allowing data-matching between agencies.

I will say that we looked at this legislation carefully and closely. We examined it to ensure that it is as presented, and we are satisfied that it is worthy of support and passage through the parliament. It will allow data to be matched between Medicare, the Pharmaceutical Benefits Scheme, the Australian Health Practitioner Regulation Agency, the Therapeutic Goods Administration, the Department of Veterans' Affairs and the Department of Home Affairs. To be frank, this is about cracking down on fraud. There's a very small amount of fraud. It might amount to significant amounts, but it's a small number of people who conduct it within Medicare. Government agencies should have the ability to compare data to deal with that, because the perpetrators of that fraud deserve no support, no truck from this House. Of course, these things are always a matter of balance. There are balances to be struck. I will be looking closely at the instrument that the minister eventually tables.

This legislation will not allow the government or any agency to share information with private health insurers, which is something we were concerned about. It is a one-way flow of information to better equip government agencies on compliance issues. Taken together, the bill will help identify and take action against a very small number of health providers that make inappropriate and improper Medicare claims. Whilst such providers are small in number, it is important that we identify and address them. They're doing no favours to anybody but themselves.

While this bill expands the range of data that will be available for compliance activities it doesn't change the compliance activities themselves, which are governed by separate frameworks. In particular, I welcome the minister's assurance that the compliance activities will not be automated. We were alert to that risk. We wanted to ensure it would be done by human beings so that other mistakes made in other portfolios would not be repeated in this portfolio, and the minister has provided that assurance.

There is some small risk that data matching presents to the privacy and security of patients' and doctors' information, and it's vital that that be managed. The bill requires the minister to

make a legislative instrument to govern the new data-matching program. It is also the case that there are some instances of grey areas where doctors have maybe thought they were doing the right thing, and did not have the intention to defraud, so we will look at the legislative instrument. If we have any concerns about the legislative instrument, I will raise them directly with the minister in good faith and see if we can sort them through. Of course, we do ultimately have other options available to us, but we will do that cooperatively with the minister and see if we can work through any issues. I doubt there will be any issues that I choose to raise on the legislative instrument, but I just flag for the record that we will reserve that right. I do undertake to talk to the minister if we have any concerns before moving down any other options we have available to us in the parliament. I also welcome the fact, and find it reassuring, that the Office of the Australian Information Commissioner will have some oversight of the new scheme. This bill will address one risk to Medicare—that is, inappropriate claiming by a small number of providers.

Our support for this bill is not to be taken in any sense as us being happy with the government in all instances. We are very concerned about cuts in other places, and I will be moving a second reading amendment which reflects that. I don't expect the government to support the second reading amendment, but it will give honourable members the chance to express views about those matters for which we have long been on the record, in terms of the government's longstanding record on health more generally and health cuts. We will be pursuing that through the House.

I move:

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

"whilst not declining to give the bill a second reading, the House notes that the real risk to Medicare is the Government's cuts and neglect".

However, I am happy to provide the Labor Party's support for the substantive bill.

The DEPUTY SPEAKER (Mrs Wicks): Is the amendment seconded?

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

The DEPUTY SPEAKER: The original question was that this bill be now read a second time. To this the honourable member for McMahon has moved as an amendment that all words after 'That' be omitted with a view to substituting other words. The question now is that the amendment be agreed to.

Mr HUNT (Flinders—Minister for Health and Minister Assisting the Prime Minister for the Public Service and Cabinet) (18:52): In relation to the amendment, the government will not be accepting that. In relation to the bill, we thank the opposition for their support for the general bill and the compliance measures.

In particular, this bill is about cracking down on that very small proportion of practitioners, or practices or other people who may seek to defraud the Medicare system. I note that we have a wonderful medical community. We have an honest medical community. But, as in all parts of life, there are a very small number of people who seek to do the wrong thing. I thank the opposition for their support for this bill, and I actually agree with the shadow minister that we are dealing with the possibility of a small number who may do the wrong thing. I hope that this bill is actually never required, but, where necessary, it will be there in the same way that an X-ray machine at an airport is there: to deter and, if necessary, to detect.

In general, the Health Legislation Amendment (Data-matching and Other Matters) Bill 2019 amends the National Health Act 1953, the Health Insurance Act 1973, the Privacy Act 1988, the Private Health Insurance Act 2007, the Therapeutic Goods Act 1989 and the Military Rehabilitation and Compensation Act 2004 to support the integrity of Medicare through data matching for compliance purposes, while employing strong privacy and data protection provisions. While the overwhelming majority of healthcare providers claim the Medicare Benefits Schedule, or the MBS, the Pharmaceutical Benefits Scheme, or the PBS, and child dental benefits appropriately, it is unfortunate that a very small proportion do not. It is in that situation entirely reasonable for Australians to expect the government has appropriate systems in place to detect instances of Medicare noncompliance and treatment pathways proportionate to the type of noncompliance detected. This will ensure that every taxpayer dollar of our precious healthcare spend is directed to clinically necessary services for Australians. If just one-half of a per cent of Medicare payments are fraudulently, incorrectly or inappropriately billed, approximately \$180 million of healthcare benefits are lost every year that could be better directed to essential healthcare services in Australia such as new PBS medicine listings. This bill enables a scheme of data-matching for related purposes to therefore improve our ability to detect fraud, instances of incorrect claiming and inappropriate practices that are not easily or efficiently detected through current data analytics activities and other intelligence sources.

To ensure strong privacy and data protections, the Minister for Health and the chief executive of Medicare are required to put in place governance arrangements for the handling of information for data matching. This includes putting in place legislative provisions to ensure that the use, storage, access and handling of data protects privacy. It is a matter of fundamental importance and a deep and abiding commitment of the government. Data matching will therefore be overseen by the Australian Information Commissioner to ensure appropriate regulatory oversight and that personal information is maintained and handled in accordance with the provisions of the Privacy Act 1988.

This bill facilitates the important public policy objective of protecting the integrity of taxpayer funded healthcare programs. It achieves this while maintaining strong and appropriate protections for data privacy and security. I thank the opposition for their constructive engagement and give my commitment that, prior to tabling the legislative instrument, we will consult with not just the opposition but also the AMA and the College of General Practitioners. I thank the opposition, the RACGP and the Australian Medical Association for their engagement, and other parts of the health and medical community. I thank also my department and, in particular, I thank my senior adviser, Kylie Wright, who is in the chamber at this moment. Kylie has put many hours into the development and consultation process surrounding this bill. I thank all members for their contribution to the debate on this bill and I commend it to the House in its unamended form.

The SPEAKER: The original question was this bill be now read a second time. To this the honourable member for McMahon has moved as an amendment that all words after 'That' be omitted with a view to substituting other words. The immediate question is that the amendment be agreed to.

The House divided. [19:01]

(The Speaker—Hon. Tony Smith)

Ayes61
 Noes 73
 Majority.....12

AYES

Albanese, AN
 Bandt, AP
 Bowen, CE
 Burns, J
 Butler, TM
 Chalmers, JE
 Coker, EA
 Conroy, PM
 Dreyfus, MA
 Fitzgibbon, JA
 Georganas, S
 Gorman, P
 Hayes, CP
 Husic, EN
 Kearney, G
 Khalil, P
 King, MMH
 Marles, RD
 Mitchell, BK
 Mulino, D
 O'Neil, CE
 Payne, AE
 Phillips, FE
 Ryan, JC (teller)
 Smith, DPB
 Stanley, AM (teller)
 Templeman, SR
 Thwaites, KL
 Watts, TG
 Wilkie, AD
 Zappia, A

Aly, A
 Bird, SL
 Burney, LJ
 Butler, MC
 Byrne, AM
 Clare, JD
 Collins, JM
 Dick, MD
 Elliot, MJ
 Freeland, MR
 Giles, AJ
 Gosling, LJ
 Hill, JC
 Jones, SP
 Keogh, MJ
 King, CF
 Leigh, AK
 McBride, EM
 Mitchell, RG
 Neumann, SK
 Owens, JA
 Perrett, GD
 Rishworth, AL
 Shorten, WR
 Snowdon, WE
 Swanson, MJ
 Thistlethwaite, MJ
 Vamvakinou, M
 Wells, AS
 Wilson, JH

NOES

Alexander, JG
 Andrews, KJ
 Archer, BK
 Broadbent, RE
 Chester, D
 Conaghan, PJ
 Coulton, M
 Dutton, PC
 Evans, TM
 Fletcher, PW
 Frydenberg, JA
 Gillespie, DA
 Hammond, CM
 Hawke, AG
 Howarth, LR
 Irons, SJ

Allen, K
 Andrews, KL
 Bell, AM
 Buchholz, S
 Christensen, GR
 Connelly, V
 Drum, DK (teller)
 Entsch, WG
 Falinski, JG
 Flint, NJ
 Gee, AR
 Haines, H
 Hastie, AW
 Hogan, KJ
 Hunt, GA
 Joyce, BT

NOES

Kelly, C
Landry, ML
Ley, SP
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharkie, RCC
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

Laming, A
Leeser, J
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pasin, A
Pitt, KJ
Price, ML
Robert, SR
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Question negated.

The SPEAKER (19:06): The question is that this bill be now read a second time.

A division having been called and the bells having been rung—

The SPEAKER: As there are fewer than five members on the side for the noes in this division, I declare the question resolved in the affirmative. In accordance with standing order 127, the names of those members who are in the minority will be recorded in the *Votes and Proceedings*.

Question agreed to, Mr Bandt and Mr Wilkie voting no.

Third Reading

The SPEAKER (19:06): Is leave granted for the third reading to be moved immediately?

Leave not granted.

Mr HUNT (Flinders—Minister for Health and Minister Assisting the Prime Minister for the Public Service and Cabinet) (19:06): I move:

That so much of the standing orders be suspended as would prevent the motion for the third reading being moved without delay.

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

The House divided. [19:08]

(The Speaker—Hon. Tony Smith)

Ayes	68
Noes	53
Majority.....	15

AYES

Alexander, JG
Andrews, KJ
Archer, BK
Broadbent, RE
Christensen, GR
Connelly, V
Drum, DK (teller)
Entsch, WG
Falinski, JG
Flint, NJ
Gillespie, DA
Hammond, CM
Hawke, AG
Howarth, LR
Irons, SJ
Kelly, C
Leeser, J
Liu, G
Martin, FB
McIntosh, MI
Morton, B
O'Brien, T
Pitt, KJ
Price, ML
Robert, SR
Sharma, DN
Steggall, Z
Sukkar, MS
Tehan, DT
Tudge, AE
Wallace, AB
Wilson, RJ
Wood, JP
Young, T

Allen, K
Andrews, KL
Bell, AM
Buchholz, S
Conaghan, PJ
Coulton, M
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Haines, H
Hastie, AW
Hogan, KJ
Hunt, GA
Joyce, BT
Landry, ML
Littleproud, D
Marino, NB
McCormack, MF
McVeigh, JJ
O'Brien, LS
Pearce, GB
Porter, CC
Ramsey, RE (teller)
Sharkie, RCC
Simmonds, J
Stevens, J
Taylor, AJ
Thompson, P
van Manen, AJ
Wicks, LE
Wilson, TR
Wyatt, KG
Zimmerman, T

NOES

Aly, A
Bird, SL
Burney, LJ
Butler, MC
Byrne, AM
Clare, JD
Collins, JM
Dreyfus, MA
Frelander, MR
Giles, AJ
Gosling, LJ
Hill, JC
Jones, SP
King, CF
Marles, RD
Mitchell, BK

Bandt, AP
Bowen, CE
Burns, J
Butler, TM
Chalmers, JE
Coker, EA
Conroy, PM
Elliot, MJ
Georganas, S
Gorman, P
Hayes, CP
Husic, EN
Khalil, P
King, MMH
McBride, EM
Mitchell, RG

NOES

Mulino, D
O'Neil, CE
Payne, AE
Phillips, FE
Ryan, JC (teller)
Snowdon, WE
Swanson, MJ
Thistlethwaite, MJ
Vamvakinou, M
Wells, AS
Zappia, A

Neumann, SK
Owens, JA
Perrett, GD
Rishworth, AL
Shorten, WR
Stanley, AM (teller)
Templeman, SR
Thwaites, KL
Watts, TG
Wilkie, AD

Question agreed to.

Mr HUNT (Flinders—Minister for Health and Minister Assisting the Prime Minister for the Public Service and Cabinet) (19:12): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Mr STEPHEN JONES (Whitlam) (19:13): I rise to speak in favour of the amendment standing in my name, which is:

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

"the House:

(1) declines to give the bill a second reading;

(2) notes that the Government is not doing enough to combat the blatant theft of worker's entitlements by dodgy bosses;

(3) calls on the Government to help Australians' unions protect Australian workers from superannuation theft; and

(4) further calls on the Government to end policy uncertainty on superannuation and ensure Australians can enjoy a comfortable retirement by committing to the legislated increases to the superannuation guarantee".

The Treasury Laws Amendment (Recovering Unpaid Superannuation) Bill 2019 contains a single schedule that would provide for a one-off, 12-month superannuation guarantee amnesty for employers who have not paid their required superannuation guarantee contributions—not for the last year, not for the last two years, not even for the last five years or even the last decade; in fact, not for the last two decades—for the last 26 years. You heard that right. The bill contains a schedule which will provide an amnesty for employers who have not paid superannuation for the last 26 years.

The measure was previously introduced in the 45th Parliament as part of an omnibus bill. At that stage Labor did not support the bill. We scrutinised it, we consulted with the experts, we consulted with the stakeholders and we formed the view that to support the legislation was not in the public interest.

Unpaid superannuation—

Mr Howarth interjecting—

Mr STEPHEN JONES: I will get to you!

Mr Howarth interjecting—

Mr STEPHEN JONES: You will feature in this show. To the matter before the House: unpaid superannuation is actually a massive problem. On that matter, we agree with the more enlightened members on that side of the House that it is a massive problem. Industry Superannuation Australia has estimated 2.4 million workers are losing somewhere in the vicinity of \$5.6 billion in payments each year. The Australian tax office takes a slightly different view. It says the amount is roughly half that. So somewhere between \$3 billion a year and \$5.6 billion a year is being lost to workers' superannuation accounts. So, whether you take the ATO's amount or whether you take the estimates of Industry Superannuation Australia, we have a massive problem with superannuation theft in this country. To put this into perspective, that's equal to those workers losing \$2,000 per year which should be going into retirement savings. Two thousand dollars per year is being robbed from those workers. Superannuation is part of a worker's pay and conditions. Every worker deserves and, in fact, is entitled to receive their superannuation as a matter of law.

The government have made an absolute meal of this bill. I've said publicly they have absolutely cocked it up. They botched the handling with the business community. They announced and, indeed, encouraged employers without the support of legislation to put their hands up, and we understand that hundreds if not thousands of employers have done exactly that on the promise of an amnesty—that is, they will not pay the fines that are attached to the crime of not paying these superannuation amounts.

We on this side think the bill is a problem. We think the whole scheme is a problem. If the government were serious about unpaid superannuation, they would be looking at a much wider suite of policies. They would be looking at how they can enhance enforcement activities. They would perhaps ensure that workers and their representatives have standing so they could take actions in small claims tribunals and in courts of competent jurisdiction throughout the country to recover unpaid superannuation so that it doesn't fall just to the taxpayer and the Australian tax office to action those unpaid super amounts. We could beef up the resources in the Australian tax office to ensure there is a more aggressive approach towards unpaid superannuation, a more forward-leaning approach to unpaid superannuation. In fact, with an entire suite of approaches, of which perhaps an amnesty was just a small part, you might say that is something worth looking at. But a 26-year 'get out of jail free' card for employers who have been systematically doing the wrong thing does not pass muster.

In the last parliament, Labor senators who inquired into the measure found that the academic literature on the effect of amnesties is mixed and that, in many cases, an amnesty can be counterproductive. How can an amnesty be counterproductive? We found, in other jurisdictions and in other circumstances, that if a non-taxpayer—somebody who is doing the

wrong thing—believes an amnesty is just around the corner they will repeat and they will continue their non-paying behaviour. It actually extends the crime.

The DEPUTY SPEAKER (Mrs Wicks): The member for Whitlam will resume his seat. The member for Mackellar on a point of order.

Mr Falinski: Under section 66(a), could the speaker please identify the sources of this literature and research he's referring to?

The DEPUTY SPEAKER: That is considered to be an intervention, so I will ask the member for Whitlam if he wishes to take that intervention?

Mr STEPHEN JONES: I thank the member for Mackellar for his interest. I note that he hasn't had the energy, forethought or concern to put himself on the *Notice Paper* for this bill. If he wants to make a contribution in this debate he should jump. He should put himself on speaking list. He hasn't shown enough interest in it to date to do so, so, no, I won't be taking any intervention from the overexcited member for Mackellar. Do the normal course of events and put yourself on the speaking list.

While employees have the book thrown at them for stealing from employers, by introducing a superannuation guarantee amnesty the government is establishing a different rule for employers who steal deferred wages from employees. Not only have the government failed to address the issue of unpaid super, they have also botched the handling of this issue with business and the ATO.

The Senate inquiry has found that while employees have the book thrown at them for stealing from employers, the government, by introducing an SG amnesty, is establishing a different rule for employers who steal deferred wages from employers. It's a simple fact, undisputable, that it's a different rule for SG amnesty as opposed to other unpaid wages and entitlements.

Let's look at what would occur, what would follow, if this bill passes because there may be many on the other side who say, 'Yes, we get that this is a dud bill but is it going to do some good in the scale of things?' Treasury has confirmed that \$230 million is expected to come forward under this amnesty. Unfortunately, that is a drop in the ocean for a 26-year period. Estimates are the annual SG gap is \$5.9 billion but \$230 million is likely to come forward as a result of this amnesty.

We want you to think what is going to go on. Let's take two bakers working in the same town. One of them is complying with their obligations under the SG laws paying their 9.5 per cent to their employees and paying all their rightful entitlements while the baker down the road is not paying their 9.5 per cent superannuation guarantee requirements. Their wages bill is more than 9.5 per cent less than the baker down the road. They have an advantage. Everything they sell, everything they put on their shelves, goes to market cheaper because they have sought and found an advantage by doing the wrong thing and breaking the law.

Through this amnesty, we will be congratulating, we will be rewarding and we will be saying to the baker that has done the wrong thing, 'We're going to forgive your sins and you are going to have obtained the historical advantage over the baker that has done the right thing.'

As my colleague the member for Blair has pointed out, there is nothing in here that is going to stop them from continuing to do the wrong thing. There is nothing that is going to stop

them from recidivist behaviour. An amnesty for employers who have stolen guaranteed superannuation payments from their employees, we believe, is simply the wrong way to go. The proposed amnesty is for employers who have not complied with their superannuation guarantee obligations. They are going to get a leave pass for doing the wrong thing for up to 26 years.

Superannuation theft is just as bad as wages theft. We don't think the employers, the businesses that have done the wrong thing, should be rewarded while employers that have been doing the right thing, struggling through difficult times, are going to be relatively disadvantaged. Importantly, this was not recommended by the Senate economics committee that inquired into superannuation guarantee non-payment. No recommendation came from that committee that looked in a detailed, deliberative way at those provisions—nor was it recommended, interestingly, by the government's own superannuation guarantee cross-agency working group. It didn't come from there. It didn't come from the Senate. Effectively, what is going on here is that the lawbreakers are going to get a tax cut. The government's proposed changes mean that an employer could have kept superannuation entitlements from an employee for more than 25 years. They will not face any penalty if they pay that back during the amnesty. Rather than increasing penalties for employers who do not pay their workers' superannuation, the government wants to give them a free pass.

Usually when employers do not meet their superannuation guarantee obligations they can be liable for penalties and charges. An SG charge, which is composed of the SG shortfall together with nominal interest and a \$20 per employee per quarter administration component, will be waived. Penalties can be up to 200 per cent of the amount of the SG charge plus a general interest charge when the SG charge or penalties are not paid back by the due date. Under the government's proposed amnesty, the administration component of the SG charge and the penalties will be waived. Quite simply, what we are proposing to do here is penalise employers and businesses that have done the right thing and reward businesses that have done the wrong thing.

My second reading amendment also calls on the government to end the uncertainty around superannuation. If you talk to workers, if you talk to people within the industry, the first thing they will mention when we talk about superannuation is the uncertainty. The continual chopping and changing of policies, the uncertainty around the future settings and the uncertainty around where the government is going on this is undermining confidence in the sector and it is undermining the willingness of workers and others to do what the superannuation system was set up to do. It was set up to enable and encourage them to save for their retirement.

The sort of uncertainty that I am talking about comes from members such as the member for Mackellar, a self-declared member of the 'dirty dozen'—these are the 12 MPs who believe—

Honourable members interjecting—

Mr STEPHEN JONES: They're something short of a majority, even in their own caucus.

The DEPUTY SPEAKER: The member for Whitlam! You need to refer to members by their correct titles.

Mr STEPHEN JONES: And I will. I will refer to a member of that unseemly 12, of that dirty dozen, as the member for Mackellar.

Mr Falinski interjecting—

Mr STEPHEN JONES: The member for Mackellar has outed himself! He's outed himself as the shop steward of this group. They claim:

It's fair to say that in Canberra if you get most members of parliament, regardless of which side they sit, without a microphone around them you wouldn't find a lot of support for an increase in the super guarantee much over 10 per cent.

I look behind me and I see Labor members of parliament. Are we agreeing with that?

Honourable members interjecting—

Mr STEPHEN JONES: He is in a minority in his own party room, and he's certainly a minority in this parliament. The empty vessels sometimes make the most noise, don't they? If only he was alone a few days ago. A few days ago, the newly minted senator from New South Wales, who once worked for an organisation that was very, very attached to superannuation, described superannuation as 'a cancer'. The senator for New South Wales said:

I would change direction: superannuation should be made voluntary for Australians earning under \$50,000.

You've only got to think for about 30 seconds—three seconds if you're a quick thinker; 30 seconds if you're the member for McKellar—to understand that that means if you're a high-income earner you get massive tax breaks and if you're a low-income earner you're going to be paying more tax on that money, which is deferred to wages as opposed to superannuation. So this is a recommendation for higher tax on low-paid workers.

The DEPUTY SPEAKER (Mrs Wicks): The member for Whitlam will resume his seat. I call the member for Mackellar.

Mr Falinski: Madam Deputy Speaker, our tolerance on this side of the House—

Mr Stephen Jones: What's the point of order? Name the point of order.

Mr Falinski: Relevance, Madam Deputy Speaker. We've had references to World War II movies that he clearly hasn't seen and doesn't know anything about—

The DEPUTY SPEAKER: There being no point of order, the member for Mackellar will resume his seat.

ADJOURNMENT

The DEPUTY SPEAKER (Mrs Wicks) (19:30): It being 7.30, I propose the question:

That the House do now adjourn.

Shortland Electorate

Mr CONROY (Shortland) (19:30): As the year draws to a close, I want to draw to the attention of the House some of the highlights I've experienced this year and to recognise some of the remarkable people and organisations that I am fortunate enough to represent in this place. Throughout the year, it's been fantastic to meet with and visit many groups and organisations, including, but not limited to, Caves Beach and Redhead surf lifesaving clubs; Belmont Neighbourhood Centre; Charlestown Junior Cricket Club; Valhalla Men's Shed; Cardiff District Men's Shed; Redhead Men's Shed; Kahibah Sports Club; Swansea Meals on

Wheels; Nova for Women and Children homelessness and domestic violence service; Sing Australia, Belmont; Lake Macquarie PCYC at Windale; Camp Breakaway; Lakes United rugby club; Charlestown Scout Group and Belmont Baptist Church. They're just some of the countless volunteer and community groups that make me feel so humbled to represent the people of Shortland.

I was very pleased to again host the 'Shortland morning teal' to raise funds for ovarian cancer research, and I thank our inspirational local ABC journalist, Jill Emberson, for sharing her personal story and her strong advocacy on this issue throughout the year, including speaking at Parliament House. I also thank Associate Professor Nikola Bowden for her amazing research work and Carolyn Bear for her ongoing commitment to fundraising for this important cause. I'm pleased to continue the tradition begun by the former member for Shortland Jill Hall in holding this event.

It's been fantastic to have engagement once again with the various RSL sub-branches throughout Shortland, and I pay tribute to every single sub-branch for their care of and commitment to our veterans and their dedication in commemorating Australia's proud military history. Thanks to Lyle Dalton and the Boolaroo-Speers Point sub-branch and to Bill Duffy and the Swansea sub-branch for hosting me on Anzac Day, and to Joe Hayes and the Belmont sub-branch for inviting me to their service on Remembrance Day.

One of the highlights of my job is engaging with schools in Shortland, both locally and when they visit Canberra. It's always a great opportunity to meet years 5 and 6 students at parliament—they always have interesting, and sometimes difficult, questions for me. During STEM Week, I visited Charlestown East Public School, where it was great to hear Adrian Dawson, an engineer from CSIRO, talk with the students about his work. From the questions the students had for Adrian and for me, I'm confident there will be talented scientists, mathematicians and engineers from this cohort at Charlestown East.

I also want to acknowledge the 50th birthday of Charlestown Meals on Wheels. This is such an important organisation that really does play a vital role in providing a basic but fundamentally important service to people in their homes. I also acknowledge Charlestown Rotary for their contribution to this service. Thank you to all the Meals on Wheels groups in Shortland.

The Redhead Men's Shed has built a magnificent miners memorial, and I was privileged to speak at the official opening. The prosperity of the Hunter region is built on the sacrifices of generations of miners, and it's important that we have this memorial to commemorate that sacrifice.

Recently, I attended the Reclaim the Night march at Warners Bay with member for Charlestown, Jodie Harrison; the member for Swansea, Yasmin Catley; and the Mayor of Lake Macquarie, Kay Fraser. I thank the Lake Macquarie Domestic Violence Committee for organising this important event, which focuses our attention on the fact that we have such a long way to go in addressing this scourge on our society.

Another recent visit was to the Lake Macquarie PCYC at Windale. I also pay tribute to the contribution they make. Windale is a special place and has some real challenges, and it's great to have such a positive organisation and facility in Windale. I thank Martin Eddy and his team for what they do for this community and the broader region.

Finally, I'd like to draw to the attention of the House an event that occurred in my region today, a Newcastle community forum held by the Royal Commission into Aged Care Quality and Safety. Earlier this year I wrote to the commissioners asking them to come to the Hunter, and I'm very pleased this came about. I thank the commissioners for their interest. A community forum in Newcastle was important for my constituents and those in our region to provide feedback directly to Commissioner Lynelle Briggs about their experiences of the residential aged-care system and home care packages. The system is broken, and Scott Morrison's \$537 million commitment this week is a drop in the ocean compared to what is needed. I want to thank my constituent Deanne Morris and others who attended the forum. Deanne has been a tireless advocate for reform to the aged-care system, given her mother's horrific experience in residential care. It's voices like Deanne's that are important for the commissioners, and for Scott Morrison, to hear.

In the coming weeks I'll be announcing the winner of the Shortland Christmas card competition for a Christmas card designed by a local student reflecting the great theme of Christmas with pets in the Lake Macquarie and Central Coast area. I look forward to announcing the winner.

Finally, I wish all my constituents a merry Christmas and best wishes for the new year, and thank them for their ongoing support.

Forde Electorate: Windaroo Valley State High School

Mr VAN MANEN (Forde—Chief Government Whip) (19:35): As we would all know in this place, recently we marked, on 11 November, Remembrance Day to commemorate and remember all the Australians who have fought in wars and who have made the ultimate sacrifice to protect our nation.

I'd like to take this opportunity to recognise some wonderful young stalwarts at a local high school in the electorate of Forde who have set about to inspire and instil national pride and respect for our country amongst their peers. Recently, the boys' leadership group at Windaroo Valley State High School, headed by year 11 leaders Thomas Gore and Tim Pouncey, volunteered to take on the daily flag duties for the school, enlisting the help of their teacher Stephen Thrum to begin their civic work. Mr Thrum taught the students proper Australian national flag protocols and, more importantly, that they were not just flags, but symbols of our collective identity and the pride of our heritage that capture our nation's past, present and future.

Patriotism and inspiring love for our country in others is something I deeply believe in and care about. Australia is a country that has enormous opportunity, and it always will. Our history is complicated, and our future may seem uncertain at times; but whenever we see our flags flown on flagpoles around the country, we should all feel a strong sense of pride. More importantly, we should feel a strong sense of pride when we see our young men and women so engaged in ensuring that our flags are flown properly to reflect the heritage of our country.

With the aspiration to create a legacy for future students to follow, at Windaroo Valley State High School the senior leaders began to make plans and undertook to make a roster to delegate the daily responsibilities for raising and lowering the school's flags. Once their plan was finalised, the students approached the school principal, Mrs Tracey Hopper, to set the wheels in motion and begin their civic work of raising and lowering the flags at the front of

their school at the beginning and end of each and every day. I'm told there is now a full roster in place—all done by the students—to allocate flag duties. I'd like to recognise the students at Windaroo Valley State High School who have volunteered to take part in this initiative and carry out the flag duties with pride and dignity alongside their school leaders. I'd like to extend my sincerest appreciation to Lincoln Baldwin, James Biddell, Tommas-John Hayne, Deshan Wong, Zack Bolton, Jesse Pouncey, Damon Allan, Ruben O'Donnell, Cy Ormsby, Tyson Ruddock and Jackson Ryan. Thank you to all of you for taking pride in our country and all that it represents.

I was honoured to visit Windaroo Valley State High School recently and, with the support of these students and their initiative, I presented three new flags to fly on those flagpoles to help uphold our national values. While I was there we chatted about the history of our flag, its relevance in today's society and the role it will play in the years and decades to come. I was sincerely moved to witness the deep appreciation these students have for our country, and the Australian values and way of life that our diggers fought for and made the ultimate sacrifice for. Today, we get to stand proud of everything our nation has achieved and the ideals—freedom and dignity for the individual, bravery, equality and mateship—we've instilled in each passing generation. All of these are symbolised in our flags. These are incredible virtues which I believe it is our country's responsibility to uphold for all of us as citizens of this great nation.

I also had the pleasure of hearing Mr Thrum speak about his personal connection to our national flag and hearing stories about his relatives, including Edward James Thrum, who perished on the beach at Gallipoli in the original landing on 25 April 1915, and his grandfather who volunteered as one of the Anzacs of Arkhangel to fight in Russia 100 years ago in 1919. We also spoke of that historic moment when Olympic sprinter Cathy Freeman draped the Aboriginal flag over her shoulders and then enveloped it with the national flag when she became the first Aboriginal Australian to win an individual Olympic gold medal at the 2000 Olympic Games in Sydney.

This sends the strong message of how we should all take the opportunity to be proud of our nation's history, both Indigenous and European, but also our modern national identity. And I want to congratulate all the students at Windaroo Valley State High School for the work they are undertaking to preserve those values. *(Time expired)*

Superannuation

Dr CHALMERS (Rankin) (19:40): Since the parliament last met, the Treasurer gave a speech about ageing which barely mentioned superannuation. That's like giving a speech about leg spin bowling and not mentioning Warnie. It's like giving a speech about health care in Australia and not mentioning Medicare. It shows that, after almost 30 years of compulsory superannuation—30 years since it was introduced by Labor and embraced by the Australian public—the Liberals and Nationals still can't accept that super, and compulsory super in particular, are key pillars of the Australian economy. You can't understand ageing if you can't understand and embrace superannuation. It's that simple. But those opposite—

Government members interjecting—

Dr CHALMERS: including those in the peanut gallery who are chirping away right now—don't understand. They are so blinded by ideology and by envy. They are so blinded by

it, they are so short-sighted, they are so bereft of vision that they can't understand the public policy triumph that is compulsory superannuation in this country.

At the end of September, Australia's super assets totalled almost \$3 trillion, representing one of the largest retirement funding pools in the entire world. It's estimated that super will be worth almost \$10 trillion by 2035, and that means that Australian workers will have hundreds of thousands of dollars in private savings that they would never have had were it up to those opposite and were it not for the genius, the vision and the foresight of Paul Keating and Labor working with unions—and with employers—to make it happen. This is a proud achievement of the whole nation. It's a proud creation of Labor—the labour movement and a Labor government—but it's also an achievement of the entire Australian nation, and it should be embraced.

Those opposite mouth the platitudes of super while they work feverishly to diminish and destroy it. It's been that way since the very beginning. They resisted its introduction. They voted against it, and ever since then they've said, 'Oh, yes, we support superannuation,' but all the while they're been working to diminish and destroy it because they don't believe in it. It's the old playbook. We know this because they resisted it at the beginning, they've frozen it multiple times and they've done nothing to attack the scourge that is unpaid superannuation.

We know how it works on that side of the House. It always starts up the back in the cheap seats with one of the more extreme members of the backbench—it always begins with someone in the back bench—and the Treasurer always pretends: 'Look, don't worry. In the Liberal Party, they're allowed to sound off from time to time.' The problem with this Liberal and National government is that the tail wags the Treasurer. We saw it with energy policy when the member for Hughes, I think, rolled the Treasurer, and we're about to see it on superannuation as well. It starts up the back and it ends up being the Treasurer's view because the Treasurer will always prioritise his own internal political prospects over the prospects of Australian workers. He does it time and time again.

We've had members say that super should be optional. We've had members say that employees should be able to nominate in or out. An LNP senator in the other place has said that superannuation is a cancer.

Mr Falinski: Who was it? You don't even know the name!

Dr CHALMERS: Senator Rennick said it was a cancer. There you go. Genius! We're onto them. We know that the retirement income review is a stalking horse for more cuts to super. We know that it's a stalking horse for more cuts. There has been a cut to the pension in every budget of every year from those opposite in government. The front of this Treasurer to talk about ageing without mentioning how this government has treated older Australians, the cuts from aged care, the cuts from the pension system, the attacks on superannuation—

The DEPUTY SPEAKER (Mrs Wicks): The member for Rankin will resume his seat. The member for Petrie on a point of order?

Mr Howarth: The member for Rankin is reflecting on people in this House. When he talks about 'cheap seats' up the back here, he discredits members in this place. We are all equal. We're in an egalitarian society. This guy might appreciate being on the shadow front bench, but everyone is important in this place. I ask him to withdraw.

The DEPUTY SPEAKER: I would ask the member for Rankin to assist the House and withdraw.

Dr Chalmers: Seriously?

The DEPUTY SPEAKER: Yes. To assist the House I would ask you to withdraw.

Dr CHALMERS: I withdraw. That is the most pathetic interjection—

Mr Falinski interjecting—

The DEPUTY SPEAKER: Members on my right, the level of interjection is far too high. I cannot hear. The member for Mackellar is warned. I now call the member for Rankin to conclude his speech. It is concluded.

Page Electorate

Mr HOGAN (Page—Deputy Speaker) (19:46): I will start by acknowledging that there is a larger contingent in the chamber tonight, so obviously word got out that I was on the list! I will take it as personal validation that you're all here. I'm going to do a little bit of a different adjournment speech tonight, because it is the last one I will do for the year. I want to acknowledge four different people and organisations in my electorate who have done some amazing things.

I'd like to start with Nancy Martin, who recently retired after 40 years of service at Tabulam Public School. She moved to Tabulam in 1979 with her husband, Bob, and children, Bobby, Kerrie and Fiona. She worked casually at Bonalbo and then Mallanganee before becoming permanent at Tabulam. Nancy, or Ms Martin as she was known to students, worked alongside nine different principals and many different teachers. She was very much loved by the school community and indeed the wider community. She is currently on a very well earned holiday and will then move into retirement. Thank you, Nancy, for a wonderful career.

The Clarence Valley has always had a very strong sporting identity, which was highlighted in the recent Clarence Valley Sports Awards. This year there were over 16 different sports represented at the awards. I'd like to congratulate Andrew Landenberger, for sailing, who won senior sportsperson of the year. Ashley Ensbey, for hockey, and Mitch Christiansen, for athletics, were tied in winning the people's choice award. Tom Hancock, for athletics, won the Loving Life FM Masters Sports Awards. Dakota Walters, for surfing, won junior male sportsperson of the year. Tahlia Marsh, for BMX, won female sportsperson of the year, and what a wonderful young lady she is. She competed internationally in her sport this year. Tracy Moran won the Clarence Canegrowers Association Ernie Muller Award. Lynn Rudder won the Tooheys Max Godbee Award. The Clarence Valley BMX Club won DEX Club of the Year. The Grafton Ghosts, who had a great year this year, had their first grade win Telstra Team of the Year. They absolutely smashed the Coffs Harbour team. I'm very glad that the member for Cowper is sitting with me—actually, I think you owe me something on that, too, Member for Cowper, as we smashed you in the grand final! Ray Wiblen, from Yamba Boaties, won Athlete's Foot Coach of the Year. Rod and Janet Gould—what great people they are—won the Holly Butcher Memorial Volunteer of the Year for hockey. Gary Nichols, for rugby union and cricket, was the DEX Contributor of the Year. Chris and Shirleyanne Blanchard, for hockey, won Contributing Photographer of the Year. These were the sixth annual awards. I want to make special mention to Grafton Shoppingworld, the *Daily Examiner* and the Grafton District Services Club for their ongoing support and sponsorship,

which is very important. I congratulate all of the winners and finalists for the wonderful sportspeople they are in our region.

Deputy Speaker Wicks, I know you like boxing, and I'd like to recognise Clarence Valley boxer Adam Stowe, who is really making a name for himself. Last Saturday in Tweed Heads he claimed the World Boxing Foundation super middleweight Australasian title fight. Stowe's trainer, Troy Harding, said the whole place erupted when the Yamba boxer won the fight. Harding has been training Stowe from his very first fight, and the Clarence raised fighter has surpassed all expectations. He had a lot of support from the whole of the Yamba and wider Clarence Valley community, his wife and his wife's family, all knitted out in 'Team Stowe' shirts for the fight. Like any champion, there is a team working behind the scenes who share the success, including Adam's manager, Tony Tolj, and his entourage: Dean Cribb, Shane Martin, Norm Harvey and, most importantly, his wife, Ellynie. But thanks must go to some of our local businesses who have also financially supported Adam along the way—Australian Soil and Concrete, East Coast Access, Big River Scaffolding Solutions, Total Concrete and Excavation, and Advanced Plastering Australia. I'm told Adam is ready to defend his belt and is looking forward to where the next win will take him. Congratulations Adam!

I invite my colleagues to come to Grafton in November—and I know some of you have already done so. In October in Grafton we celebrate the annual Jacaranda Festival. This is Australia's longest running floral festival. This year it turned 85. I would like to personally thank this year's management committee—Jeff Smith, Nicholas Buckler, Wendy Gibbs, Peg James, Leanne Williams, Mark Blackadder, Leanne Smith, Kyle Summers and Jaz Grady. The market square played home to the crowning of the 2019 Jacaranda Queen and Junior Queen, which is always a highlight. The Jacaranda Queen entrants included Zahli Stevens, Ashleigh Sampson, Hayley Hedges, Dana McKew and Holly Hastings, but taking out the crown for 2019 was Ashton Blackadder. Congratulations Ashton! Congratulations also to junior Queen Brigitte Jamieson and all the other entrants.

Veterans

Mr NEUMANN (Blair) (19:51): Labor is committed to recognising the unique nature of service and sacrifice of our current and former ADF members and their families. This is an area where there is a lot of bipartisanship between both sides of politics, and it is really important that we do this. Labor intends to support the coalition as they develop their mental health and wellbeing action plan. I have met with Minister Chester in relation to these issues.

But we do have areas of concern. What is clear is that the government is intending to privatise or outsource important elements of the Department of Veterans' Affairs. We heard at Senate estimates that the government has reduced by 16 per cent the number of employees working in the Department of Veterans' Affairs. In addition to that, we have seen a 45 per cent outsourcing by using non-APS employees to work in that department and that 26 per cent of people who work in the Department of Veterans' Affairs are labour hire. So Labor has some significant concerns when it comes to the Department of Veterans' Affairs.

We have a government in its third term that is struggling for an agenda. I welcome the minister's recent announcement in relation to assistance dogs, but there are matters they have not undertaken in relation to art therapy and wellbeing centres. We will continue to hold the government to account. We will make sure they fulfil this commitment. One of the areas the government has failed in—and I had meetings recently with Mates4Mates in Brisbane—is

that there is a need for a wellness centre in the northern suburbs of Brisbane and there is one out at Ipswich, and the government has not undertaken this in these areas.

There are clear areas where the government has failed across the Department of Veterans' Affairs, and Labor will hold them to account in relation to these areas. It took a very long time for them to bring the veterans' covenant into this parliament—and the pin and the discounts as well. I have seen significant angst recently when I have met with RSLs around the country. Veterans have very real concerns in relation to these matters. For example, it takes a long time for someone to go through the process to get that pin. Labor is concerned that this is a clumsy way to go about it.

In addition, there are concerns in relation to housing. We have seen recent reports and concerns in relation to the plight of homeless veterans. Reports from the Australian Institute of Health and Welfare and the Australian Housing and Urban Research Institute have said, alarmingly, that about 5.3 per cent of the general population of veterans are homelessness compared to 1.9 per cent in the general population. This is an indictment of the way we treat our struggling veterans, and we can do much better. I recently met with the board of RSL New South Wales. They said publicly that there has been a 25 per cent increase in the number of veterans seeking their help. We've seen previous figures which show that one in 10 people sleeping rough are veterans. This is a shame. It's a national tragedy, and we should do much better. I'm urging the government, as part of its strategy, to think about tackling homelessness as part of wellbeing and suicide prevention as well. There needs to be a broader approach.

The government received on 27 June this year the Productivity Commission's review into veterans' support systems in this country, and it was publicly released on 4 July, but the government are yet to respond to that particular review. It's all well and good for the government to be saying, 'We are preparing a veterans' mental health and wellbeing national action plan by the end of the year,' but they haven't ruled out the recommendations of the Productivity Commission report to abolish or make substantial changes to the gold card for veterans and their dependents. This is of significant concern around the country for veterans and their families. I urge the government to rule it out.

In addition, the government seems enamoured with the idea of a veterans' services commission. But the Productivity Commission, in its final report, couldn't bring itself to recommend the abolition of the Department of Veterans' Affairs but recommended outsourcing—effectively privatisation. Labor does not support that, and I would urge the government to reject that recommendation.

The Nationals

Mr JOYCE (New England) (19:56): Between 1939 and 1940, the former member for Barker in South Australia, Archie Cameron, was also the leader of the then Country Party. What was great about him was that he was a member of the Country Party. It's incredibly important that we make sure that in South Australia we rebuild the National Party. During the last week, I and others have been working hard to make sure we get the requisite number of people for the party to remain constitutional. We believe it's incredibly important for our democracy that we have a strong National Party in every state. It is imperative for those who wish to join a party and be part of a party that stands behind such things as the creation of the Inland Rail, which we got the money on the table to build; and the Regional Investment Corporation, which the Nationals were instrumental in creating.

Whether it's Roads to Recovery, whether it is driving an outcome on drought and making sure we get the proper support for people or whether it's standing behind issues such as decentralisation, despite the barbs that get thrown at us and the sense of, whatever they want to call it, parochialism or looking too much after our own people—we are only too proud to be accused of that, because that is precisely what we do. Whether it's striving for better telecommunications and such things as mobile phone towers, it is absolutely important that people understand the fingerprint the Nationals leave. You can see country-of-origin labelling on virtually every grocery item now in the supermarkets. We drove that agenda and we made it happen.

We must continue to drive for a constituency by unashamedly standing behind every section of our party in every corner of our nation. Right now we have just about arrived at the required number, but we're not quite there. We are only a few short and I ask people—and I will put this on Facebook—to understand that you need to do it for South Australia and do it for your nation. We need all the support we can get down here. People have to understand the heritage of the Nationals, formerly the Country Party, and what they've done for this nation and in South Australia.

The Nationals are state based organisations that work together once we arrive here. We believe in the independence of the states and how they operate. As such, the Nationals, at our federal conference, passed a motion unanimously calling for regional senators. Having 12 senators per state has now led to the anachronistic position where we have, in most states, 11 senators in the capital city and merely one outside. This must be changed. We must have better representation throughout our nation. The purpose of the Senate is to get that geographic spread to balance up the demographic intensity, which is what you see in the capital cities. The capital cities have the benefit of the vast majority of the House of Representatives members, but they shouldn't get all the House of Representatives members and 11 of the 12 senators. That would mean a complete overweight for issues in urban Australia to the detriment of people in regional Australia, and it's the Nationals who stand behind a push to have regional senators in place. I hope that in the future, as we drive that forward, South Australia will have the capacity to get better regional representation in its most effective form—to have members of parliament in this place and senators in this place.

It will also give the best opportunity for our Indigenous Australians to have people who are not only a voice to the parliament but a voice in the parliament. That is something that we will always acknowledge: the role of Indigenous Australians in our nation. They were here first, and we must respect that by making sure that they get the appropriate say and the appropriate place of power within this building, and to do it in a way that we can all concur with—that is, to get elected to it.

We have to have these numbers by Friday. We have one day left, and I have been impressing on my Nationals colleagues to do everything in their power to make sure that we row behind those in South Australia who have already put their names to the list. I think we're up to about 195; we need 200. I will always make sure that whatever I do and whatever my colleagues do will always be for the betterment of our party, because we know that a strong National Party means that we have a strong nation.

I'd like to thank those who have already gone out of their way and who maybe for the first time have signed up to our party. We will do everything in our power to make sure that that trust in us is respected through hard work down here.

House adjourned at 20:01

NOTICES

Mr Frydenberg: To present a Bill for an Act to amend the law relating to unfair contract terms and insurance contracts, funeral expenses facilities, funeral benefits, mortgage brokers and mortgage intermediaries, and for related purposes. (*Financial Sector Reform (Hayne Royal Commission Response—Protecting Consumers (2019 Measures)) Bill 2019*)

Mr Frydenberg: To present a Bill for an Act to amend the law in relation to ASIC, and financial sector regulation, and for related purposes. (*Financial Sector Reform (Hayne Royal Commission Response—Stronger Regulators (2019 Measures)) Bill 2019*)

Mr Irons: To present a Bill for an Act to amend the *Trade Support Loans Act 2014*, and for related purposes. (*Trade Support Loans Amendment (Improving Administration) Bill 2019*)

Mr Dutton: To present a Bill for an Act to amend the *Australian Crime Commission Act 2002*, and for related purposes. (*Australian Crime Commission Amendment (Special Operations and Special Investigations) Bill 2019*)

Mr Irons: To present a Bill for an Act to amend the *Student Identifiers Act 2014*, and for related purposes. (*Student Identifiers Amendment (Enhanced Student Permissions) Bill 2019*)

Mr Fletcher: To present a Bill for an Act to amend legislation relating to telecommunications, and for other purposes. (*Telecommunications Legislation Amendment (Competition and Consumer) Bill 2019*)

Mrs Marino: To move—That, in accordance with section 5 of the *Parliament Act 1974*, the House approve the following proposal for work in the Parliamentary Zone which was presented to the House on 25 November 2019, namely: National Gallery of Australia Foreshore Footpath and Lighting Upgrade.

Mrs Marino: To move—That, in accordance with section 5 of the *Parliament Act 1974*, the House approve the following proposal for work in the Parliamentary Zone which was presented to the House on 25 November 2019, namely: Sir John Gorton commemorative sculpture and interpretive sign.

Mr Porter: To move—That Dr Martin be discharged from the Joint Standing Committee on Migration and that, in her place, Mr Drum be appointed a member of the committee.

Mr Porter: To move—That:

(1) the resolution of appointment of the Joint Select Committee on Road Safety be amended to read as follows:

That:

(a) a Joint Select Committee on Road Safety be appointed to inquire into and report on:

(i) the effectiveness of existing road safety support services and programs, including opportunities to integrate Safe System principles into health, education, industry and transport policy;

(ii) the impact of road trauma on the nation, including the importance of achieving zero deaths and serious injuries in remote and regional areas;

(iii) the possible establishment of a future parliamentary Standing Committee on Road Safety and its functions;

(iv) measures to ensure state, territory and local government road infrastructure investment incorporates the Safe System principles;

- (v) road trauma and incident data collection and coordination across Australia;
 - (vi) recommending strategies, performance measures and targets for the next National Road Safety Strategy;
 - (vii) recommendations for the role of the newly established Office of Road Safety; and
 - (viii) other measures to support the Australian Parliament's ongoing resolve to reduce incidents on our roads, with a focus on the recommendations from the Inquiry into the effectiveness of the National Road Safety Strategy 2011–2020;
- (b) the committee present an interim report on or before 31 July 2020 and its final report on or before 31 October 2020;
- (c) the committee consist of nine members, four 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 or by any minority group or independent Member, and one Senator to be nominated by the Leader of the Government in the Senate, one Senator to be nominated by the Leader of the Opposition in the Senate, and one Senator to be nominated by any minority group or independent Senator;
- (d) participating members may
- (i) be appointed to the committee on the nomination of the Government Whip in the House of Representatives, the Opposition Whip in the House of Representatives, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator or member of the House of Representatives; and
 - (ii) participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any question before the committee.
- (e) 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;
- (f) the members of the committee hold office as a joint select committee until presentation of the committee's final report or until the House of Representatives is dissolved or expires by effluxion of time, whichever is the earlier;
- (g) the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy;
- (h) the committee elect:
- (i) a Government member as its chair; and
 - (ii) a non-Government 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;
- (i) 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;
- (j) in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote;
- (k) three members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;
- (l) the committee:
- (i) have power to appoint subcommittees consisting of three or more of its members, and to refer to any subcommittee any matter which the committee is empowered to examine; and
 - (ii) appoint the chair of each subcommittee who shall have a casting vote only;

(m) each subcommittee shall have at least one Government member of either House and one non-Government member of either House;

(n) 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;

(o) two members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(p) 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;

(q) the committee or any subcommittee have power to:

(i) call for witnesses to attend and for documents to be produced;

(ii) conduct proceedings at any place it sees fit;

(iii) sit in public or in private;

(iv) report from time to time; and

(v) adjourn from time to time and to sit during any adjournment of the House of Representatives and the Senate;

(r) the committee or any subcommittee have power to consider and make use of the evidence and records of any former committee on related matters; and

(s) 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

(2) a message be sent to the Senate requesting its concurrence in the amended resolution.

Mr Giles: To move—That this House:

(1) notes that the:

(a) Government has failed refugees and humanitarian entrants in Australia;

(b) Government for the past six years has failed to provide effective policy in regard to employment and settlement outcomes for refugees and humanitarian entrants;

(c) Shergold report, *Investing in Refugees, Investing in Australia*, was finished in February 2019, and the Government refused to release the report for 10 months;

(d) the Shergold report highlights the concerning failures of important programs such as the Adult Migrant English Program and Jobactive in supporting social and economic participation; and

(e) the Shergold report highlights the absence of an effective place-based community sponsorship policy which harnesses the collective strength of whole communities partnering with their local governments, service providers and community organisations; and

(2) recognises the:

(a) failure of the Government to provide leadership and policy coordination;

(b) contribution of state, territory and local governments, front-line service providers and community organisations in supporting refugees and humanitarian entrants; and

(c) significant social and economic contribution made by refugees and humanitarian entrants in Australia.

Wednesday, 27 November 2019

The DEPUTY SPEAKER (Mr Hogan) took the chair at 10:00.

CONSTITUENCY STATEMENTS

Holt Electorate: Telephone and Internet Services

Mr BYRNE (Holt) (10:00): Mr Deputy Speaker, imagine you're a small-business person, a tradie or someone with a young family, and you come into the south-eastern suburbs of Melbourne, my area—Clyde, Clyde North or Cranbourne East, say—which is one of the fastest growing areas in Australia. You move into a lovely housing estate. It's an area that's got lots of young families but hasn't got the sort of social infrastructure it needs. You shift into that estate, a brand new estate—let's say it's Belmond estate in Clyde—but then what happens is that you go to make a mobile phone call but you don't have any mobile reception, or you attempt to use the internet but you don't have broadband.

In 2017 I was approached by Elyse Cumine from Belmond estate in Clyde, who told me, on behalf of the residents, that they couldn't access the internet, because there was no NBN, and they couldn't use their phone. What happened—as a practical example—is that someone attempted to break into a home on the estate. The owner tried to ring the Cranbourne police. But there was no landline—because there's no NBN—and there was no mobile phone coverage. Imagine how you would feel if you were a resident of that estate, you were watching someone trying to break into your home, and you tried to ring the police but couldn't because you had no mobile phone reception.

We campaigned very vigorously on this issue, with Elyse Cumine and the residents of Belmond estate. We were told that the problem would be fixed and we wouldn't have this situation again. It is one of the fastest growing areas in this country. Two years later, they have the NBN but they still can't use their mobile phones. Seriously, are we living in a Third World country here, or are we living in the First World? We're told by this government this is a First World state.

A young person, Kelsie, approached me and said: 'What is the point of this government? What is the point of me approaching a member of parliament if nothing is done for two years?' We are told by the Morrison government they're going to fix these black spots. It's been two years and there is no mobile phone tower. Thousands upon thousands of people have not been given access to an essential service. A phone is an essential service! The fact is the Morrison government has failed because it does not invest in the outer suburbs. It does not ensure that mobile phone towers get there. It is ridiculous. When a young person says, 'I've given up on politics,' that tells you everything that's wrong with the Morrison government and its commitment to providing essential services, like mobile phone coverage, in the outer suburbs.

O'Connor Electorate

Mr RICK WILSON (O'Connor) (10:03): Thank you, Deputy Speaker.

The DEPUTY SPEAKER (Mr Hogan): I call the Manager of Opposition Business. A point of order?

Mr BURKE (Watson—Manager of Opposition Business) (10:03): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER: As the question is unresolved, in accordance with standing order 188 the question will be reported to the House.

Greenslopes Red Cross Hall

Ms BUTLER (Griffith) (10:03): There's a decrepit, vacant Commonwealth owned property in my electorate that has fallen into disrepair and disuse. The property is riddled with asbestos and has been sitting empty for many years, with nothing between it and the footpath but some temporary fencing, which has been there for much too long. I'm of course talking about the former Red Cross hall across the road from Greenslopes Private Hospital. I've been asking this government for years now to do something to fix the hall—

The DEPUTY SPEAKER (Mr Hogan): The member for Boothby on a point of order?

Ms FLINT (Boothby—Government Whip) (10:04): I move:

That the Member be no longer be heard.

Question unresolved.

The DEPUTY SPEAKER: As the question is unresolved, in accordance with standing order 188 the question will be reported to the House. I call the member for Cowper.

Cowper Electorate

Mr CONAGHAN (Cowper) (10:04): Thank you—

Ms BUTLER (Griffith) (10:04): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER (Mr Hogan): As the question is unresolved, in accordance with standing order 188 the question will be reported to the House.

Greenslopes Red Cross Hall

Ms BUTLER (Griffith) (10:05): I've been asking this government for years now to do something to fix the hall. At the May federal election, Labor committed that, if we were elected to government, we would provide a significant funding boost to get the hall fixed up—

Ms FLINT (Boothby—Government Whip) (10:05): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER (Mr Hogan): As the question is unresolved, in accordance with standing order 188 the question will be reported to the House.

Greater Western Sydney Giants

Mrs McINTOSH (Lindsay) (10:05): Sport has a special place in Western Sydney. This year the GWS Giants reached 30,000 members, just eight years after they entered the AFL stage—

Ms STANLEY (Werriwa—Opposition Whip) (10:05): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER (Mr Hogan): As the question is unresolved, in accordance with standing order 188 the question will be reported to the House.

Greenslopes Red Cross Hall

Ms BUTLER (Griffith) (10:06): Unfortunately, the LNP didn't match our election commitment to get the Greenslopes Red Cross Hall fixed up, and so it's still sitting there because this government has yet to take any action on it. I'm grateful to the minister for meeting with me about this issue last month here in the parliament. I raised with him again the numerous issues with the site. The site has become an eyesore—

The DEPUTY SPEAKER (Mr Hogan): The member for Boothby on a point of order?

Ms FLINT (Boothby—Government Whip) (10:06): I move:

That the Member be no longer be heard.

Question unresolved.

The DEPUTY SPEAKER (Mr Hogan): As the question is unresolved, in accordance with standing order 188 the question will be reported to the House.

Braddon Electorate

Mr PEARCE (Braddon) (10:07): I'm disappointed—

Ms STANLEY (Werriwa—Opposition Whip) (10:07): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER (Mr Hogan): As the question is unresolved, in accordance with standing order 188 the question will be reported to the House.

Energy

Mr BURNS (Macnamara) (10:07): Energy prices in this country are going up, and it's hardly a surprise when we have an energy minister who is more interested in writing letters to the mayor of Sydney about absurd travel arrangements by councillors than in tackling the two things that are part of his job. The first thing that is part of his job is to tackle energy prices. On the weekend, I had the pleasure of joining the Leader of the Opposition in South Melbourne, in my electorate, as we toured the South Melbourne Market. For 150 years people have been coming to the South Melbourne Market to support local retailers and businesses and—

The DEPUTY SPEAKER (Mr Hogan): The member for Boothby on a point of order?

Ms FLINT (Boothby—Government Whip) (10:08): I move:

That the Member be no longer heard.

I note that the behaviour of those opposite is completely against the spirit of the Federation Chamber. I just want to place on record my deep disappointment—

Honourable members interjecting—

The DEPUTY SPEAKER (Mr Hogan): All members will resume their seats. We'll go through the motion that has been put to the chamber. The question is that the member no longer be heard. All of that opinion say aye. All those against say no. The question is unresolved. In accordance with standing order 188, the question will be reported to the House. I now rule that the chamber is disorderly and everything will be suspended for 15 minutes.

Sitting suspended from 10:09 to 10:25

Warringah Electorate: Roads

Environment

Ms STEGGALL (Warringah) (10:25): In a recent community survey of Warringah, one of the top topics was traffic congestion. It's the No. 1 problem in Warringah and top of mind every morning and night in the peak periods seven days a week. This is no surprise, as Warringah has some of the most congested roads in Australia. The New South Wales state government yesterday announced that the first stages of the Western Harbour Tunnel and Beaches Link program are moving to the next stage of the planning process. I welcome this announcement, but more is needed.

While we wait in our cars, another problem is apparent—air quality. The Lung Foundation points to the clear evidence that pollution from vehicles is leading to poor health outcomes for vulnerable populations, like children, the ill and the elderly. Ambient air pollution contributes to over 3,000 premature deaths each year. Even at low concentration, nitrogen dioxide, sulphur dioxide and ozone are impacting the health of Australians. Coal-fired power stations and motor vehicles are the main sources of sulphur dioxide and nitrogen dioxide. Compared to petrol vehicles, diesel vehicles emit a much higher amount of nitrogen dioxide.

Australia's fuel is amongst the worst in the OECD countries. Australia's current fuel standards are so bad that they were banned in Europe 10 years ago. After 21 years, the regulated standards for nitrogen dioxide, sulphur dioxide and ozone in our air are currently under review. Given the overwhelming importance of clean air to our health, the government needs to work with the states and territories to: firstly, lower the threshold of nitrogen dioxide, sulphur dioxide and ozone, and alter the reporting metrics; secondly, expand the network of compliance monitors to reflect the particular risk from widespread source emissions and hotspots, such as traffic on major roadways; and, thirdly, make air quality monitoring data publicly available through a coordinated national website, allowing access to real-time and historical data.

We need to improve the quality of fuel available to ensure access to the latest vehicles, providing savings for motorists from more fuel-efficient vehicles and delivering those health benefits. In April this year, the government quietly postponed a regulation. This means that Australia won't reduce the sulphur content in petrol and will retain the current regular unleaded petrol until 1 July 2027. I call on this to be brought forward. In October this year, the state government announced that it is shifting Sydney's entire 8,000-strong bus fleet to an electric fleet. This is a landmark decision. It is one of the first tangible policies towards the state's goal of reaching zero net emissions by 2050.

In order to solve the dual problems of congestion and air quality, we need more infrastructure—and the tunnel is a start—and we need short-term solutions, like increased public transport and a focus on improving our air quality and our fuel standards.

Hinkler Electorate: Palliative Care

Mr PITT (Hinkler) (10:28): I rise to speak on the new Hervey Bay palliative care facility. People at the end stage of life—

The DEPUTY SPEAKER (Mr Hogan): The member will resume his seat. I call the member for Werriwa on a point of order.

Ms STANLEY (Werriwa—Opposition Whip) (10:28): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER: As the question is unresolved, in accordance with standing order 188, the question will be reported to the House.

Greenslopes Red Cross Hall

Ms BUTLER (Griffith) (10:28): As I was saying, I'm grateful to the minister for meeting with me about this issue last month here in the parliament.

The DEPUTY SPEAKER (Mr Hogan): I call the member for Boothby on a point of order.

Ms FLINT (Boothby—Government Whip) (10:28): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER: As the question is unresolved, in accordance with standing order 188, the question will be reported to the House.

Hinkler Electorate: Palliative Care

Mr PITT (Hinkler) (10:29): I think we can treat this like adults. This is a serious issue for people who are in the last stages of their lives.

The DEPUTY SPEAKER (Mr Hogan): The member will resume his seat. I call the member for Werriwa.

Ms STANLEY (Werriwa—Opposition Whip) (10:29): I move:

That the Member be no longer heard.

Question unresolved.

The DEPUTY SPEAKER: As the question is unresolved, in accordance with standing order 188, the question will be reported to the House. It being 10.30 am, I call the Clerk.

GOVERNOR GENERAL'S SPEECH

Consideration resumed of the motion:

That the following Address in Reply to the speech of His Excellency the Governor-General be agreed to:

May it please Your Excellency:

We, the House of Representatives of the Commonwealth of Australia, in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

Ms BUTLER (Griffith) (10:30): I wanted to talk a little bit about the matter of asbestos in the Greenslopes Red Cross Hall, a matter I've attempted to talk about several times already this morning in this Chamber. Perhaps this time I'll get the opportunity. As I said earlier this morning, the Greenslopes Red Cross Hall—no longer occupied by the Red Cross, of course, but they were the former tenants—is a decrepit and vacant Commonwealth owned property in my electorate, and it's fallen into disrepair and disuse. The property is riddled with asbestos and has now been sitting empty for many years, with nothing between it and the footpath but some temporary fencing, which has been there for much too long. I mentioned this as we were adjourning this debate yesterday, and I'm giving this speech in continuance now. I welcome the opportunity to provide this speech in continuance from yesterday's address-in-reply debate.

As I've said, I've been asking the government to do something about this hall for many years. At the May federal election, Labor committed that, if we were elected to government, we'd provide a significant funding boost to get the hall fixed up, with a view to getting it back in to community use. The LNP didn't match that commitment. Now, six months after the election, our community is still waiting for action to be taken.

I'm grateful to the minister for meeting with me last month about this issue, right here in the parliament. I raised with him again the numerous issues with this site. It's become an eyesore. It's decrepit. It's wrapped around with this flimsy security fencing. There is shade cloth hanging off it and signs up saying: 'Brittle asbestos roof. Danger: do not enter.' It's a real eyesore for the community.

Secondly, the site is just going to waste. So many locals have told me about their fond memories of the hall when it was in use—but it's just sitting there empty. There's a lot of history about the place, too, because of the buildings on the site having been used in previous conflict. I think the government knows this. But despite the remarkable history of the hall, the Morrison government has failed to undertake the necessary maintenance of it since the Red Cross vacated it some years ago.

Thirdly, and most importantly, the run-down state of the property poses serious safety and health risks. For six years there have been warning signs of asbestos and the brittle roof. Yes, there are fences, but anyone who's been a teenager knows that they can be seen as more of a challenge than a barrier. And of course there's a risk of damage and danger if there is wild weather in the south-east, as occurs from time to time and more and more frequently—particularly around this time of year. Every day this dilapidated hall is left abandoned is another day that asbestos fibres could blow in the wind, putting locals at risk.

I've been working as a team with my colleagues—state colleague Joe Kelly MP and council colleague Matthew Campbell—to call on the government to take action without further delay. I wrote to the minister following our recent meeting, calling on the government to address the problems. I respectfully ask that the government take heed of that call. It's time the government took responsibility, started listening to locals and fixed the hall.

In making this contribution to the debate of the address-in-reply, I also want to deal with some other issues. One of those issues is traffic congestion: a crucial issue for the south side. I'm really passionate about busting traffic congestion. It's been a focus of mine since before I was in the parliament and since I first ran for the parliament in 2014 in a by-election.

I've said this in the House before, but the latest data from the HILDA Survey shows that Australia's capital cities are dealing with longer commutes, with an average of 66 minutes each day, and there is no sign of things getting better. Families in my electorate, just like those in inner suburban communities across Australia, have had enough. Traffic congestion throughout the eastern and southern suburbs in my electorate is getting much worse. In fact, we have one of the south side's worst traffic snarls, the Coorparoo level crossing on Cavendish Road. I've been talking about this level crossing for a very long time, calling on the government to actually do something about fixing it up. I've been campaigning to fix it up, as I said, since before I was elected.

At this federal election that was held in May this year Labor made a serious massive commitment of funding to get this particular traffic snarl fixed up, to get moving on it. I called on the government to make a similar, or the same, commitment to put a serious amount of money on the table. It's an expensive problem, I know. The government had put into the May budget \$85 million for the Lindum level crossing in a Liberal-held marginal electorate. They did not put any money into the budget for the level crossing in my electorate. There's no reason why a similar amount of money could not have been committed to the Coorparoo level crossing.

I don't begrudge the people of Bonner the amount of money that's been put into the Lindum level crossing. It's an important level crossing. It's adjacent to Iona. There was a fatality there at the beginning of the year, so of course that one should be fixed up. But so should the level crossing at Coorparoo. We shouldn't have to wait until there is a fatality at this level crossing to get the government's attention, to get some real money on the table to deal with this particular level crossing.

The Liberal-National government talks a lot about busting congestion. They've got the so-called Urban Congestion Fund—although I note they didn't actually manage to spend any of it; they did find \$17 million to put into advertising about busting congestion but they didn't spend the so-called Urban Congestion Fund and actually bust congestion—and they claim to have this focus. Let's see it in Griffith. Let's see some real money on the table to deal with this terrible traffic snarl. It's an awful, awful situation. Everyone knows it needs to be fixed. The South East Queensland Council of Mayors has listed it as one of the top five level crossings that need to be dealt with in our city.

This level crossing needs to be fixed. We also have schools adjacent to it. We've got Coorparoo Secondary College right down the road from this particular level crossing and, up the other end of Cavendish Road, you've got Coorparoo State School and Mount Carmel a bit further up. We also have Giffin Park right near this level crossing—a really important sporting facility on the south side. It's been a training ground for the Lions for a long time but, much more importantly, this park is where so many young kids go to play Aussie Rules. They don't need to be having to navigate this dangerous level crossing right near the park, right near the school, in order to get there safely. They certainly don't need the traffic congestion that comes from the fact that every time a coal or passenger train goes through, the boom gates are down and the traffic just banks up. And of course in the 21st century it's ridiculous.

We've also got Old Cleveland Road, Stanley Road and massive important roads on either side of this crossing. Cavendish Road runs between them. This doesn't just affect people in Griffith; it affects everyone who tries to commute to the CBD from the eastern suburbs. It

affects people in Bowman. It affects people in Bonner. People trying to get into the city in peak hour will tell you: it is an absolute disgrace of a traffic snarl and it's about time that the Morrison government stepped up and actually showed that it cared about this particular traffic snarl. It will actually do wonders for traffic congestion throughout the eastern suburbs of our city if the government was to do something serious in relation to this particular level crossing.

We didn't win the election. I'm sad about it; you're probably not, Deputy Speaker Hogan. The fact is the Morrison government is in charge. You guys need to get your act together. The buck stops with the government. It's time that the government showed some love to traffic congestion issues on the south side in Brisbane because, if you don't do it, then you're going to continue to have this problem. It's just going to get worse and worse, and our cities, for liveability, for productivity, need to have safe roads. They need to have roads that work well, and that means dealing with this particular traffic snarl.

In the last few seconds available to me, I just want to mention a portfolio matter—that is, the second 10-yearly review of the EPBC Act that is now underway. The Liberals and Nationals are now in their seventh year of government, and their cuts and mismanagement are evident in the blowout of decision-making times. There's so much delay. It's actually got to a point where 40 per cent of decisions are now made outside statutory time frames—it was 15 per cent when the Liberals and Nationals came to office. This is bad for jobs. It is bad for development and it is bad for the environment. We should be able to, as a nation, have strong environmental protections and also be able to get decisions made within statutory time frames so that the jobs and development can go ahead where it's safe for that to happen. Thank you.

Ms MADELEINE KING (Brand) (10:39): I'd like to reflect today on some of the people who have made this parliament what it is today, those whose contributions have set the gold standard for all who aspire to sit in this parliament and represent their country and constituents across the nation.

When I was a new member in this place in 2016, along with many others, I was very grateful for the presence in the parliament of those who had served here for some time as Labor members of parliament, both in opposition and serving in Labor governments. They offered newcomers like me advice and allowed us to gain from their vast experience and wisdom. I'd like to take this opportunity to pay tribute to a couple of former members who retired at the last election and whose experience and contributions have left an immensely positive and lasting impression on me, on the parliament and, indeed, on the nation.

I acknowledge the current national president of the ALP and former member for Lilley, the Hon. Wayne Swan, a great Queenslander and a great Australian. Wayne Swan—or Swanny, as he's often referred to by so many—has left an indelible mark on this place, and it's very important that his contribution to this country be acknowledged. He left a legacy that is well known throughout this place and a legacy that is still felt by so many people around Australia long after he left the office of Deputy Prime Minister and Treasurer of this country. His time as Treasurer and the policies he implemented have been reflected on by so many in this place—particularly, the economic stimulus package, in the wake of the global financial crisis—and recognised internationally, and rightly so.

One, in particular, that stands out is when the Treasurer was awarded Finance Minister of the Year, in 2011, by *Euromoney* magazine. He is only the second Australian to have won that award, with Paul Keating receiving the Finance Minister of the Year award in 1984, after

the introduction of critical economic reforms, including the deregulation of the banking system, the floating of the dollar and the opening up of our Australian economy, in moves that set this nation up for long-term economic success. It's something that no-one else was able to do. Both are representatives in this place of the best of Labor traditions.

Sadly, some of Wayne Swan's good policies were unable to be well established before they were overturned, in this place, by a vindictive and negative Liberal-National government led by then Prime Minister Abbott. When the ALP introduced its carbon emissions policy, during its last government, it was met with outrage from many of the major players in industry and was helped along by an extraordinarily misleading scare campaign that portrayed such things as exorbitant roast dinners. Everyone will remember the \$100 leg of lamb that never eventuated or the wipe-out of Whyalla—and we certainly know that hasn't happened—and there were many other falsehoods. It's something that the public now knows, and probably always did know, wasn't true, but they were led along.

That was 10 years ago, and if you look now at the massive power price increases you can see the cost of having no energy or emissions policy at all. As it turns out, it wasn't the carbon emissions policy of the Labor government but six years of the Liberal-National coalition government that has caused power prices to soar, crippling industry growth, driving everyday Australians into a kind of energy poverty. Many of those companies that campaigned against Labor's policies are now, ironically, calling for decisive political action on carbon emissions. Many large corporations have seen the light, so to speak, and are openly advocating for action on climate change. As the CEO of Woodside, Peter Collins, said last year, 'The consequences of inaction are too great.' It's quite an about-face, and you can only imagine where we would be if the nation had been permitted to be a world leader in taking action on climate change through a market based approach. This was a policy jointly led by Wayne Swan and Prime Minister Gillard.

Another one of Wayne's attributes is his sustained commitment to Labor causes and values, including the view that everyone in this country should contribute fairly and appropriately to the community through taxation. He warned against ignoring this issue, of extraordinary tax evasion that sought to undermine the interests of the Australian community, repeatedly during his tenure, particularly against the rise of some very powerful vested interests. In his 2012 *The Monthly* essay, Wayne Swan stated:

Politicians have a choice: between exploiting divisions by promoting fear and appealing to the sense of fairness and decency that is the foundation of our middle-class society; between standing up for workers and kneeling down at the feet of the Gina Rineharts and the Clive Palmers.

That was about eight years ago. But these words ring truer now than ever before, particularly when you look at the contributions made by Mr Palmer during the last election—distorting, scaremongering, creating a political environment dominated by fear.

Clive Palmer was highly complicit in preventing this country from having an earnest and honest debate about its direction during the election. Simply put, Clive Palmer told lies to sow fears in the community. He is manifestly anti-Western Australian, going so far as to attack the state government and—bizarrely—misnaming the WA Premier as Mike instead of Mark in a newspaper ad, calling him a communist and accusing him of siding with foreign powers. It was weird and incompetent, and sure came as a surprise to Mark McGowan's brother, Mike! You really couldn't make this stuff up, yet it happened in this country not that long ago.

The Premier of Western Australia was right to single out Mr Palmer as a greedy hypocrite running a disgraceful attack on our biggest trading partner. Look at Clive Palmer now. He's involved in a dodgy process that is now again before the courts. He is an individual who thinks only about himself and he is harming Western Australian trading interests. This is an issue that must be looked at. Wayne Swan was prescient: he saw the likes of the 2019 Palmer campaign coming long ago. Wayne might not be in this place any longer, but I can assure you his ideals and his fight for a fair go remain and they are strong, especially in the new member for Lilley, who gave such a wonderful first speech in this place only a couple of months ago. I look forward to hearing more from her.

While Wayne Swan's ideals may represent the soul of the Australian Labor Party, it could easily be said that Jenny Macklin is at its heart. The former member more Jagajaga is widely respected by politicians, industry groups and communities of every stripe and creed. Humble, hardworking and with a depth of compassion that would engulf this entire building, Jenny is recognised for her phenomenal contributions to Australian social policy and her unwavering commitment to social justice. Jenny's achievements are many and wide-ranging, whether she was in government or opposition. There are too many to mention here but I would single out two that resonate around the nation to this day: the Apology to the Stolen Generations, and the National Disability Insurance Scheme. Jenny Macklin played an integral part in both. The national apology represented an important and necessary step in our relationship with our First Australians. It is a crucial tenet of reconciliation itself, as we acknowledge what was done in our past, in order to be able to move forward.

Jenny's warm and genuine nature during a period of great difficulty was welcomed and praised nationally. It is said of her, and her efforts in the portfolio of Indigenous affairs, that, 'One of her most important achievements was to take the left- and right-wing politics out of Indigenous affairs and destroy the toxic division between symbols and practical change that had dominated the debate under John Howard's leadership.' Many people here will have seen the photo in my office that was taken on the day of the apology. It is of four Indigenous women standing in the front court of Parliament House. Two of them have T-shirts that each say 'Sorry' and the two next to them have shirts that each say 'Thanks'. They are arm in arm. I think it's one of those remarkable photos of our time that sum up how important it was to say 'sorry', and, equally, how important the generosity is of our Indigenous sisters and brothers, who can so easily say 'thanks' for what shouldn't have been as hard as it was. We thank Jenny for all her efforts, and also former Prime Minister Kevin Rudd and the whole Labor caucus of the time, and those who supported it.

Jenny's and Prime Minister Gillard's determination under great pressure to get the NDIS off the ground is also a testament to their fortitude and to Jenny's skill in policy development. It's a credit to them both that the NDIS has become a bipartisan institution—supposedly. This is greatly needed, as all sides of politics must work together to solve some of the issues with the NDIS rollout across Australia, which, to say the very least—and it is an understatement—has been problematic. I urge members of the government, and particularly the minister responsible, to please give the NDIS the attention and funding it deserves and that people need. So many individuals and families rely on it for the quality of life that would be beyond reach without the scheme. Only recently, I welcomed the shadow minister for the NDIS, the member for Maribyrnong, to my electorate for a forum, where constituents spoke about their

experiences with the scheme. Over 60 people came along and told us of their frustrations and of the delays and the emotional toll the process has taken on family and friends. It was truly awful.

In her valedictory speech, Jenny mentioned being able to share in the life of the community, enjoying a certain level of security and safety, and about what it means to belong. Every Australian deserves that; it doesn't matter whether you're Wayne Swan or Jenny Macklin or anyone else. Those participating in the NDIS especially deserve that level of security and belonging. The politics of fear, division and misinformation have no place in modern Australia and indeed the world. It's up to us to do our part in lifting up that standard and visibly pursuing a return to integrity in politics in order for the trust deficit in Australian politics to drop significantly.

Again, I thank Jenny and Wayne for their amazing contribution to this place and to the Australian community. I wish them a great time in their retirement. I know the former member for Jagajaga, Jenny, loves a gin and tonic, and I look forward to meeting up with her again at some point so we might share one. She dances spectacularly once she's had one of those, apparently!

I'd now like to speak for a few moments about the recent election in this country. Obviously it was a difficult and disappointing time for the Labor Party. It was clearly gut-wrenching after all the hard work of my parliamentary colleagues, our party officers and all our members and supporters—all the work that went into the campaign that was ultimately unsuccessful. Our mission was to deliver a federal Labor government and to support fairness and decency in Australian public life. We didn't deliver on that.

I would like to commend our party elders Craig Emerson and Jay Weatherill for the comprehensive review they conducted into the Labor campaign and to all the others who were on that committee that did such a lot of work and a lot of soul searching on behalf of so many of us. I was grateful to have been able to speak with members of the committee during that process. It was a thorough and honest analysis of how we lost the election, and, if we don't pay attention to it, we risk repeating our mistakes. I commend Labor's national executive for its decision to release the report publicly. While it won't be easy reading for everyone, it's something we should all do, and we should think a lot about what it says. As we begin the task of thinking about how to form government after the next election, this document should serve as a blueprint.

It's critical to the best interests of all Australians that Labor does form government in this country, because when we look at this coalition government, which has been on the treasury benches for more than six years, all I can see is a government without a plan. It's a government unprepared to govern—of course, it's a little surprised that it is continuing to do so. It's a government with no agenda and no idea about how to deal with a stagnant economy. Unemployment is rising, wage growth is frozen and almost two million Australians are looking for work or for more work.

The Emerson-Weatherill report found that we were so ambitious in our policy agenda that we ended up with too many policies. We had a strategy that could not adapt to the change in Liberal leadership from Malcolm Turnbull to the current Prime Minister, and, of course, we left the door open for the government and Clive Palmer to run scare campaigns, which fuelled anxieties among lower-income voters in the outer suburbs and regional Australia that Labor

would put their jobs at risk. We had a leader who did a superb job of uniting the Labor Party and seeing off two Liberal prime ministers, but, as the report acknowledged, he was unpopular among some in the electorate.

I really want to thank the member for Maribyrnong for his contribution as Labor leader. He has accepted responsibility for his role in that election, as we all collectively have for our role. I thank him for his ongoing service to the nation and his community in the seat of Maribyrnong. I cannot fault the member for Maribyrnong's commitment to Western Australia. He travelled to WA regularly and has always shown a genuine commitment to our state. We can't forget that it was Bill Shorten's leadership in announcing the WA GST fund that forced the coalition to follow suit, delivering greater fairness for my home state. Notwithstanding how many Western Australians were in the cabinet, they failed to deliver on the WA GST fund until Bill Shorten forced them to do so.

There was, of course, another important factor that contributed to a poor result across the board and a result we had not hoped for in Western Australia. The review concluded that Clive Palmer's huge anti-Labor advertising campaign had a significant effect both on the leader's popularity and on Labor's primary vote. Palmer's advertising was centred on Western Australia, where he has business interests. He was able to get away with fraudulent advertising that in many cases was virulently anti-Chinese, for which he should be condemned by everyone in this House. He ran full-page ads, which were outright lies, that sought to sow fear in the minds of everyday Australians that we would somehow be subject to an invasion.

There is more that we must do if we are to win the next election as the Labor Party. One of my chief concerns about the election campaign was its wholesale central operations run out of Parramatta and the west of Sydney. As a Western Australian it was obvious to me that our campaign workers in Parramatta could never have been expected to fully understand issues that were of concern to voters across the vast state of WA. But I do want to thank all those campaign workers who did their work from the Parramatta headquarters. They were diligent and faithful, they worked hard and they were always on call, but it is very difficult for people based there to understand what's happening on the ground in parts of the country that are vastly different and so far away.

I believe that the next election campaign, Labor's campaign in WA, must be focused on WA issues and must have the direct input and participation of Western Australian people. In this case an election is perhaps time for the party to think about decentralising its efforts. Although we held on to all five of our seats in WA, we have to face up to the fact that our primary vote fell below 30 per cent. I commit myself to working with my fellow Western Australian parliamentarians to turn that around in 2022.

Under Anthony Albanese, Labor has begun the process of spelling out a vision for the Australian people. Our leader has been talking about the importance of jobs and the importance of acknowledging that work is changing and that we, as the Labor Party, must help that transition to make sure nobody is left behind. It is through this approach that we can start the process of reconnecting with the people that we lost. Working people experiencing economic dislocation will never return to Labor unless we respond to their needs. Many people on lower incomes feel they are not listened to. Many are struggling with the cost of

living, job insecurity and sluggish wages growth. Many are traditional Labor voters who turned away from Labor on 18 May.

We will develop policies that are in the interests of these people and those of all Australians. We won't become preoccupied with divisive issues that don't concern average Australians, issues that are often driven by vocal special interest groups. Of course, we can continue to be the party of reform and continue the legacy of the Hawke, Keating, Rudd and Gillard governments. Our policies can continue to be bold but they must be easily explainable. They must also fit to an overarching narrative that establishes Labor as the party of economic growth and job creation. It's in the national interests that we do better next time, and I believe that we will. I'm looking forward to the future and I'm looking forward to forming and fostering many more warm and productive relationships with colleagues on all sides in this place over the next 2½ years and hopefully, of course, beyond.

Before I end, I will use these last few minutes to wish all members of the House of Representatives and the other place a very happy Christmas. I hope they enjoy a restful, peaceful break over the summer-New Year period. I also want to thank the people who I work with every day back in Rockingham where my electorate office is based. I thank my staff: Kate Gurbiel, Ryan Pavlinovich, Georgia Tree, Jacinta Pember, Jenny O'Reilly, Matej Stasak and my new staff member Andrew Burrell. They are a great team of people. Many have been with me basically since I got elected in 2016. Their commitment to the cause is unwavering. They work long hours, do many other duties as directed and have patience with me, which can be a trial, so I do appreciate them and I thank them for their patience. They always display a respectful attitude to all of my colleagues in this place. They help facilitate me being slightly better organised than I have been in the past, with my picking up the Trade portfolio as the spokesperson for the Labor opposition in trade. They have been able to do a quick turnaround of work and they have been able to get across many complex issues very quickly without the resources that one would have in government. They make best use of the limited resources they have to make sure that I get the best advice so that we can work in that portfolio in the interests of the whole constituency of this country but especially those who seek to support Labor—who have supported us in the past and will into the future. Thank you to my team. You're a delight, and I hope you all get a very good rest over Christmas and New Year's. It has been a very hard year with the election campaign and with a shadow cabinet portfolio. I'm enormously grateful for all your help. I look forward to what the new year will bring. With that, a very merry Christmas to you. I know it's a little way off, but it always comes around quickly. Thanks to all my colleagues for all their support over the year.

Mr Hill: We support you, Member for Brand.

Ms MADELEINE KING: I'll take that interjection from the member for Bruce. He always supports me. He always has, ever since we met in 2016. I'm very grateful for your support.

Mr Hill: I take excellent photos of you.

Ms MADELEINE KING: And he takes excellent photos of me and shares them widely, so thank you very much.

Mr NEUMANN (Blair) (10:59): It is a great honour and a privilege to be in this place. As someone who grew up in Ipswich as the son of a meatworker, who was a cleaner and a shop

assistant, I often find it mystifying and almost magical that someone from a poor background who had the challenges that I had—poverty being the least of them in my family's experience—could be the member for my area. I am humbled by the support that my electorate has given me. This is now my fifth term as the member for Blair. If you think of a country town in South-East Queensland, the chances are I've represented it in the last 12 years. I want to thank my wife, Carolyn, who has suffered from ill health for a number of years, for her steadfast love, affection and support. To my daughters, Alex and Jacqui, and their partners, thank you very much also for your ongoing love and commitment to me. To my extended family, thank you also. I couldn't do this job without your support. To the people of Blair, I will not let you down. I will work as hard as I can, as I've done over the last 12 years, to support you and deliver for you. To my electorate staff, I thank you for what you've done. To my shadow ministerial staff in the last parliament, I thank Jesse Northfield, as well as Tim Dunlop and Melissa Hockey before, for the work that they have done. I want to thank also the branches of the Labor Party—from Springfield in the east to the Somerset branch in the Somerset Region to the north and west, and across Ipswich—for their fantastic support. I couldn't do this without the support of Labor Party members and supporters who stand at prepoll, hand out how-to-vote cards, erect signs, attend at mobile offices, make phone calls, and do phone canvassing, letterbox drops and door knocking with me. Without your undying and unyielding support, this job couldn't be done and our campaigns couldn't be run.

I also want to thank affiliated unions. To my own union, The Services Union in Queensland, to the state secretary, Neil Henderson, and the Queensland president, Jen Thomas, thank you for your friendship and affection, as well as your support of my campaign. I am proud to be a member of a union. I go into every campaign with the Labor Party membership ticket in my pocket and a union membership ticket in my pocket as well. I express my deep condolences to the Australian Services Union for the loss of my dear friend, the national secretary, David Smith, who died tragically and unexpectedly last Friday. He was a mentor and friend to me and he was beloved in Queensland and by the union. I thank the SDA, the AWU, the TWU and the Plumbers Union for your ongoing support as well.

I want to thank the member for Maribyrnong and the member for Sydney. I have worked closely with them for many years and, in the last government, I worked as the parliamentary secretary to the member for Sydney in health and ageing, and I really grew to admire and respect Tanya for the work she does. I want to thank Bill Shorten, the member for Maribyrnong, for his steadfast service to the Labor Party and the union movement and for his leadership. I want to thank all those members across the board—across my home state of Queensland and nationally—who supported our campaign. I thank the Queensland branch and the Queensland office, as well as the national secretariat. The election outcome we wanted wasn't to be, and it is a great disappointment to the Australian Labor Party. But we are coming out of our slough of despond, as John Bunyan talks about in *Pilgrim's Progress*, and we will be there fighting at the next election as we always do because we believe in the cause of Labor, social justice, equality of opportunity and a fair go for all.

And a fair go for all is what my home state and my city of Ipswich and surrounds have not received under this government. We made a number of commitments in this campaign which were absolutely crucial. Road projects, rail projects, support for health services and for veterans, and civic centre and emergency evacuation centre upgrades are deeply and dearly

needed in my electorate, and they haven't been supported by the current government across now three terms. These are critical for the city of Ipswich, growing at the rate it is. It will more than double its population in the next 20 years. I have the satellite cities of Ripley and a large part of Springfield in my electorate, and the population is growing tremendously quickly. But this is a government that seems almost bereft of any form of economic plan for this country. We've got people experiencing wage stagnation, rising prices, and the high cost of essentials with power prices going up and child care becoming more unaffordable. And the government seems incapable of getting this country and its economy moving. Productivity is at record lows as well. And, all through this time, this government talks about its plans.

The economy is struggling. If you go to small country towns in my electorate or to suburban shopping centres—I was at Raceview shopping centre; I think I have done 50 mobile offices since the last election—you will see the lack of cars at the shopping centres and the lack of patronage. During the campaign I had cause to travel extensively to country towns and cities across Queensland. In Townsville, Gladstone, Rockhampton or wherever I was going, there were great swathes of the CBD where the shopfronts were closed. We see that even in my city of Ipswich, where businesses are struggling. The economy is growing at the slowest rate since the global financial crisis. Unemployment is stagnant and is at a very high level. More than two million Australians are either unemployed or looking for more work. Household debt is rising. The current government has doubled the debt. They constantly call it our debt. It's almost as if they're in office but not in power. The government have to take responsibility for the fact that the net debt has more than doubled under them and skyrocketed to record highs. Business confidence is down and consumer confidence is down. We see household living standards decline under the current government to a level lower than when this government came to office.

With all these challenges, you would think that the government would think about investing in infrastructure in fast-growing regions such as the Ipswich and West Moreton regions, but they have not. Even in their most recent announcement of their infrastructure spend, there is simply no new money for my electorate, and money seems to be diverted to electorates which had someone wearing a blue shirt on election day. LNP electorates across Queensland seem to get the preponderance of the extra money that has been allocated. And, even then, it's only about \$1.7 billion extra. Certainly there is none for Blair. I am pleased that the government has responded—and I wrote a letter to the Deputy Prime Minister on 7 June 2019—in relation to a shocking intersection on the Warrego Highway, and also the Cunningham Highway. The Mount Crosby interchange should be a priority for any government in Queensland—state as well as national. It's a cause of real angst for people on the Warrego Highway, people who live in the northern suburbs of Ipswich such as around Karalee, Chuwar, Tivoli and North Ipswich and even into Brisbane, around Karana Downs and Mount Crosby. I give credit to the current government for finally coming to an agreement on the upgrade of the Mount Crosby interchange. I urged them to do that, and I made speeches in this place in relation to it. They have come to an arrangement with the Queensland government. It will cost \$22 million, but I urge them to even bring it forward. There will be a public consultation process in relation to this matter, and I thank the Queensland government and the current government for finally listening to not just my voice but the voice of the member for Ipswich West, Jim Madden, who has also been advocating for this particular project.

But there seems to be nothing in relation to another road project in my electorate. Across the last close to 20 years, we've had agreement from both sides of politics to upgrade the RAAF base at Amberley. Well over a billion dollars has been spent on what is the biggest RAAF base in the country, which is fast becoming the biggest base in the country.

But the road infrastructure along that area has not been upgraded, and still we've seen the growth in suburbs like the Ripley Valley, Deebing Heights and around Willowbank. Labor made a commitment before the last election to put \$170 million towards upgrading the Cunningham Highway from Yamanto to Ebenezer Creek. The current government, to its credit, put money behind it but unfortunately didn't bring the money forward and needs to undertake negotiations with the Queensland government to get this going. I would urge the Queensland government to put it back on the radar so that the Cunningham Highway is upgraded. You can't have thousands and thousands of people working on the RAAF base at Amberley and in the aerospace industry it surrounds and the suburbs that are booming in and around that area without the road that connects the base to Ipswich and beyond being upgraded. It's unconscionable, and it can't go on forever.

So, I urge the government—both the Queensland government and this government—to undertake the necessary negotiation to get this project done. It's really critical for South-East Queensland. You can't have an aerospace industry, can't have a base of this magnitude, without this being done. Economic productivity is being stymied. Thousands and thousands of vehicles a day, including trucks, go through that intersection. It's important for connectivity, for the economic development of South-East Queensland.

There are a number of other things I want to turn to. One of the things I have done since I've been elected is put a focus on disability and on seniors in my electorate. I think it's a tragedy that this government has got the National Disability Insurance Scheme wrong. The underspend of \$4.6 billion is a disgrace. Anyone who's in this place, in the House or the Senate, would have dealt with constituents who are constantly having problems in relation to the National Disability Insurance Scheme. The current government has underspent and is making it more difficult and has completely botched the scheme. I have been working with my staff on case after case to assist people.

One of the things I have done since being elected is make sure that locally we can get information to people who are living with disability, as well as their families and carers. I have given out well over 100,000 of these *Blair Disability Links* booklets across 10 years. This here is the 2020 directory. So popular were they that I started the *Blair Seniors Links* directory, and here I have the 2020 version of that. I am about to complete the *Blair Sports Links* booklet for 2020. This is the 2019 version, with the Ipswich Rangers rugby union team on the front; it was their 50th year, which is great to see. I'm very happy to support local constituents, and if they want to get copies of those booklets they can come and do that. I've had many people, many organisations, who want to come to our region and who want to be in those booklets. There are many great organisations, and I want to support them as well.

One of the big problems we have in a regional and rural electorate is telecommunications. One of the challenges we have is of course the NBN. This will be the shame of the former Prime Minister and the shame of this government. Certainly the former Prime Minister, Prime Minister Turnbull, when he was the telecommunications minister, completely botched the NBN. Fancy spending an extra \$21.4 billion over the budget and getting the whole project

four years behind schedule. The multitechnological mix that they've got there is not the original fibre plan, and people know it. In country towns in my electorate they know that they're not getting the upload and download speeds. And we've fallen behind comparable OECD countries and other comparable countries that we test ourselves against on economic development, educational attainment and a whole range of indices, and we have got it wrong in this country. The technology mix for NBN has been diversified, but it's been detrimental and has been at a cost of lower quality of services, and users are having to shoulder higher costs but are receiving poorer outcomes.

So, we need to fix this if we get into government next time. I am encouraged by the headland speech of the new opposition leader, the member for Grayndler, in Brisbane last week—I know the member for Lilley was there as well, and other Queensland MPs and senators were there from the Labor side—in which Mr Albanese put this front and centre. We need to address this issue. It's ridiculous that in the 21st century we're falling behind the way we are. I would encourage the government to reassess this.

While I'm on that, I want to congratulate the member for Grayndler and the member for Corio. I'm happy to work in his Defence team in the shadow ministry. I am happy to have this role and I was pleased the member for Grayndler asked me to work as the shadow minister for veterans' affairs and Defence personnel, particularly with the RAAF Base Amberley being in my electorate. While I'm on the subject of RAAF Base Amberley, I want the government to address an issue that is so important to my electorate: the failure of this government to respond to PFAS contamination.

I feel very much misled by the Department of Defence in relation to the impact of PFAS on my electorate. We need a national approach in relation to this matter. I have written to the Minister for Health about people in my constituency being able to get access to voluntary blood tests in relation to the impact PFAS may have on their personal lives. We have seen more and more testing and investigations undertaken in relation to PFAS. But the Department of Defence has handled this incredibly badly. PFAS contamination is not just linked and limited to Oakey, Williamtown and Katherine. It is across a whole range of our capital cities, major towns and ports. Anywhere this contaminant was used it has affected people, including those in and around RAAF Base Amberley.

As I said recently on ABC Radio, when I was a child we would swim in the Bremer River and we would catch fish—we would use it for recreation. But, of course, in the creeks leading into the Bremer River and the Brisbane River—and people still go on the Brisbane River; I see the Bremer canoe race—we see the contaminants that have been identified. Recently, an investigation showed there were issues in relation to potentially major problems in the suburb of Leichhardt in Ipswich, where water from additional creeks was being used on the then golf links before the Heritage Links development took place. This could have resulted in contamination for 325 residents in Leichhardt in Ipswich. The guidelines say, 'Don't eat homegrown produce or chicken eggs'. People in these regions in and around RAAF Base Amberley use water for their cattle and for vegetables they may have grown. So this goes into our meat supply and elsewhere, and there are really big problems in my region, and it potentially affects hundreds if not thousands of local residents in the Ipswich region. But the government seems to have downplayed this issue. I note the class action is taking place. I am

urging the government to be serious about a national approach, and to allow blood testing to take place in my electorate.

So there are a number of issues that affect my electorate—affecting the lives of people. The environmental investigation is revealing more and more problems for people locally in our region. The consultation has been inadequate and issues have been downplayed. Whenever I've been at various events—for example, the Amberley consultative working group and elsewhere—I have discovered again and again Defence handling this issue very, very badly. They should do much, much better.

I want to thank the electors of Blair for their support for me. I won't let you down. I will work as hard as I can in the next three years. Thank you very much for your ongoing support.

Mr HILL (Bruce) (11:19): I think it's fair to say that there's no-one in Australia that's more surprised about the election result than the government itself. We do of course accept the result, but it is bitterly disappointing not just for those of us who were hoping and had thought our way through the plans to form government but most importantly for the community that I represent.

The electorate of Bruce has some of the most socioeconomically disadvantaged areas of Melbourne, and indeed the most disadvantaged council in the metropolitan area of Melbourne. I just want to record for the House that the government, despite making hundreds of millions of dollars of promises in seats surrounding it, made not one single commitment to my electorate. The most disadvantaged people in a city of over five million people under this government were not worthy of one dollar in the election commitments. All they've experienced since the election is the government's ongoing attacks on public services; the privatisation of Centrelink; cuts to the National Disability Insurance Scheme; and of course, the disgraceful effort, which is well underway with an announcement expected soon, to privatise the issuing and processing of Australian visas and citizenship—a disgrace.

But it's true to say that the Labor Party, I think, stuffed up this election, and we own that. We're in the midst of our political coprophagia, as we speak, thinking our way through it. But, as we've seen, the government has no plan; the economy is tanking; wage growth is at record lows; underemployment is at record highs—1.2 million Australians seeking more work; productivity growth has stagnated; consumer confidence and business confidence are down; and we see the Prime Minister making it up every day as he goes along with no plan for the economy, no plan for the country. The more he says those words—we hear them in question time: stable and certain—'We have a stable and certain plan,' the more Australians need to understand that that is because there is no plan. Prime Minister, he doth protest too much.

But one thing that has not changed since the election is this government's unrelenting attacks on the most vulnerable Australians. I just want to turn some remarks to the issue of robodebt. We've seen an incredible turnaround just in the last two weeks. Robodebt was inaccurate, unfair and damaging to the most vulnerable Australians. It was a dodgy scheme of debt collection, utilising the power of the state, the Commonwealth logo, to recoup debts that were not owed. It's taken the human out of Human Services. What the government has done with this is grab a computer that takes the tax office annual reported income and spits out a letter if that doesn't match the income that was reported to Centrelink. There's no human left anymore who checks the fortnightly reported income to Centrelink. They just raise a debt notice with no proof.

I want to record the example of Lydia, a wonderful constituent of mine who I met only three weeks ago. She came in, astonished, to have been told she had a debt to the Commonwealth of \$22,000. Lydia's over 60. Three years ago—

The SPEAKER: A division has been called. The proceedings are suspended to enable honourable members to attend the division. The proceedings will resume when the chair of the Federation Chamber is resumed at the conclusion of the division or subsequent divisions. Thank you.

A division having been called in the House of Representatives—

Proceedings suspended from 11:22 to 11:42

Mr HILL: Lydia, some years ago, had already paid back \$3½ thousand to the Commonwealth for a debt she did not owe. This was because she got a notice claiming the debt. She knew that she'd reported her income correctly to Centrelink every fortnight, but when she tried to get the documents to prove that—the debt was more than five years old—her tax agent said, 'We don't have them, because you don't have to keep documents for more than five years.' She went to the business, but it had gone bankrupt, so she couldn't get the payslips. As she had no way of proving that she did not owe that debt, she was compelled by the brutality, the bullying of the state to repay \$3½ thousand she did not owe. Lydia has worked for over 10 years as an English as a second language teacher. She works on an intermittent casual basis, so her income fluctuates throughout the year. Therefore, because of this casual work, she relies at times on income support payments to make ends meet. The government's cruel robodebt has a real human impact and is incredibly distressing. Lydia summed it up to me in one word, which was 'unjust'.

The government, of course, have now hit the brakes on this scheme after immense pressure from Labor and after the threat of a class action. They panicked after hearing from the lawyers but didn't listen to the community, which has been crying out for years about the unjustness of this robodebt extortion scheme. They're still pretending there's nothing wrong. The minister said in question time that backtracking on the scheme doesn't prove that anything is flawed, but it's a very late admission that there's something rotten at the core of robodebt. Questions still need to be answered. What happens to the victims of robodebt over the last few years who have repaid money?

What happens to the money which has been improperly and unjustly obtained by the Commonwealth? This is a harsh misuse of government power.

The government, in effect, has been acting like an internet scammer, scaring vulnerable and innocent people with the Commonwealth crest saying, 'Pay up or we'll get you.' It's had a particularly negative impact—I know from my electorate—on migrants to this country, who struggle to challenge this unclaimed debt and get extra terrified when they see the government's coming after them. Robodebt has had extraordinary impacts on my community after struggling with six years of cuts to essential services.

I want to turn my remarks to another topic, which is the need for Australia to get real on medicine safety. Too many Australians are being seriously injured, sometimes with lifelong impacts or dying, because of the weakness in our pharmacovigilance system. In a recent study the Pharmaceutical Society of Australia estimated the extent of the problem at 250,000 annual hospital admissions as a result of medication related problems and 400,000 additional

presentations to emergency departments, likely because of medicine related problems. There's an annual cost of \$1.4 billion, and yet 50 per cent of this harm is estimated to be preventable.

I have spoken before about my concerns in this area, and so have many other advocates, but the government is still not taking these issues seriously. Every day of inaction means Australians are at risk of death or serious harm from medicines when it could be avoided. I have spoken a number of times in the parliament about how, almost three years ago, my daughter almost died because she was prescribed an old and dangerous drug, Diane-35, for a purpose for which it was not approved. No-one told her this before she took it. Her doctor did not tell her and her pharmacist, therefore, could not. There was no possibility of informed consent. There was a clear failure to warn of potentially serious side effects, so she took the drug, developed a 64 centimetre blood clot in her leg and almost died, after a long-haul flight, in Sri Lanka.

I believe this lack of informed consent is wrong in Australia. It is a fact that there is a higher likelihood of side effects when a drug is prescribed for a purpose other than which it is approved by the TGA. Of course many off-label prescriptions are safe. The TGA recognises that off-label prescriptions may be clinically appropriate in some circumstances, but it also recommends that such use only be considered where other options are unavailable, exhausted, not tolerated or unsuitable, in essence, because it is riskier. Failure to inform and warn patients means they cannot decide for themselves, and the quality of the conversations between doctors and patients is therefore diminished.

What was meant to be a family holiday for us quickly turned into a nightmare. If Elanor had been told about the heightened risk of blood clots, she would not have taken that drug, especially before long-haul travel. There were so many opportunities for her to be advised of the risks, yet no-one was required to tell her. These types of iatrogenic illnesses are far too common in Australia. However, due to flaws in our medicine safety system, the real size of this problem is unknown. The health minister declared in July this year that medicine safety is a national health priority. He said:

I am delighted to announce and confirm today that the Australian Government will now move through the Council of Australian Government's process to make the quality and safe use of medicines a National Health Priority. He said:

That work is underway and we will not stop until it is done.

But it's almost six months on and there's no evidence that the government has a plan or any specific commitments beyond the rhetoric. It looks as if the minister needed an announcement to go to the conference so they dreamt this up.

I want to propose again a few areas of concern that should be looked at seriously if the minister is serious about this and willing to look at difficult issues. The areas of concern are: firstly, this broader issue of off label prescribing—again, the practice of prescribing TGA approved drugs for a purpose for which they were not approved; secondly, Australia's adverse event reporting regime, which is underperforming, as compared to other jurisdictions; thirdly, the transparency of the TGA's operations. I'll flag this as a topic for another day, given the lack of time available.

Off-label prescribing is not a new concern. The general risks have been talked about for years. The medical negligence lawyers are warning doctors. There is endless public reporting

that doctors bear increased legal risk for off-label prescribing. Good old Dr Google provides oodles of information about the risks and the clinical and legal issues involved.

I'll demonstrate the problem, quickly using my daughter as an example. The doctor prescribed her an off-label drug. Elanor presented with an indication and the doctor says, 'You should try this drug,' and yet that drug was not actually approved for that indication. Diane-35 was approved for severe acne, when other options had failed, or excessive body hair, in the case of androgyny. They're pretty narrow indications, because the drug makers knew they could never get it approved as a contraceptive pill. They could not; it would not be approved. There are safer, more modern alternatives. The issue here is consent. There's no obligation in Australia for a clinician to tell a patient that the prescription they've been handed is for a drug for a purpose that it was not approved for. The critical feature there of consent is, I believe, that a person should consent to treatment. But how can this be so if they don't know all the facts? I believe we need to look at a positive duty on clinicians. It's there. It says that good clinical practice is that you should foster informed consent and tell patients about this, but it's not mandatory. I'm told by many clinicians who agree with my position that this is controversial because of the doctor's lobby. I'll talk about that in a moment. But my belief is that people in this parliament and the health minister should first and foremost stick up for consumers.

The next thing that happens, of course, when you get that script is you go and get the drug from the pharmacist. In Australia, the pharmacist does not know if a prescription is off label, so the pharmacist has no ability to warn or provide information about possible side effects and the heightened risks that we know will come. I believe we should look at a system whereby pharmacists can simply be notified by a tick box from the doctor if a prescription is being given for a drug for a purpose for which it was not approved. Other countries have this.

Thirdly there is the issue of adverse events. You have to have post-approval monitoring to see what side effects are happening. Again, this goes back to the idea that the clinician should have an obligation to notify of adverse events. In Australia again there is no obligation on doctors to notify of adverse events. I'll talk further in a moment about that.

Through this example of my daughter and what happened to my family, I came to investigate and learn far more about these issues of off-label prescribing. They're systemic; they're not isolated concerns. My view, I know, is shared by various doctors, academics, regulators and colleagues, both in the Labor Party and indeed across the aisle, about the general concerns, and I'll state them, about off-label uses. Firstly, in many cases rigorous scientific evidence of benefit does not exist. Patients taking the drug are not protected by the manufacturer having been required to at least show how this drug has the claimed effect in premarket studies. This is like the situation with all drugs pre-thalidomide and pre-modern drug regulation introduced in the 1960s in all industrialised countries, including Australia.

Secondly, a study of adverse drug reactions in off-label uses without strong scientific evidence of benefit that included over 45,000 patients found high rates of harm with off-label use compared to approved use. Around 20 people per 10,000 experienced harm with each month of off-label use, versus around 13 per 10,000 with approved use. That's not a big difference but when you scale it up it is material. This is not a new concern. The government has known about this for years. For instance, in 2014, the Senate Select Committee on Health heard evidence that the licensing subsidising and monitoring of pharmaceuticals in Australia

was far from transparent and effective. The Health Consumers' Council submission suggested seven reforms to improve transparency and safety. One of those seven reforms called for a proper look at the incidence of off-label prescribing:

7. The Commonwealth Government should commission or conduct research into the incidence and impact of 'off label' prescribing. The research should concentrate on the health impacts of off label prescribing and the extent of PBS subsidisation for the off label use of medications. Based on the outcome of this research the Commonwealth Government may consider if over time it is worth encouraging 'off label' prescribing to become 'on label'. This could be achieved by gradually enforcing PBS subsidisation of medications to those prescribed within the approved guidelines. This may encourage pharmaceutical companies to apply to the TGA to expand the range of authorised uses of their products and would help ensure that prescribing practices are supported by robust evidence.

The PBS comment is an interesting point, worthy of exploration in a proper inquiry to help ensure taxpayers' dollars are not subsidising ineffective or dangerous off-label prescribing, because currently the PBS specifies indications for which subsidisation is available, but those indications don't match the approved on-label uses and there is no penalty for, or policing of, prescribers who lie. In essence, in plain English, if you prescribe a drug for an approved purpose when it has been prescribed for another purpose and lie about it, nothing will happen. The truth is no-one really knows the extent or the PBS cost of off-label prescribing.

As I said, to be clear—I just want to put this on the record—off-label prescribing is not always a problem. The submission goes on to say:

Off label prescribing does not necessarily result in adverse outcomes, often patients benefit. But it is unregulated and outside safety parameters established through licencing process. The extent to which medications that are listed on the PBS and prescribed 'off label' receive full subsidy is unknown but the cost is likely to be substantial. The net health benefit (or loss) of off label prescribing is also unknown and warrants investigation.

In essence, we have no real idea of how common this is in Australia or its impact. Furthermore, the HCC cautioned:

However once a drug has been approved doctors are free to prescribe it as they see fit, even in contravention to the manufacturer's recommendations ('off label' use). 'Off label' prescribing occurs so regularly that it has, in many cases, become the norm.

Again I say that I'm not proposing to remove that clinical discretion, but I do think that we should have informed consent. I think we need a proper look at the extent to which this is happening.

There are many examples, not just Diane-35. Firstly, there is the off-label prescription of antidepressants and youth suicide. There is not one antidepressant approved by the TGA for use in Australia among people under 18—not one. Yet, in 2017-18, nearly two per cent of Australian children were prescribed an antidepressant. This practice is completely unregulated and outside the safety parameters established through the licensing process. Worryingly, there is now a statistical correlation in Australia between the rate of prescription of antidepressant drugs for young people and youth suicide. Between 2008-09 and 2017-18, antidepressant prescribing for people between the ages of 15 and 27 increased by approximately 66 per cent. In that same period, suicide rates in that cohort rose by 49 per cent. Before this, the rate of prescribing was decreasing, as were suicide rates.

Between 2006 and 2016 there was a 98 per cent increase in intentional poisonings among five- to 19-year-olds in New South Wales and Victoria, with substantial overlap between the

most commonly dispensed psychotropics and the drugs most commonly used in self-poisonings. To be clear: correlation, of course, is not causation. The causes of suicide are complex and we cannot draw conclusions based on this data alone. But these statistics now—we have 10 years of them—are red flags that need investigation because there is no adequate mechanism in Australia whereby our regulatory body is required to investigate what is going on and there is no requirement for doctors who prescribe these antidepressants off label to report instances of suicide if they're aware of them.

Particularly worrying is the US FDA's warning that antidepressants are associated with increased risk—approximately double—of suicidal thoughts and behaviours in people under 25 years. I understand that this is a contentious and controversial area. There are many mental health advocates—indeed, some of the most prominent in Australia—who are strongly in favour of such prescribing, while others urge caution. But the 10 years of data now and the epidemic of prescribing should be enough to warrant a serious look at the issue.

Another example is the sedative drugs used in aged-care facilities. The recent royal commission into aged care revealed that antipsychotics, antidepressants and sedatives were being used at an exceptionally alarming rate in Australia's aged-care facilities to control residents. These drugs were mostly prescribed off list for behavioural symptoms of serious diseases, such as dementia, rather than for the purpose which the TGA had approved the drug. They were used on patients far too often for the wrong reasons—to cut costs for the aged-care facilities. The fact that this practice happened is a source of national shame for our country. The epidemic, out-of-control practice of off-label prescribing should be seriously looked at.

They are just two examples. There are other worrying examples. Antipsychotics, such as Seroquel, are used at low doses to treat insomnia in patients without mental illness. Clinical trials have failed to show benefit, yet this practice is widespread. Motilium is used for inadequate breast milk supply. There is no clinical evidence of its efficacy. I note that the EU restricted its use in 2014 to no more than 30 milligrams a day for no more than one week—that's the on-label use—and recommended against off-label use, including for breastfeeding. Ketamine is being prescribed for depression. The list is long.

As I said, the UK and several European countries require doctors to inform patients—it's a legal positive duty—when they're prescribing off-label drugs, so informed consent is required. I'm not proposing that we remove clinical discretion from doctors, but I do think we need to look at strengthening that duty to inform patients.

Also important is adverse reporting. A robust postapproval monitoring system is a critical part of drug safety. A key part of this is to ensure that adverse incidents from taking a drug are reported to increase the body of clinical knowledge about off-label use for the benefit of all consumers. In comparison with similar jurisdictions, Australia now has relatively low rates of adverse incident reporting. The raw data over the last five years is concerning. The majority of reports come from pharmaceutical companies, which are under a legal obligation to report. This has risen over five years from about 9,000 reports in 2014-15 to about 14,000 reports in 2018-19. That's good. Yet over the same period we've seen a fall in the number of reports from doctors—from 4,831 to 4,415. In Australia, astoundingly, there is no obligation on the part of doctors who prescribe drugs to report adverse impacts to the TGA, even when prescribed off label, and only a fraction are reported.

After her near-fatal blood clot, my daughter rang her doctor's surgery and said, 'Have you reported this to the TGA?' I think they freaked out. A week later they rang back and said, 'We've had a practice meeting and decided that that's not appropriate and we don't need to, because blood clots are a known side effect of the pill.' What a nonsensical answer. The point is that we need to collect statistics on how often this is occurring to determine if drugs are safe or not. So why are doctors not obliged to report suspected adverse medication incidents? I get the paperwork argument, but we can automate this stuff now. When a doctor changes someone from one medication to another, why can't they press a button and have that automatically go to the TGA so that we get better data?

Australia needs to think critically about reform because the current system is not effective. If the health minister were serious about making medicine misuse and danger a national health priority, as he said he is, he would look at these more difficult issues.

Ms PLIBERSEK (Sydney) (12:00): I congratulate the member for Bruce for taking on such an important issue. He's very right to raise it as a concern. Well done.

It's been some months, of course, since the Governor-General's speech, and I was interested to note, at that time, that the Governor-General's speech focused a lot on our economy. Of course, it is so important that we do focus on our economy, because, when you look around the world at how economies are improving and recovering after the global financial crisis, it is extraordinary that the Australian economy continues to do worse and worse on so many important indicators. It is distressing in the extreme that the Prime Minister has been ignoring the decline in so many economic indicators and pretending to Australian families that they've never been better off. Whenever you hear the Australian Prime Minister talking to Australian families, you hear him saying that times are good, that times have never been better. Families don't feel that way. Ordinary families don't feel like they've never been better off. Most people I speak to are so very aware of the fact that they haven't had a pay rise in years, that all of their expenses are continuing to increase but the family budget is being stretched thinner and thinner.

The economy is growing at the slowest pace since the global financial crisis. We've turned our backs on the efforts that we made during the global financial crisis to keep Australians working. We went from being one of the fastest or the second fastest growing economies during the global financial crisis to now being 20th on the list of fastest growing economies around the world. The OECD, the Reserve Bank—all of them—expect our economy to remain slow and for unemployment to remain higher than budget forecasts over the next two years. The OECD's economic outlook forecasts weak, below-trend growth of only 1.7 per cent this year and 2.3 per cent next year, and forecasts unemployment of 5.3 per cent in 2020. Net debt has, of course, doubled under this government. I find it so extraordinary when I hear the Treasurer talking about Labor's debt. This is a government, which is now in its seventh year in office, that has doubled our debt. It has doubled our debt and refuses to take any responsibility for this fact. Having doubled our national debt, it is refusing to take responsibility for it.

We've got almost two million Australians who are looking for a job, or looking for more hours of work. Living standards are falling. We've got the combined impact of the lowest wages growth on record and two million people who are unemployed or underemployed. That is being felt in the family budget. Wages are growing at one-sixth of the rate of profits. People will tell you that themselves. They'll tell you that they're finding it harder to meet the bills as

they come in. In fact, household debt has also surged to record levels of 190 per cent of disposable income. Real household median income today is actually lower than it was in 2013. So, on the one hand, we've got the Prime Minister telling us that Australian families have never been better off, yet every economic indicator—wages, unemployment, underemployment, living standards, household debt—are all pointing to a very different picture. The fact that households are now in so much debt is the reason that successive interest rate cuts have not had the desired impact on our economy.

People are nervous. They're keeping their money in their pockets and paying forward their mortgages, because they're not able to count on a wage rise, are not able to count on getting the hours of work they want in their jobs and are not able to count on having a job, having an income, next year. So, the interest rate cuts and the tax cuts that have already been provided aren't making a difference in stimulating consumer demand in the economy, because of this nervousness.

Business investment is down, too, not just because of poor consumer demand but because businesses don't have the confidence to invest. Business investment is down 20 per cent since the Liberals came to office, and it's now at its lowest level since the 1990s recession. This is a government that likes to pretend they are working cooperatively with business to support activity in the Australian economy, but the proof is just not there. In fact, the figures tell a completely different story. Retail trade is at its worst since the 1990s recession. Consumer confidence is absolutely affected. If people don't have a wage increase, if they know that their wages are flatlining, if they continue to struggle with high levels of household debt, then they don't buy a cup of coffee on the way to work, don't make an impulse purchase at the shops on the weekend and don't take the kids out for pizza on a Friday night.

The figures on retail trade tell the story maybe better than any other statistic, other than wages growth, about how families are feeling—the lack of confidence, the lack of security. And we've got a Treasurer who continues to absolutely put his head in the sand on this, to ignore all the statistics. Most ordinary Australians don't want to be poring over retail trade statistics or consumer confidence or wages growth figures, but oh my goodness, we should have a Treasurer who does. We really ought to have a Treasurer who understands that when you get low wages growth, low consumer confidence, low business investment and low productivity growth then these things spell trouble for our economic fundamentals.

You can't have a strong economy unless you've got a government that has a wages policy that would see decent wages growth. You can't have a strong economy if you don't have a government that sees the sense of investing in services like education that improve our productivity, the health of our community and our economy over time. So, I want to go from speaking more generally about the economy to focusing on education and training. When you lock an Australian out of an education you are locking them out of a job. Business after business is telling me that while they see and are concerned about high youth unemployment in their area the people who are coming to them are not trained for the jobs they've got in their businesses. So, what have we got? We've got parts of Australia with youth unemployment as high as one in four or one in five young people; we've got employers who complain that skills shortages are restricting their ability to grow their business; and we've got a failing education and training system where the government has cut billions and underspent on top of those cuts.

We will always be the party that will stand up for working people getting better wages as well as the party that stands up for properly training our young people for the jobs of today and the jobs of tomorrow and retraining our older workers as our economy changes. We know that we need to invest right through our education system, from early childhood education and care, where this government refuses to commit to preschool funding, through to a proper needs-based funding system for our schools. And I note that while it's terrific that the government has provided extra funding to schools in drought affected areas, that only goes to Catholic and independent schools. There are a lot of kids in public schools whose families are doing it tough in drought affected areas. Those schools are finding it hard to fundraise. Those kids are finding it hard to afford books and school uniforms and, perhaps, an excursion. Government continues to cut preschool education, school education, and universities—our system has to address this. But in regional communities in particular, TAFE has been the backbone of our training system. This is where this government has failed to invest in training those unemployed young people, and those workers who are facing changes in their workplaces, for the jobs that exist.

What we've seen is that nine out of 10 new jobs that will be created in coming years will require either a TAFE education or a university education. Labor insists that we need to properly fund both. The government talks about funding for vocational education. In fact they've been actively discouraging young people from seeking a university education, saying that they believe a TAFE education is important and good and so on. But they've actually cut vocational education funding by \$3 billion. So on the one hand they say it's a good thing and there should be more of it, but on the other hand they've cut TAFE and vocational education funding by more than \$3 billion.

On top of that \$3 billion cut—which is there in the budget papers for anybody to see—the government has actually underspent. Even in the programs that they've committed to, they've underspent by close to \$1 billion. In the 2014-15 financial year, they underspent by \$138 million. In the 2015-16 financial year, it was \$247—

A division having been called in the House of Representatives—

Sitting suspended from 12:12 to 12:30

Ms PLIBERSEK: Before the suspension, I was running through the annual underspends of the TAFE and training budget and, as I said, in 2014-15 the underspend was \$138 million; in 2015-16 it was \$247 million, almost a quarter-of-a-billion-dollar underspend that year; in 2016-17 it was \$118 million; in 2017-18 it was \$202 million; and in 2018-19 it was \$214 million. This is a total of \$919 million underspent in the TAFE and training budget. What this means, in real terms, is that apprentice and tradie programs, including things like apprentice incentives for business, support to help people finish apprenticeships and a fund designed to train Australians in areas of need, have all been underspent.

You don't have to look very far. You visit a TAFE and see the desperate need to upgrade facilities in many areas. Some TAFEs are in disrepair. Apprentice and trainee numbers are falling off a cliff, and in many states and territories TAFE programs or whole TAFE campuses have been lost. As you know, Madam Deputy Speaker Bird, they have been closed or sold off, privatised, by conservative state governments.

The Prime Minister claims that his government wants to 'really lift the status of vocational education in Australia'. But how do you do that when you cut \$3 billion and throw in a \$1 billion underspend in the same area? Senator Michaelia Cash, the minister, admitted in estimates that these underspends are as a result of what she calls 'less demand than forecast'. We saw another demand-driven program, the National Disability Insurance Scheme, being underspent by billions of dollars—and how do you do that? If you're a government that does not want to invest in the National Disability Insurance Scheme or in TAFE and training, the money might be technically there in the budget but you don't employ enough staff to spend the money.

In this case, what they've done is design programs that are so unwieldy and so unappealing to employers or to people who are thinking about studying in TAFE or doing an apprenticeship that people go, 'Why would I bother?' If you're an employer, you think, 'Why would I bother taking on an apprentice when you've put all these roadblocks in front of me so I don't use this program?' If you're an apprentice, you're turned away at the door. This is not an accident. It's what happens when we consistently design programs that don't meet the needs of students, apprentices or trainees and don't meet the needs of the businesses that are crying out for employees, particularly in areas of skills shortage.

After many years of neglect now by the Liberals, too many Australians, particularly young Australians, are locked out of TAFE. In South Australia, in recent years, seven TAFE campuses have closed and 700 jobs have been lost. In New South Wales one-third of the TAFE workforce have lost their jobs. We saw reports just last week of further job losses in TAFE. In New South Wales we've had campus closures at Dapto and Quirindi, and many more are reportedly being considered by the Liberals in New South Wales. At Padstow College, the impact of the government's cuts to TAFE have been seen in the commercial cookery courses being cut, a lack of information technology classes and the closure of the automotive workshop. There are shortages of workers in all of these industries, yet the New South Wales government's response is to close the courses needed to train the people to meet those skills shortages.

This is a skills crisis created by the Liberals through their failure to invest in TAFE and training. We've got shortages of workers in areas like plumbing, carpentry, hairdressing and motor mechanics. And today, we've got 150,000 fewer apprentices and trainees than when the Liberals first came to office. The number of Australians doing an apprenticeship or a traineeship today is fewer than it was a decade ago. There are more people dropping out of TAFE and training this year than are finishing their courses. Businesses are the ones who are raising this with me consistently. Parents and young people locked out of training raise it too, but business owners will be the first to tell you that they are desperate for greater investment in this area. The Australian Industry Group says that 75 per cent of businesses surveyed are struggling to find the qualified workers they need. So you've got 75 per cent of businesses saying that they can't find the staff they need, yet there are two million Australians who want work or want more hours of work. What's missing? What's missing is the link that trains those two million people for the jobs that 75 per cent of employers say they need filled. We've got this terrible mismatch.

I'll finish on this: what are the human consequences of this mismatch? We've got regions in Australia where one in four, or maybe one in five, young people don't have a job. If you look

at the devastation wrought across Europe during the global financial crisis where some countries had youth unemployment rates of 50 per cent or close to 60 per cent, those youth unemployment rates have never really recovered. We've been working through the global financial crisis. There have been economic improvements in most economies around the world since the global financial crisis, but, in countries like Greece and Spain where youth unemployment was at those rates—50 per cent or 60 per cent—you still see unemployment rates of 30 to 40 per cent for young people. That's what we saw in the 1990s recession. If you lock a person out of work during a recession, many of those people never work again or never really successfully participate in employment again. That's why we were determined to act during the global financial crisis, and that's why this government should invest in TAFE and training.

Ms VAMVAKINO (Calwell) (12:38): I'm very pleased to finally be given the opportunity to contribute to this address-in-reply debate. And, although the federal election seems some time ago now, it's really important for me to state on the record how honoured I am to have been given the opportunity by my local constituents to represent them in this place for the seventh consecutive term. I represent a really wonderful community, and it really is a privilege for me to be their member. I want to thank them for their support over the years and, more importantly, their friendship. Friendship and support are very important, especially for those of us who are involved in this particular public office.

I'm probably going to leave all my thanks for later in the speech, but, continuing on the theme of support, friendship and community: in our communities—and I'm sure all members will agree—we come across some very good people, people who are dedicated to advocating for their community and helping it in whatever way they can. Such a person in my electorate of Calwell was Gary Lewis Jungwirth, who sadly passed away on 13 July this year. When we lose a person like that, our community is much poorer for it. He was a great man. He was gravely ill during the campaign and in the lead-up to it. Despite his very poor health, he made what I would describe as a heroic visit to the Craigieburn prepoll so that he could cast his vote one last time for me as his federal member and also for the Australian Labor Party.

Gary was born in 1951, and he dedicated his life to achieving human rights, social justice, lifelong learning and democracy. He did an incredible amount of work in Timor-Leste, assisting with community development there. He served, importantly, as a councillor on my local council, the Hume City Council, and he was mayor for two terms, firstly in 2000 and then later in 2006. In 2001, when I was elected to this place, Gary was the mayor. He introduced the first Hume City multiculturalism policy and then, immediately after that, the Hume Interfaith Network. He did so because he understood that there was a real need—for local government, in particular—to craft an adequate response to our culturally diverse community. He was very passionate about promoting and fostering social cohesion. In our community at that time, the post-September 11 period, there was a lot of upheaval and—I've spoken about this many times—a lot of stress on our local Muslim community. It was Gary's leadership, through the local council, that drove the multiculturalism policy and the interfaith network. By the way, the Hume Interfaith Network has stood the test of time, and, 17 or 18 years later, it has been a great example of how the various religious leaders, when they come together, can actually foster and develop social cohesion.

In 2007 Gary introduced the Social Justice Charter to the Hume City Council. We were the first council in Australia to have this charter. He was very proud of this, and so am I. This was a dream that Gary held. He was very committed to human rights being at the heart of civic life. Gary's legacy is cherished, and the impact of his work—as a councillor, in particular—continues and is evidenced today. We all strive—and I do too—to emulate him and to conduct our duties with the decency and compassion that Gary Jungwirth had. In order to honour Gary, I'd like to read something from him which is in the preamble of the Social Justice Charter:

Council recognises that every citizen of Hume City is entitled to aspire to a quality of life that allows them to freely realise their potential. This Charter goes 'beyond words' to promote a fair and just society through Council's commitment to strive for social justice and to address the social, cultural, economic and other factors that impact on the aspirations of its citizens.

Gary Jungwirth was a fighter for human rights. He was a proud Labor man, he loved the Richmond Football Club and he's missed dearly in our electorate.

Sadly, earlier this month, on Saturday 9 November, our local community lost another champion and advocate. We were saddened and indeed shocked by the sudden death of the former senator here Mehmet Tillem, who was a constituent of mine and in many ways shared a common story with me. Mehmet was born in Tavas, Turkey, and he was two years old when he came to Australia with his parents in 1976. He was only 19 when he joined the Australian Labor Party, and he was the first Turkish-born member to come here into the Australian parliament, when he became a Victorian senator from 2013 to 2014.

Mehmet was a fierce advocate for his community, and in particular our local Turkish community, and the broader community mourns the loss of someone who chose political activism as the best way to help his community and to champion their causes. As I said, he was, like me and lots of others in our electorate, a child of migrant parents and, as such, we all share a common story.

John Eren, the state member in Victoria, who was also in the early stages of my political career a local constituent, paid tribute to Mehmet Tillem in the Victorian parliament. I want to quote from John's speech:

Mehmet left behind a legacy of dedication to those who need it most, and those values are what drew him to the Labor Party.

I do want to take this opportunity to extend once again my sympathies to Mehmet's wife Ferda; to his son, who he was very devoted to, Mikail; to his parents, Ramazan and Fatma; to his sister Derya and brother Zafer; and his extended family and friends and also to the broader community.

I've been through three redistributions since I was first elected to this place. They've been disruptive; however, they do reflect the enormous growth that has taken place in Melbourne's northern outer metro centres since I was elected in 2001. And, because of this growth, which continues by the way, we've had to redistribute our populations. As a result I have now lost the suburbs of Taylors Lakes, Calder Park, Keilor, Keilor Lodge, Keilor Downs, Keilor North and Sydenham. I want to bid those former constituents farewell and say to them that they are very much in the good care of the member for Fraser, Daniel Mulino.

I, of course, have reclaimed the outer metro suburbs of Kalkallo, Yuroke, Mickleham and parts of Oakland Junction and of course Craigieburn, which now includes those massive

growth corridors of Mickleham, Mount Ridley, Kalkallo and Merrifields and I look forward to representing them and reconnecting with them. Certainly Craigieburn I shared with the member for McEwen—and my apologies to the member for McEwen for retaking Craigieburn from him. The growth in Craigieburn in the last 15 years has been absolutely phenomenal and, when you talk about the growth of Melbourne as a city and its outer metro region, you only have to look to the north and west of Melbourne to see just how phenomenal that growth is.

I recall during the election campaign the Treasurer and the member for Kooyong made an election promise, which really surprised and excited me, that a returned coalition government would upgrade the Craigieburn train station in a bid to curb congestion in Melbourne's growth area. I certainly look forward to that promise being implemented in the term of this government.

As I said, the northern region has grown rapidly and it continues to do so. Research shows, that by 2031, which really isn't that far away, over 300,000 people will move into Melbourne's north. Combining that with the current population that stands at a million, by 2013, 1.3 million people are set to live in Melbourne's north and that will make this region's population larger than Adelaide's. The challenges associated with such growth are enormous. Services and infrastructure for Melbourne's north for the existing and new populations should be this government's priority. When we talk about infrastructure, we have to talk about targeted infrastructure where it is most needed and required in order to ease congestion and make the lives of people who live in the outer suburbs—in the case of Melbourne—far more comfortable and make the rest of Melbourne accessible to them.

The other surprise was a letter that was sent by Minister Tudge at the time—another pre-election promise for a city deal for Melbourne's north and west; another commitment that we are very happy to hear about. Better services, facilities and infrastructure in Melbourne's north and west are long been overdue. I just want to say here today on record that I do hope that Minister Tudge is serious about the government's City Deals. Our people locally believe very strongly in this and, on their behalf, I say that the City Deals need to happen and need to happen soon. I certainly look forward to working alongside the minister to deliver on this.

One initiative conceptualised by NORTH Link that I heartily support and will, of course, lobby the minister for is, within the city deal, the establishment and growth of a food and beverages precinct in Melbourne's north. NORTH Link is a business network and regional economic development advocacy group representing Melbourne's northern suburbs. It does a wonderful job and is right onto this city deal. When we look at the 400 or so food businesses in Melbourne's north—many of which are located in my electorate of Calwell and in the seat of Scullin—we can see this is a strong growth industry. That has led to the creation of the Melbourne's North Food Group, a food-manufacturing corridor that has helped in many ways to replace all the jobs lost with the demise of the car-manufacturing industry and the car component industry, which was a large provider of jobs in my electorate and in the northern suburbs. The food-manufacturing sector has enormous potential for growth, with over 7,000 jobs expected over the next 10 years.

There is the concept of a megahub to be built on 51 acres of land earmarked adjacent to the Melbourne wholesale market. If anyone's been to the Melbourne wholesale market, they'll know that it is a very big and important piece of infrastructure in Melbourne's north. Adjacent

to that market, the megahub will provide support and services to an industry that we should be investing in, especially since we've seen such a huge influx of migrants from the refugee and humanitarian program, in combination with highly skilled migrants. We need to create jobs that both the highly skilled migrants and the lower skilled migrants actually can get employment with so that they can establish themselves and take charge of their own destiny. We don't want to be growing our suburbs and settling people in areas where there are no jobs for them, because we all know where that will end, and it won't end very well. Most people will be committed to unemployment for long periods of time, as is already the case in my electorate with a large number of my refugee cohort. The need to create employment is often a challenge, and it has to be addressed, but in this case we have potential, through the growth of our food manufacturing, to provide genuine, real jobs to people so that they can settle with their families and become self-reliant.

I've said this many times before, but there is no denying the contribution made by the postwar migrants to this country, in this case to the food that we eat. That is nowhere more so than in my home state of Victoria, although it is no doubt also so in New South Wales and in Canberra—Canberra's culinary palate has grown as well. But it is nowhere more so than in Victoria. Think about the panini filled with prosciutto and bocconcini that are a common lunch option. I won't go through all the other options, because you might all start to feel that we should stop for lunch! We have a fine tradition of enjoying European foods, but this fine tradition is potentially a little bit under threat at the moment—another little surprise—due to the recent negotiations that have been taking place between Australia and the European Union as we work towards a European free trade agreement. There are things called 'geographic indications' which have emerged as a bit of a problem—they might actually be a big problem if we don't resolve the issue—for our local food-manufacturing industry. The peak dairy farmer groups, the United Dairyfarmers of Victoria and the Australian Dairy Farmers, supported by industry service body Dairy Australia had a series of events across Victoria aimed at giving farmers the information they need to lobby the federal government, as it progresses through these negotiations, to inform them that a ban on the naming of common cheeses will impact on local SMEs involved in the production of these products. In their joint statement they urged farmers to fight back against the European Union's demand, in the proposed free trade agreement between Australia and the 28 EU countries, that Australia restricts the use of the names of common cheeses. I'm familiar with this, because it's happened in Europe on other occasions. It's now happening here in Australia.

I was contacted by Chris James, the executive director of NORTH Link, and Tony Coppola, the deputy executive director of NORTH Link, who raised these concerns with me directly on behalf of the 400 food and beverages businesses in Melbourne's north. Their concerns about the negotiations with the European Union and how they will impact on the Australian cheese business were raised. In their letter to me they said: 'This issue is of great concern to our Melbourne's North Food Group partner businesses. Implementing GIs will force Australian cheese exporters to change product names and rebrand, resulting in significant financial expenses and an uncertain future.'

Also, the Australian Dairy Industry Council has warned that locally produced cheese varieties with a production value of \$180 million, and export sales averaging \$55 million each year, could face extinction if the EU succeeds in forcing Australia to accept and implement

strict labelling rules. Melbourne's north is home to many cheese producers, and the inclusion of GIs will place hundreds of jobs in the region at stake. So, as a matter of urgency—they've asked me to lobby and I'm making it known in the chamber today—we ask our government to consider the ramifications GIs will have and to strongly contest the inclusion of GIs in the trade agreement.

The free trade agreement will affect SMEs and it will have a detrimental effect on our cheese industry. Melbourne's north has lots of cheese producers. Geographical indications will place hundreds of jobs at stake. One company in particular, Alba Cheese Manufacturing in Tullamarine, expects to suffer significantly if it is no longer able to name cheeses by their current names. For the record, I'm talking about feta, parmesan, mozzarella, bocconcini and others. John Bongiorno, the operations manager of Alba, contacted me and asked me to raise his concerns. Alba is a great family business. It employs a number of our local people, and they are extremely proud of their Italian heritage, which has allowed them to recreate the cheeses that most of us take for granted and now know by their common household names. The inclusion of these geographical indicators on businesses such as Alba is detrimental. The cost alone for these businesses to rebrand and remarket their products will be significant and it may lead to their demise. More importantly, it will lead potentially to a loss of jobs in my electorate. As I've said from the beginning, in a region such as ours, where jobs are required, where lots of growth is already happening, where there is a lot of potential and we look to the future with optimism, we would hate to see such a setback affect our cheese companies.

Sitting suspended from 12:58 to 16:04

Ms SWANSON (Paterson) (16:04): When re-elected in May, I felt an overwhelming sense of pride that I had been chosen again to represent my community. As a colleague said, 'Well, Mez, they've had a look at you once, they're happy and they've given you another go.' I'm very grateful for that second go. Soon after, though, I was hit by disappointment because I realised that the commitments I had made to my community would not come to fruition because a Labor government hadn't been elected.

Since that moment, I've thought a lot about that disappointment. The Liberal candidate who ran against me in May did not make one single election commitment—not one. That goes to show how serious the Liberal Party is about the seat of Paterson—not very serious. As the member who was re-elected—and my election commitments were welcomed and endorsed—not long after the election I wrote to each and every responsible minister for every commitment I'd made and asked them to match it. And I want to tell you about these commitments, because I feel that they are so important—and so does our community in Paterson.

Firstly, there are the local school commitments. We committed to \$20,000 to upgrade smart boards at Bobs Farm Public School. Bobs Farm is a cracking little school. They've got a peacock as their emblem—I'm quite partial to peacocks actually. I own one. His name's Derek. Maybe I should donate it to Bobs Farm, because that might be all they're going to get out of this government. They need three smart boards at Bobs Farm. They need to be replaced. They're old. They no longer support the learning that we need the kids at Bobs Farm to receive. This is a very small and beautiful school—just 38 students—so it makes it incredibly tough for the P & C to try and raise \$20,000.

We need \$55,000 for a basketball court and shade cloth over the all-ability play area at Irrawang Public School, another terrific school. There are 320 students at Irrawang and another 33 students in supported classes. There's also a preschool onsite and a community centre that hosts playgroups, parenting classes, home-school groups and support groups, just to name a few. The existing basketball court at the school is cracked and faded. You'd be forgiven for thinking it was just an old concrete slab. The P & C told me they really wanted to get it fixed, but their priority had been covering the cost of the shade cloth, recently erected, over an all-ability outdoor play area. They'd been fundraising for four years. They could afford the shade cloth, but the basketball court was out of reach.

There was \$50,000 committed to Tomaree High School for STEM equipment. In 2019 Tomaree High students established a new, dedicated space for students in STEM focused classes. STEM is the new black. Everyone is talking about STEM. The equipment and furniture required for students to learn new skills in coding, designing and producing the material for their experiments is expensive and Tomaree High had exhausted all available funds. Without the resources that the Labor Party committed to, this room will go underutilised, and it's the students who will pay the price for that. There are over 1,100 students at Tomaree High and every single year group would benefit from the use of this room—in classes like mandatory technology in years 7 and 8, engineering in years 9, 10, 11 and 12, and physics in years 11 and 12. Given that every single education and industry group is desperate for STEM qualifications, this must be a priority.

There were other commitments. There was a \$1.4 million commitment to upgrade and extend the Little Beach boat ramp, to prevent the building up of sand that has left motorists bogged, drifting into the ocean or with burnt-out clutches and smoking tyres. A regular build-up of sand from nearby Shoal Bay has left the Port Stephens council to remove around 6,000 tonnes of sand off the boat ramp, each and every year, and truck it to Shoal Bay at a cost of around \$50,000 a year. The Legacy boat ramp is the closest to the open water that's suitable for larger vessels, so it is a big tourist draw card in the bay. A lot of people like the Little Beach boat ramp. If you want to see how popular it is but you want to see how problematic it is, I suggest you go to 'I got bogged at Little Beach boat ramp' on Facebook and have a look at some of the footage. It is quite remarkable. There are 53,000 registered boat owners in the Hunter and 1.3 million tourists visit Port Stephens. That boat ramp needs to be upgraded—pronto.

Fifty full-time jobs for Centrelink across Paterson were also committed to by our government to cope with the demands of people trying to access vital services like Medicare and Centrelink and Veterans' Affairs. We all know how long you have to wait if you phone Centrelink. The jobs have been cut from Centrelink. We wanted to put them back, and I am urging this government to put some much-needed investment into a regional area and create regional jobs for people—good government jobs in places like Centrelink. We also wanted to give \$5,000 to Medowie Tigers Playgroup—what a terrific tiger that is, that playgroup!—to improve and expand their resources for local families; \$15,000 for an all-ability area for Woodberry Place of Friends playgroup, another sensational group in Woodberry; \$16,000 for Maitland Neighbourhood Centre; and \$16,000 for Tomaree Neighbourhood Centre. We committed \$30,000 for Port Stephens Family and Neighbourhood Services to help these

services provide for vulnerable people in our communities. These terrific services are being used constantly by those who sometimes just have nowhere else to turn.

Labor committed \$200,000 for the Richmond Vale Rail Trail to add solar lighting, signage, toilets, a miners memorial and a paved track for walking—where you can push prams or you can ride—at the Kurri Kurri end of the trail. That's what the \$200,000 would have done. Kurri Kurri lost an entire industry when the local aluminium smelter closed down in 2012. Jobs were lost, and our community is still recovering. The Richmond Vale Rail Trail is an important investment in our community. It will create good jobs in tourism and see small businesses open, but the trail also presents us with a really unique opportunity, and it is something that I'm urging the government to get behind.

We also committed \$1 million to upgrade Cook Square Park, the home of Maitland Football Club, to put the Magpies at the expected standard of a national Premier League club and also cater for females and facilitate the participation of players with a disability. The project would have included a new building with amenities, a clubroom, change sheds, a referees room, an equipment room and a canteen, along with a suspended roof to provide a raised viewing platform for those fantastic Magpies games. In July this year, the mighty Maitland Magpies were fortunate enough to host the Central Coast Mariners at Cook Square Park, a game that was televised by Foxtel and attracted hundreds, if not thousands, of visitors to Maitland. The existing lighting at the ground, however, wasn't sufficient to televise the game, which left the relatively small club having to move venues and fork out \$15,000 for temporary lighting. At the time, my office approached the government to ask for assistance in covering this cost, but, unfortunately, that didn't come to fruition. This is a great opportunity, and I implore the government to match this funding commitment.

This is a costly one: a commitment of \$1.6 billion to extend the Pacific Highway—the M1, as it's affectionately known—from Black Hill to Raymond Terrace. This is a big-ticket item, but it is the last stand. It is the last choke point on the eastern seaboard for anyone who is trying to move between Sydney and Brisbane. Every major motoring authority or peak body in New South Wales, Queensland and even Victoria have said this is the last choke point for the Pacific Highway on the eastern seaboard. We need to fix it. I implore the Prime Minister—in fact, I know the Prime Minister travels this route. I know he's been stuck on the M1, on the Hexham Bridge. I know he thinks this needs to be done and he should do it. It is very important not just for the convenience of motorists who are escaping the congestion that is Sydney to try and get north for a bit of Christmas holiday respite but for all of those people who regularly use that stretch of road and for every truckie who has gone up and down through the gears, grinding it out, just trying to get their load north or south. The productivity loss is phenomenal. Get the M1 done; get the Raymond Terrace extension done. We know that this is a vital cog, and, at a time when our economy is subdued, we know that we need some big-ticket items. We know we need some important infrastructure. I congratulate the government in a limited way for their investment in important infrastructure, but I say to them: how can you not fund the M1 when Infrastructure Australia itself has said that it's a high priority?

We must get that done. It is a major, major productivity bump at the moment for New South Wales and Queensland, in some of the fastest-growing areas in our country.

The Pacific Highway, incidentally, is one of the most-used roads in New South Wales. More than 21,000 vehicles use just this little patch of the M1 in the afternoon peak, and this number is expected to increase by over 35 per cent by 2031, or at least 7,500 vehicles. In holiday peak time, as I was referring to there, the speed on the road is sometimes reduced to as low as 20 kilometres an hour. I have to talk to whoever gave me that figure, because I know you just spend most of the time camped. It can take up to two hours going through that patch. You're lucky to get out of first. The Department of Infrastructure, Regional Development and Cities classifies the upgrade of the M1 as a near-term priority, but over the last six years the Abbott-Turnbull-Morrison government have not invested a cent to progress this project. This project will create hundreds of construction jobs in the Hunter and Port Stephens. It will boost productivity by reducing traffic congestion affecting local residents, tourist businesses and truckies.

One of the other commitments we made was \$2½ million for a commuter car park and a very important roundabout in the beautiful little hamlet of Heddon Greta—which I know well; I grew up there—at the entrance to the Hunter Expressway. The Hunter Expressway was a fantastic shovel-ready Labor initiative. We had it ready to go when the GFC hit. The road was ready, and we built it. There's a tip for you: get on and build it. Since the opening of the Hunter Expressway, there have been community concerns, however, about the feeder roads. They've been placed under a lot of additional pressure given that we've had this major arterial built. The government have expressed their grave concerns about safety in the area too, with a previous report stating that there is at least one accident or near miss every day at the intersection where the roundabout is going to be helping out. A roundabout would help eliminate some of that risk, and it's the first step to be taken in road safety for Heddon Greta. It's not the only thing that needs happen. We know that there is more.

Turning onto Main Road, Heddon Greta, has become a battle. I've heard from young families, professionals and elderly people who are just trying to get out onto Main Road to go to Maitland or Cessnock, and they have to allow a lot of extra time in the morning to compensate for how long it takes to get out onto the road. Confident drivers now doubt themselves as they put the pedal to the metal because they've waited for a break in the traffic that just doesn't come. With the approval of new housing developments in the area, this problem only seems to get worse. We need to look at practical solutions to this problem and we need to do it immediately. In fact, residents have taken to putting their garbage bins in their driveways to stop people doing illegal U-turns that are incredibly dangerous. When the local community have to resort to putting their Sulo bins out to contribute to road safety—hello? You know you've got a problem.

We also committed to a very serious project in my electorate. I've left this one to last because it does have a very special place in the consciousness of everyone, not only in my electorate but right across the Hunter region. We committed to \$20 million to start remediating PFAS in the drains around RAAF Base Williamtown, which are still a major source of contamination. The community have been calling for this, but the government has not come to the table. Further to the local commitment to remediate the drains in Williamtown, Labor also announced a national PFAS policy. Unsurprisingly, the government did not. Instead, people of Williamtown, Salt Ash and Fullerton Cove have been left to sue their own government, out of sheer desperation. What is that? When you have to cobble

together your own class action to sue your own government for something that you had absolutely no hand in, absolutely no fault, and the government stumps up \$55 million to fight you, you've got to ask: what is going on in this country under this government?

The people elected this government, and now the government is not even helping them out in their time of dire need. It is completely unacceptable that the Prime Minister has not come to Williamstown to face the people who have been affected by PFAS. So last week I sought to take another step towards redress: after pleading, asking nicely, getting angry, making many speeches and writing letters, I started a petition. Please, Prime Minister, come to Williamstown. Look these people in the eye and hear what they've got to say, because it's so interesting.

I've spoken to potentially thousands of people about this issue since I was elected in 2016. It's interesting: people empathise, they hear you, they say, 'Yes, it's a terrible problem and it needs to be fixed,' but it's not until they get on the ground in Williamstown and sit down and look into the eyes of these people who feel completely destroyed by this situation that they understand. Think about it, Deputy Speaker. You wake up one morning and thumb through the local paper—in fact, you don't even have to thumb through it. You pick it up, and right there on the front page is one of those massive skull and crossbones with, 'Do not enter: contaminated,' in red. That's what it said on the front page of the paper in 2015.

Since that time, people have truly been destroyed by this, and it wasn't their fault. They did nothing wrong. It wasn't as if someone said, 'Don't do this,' and they did it. They did nothing. They bought their homes, they raised their children, they paid off their mortgages, they went to work, they contributed to our beautiful community and they have been left to wallow in PFAS contamination. It is a national disgrace. Prime Minister, please come and sit with the people of Williamstown. They are good people who pay their taxes and who just want what is right and fair for them. I stand shoulder to shoulder with them and I will continue to fight. I know people might be sick of hearing about PFAS, but I will continue to fight and talk about it, because it must be resolved in Williamstown and its surrounds.

If the Liberal government were serious about health care, it would assure my community in Kurri Kurri that the emergency department of our terrific hospital will remain open. Instead, nervous workers and community members are reaching out to me and the state member for Cessnock, Clayton Barr, who's done a terrific job in trying to assuage some of the genuine fear in our community and tell people their jobs are safe. But people are very sceptical about this. If the government were serious about health care, it would provide assurance that Kurri Kurri Hospital's emergency department will stay open to service the people of Kurri Kurri.

If the Liberal government were serious about infrastructure, it would fund the long-awaited extension of the M1 at Raymond Terrace, instead of committing just four per cent in funding over the next five years, with construction being way off in the never-never. If the Liberal government were serious about regional development, it would fund upgrades to the Newcastle Airport runway. Instead, the airport tell me they're anxious that this once-in-a-generation maintenance upgrade opportunity will come and go, and a truly well-upgraded runway will not happen. We must fund this. The proposed upgrades of the airport will allow Newcastle to become a year-round international airport, reaching into the Asia-Pacific. It will cost around \$50 million, which is a small price to pay for an international airport that will

absolutely inject many, many times more in benefits. In fact, the cost-benefit analysis figure comes out at a compelling 2.8. In terms of benefit to cost, that's pretty good.

If the Liberal government were serious about education, it would fund and restore every dollar cut to every school in Paterson. If the Liberal government were serious about helping our elderly, it would introduce a policy to dramatically reduce the number of older Australians waiting for aged-care packages. I had a 91-year-old woman come to see me the other day. She's looking after her disabled son and she still can't get a home care package. What's going on in our country when a 91-year-old woman caring for her disabled son can't get help! Come on, Liberal government, let's get serious. Let's do some of these well-deserved projects.

The DEPUTY SPEAKER (Mr Zimmerman): I call the very last speaker on the address-in-reply, the member for Dobell.

Ms McBRIDE (Dobell) (16:24): I would like to start by acknowledging the Ngunnawal and Ngambri peoples as traditional owners of Canberra and pay my respects to elders past, present and emerging. I want to speak today about a part of Australia that is often overlooked by this government. I want to talk about the regions on the fringes of our major cities: the outer suburbs—places like the Central Coast of New South Wales, home to my electorate of Dobell. Nestled, or sandwiched, between Sydney and Newcastle, the New South Wales Central Coast, and regions like it, are left behind by this government. There are many other communities who face similar neglect. We're not remote. We're not rural. The Central Coast is one to two hours from the Sydney CBD in the south and the same distance from the city of Newcastle to the north. We're proud of our community. And we should be recognised as a distinct region.

Securing funding is a constant struggle, because the Central Coast is conveniently 'part of Greater Sydney' when there's money on the table for the regions but 'regional' when there is money on the table for parts of Greater Sydney. Either way, my community too often misses out. The Morrison government has a track record of overlooking regional communities on the fringes of Australia's big cities, including the Central Coast of New South Wales. As a representative of a regional community, I believe that it's time our federal government recognised the economic and social potential of the regions.

In 2016, the Morrison government's Liberal counterparts in New South Wales sacked our two local councils, the former Gosford City Council and the former Wyong Shire Council, replacing them with a mega Central Coast Council, which is now one of the largest local government regions in Australia. The resulting economies of scale—we were told—would strengthen our bargaining power for state and federal funding. Three years later, our community is still waiting.

Since 2018, the Central Coast has been expecting to receive its share of the \$4.2 billion Hydro Legacy Fund, earmarked for regional infrastructure. To date, our community has not received a single cent of this promised funding. The New South Wales state Liberal government has big plans for the Central Coast. Its Regional Plan 2036 projects population growth of 92,400 people, or 28.6 per cent. Housing stock will need to increase by 45,000 to accommodate that projected growth, yet local jobs numbers are only forecast to grow by just over 24,000 during the same period.

We currently have around 116,000 local jobs on the Coast. We currently have around 40,000 locals commuting to work in Sydney or in Newcastle each day. This commute often takes two or more hours each way for a local person, door to door, particularly from the north of the coast—to get from home to the train station and then change trains to get to their job in the city. If local jobs grow by only 24,000 but our population grows by over 92,000, we can expect even more people on the trains and the motorway each day travelling to work in Newcastle or Sydney.

The Central Coast needs more local jobs. Are the federal and state Liberal governments trying to create a giant dormitory sprawl for the cities to our south and north? Today, the Coast's top six employment sectors are health care and social assistance, retail, accommodation and food services, manufacturing, education and training, and construction. I recently surveyed local small-business owners and operators, and they named skills shortages as one of their major concerns in growing or expanding their businesses. At the same time, the Central Coast's youth unemployment rate, which has ranged from 9.2 per cent up to 19 per cent over the last decade, remains stubbornly high and above the state average. The Central Coast business owners need skilled staff. Central Coast young people want the skills to secure a local job and a good future. The Morrison government's cuts to TAFE are making it even harder for young people on the Coast to get the qualifications they need and that employers want—

A division having been called in the House of Representatives—

Sitting suspended from 16:29 to 16:49

Ms McBRIDE: The Morrison government's cuts to TAFE are making it even harder for young people on the Central Coast to get the qualifications they need and that employers want. Three billion dollars: that is the amount this government has cut from TAFE and training, and young people in the regions on the Central Coast are bearing the brunt of those cuts. Students and young people tell me local TAFEs are no longer offering the range of courses they need, so they have to travel to train. Higher fees and travel costs mean many can't afford to finish their courses. In fields like community services and aged care, where there are jobs locally and where courses are available locally, the TAFE facilities are outdated and funding is not being made available by either the federal government or the New South Wales Liberal government to provide Central Coast students with the learning environments they so desperately need. It could cost as little as \$1 million to upgrade a building at Wyong TAFE so that students have the facilities that are taken for granted on major city campuses.

I committed to this at the May election and I call on the government to match this commitment. It's urgent. If a Central Coast school leaver wants to go to university, they are likely to commute to find their preferred course. We have a campus of the University of Newcastle at Ourimbah, and it offers some sound opportunities in the areas of health, food sciences and construction. However, many local students still have to travel to gain the skills they need and that local employers want. The Morrison government's restriction on student places in universities further restricts the opportunities available to regional students. Urgent action is needed to reduce the coast's stubbornly high rate of youth unemployment. A good start would be restoring funding for TAFE, creating more apprenticeships and making TAFE more affordable.

Regions like the Central Coast also really need fast-tracked infrastructure. Good governments invest in infrastructure. It improves the lives of all Australians, particularly those in regional and remote Australia. Good governments understand that they have an important role in boosting the economy during tough times by investing in infrastructure. However, this Morrison government will be remembered for wage stagnation, record-low retail sales and a floundering economy. It was the stewardship of Labor's Rudd, Gillard and Swan that saw this country through the global financial crisis without falling into recession. That's what we need from this government now.

In recent months the Reserve Bank governor, the AI Group, business leaders and most recently, the International Monetary Fund, or the IMF, have all called on the Morrison government to provide fiscal stimulus, invest in infrastructure, support the economy, improve productivity and create jobs. While the government has now, under pressure, announced a grab bag of measures, these do not amount to the responsible, proportionate and measured stimulus that our economy needs. You just have to look at how many projects are going to coalition seats to know that this is not the comprehensive plan Australia needs to turn the economy around. And, once again, the Central Coast and other regional areas have been overlooked.

In terms of the infrastructure needs of the coast, I want to talk about our local roads. The NRMA has calculated that years of underinvestment have created a backlog of roadworks on the Central Coast valued at \$84 million—the largest backlog of any region in New South Wales. And what is this government's response? To invest \$70 million and to skew 90 per cent of that funding to the Liberal-held seat of Robertson. Given that the northern suburbs of the Central Coast in my electorate of Dobell are expected to shoulder the growth of the region, this is just outrageous. The federal government needs to put road safety before politics and properly fund roads in Dobell.

One major transport infrastructure project that would make an enormous difference to many people on the Central Coast is the upgrade of the Pacific Highway through Wyong. The New South Wales Liberal government has said it will not commit to a time frame to even start work on this major upgrade until it has finished works on the M1. Local business people, commuters and every Central Coast resident and visitor who has ever been stuck in traffic on the single-lane highway through Wyong all want to know how much longer it's going to be before work starts. Treasurer Frydenberg asked the states to nominate priority projects for infrastructure funding. It appears that either the Pacific Highway upgrade through Wyong was not put forward by the New South Wales Liberals or the proposal was not listened to by the Treasurer. We have waited over 10 years and, to date, almost \$30 million has been spent on planning.

The New South Wales government has announced another \$2.5 million for more design works and a plan to stage the upgrade. My understanding is that the designs and planning are largely complete. A commitment of \$20 million would cover enabling works, including the relocation of services, the Wyong train station upgrade, a car park expansion and bridge work, that are all part of this major infrastructure project. It is what was committed to by the state member for Wyong, David Harris, at the recent state election. If the government were to commit to this, it would at least give our community hope that this project is on the radar.

When asked recently in New South Wales budget estimates for a start date, the New South Wales RMS said, 'It was a complex project, subject to budgetary support.' No approximate start date was given. As the New South Wales government appears to push even starting work on the Pacific Highway upgrade through Wyong further and further into the future, there is a solution. There is a way to get this upgrade started and delivered for the people of the Central Coast before another decade passes.

The Morrison federal government needs to step up. It needs to invest in projects like the Pacific Highway upgrade through Wyong. As the coast population grows, as new housing estates are built, the congestion through Wyong will only get worse. At a recent rally I saw southbound cars backed up for a kilometre—all the way back to Watanobbi, the next suburb. This was normal weekend traffic flow. No accident, no emergency, just normal traffic.

The economic cost of not building this road is significant. A major call centre is moving from Tuggerah to the Wyong Business Park, located in North Wyong. I recently met with the business park owner, who said the new call centre would mean over 600 local jobs for the area. He told me he believed the construction cost for the new call centre would be increased because of the traffic delays through Wyong. As I've already outlined, the Central Coast needs more local jobs. We need to attract more businesses to the coast. The Morrison government's failure to invest in infrastructure in our region is costing thousands of local jobs.

I want to now turn to our local hospital. Health care is critical to our community. We have young families and older people ageing in place—the biggest user groups of public hospital services. Wyong hospital, where I worked for almost 10 years, was officially opened on Saturday 22 November 1980, so it will be 40 years old next year. Before it was built, local workers contributed money from their pay packets so the community could have a local hospital. I am sure you can understand the pride from our community in our local community hospital. That's why, in 2017, when the New South Wales Liberal government tried to privatise Wyong hospital, my community fought with all its might to keep our hospital in public hands. We won that fight, and just last month the New South Wales Liberals finally turned the first sod for the public hospital's long-awaited redevelopment. The hospital is already struggling to keep up with the demand, so the redevelopment is critical.

The latest statistics from the Bureau of Health Information show that waiting times for surgery in the emergency department at Wyong are among the worst five in the state. The report shows a 12.5 per cent increase in presentations to Wyong hospital in the past three months. Our hospital staff are overworked and under strain. Our hospital is understaffed. Our community looks forward to—and needs—this redevelopment. One element of the redevelopment that could give the community false hope for better services is that the plans include a shell for an MRI machine. The New South Wales Liberal government designs include a shell to house the MRI but the Morrison government has no intention of providing a publicly Medicare-funded MRI licence for Wyong hospital. Patients of Wyong hospital have to be taken by patient transport to an MRI provider for, at times, life-saving and urgent scans. This affects patient care and is expensive for the taxpayer. Without a Medicare-funded MRI licence from the federal government, the state government has no reason to pay for a machine at Wyong for my community. Our community deserves better from this government.

Another cause for concern is the introduction of pay parking at Wyong hospital. The hospital is not close to a train station and bus services are really limited. As a result, hospital

workers, patients and visitors are forced to drive their cars to and from the hospital. I have written to the New South Wales health minister, Brad Hazzard, to voice my community's concerns about pay parking being introduced at the hospital. His response was bureaucratic. The car parking fees will be brought in, in line with New South Wales health policy. It's just not good enough. Either they don't get it or they don't care.

Just as we fought the privatisation of our hospital, we will fight the introduction of pay parking. A 10,000-signature petition has already been tabled in the New South Wales Legislative Assembly, and we are well on our way to collecting another 10,000 signatures. Brad Hazzard must reverse his decision, must act in the interests of local regional communities and not introduce pay parking.

A division having been called in the House of Representatives—

Sitting suspended from 17:00 to 17:20

Ms McBRIDE: I want to turn my attention now to the Central Coast's natural environment—in particular, to the Tuggerah Lakes. The last major commitment of federal funding to improve the Tuggerah Lakes was under the Rudd government: \$20 million. Since then, only \$3 million has been invested in our lake system. More money is desperately needed. In particular, we need to invest in gross pollutant traps, erosion works and foreshore restoration.

Our care for the coast's lakes, rivers, wetlands and estuaries must keep ahead of population growth. More housing and population growth means more run-off. Measures like gross pollutant traps improve water quality. This is what we committed to in the federal election, and I implore the government to do the same. Because, when asked why they live on the Central Coast, most people say, 'Because it's beautiful, because I like the outdoors, because I enjoy fishing, swimming and being on our lakes, beaches, rivers and bushlands.' They need to be properly protected.

I want to turn now to aged care. This is something that I've experienced personally through my father's experience with young onset dementia. On the Central Coast at the moment there are 1,455 older people on the waiting list for home care packages. The royal commissioner has rightly called this neglect. The government's response of 10,000 extra home care packages—less than 10 per cent of the people on the current waiting list—is neglect. People in my community can't wait, particularly for level 3 and level 4 home care packages.

I've met with people like Enid, who's 96 and who is waiting for a level 4 home care package. She was told that she might have to wait 12 months. People who are 96 don't have 12 months to wait for the support that they need. If they don't get this support, then they end up in emergency departments, having had a fall, and then they end up in residential care sooner than they want to be or need to be. It must be a priority of this government to properly address the crisis in aged care, particularly in home care packages.

I will turn now to where I started, at the beginning of this speech. The economic and social benefits of investing in regions like the Central Coast are obvious. They're plain for everybody to see. The economic and social costs of not investing are profound. As I mentioned earlier, on the Central Coast, unemployment rates for young people are stubbornly high and consistently above the state average. Urgent action needs to be taken by this government now for young people in our community. I caution this government that, if they

continue to allow the major cities of Australia to sprawl into their nearby regions, they must properly invest in those communities. Otherwise the economic and social costs will be profound.

In closing, I would like to thank the many people who worked hard to see me re-elected in this place. I hope I don't miss anyone. They include Ken and Cheryl Greenwald, John Leonard, Bill Donaldson, Bill Smith, Tony Booth, Ruth Punch, Josh Lucock, Josh Aspinall, Renee Daniels, Margot Castles, Jean Laffan, Bill Thompson, Narelle Anderson, Bruce Rowling, Kim Newham, Ken Zajicek, Narelle Rich, Liam O'Neill, Jim Swanson, and all the Labor Party branch members, supporters and unionists who helped me to be able to win the fight for Dobell.

I'd also like to thank my family, in particular my mum, Barbara, who celebrated her 70th birthday yesterday. Thank you to my mum, who has tirelessly supported me. This was the first election campaign that we had without dad, and it was something that I know was very difficult for my mum, but I want to thank my mum for the support that she has given me in the work that I do. I couldn't do it without you, Mum. I also want to thank my brothers and sisters and their families. This is the sort of job where you need the support of your entire family to be able to do the job you need to do for our community.

It is such an honour to represent the community I grew up in. It's such an honour to represent my home town. It's such an honour and a privilege to be here on behalf of our community. I will do all I can in this place to stand up for our community, to make sure that the regions and the outer suburbs get the attention that they need from this government, to make sure that communities like ours aren't left behind, and to make sure that they have the right infrastructure, the health care and the jobs that people need to make the good life that they deserve. I will make sure that our community is not left behind by this government. I will continue to hold them to account and make sure that our regional communities get the very best that they deserve.

Mr FLETCHER (Bradfield—Minister for Communications, Cyber Safety and the Arts) (17:26): I move:

That further proceedings be conducted in the House.

Question agreed to.

STATEMENTS ON INDULGENCE

Australian Bushfires

Consideration resumed.

Mr FLETCHER (Bradfield—Minister for Communications, Cyber Safety and the Arts) (17:27): I rise today to speak on the devastating bushfires that have been impacting much of New South Wales and Queensland and indeed other states over several weeks. Our emergency services have once again shown their skill, dedication and courage in the face of very difficult conditions. I thank all of the career and volunteer emergency services personnel who have been fighting these fires. Our government's first concern is for the safety and needs of those directly affected, particularly those who have lost their homes and, worse still, have lost loved ones. Although conditions have eased, the threat is not over yet. Elevated fire danger conditions will continue over the fire grounds in north-east New South Wales and

South-East Queensland. As we've seen, these fires can flare up quickly, and I urge people to stay informed and monitor conditions.

I want to speak about the impact of the recent fires in my electorate of Bradfield. On the afternoon of Tuesday 12 November, residents of South Turramurra received an abrupt and unpleasant reminder of how vulnerable to bushfires the North Shore of Sydney can be. Thanks to the quick response from the Hornsby/Ku-ring-gai Rural Fire Service, the fire in South Turramurra was contained within one hour and spanned only five hectares. Two strike teams comprising five trucks were deployed to handle the fire, while two aircraft and one air tanker brought the fire under control from the air. The impact of the air tanker in particular was extremely impressive. The fire caused minimal damage to houses; some houses suffered minor damage as fires reached their roof cavities.

Let me express my thanks on behalf of all of the residents of Bradfield to Inspector Rolf Poole and all of the team at the Hornsby/Ku-ring-gai Rural Fire Service for their work on this occasion and for the ongoing service they provide to our community. As the Prime Minister observed on his visit to the fire affected communities across New South Wales and, indeed, other parts of Australia, Australians are at their best at difficult moments like this. They show great spirit, heart and generosity.

Only a few streets away from the fire the Guru Nanak Gurudwara Turramurra Sikh Temple was preparing to celebrate the 550th birth anniversary for Guru Nanak Dev Ji, the first guru of Sikhs and the founder of the Sikh faith. Many Sikhs from across Sydney were coming to Sydney for these celebrations. Mr Pritpal Singh Bhatia, a resident of South Turramurra and member of the Turramurra Sikh Temple, evacuated from his home and went to the temple to inform other members of what was going on. When Harbir Bhatia, Pritpal's brother and president of the North Shore Sikh Association of Sydney, heard what was happening he said, 'It just clicked that there are volunteers and other firefighting professionals who are working hard to save the properties and putting their own lives at risk. Let us do what our religion teaches us—at least give them some food and water.'

A team of men and women from the temple began to pack langar, a community lunch, for those who were fighting the fires. Three types of rice and vegetarian curries were packed, water bags were picked up and two cars were driven back towards the evacuation zone to distribute the food to the firefighters. It did not take long before a continuous supply chain was set up between the temple and the firefighters, as more vehicles and volunteers with food and water were dispatched. Supplies were also offered to local residents who had evacuated from their homes. May I say that, having myself had the opportunity on more than one occasion to enjoy a delicious meal at the Turramurra Sikh Temple after visiting there for a service, the food is remarkable. I'm sure everybody who was privileged to enjoy it had their spirits lifted.

Many volunteers from the Sikh temple helped on the day. Not all can be named, but there are a few people I would like to single out in particular: Harbir Pal Singh Bhatia, Pritpal Singh Bhatia, Tejinder Singh, Parneet Singh Bhatia, Charanjeet Singh, Devpal Singh, Sehajdeep Singh, Manjit Singh Sidhu, Satinder Singh, Amarjit Bhatia, Jessie Bhatti, Neelu Singh and Ichha Kaur Mannat Kaur.

It continues to be the case, of course, that fires are burning across large parts of north-east New South Wales and in other parts of Australia. These fires have now burnt through more

than 1.4 million hectares in New South Wales. As at 8:30 this morning 129 fires were still burning across the state. Firefighters have faced extremely demanding conditions over these past weeks. Dozens of people have been injured, including many firefighters. Tragically, four people have lost their lives as a result of these fires, and I express my sympathies to their families and loved ones at this difficult time.

Evacuation centres in New South Wales remain activated to support fire-affected communities. More than 1,600 firefighters and support personnel, along with 95 aircraft, have been battling these fires. Can I inform my community in Bradfield that there are a number of supports available to those affected by bushfires. For those in the Ku-ring-gai local government area, the Disaster Recovery Funding Arrangements, jointly funded by the New South Wales and Commonwealth governments, have been activated. This assistance is administered by the New South Wales government. Anyone in need of assistance should contact the New South Wales government Disaster Welfare Assistance Line on 1800 018 444.

The Australian government's disaster recovery allowance has also been activated for the Ku-ring-gai area. This payment is a short-term income support payment to assist individuals who have experienced a loss of income as a direct result of the bushfires.

A division having been called in the House of Representatives—

Sitting suspended from 17:33 to 17:39

Mr FLETCHER: Anyone who has been adversely affected by the bushfires in New South Wales can contact the Department of Human Services and test their eligibility for the payment. Let me also take this opportunity to note that only two weeks after the electorate of Bradfield experienced an emergency bushfire warning, our community was yesterday battered by a severe hailstorm, causing significant damage to homes and property and creating extensive blackouts. Ku-ring-gai SES volunteers are actively responding to over 500 requests for assistance. I would like to express my gratitude to Unit Controller David Catterall and all of the volunteers who sacrificed their time to help our community in this time of need. I spoke to Mr Catterall today, and he informed me that SES units from our local area, supported by some from surrounding regions, started work shortly after the storm hit yesterday and were still going at midnight last night, before being back at work this morning. If you require assistance in a storm related emergency, you are encouraged to call the SES on 132500. Of course, if it's a life-threatening emergency, please contact triple 0.

I conclude by thanking all who have worked to respond to the threat of bushfires and other natural disasters over recent weeks. I thank them for their courage and for their service to our community.

Ms TEMPLEMAN (Macquarie) (17:40): If people think that the fires we're seeing are business as usual, they're clearly not looking at a map of New South Wales. It's been a month since the Gospers Mountain bushfire began. It's in my electorate of Macquarie and many other electorates around me. It is a huge fire. Hundreds of volunteer rural firefighters and members of the SES, as well as New South Wales parks and wildlife and fire and rescue staff, have been on the go, day and night, simply trying to control it. We've also had great support from the CFA—and I have never been so happy to see a Victorian as I was when their trucks rolled up a week or so ago! Realistically, people are not trying to extinguish this fire. It's too big for that. They're just trying to move it around and through so that it causes as little damage

as possible. We're simply waiting for huge amounts of rain. As of this morning, the area burnt is 188,507 hectares, with a perimeter of 570 kilometres. The sporadic rainfall and new fires started by lightning haven't helped the efforts to bring it under control, and this fire is likely to flare up and expand until we have those decent rains.

We have had an emergency in the Hawkesbury. We've lost two homes. We've lost property, fences, farmland. There have been losses to business. There has been dislocation of families. An emergency is not defined by mass house losses or by death. It doesn't need to be a tragedy to be an emergency. There are people who are impacted. I spoke to Colo Heights residents who were away from their homes for nearly two weeks. Some were staying with friends, some were with relatives and some were in caravan parks. One woman had no information, because there was no central place to go to find out what the current situation was, so she called me to see if it was okay to go home. Another Colo Heights woman has carried heavy losses. There is the cost to repair fencing—and this is really typical of what people are now going home to; there is the refilling of water tanks, because there's no town water; and there is the huge clean-up of trees that were felled but not mulched as the fire moved closer. Power has been lost, obviously, so fridges and freezers need to be cleared out. There is stock to be relocated and taken back to properties. There is a lot of cost involved. People have taken time off work to fight the fires, not only around their own properties but around their neighbours'. Of course, many of our RFS volunteers have also taken time off work.

The people directly affected by the fires on their properties are now facing pretty heavy costs. I asked questions this week about why the Hawkesbury was not included in the new announcement by the New South Wales and federal governments. I really support the announcement of additional funding for the north of the state—that's as it should be; they've had a horrific time there, and they will need immediate and long-running help—but our businesses, our farmers, places like the Settlers Arms pub in St Albans, are not eligible for the \$15,000 grants, yet they are businesses that have lost business. People have lost income.

A division having been called in the House of Representatives—

Sitting suspended from 17:44 to 18:20

Ms TEMPLEMAN: During these fires I have been amazed at the determination of the Rural Fire Service leadership in the Hawkesbury under Karen Hodges, who has brought together the various districts affected by fire—from the Blue Mountains to the Hunter in the north and Lithgow in the west—and also at the willingness of so many volunteers from within the Hawkesbury and across Sydney to show up for very long shifts after shifts. This has been going on for a month. There have been weeks of intense 24-hours-a-day firefighting. In the mornings, when the night shift hands over to the day shift, I see the tiredness starting to grow. You'd not be a human being if you were not exhausted by the sort of effort that they are making.

I say to the volunteers, who can travel for hours either side of their shift: thank you for what you're doing. Last Friday I came across a crew from Davidson and I recognised former Prime Minister Tony Abbott. As I have with all the firefighters, I thanked him for being part of the effort that's being made in the Hawkesbury. Not only do those volunteers do 12- or 17-hour shifts but they then front up for their paid work the next day—except those who have employers who are good enough to give them time off work.

A division having been called in the House of Representatives—

Sitting suspended from 18:22 to 18:50

Ms TEMPLEMAN: The volunteers who have been on site trying to control these fires for the last month have done an incredible job, supported, of course, by SES, police, and Parks and Wildlife, who have been fully involved in the process. A very grateful community has wanted to do whatever it can to help the firefighters. While meals are provided by the Hawkesbury headquarters, the community has been keen to donate all of the snacks that get the firefighters from their brigade to the fire site. We've been really pleased to help collect and distribute those supplies—everything from chips and electrolytes through to lip balm and all the things that make the job just a little bit easier. I spent Saturday distributing some of those supplies and I was able to talk to people from right up the top at Bilpin. I have also been in to see the Yarramundi mob and the Winmalee firefighters. The mountains firefighters have been putting in hours and hours of effort to help contain this blaze, because we know that it's not that far from the Blue Mountains. It's a huge fire and it's going to keep growing.

Thank you to everyone who has donated—people like the staff of WISE Employment; Kurrajong Kitchen, who were very generous with their lavosh; individuals like Anthony and Sophie; and people like Alison and Kirsty, who helped get supplies not just to rural fire brigades but also to residents of Colo Heights who weren't able to get easy access in and out of their properties but who didn't want to leave the area while the fires were really active. I'm pleased to see that the police have today been able to open Putty Road up to Colo Heights. That makes a huge difference and will help with the recovery process.

One of the things that hasn't been working so well is telecommunications and I really want to flag with the government and with Telstra and Optus that there is a lot of work to be done to give people peace of mind—people like the residents of Mountain Lagoon, who have no landlines. There's no mobile signal there and they have no landlines. When a bushfire is in the area and heading their way, that is a huge concern. I will continue to be a very noisy voice in making sure that those communications are restored and maintained. Another place where that's an issue is Saint Albans. It would be great to see the black spot mobile towers that have been promised actually delivered. There is extra anxiety when fires are around, and people deserve to be able to communicate. The NBN truck that we saw outside parliament today, a mobile truck to deliver communications, could provide great benefit, but we actually need to see things like that in the field, as well as having Telstra and Optus putting in mobile equipment—temporary, portable equipment—so that people can have communication.

There has been an extraordinary effort by firefighters, police, emergency services, all of the people I have named and the community. I've been a bit underwhelmed by the response at a local level from the state government and the local council. They have made efforts, but I've got to say that I think we can learn from what we've seen so far with this fire. There is a whole lot more we can do. We can have elected representatives at RFS community sessions to hear what people are feeling and experiencing. We can open contact points, so people have a single place to go to get information. If people are told to head to Wilberforce, there could be safe places they know they can go to. Those safer neighbourhood places really don't exist in the Hawkesbury. So I think there's a lot that we can do and I think we have to better recognise when we are in an emergency. We have had an emergency. Businesses have suffered. Lives have been impacted. Community members have been through terrible things. Two homes

have been lost, and a lot of property has been destroyed. Anyone who doesn't think it's been an emergency is out of touch. And it's not summer yet.

The DEPUTY SPEAKER (Mr Rick Wilson): I thank the member. There being no further statements at this time, I call the Clerk.

MOTIONS

Cowra Breakout: 75th Anniversary

Consideration resumed of the motion:

That this House record its remembrance of the 75th anniversary of the Cowra breakout and offer its thanks to those who gave their lives in service to Australia, remember the costs of war that are inflicted on all peoples and recognise the people of Cowra for their contribution to reconciliation and Australia's contemporary relationship with Japan, an ongoing relationship with Japan, a great friend.

Mr McCORMACK (Riverina—Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development and Leader of the Nationals) (18:54): Can anyone think of any wartime incident, any military event at all, occurring in regional Australia that, 75 years on, is still having such a profound impact internationally as the Cowra breakout?

Ordinary men, on both sides, did extraordinary things that fateful day of 5 August 1944.

War does that—digging deep into the very essence of a society, the core and conscience of humanity, and asking questions that demand answers, then and even now, many years later.

Rather than merely allowing what happened on that winter Saturday morning in the central-west of New South Wales to fade into the obscurity of history, it has been embraced to promote peace and understanding.

As a result, an indelible link has been forged between Australia and Japan, one which will never be broken.

Bonds of friendship have been established and families of those more than 200 Japanese men who lost their lives that day can be comforted, knowing their loved ones may be buried many thousands of kilometres away but are very much at home and very much at peace.

Residents of Cowra are proud of the goodwill that has developed, and the Cowra Japanese Garden and Cultural Centre is splendid testimony to that.

Even though our nations were bitter enemies during World War II, the fact that hatred and violence have now been replaced with cherry blossoms and harmony says a lot about the beauty and inner strength of the people of Cowra.

A triumph of the human spirit, for certain.

Knowing the full horror and atrocities in the Pacific theatre of war did not deter the good folk of Cowra from appropriately and respectfully honouring all of the breakout dead.

Over the decades that commitment has endured and led to something quite special.

United, Cowra stands to forever remember those who fell, on both sides, and to always promote the fact that the things that do unite the two countries are far greater than those that divide us.

To quote a well-known Japanese saying: 'Aame futte ji katamaru.' It means, literally, 'After the rain earth hardens,' or 'Adversity builds character.' After a storm, things will stand on more solid ground than they did before.

The DEPUTY SPEAKER: There being no further statements, I call the Clerk.

STATEMENTS ON INDULGENCE

Australian Bushfires

Consideration resumed.

Mr HOGAN (Page—Deputy Speaker) (18:57): I'd like to update the House this evening on the state of four major bushfires that have been burning in my community—in some cases, for many months—and, very sadly, it has taken the lives of two people, Gwen Hyde and Bob Lindsey, whose lives were taken a couple of months ago.

The first fire that I want to talk about is the Border Trail fire, which is on the border between New South Wales—

A division having been called in the House of Representatives—

Sitting suspended from 18:58 to 19:15

Mr HOGAN: As I said, I'd just like to update the House on four significant and major bushfires that in many cases have been burning in my electorate and my community for a number of months. I mentioned the very tragic deaths of Gwen Hyde and Bob Lindsey whose lives have been taken in these fires. I want to run through literally the four separate fires and where they're burning.

The first one I want to mention is the Border Trail fire, which is burning on the border between Queensland and New South Wales, and for a number of weeks has had the community of Woodenbong all but under siege. I went up there when the community was highly threatened by an emergency level with this fire, and the one thing that I took out of that was just what a resilient community Woodenbong is. On one night there were 53 utes in Woodenbong, all with water tanks on the back and hoses fitted because not only are the RFS doing a great job there—and they're getting aerial support as well—but the community themselves are doing a wonderful job to keep their community safe.

The second fire is the Myall Creek fire. This is an amazingly large fire which has burned something like 80,000 to 90,000 hectares now. It's the fire that a couple of months ago went through Rappville and caused complete carnage there. Another front of it went along to Bora Ridge and actually burnt down a mate of mine's home—Doug Wood. The southern front of it is now threatening communities like Woombah and Iluka. The northern end when the southerly blows—in fact today it's blowing up towards Swan Bay and Woodburn. On the western front, it's been causing havoc around Baryulgil and Whiporie, but this is a massive fire.

The other fire that I'd like to mention is the Mount Nardi fire, which is burning—actually I see the member for Richmond here today—in both our communities. It's burning native rainforest that people thought would never burn. In fact the member and I went to a briefing on an emergency-level day when there was a westerly wind blowing at Casino with Michael Brett and his team who are, again, doing a wonderful job. I want to acknowledge the

community of Nimbin and surrounding villages which have done a great job and been very supportive of each other when they were under siege from that fire.

The fourth fire is a fire now known as the Liberation Trail fire—it's the merging of two fires. This fire has burnt out Nymboida and caused complete havoc there. I was there four or five days after it literally took out Nymboida. A lot of homes have been burnt down. The day I was there a lot of RFS volunteers from other parts of the state, and indeed New Zealand, were there. I was very thankful and I thanked them for coming over to support our community.

Another front on one of the worst days of the fire was threatening communities like Glenreagh and Nana Glen. I went to an information day organised by the RFS at Nana Glen where they were giving out very useful information about how to keep your homes safe if you're planning to defend your home.

In all, the figure—and it's probably higher than that because it keeps moving—something like 700,000 to 800,000 hectares of my community have been burnt out by this fire. It's burnt out timber plantations. It's burnt across people's sugarcane farms. It's burnt people's beef properties and it's obviously gone through some villages as well. It's caused havoc. We will recover, and there's going to be a lot of money and support going to help our community to recover. It has certainly tested the resilience, but the community resilience has been a sight to behold.

I'd like to acknowledge the RFS. There have been over 1,300 field and support personnel deployed, supported by close to 400 vehicles and a large number of aircraft. Over 1,500 interstate firefighters, incident management teams and aviation resources have been deployed over the last four or five weeks. The assessment of the property impacted by these fires across the wider region—wider than my area—is 663 homes destroyed and 247 damaged; 59 facilities destroyed and 69 damaged; and 1,382 outbuildings destroyed. We're very grateful, as I said, to the RFS volunteers. One of the first fires was in Rappville and there have been some amazing stories from not just RFS volunteers but, indeed, members of the community. One guy in Rappville, Gary, literally sat in a tree as the fire was encroaching. Rappville was surrounded and they couldn't get out. The community went to the local school. Gary sat in a tree—which is a very dangerous place to be when you have a fire approaching—with an RFS hose and was literally washing out the embers as they were landing on the school roof. There were many other stories like that from around the whole region.

I'd also like to mention some of the other agencies who have worked to protect our communities: the State Emergency Service, the New South Wales Police, Fire and Rescue, the Australian Defence Force, Local Land Services, NSW Health, RMS, the National Parks and Wildlife, and Essential Energy. Essential Energy is just one example—and there are many; I could give examples from all around the region. In the Rappville fire, something like 300 power poles were destroyed, so obviously Rappville didn't have power. Those 300 power poles were all replaced within three days, and Essential Energy workers did an amazing job to get that done. There have been a number of volunteer groups who have moved into our region, offering support. I really want to mention BlazeAid Team Rubicon and Samaritan's Purse. BlazeAid have been coming in and helping farmers to refence because obviously once the fire came through and ravaged everything, cows or beasts that did survive were wandering

around with no fences to contain them and causing potential danger on roads. They've been there for months.

I want to also acknowledge the Office of Emergency Management, which has appointed recovery coordinators, and the Rural Assistance Authority is managing recovery packages. The Australian Defence Force have been doing amazing things. They've been doing reconnaissance and emergency movement of firefighters; air transport for intrastate and interstate travel for firefighters and strike teams; specialised satellite imagery of impact areas; accommodation and sustenance for people at different Air Force bases; and a lot of logistics at the Casino fire control centre. It was good to see the state government of New South Wales give BlazeAid a \$1.3 million grant to help them to support our communities. I also welcome the appointment of Euan Ferguson, who is the disaster recovery coordinator. I know him well—I don't want him to take this personally—unfortunately. He was a recovery officer when Lismore flooded in 2017. I'd also like to report that the Office of Emergency Management have set up disaster welfare points. These centres are staffed by Communities and Justice, Red Cross, Salvation Army and chaplains. There are centres around the region.

A number of assistance measures have been announced since these fires have been causing havoc. Just last week, with the New South Wales government, we announced the community recovery package for farmers and small businesses. If your farm or even a small business has been damaged by the fire, there are grants of up to 15 per cent and there is money available for councils as part of this as well. It includes a package of community projects grants for public infrastructure, and there are going to be mental health support services along with that. We've announced clean-up grants, which we're giving to local councils. A lot of the houses that burnt down contained asbestos. This has been very expensive for councils, and we've been helping councils and funding councils to deal with that.

The national disaster declarations have also made many other things available. There's been, as I said, support for local councils. There are concessional interest rate loans for some businesses, freight subsidies for primary producers, and grants for non-profit organisations. There have been things set up at some of the agricultural organisations for people to go and get fodder to feed their animals, because obviously they have no feed. We also have the disaster recovery payment. If you've lost your house to fire or been otherwise affected by it, there's \$1,000 per adult and \$400 per child. There's also the disaster recovery allowance. I know that the timber mill near Rappville burnt down, so those workers have been able to immediately access the recovery allowance. There's obviously also been a lot of damage done to our wildlife, and a lot of support has been given and money donated to the Australian Koala Foundation and local land services.

This has been one of the most horrific, damaging, debilitating things to affect our community in a long time, but we will get out of this and we will work together to do that.

Mrs ELLIOT (Richmond) (19:25): I too rise to speak on the devastating fires that have affected many areas, particularly in New South Wales and Queensland—in fact, right across the country. I note that I'm following the member for Page. Our electorates adjoin one another. It has been a very devastating time, and I endorse the comments that he made. It has been a very devastating time for our region following on from the horrendous floods we had only two years ago. It has been a very difficult time, and I acknowledge his comments, the comments of all members and also the contributions of the Prime Minister and the opposition

leader, with their respective statements to parliament. I know there's been widespread concern across the House in relation to the devastating impact of these fires across the country, and the concern, quite rightly, is still there. I would also like to acknowledge the Australians who tragically lost their lives in these fires. It is horrendous. We've seen those lives lost. We've seen property lost. We've seen so much damage. It is truly heartbreaking, as many in this House have mentioned.

I was pleased that, recently, the opposition leader was able to come to the area. He had a look at the area with me, the state member for Lismore and also the member for Page. He went to both Casino and Nimbin and was able to speak with many people there. It was great to meet with many of the emergency personnel, who are doing an outstanding job, the amazing volunteers and all the people who are battling those ferocious fires. It has been a remarkable effort by all of the associated agencies that have been involved, who have been working so well together in such difficult circumstances. As hard as it may be, it is amazing to see the bravery and sense of duty and service that both the emergency personnel and the volunteers demonstrate in their roles. I certainly want to acknowledge and thank all the brave men and women who fought, and are still fighting, so desperately to keep us all safe, and all of the agencies involved.

I also want to acknowledge the tremendous community support for all the personnel who are doing such difficult work and the support for the volunteers, often from their employers. There is also the general community support and I want to acknowledge the amount the community's given in terms of assisting those involved. I also commend our local print and radio journalists who report on these matters—it's so vital that they share important information—especially the ABC in Lismore, which did a remarkable job in providing information to the community. Their commitment to and vigilance, if you like, in reporting and providing information to those involved was absolutely vital, because at times like this people need to get access to as much information as they can. I know that our local ABC did that very admirably under difficult circumstances. They were working long shifts as well. Information is so important in these situations, and I'd certainly like to acknowledge the work that they do.

I referred to the visit by the opposition leader. We were initially briefed at the RFS headquarters in Casino, and we very much appreciated the very extensive and very informative briefing we received about the state of the fires at that time and in response to the concerns we had and still have. There are concerns for areas right across the region, particularly in the electorate of Richmond. As the member for Page mentioned, there's the Mount Nardi fire and its impacts. While it remains at 'advice' level and, at this moment, is reported as 'contained', it is still of huge concern, as are all the fires on the North Coast. It's one of many that we are all watching. It is of major concern, from the perspective of the electorate of Richmond, but there are many other fires throughout the region. We had the briefing from the RFS in Casino. We then went on to Nimbin—

The DEPUTY SPEAKER: It being 7.30, the debate is interrupted. The debate is adjourned and the resumption of the debate will be made an order for the day for the next sitting.

Federation Chamber adjourned at 19:30