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SITTING DAYS—2016

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FORTY-FIFTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

Governor-General
His Excellency General the Hon. Sir Peter Cosgrove AK, MC (Retd)

House of Representatives Office Holders
Speaker—Hon. Anthony David Hawthorn Smith MP
Deputy Speaker—Mr Mark Maclean Coulton MP
Second Deputy Speaker—Mr Robert George Mitchell MP
Members of the Speaker's Panel—Hon. Sharon Leah Bird MP, Mr Russell Evan Broadbent, Mr Scott Andrew Buchholz, Ms Sharon Catherine Claydon MP, Mr Steven Georganas MP, Mr Ian Reginald Goodenough MP, Mr Andrew William Hastie MP, Mr Kevin John Hogan MP, Mr Stephen James Irons, Mr Craig Kelly, Ms Maria Vanvakinou MP, Mr Ross Xavier Vasta and Mrs Lucy Elizabeth Wicks
Leader of the House—Hon. Christopher Pyne 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 Dreyfus QC MP

Party Leaders and Whips
Liberal Party of Australia
Leader—Hon. Malcolm Bligh Turnbull MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Government Whip—Ms Nola Bethwyn Marino MP
Government Whips—Mr Albertus Johannes van Manen MP and Mr Rowan Eric Ramsey MP

The Nationals
Leader—Hon. Barnaby Thomas Gerard Joyce MP
Deputy Leader—Senator the Hon Fiona Nash
Chief Whip—Mr George Robert Christensen MP
Deputy Whip—Ms Michelle Leanne Landry MP

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

Printed by authority of the House of Representatives
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<td>O'Connor, WA</td>
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<td>Wilson, Mr Timothy Robert</td>
<td>Goldstein, VIC</td>
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<tr>
<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
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<td>Wyatt, Hon. Kenneth George, AM</td>
<td>Hasluck, WA</td>
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<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
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<tr>
<td>Zimmerman, Mr Trent Moir</td>
<td>North Sydney, NSW</td>
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<tr>
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<tr>
<td>Prime Minister</td>
<td>Hon Malcolm Turnbull MP</td>
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<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Cabinet Secretary</td>
<td>Senator the Hon Arthur Sinodinos AO</td>
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<tr>
<td>Minister Assisting the Cabinet Secretary</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Minister Assisting the Prime Minister for Counter-Terrorism</td>
<td>Hon Michael Keenan MP</td>
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<tr>
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<td>Senator the Hon Scott Ryan</td>
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<tr>
<td>Assistant Minister for Cities and Digital Transformation</td>
<td>Hon Angus Taylor MP</td>
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<tr>
<td>Deputy Prime Minister and Minister for Agriculture and Water Resources</td>
<td>Hon Barnaby Joyce MP</td>
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<tr>
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<td>Senator the Hon Anne Ruston</td>
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<tr>
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<td>Hon Luke Hartsuyker MP</td>
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<td>Hon Julie Bishop MP</td>
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<tr>
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<td>Hon Steve Ciobo MP</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
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<td>Hon Keith Pitt MP</td>
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<tr>
<td>Attorney-General</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
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<tr>
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<td>Hon Michael Keenan MP</td>
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<td>Treasurer</td>
<td>Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Revenue and Financial Services</td>
<td>Hon Kelly O'Dwyer MP</td>
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<td>Minister for Small Business</td>
<td>Hon Michael McCormack MP</td>
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<td>Minister for Finance</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>(Deputy Leader of Government in the Senate)</td>
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<tr>
<td>Special Minister of State</td>
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<tr>
<td>Minister for Regional Development</td>
<td>Senator the Hon Fiona Nash</td>
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<tr>
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<td>Senator the Hon Fiona Nash</td>
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<tr>
<td>Minister for Infrastructure and Transport</td>
<td>Hon Darren Chester MP</td>
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<tr>
<td>(Deputy Leader of the House)</td>
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<tr>
<td>Minister for Urban Infrastructure</td>
<td>Hon Paul Fletcher MP</td>
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<tr>
<td>Minister for Defence</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister for Defence Industry</td>
<td>Hon Christopher Pyne MP</td>
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<tr>
<td>(Leader of the House)</td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Hon Dan Tehan MP</td>
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<tr>
<td><em>Minister Assisting the Prime Minister for the Centenary of ANZAC</em></td>
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<td>Hon Dan Tehan MP</td>
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<tr>
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<td>Hon Peter Dutton MP</td>
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<tr>
<td><em>Assistant Minister for Immigration and Border Protection</em></td>
<td>Hon Alex Hawke MP</td>
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<td><strong>Minister for Industry, Innovation and Science</strong></td>
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<tr>
<td><strong>Minister for Resources and Northern Australia</strong></td>
<td>Senator the Hon Matt Canavan</td>
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<tr>
<td><em>Assistant Minister for Industry, Innovation and Science</em></td>
<td>Hon Craig Laundy MP</td>
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<tr>
<td><strong>Minister for Health and Aged Care</strong></td>
<td>Hon Sussan Ley MP</td>
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<tr>
<td><strong>Minister for Sport</strong></td>
<td>Hon Sussan Ley MP</td>
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<tr>
<td><em>Assistant Minister for Health and Aged Care</em></td>
<td>Hon Ken Wyatt AM MP</td>
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<tr>
<td><em>Assistant Minister for Rural Health</em></td>
<td>Hon Dr David Gillespie MP</td>
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<tr>
<td><strong>Minister for Communications</strong></td>
<td>Senator the Hon Mitch Fifield</td>
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<tr>
<td><strong>Minister for the Arts</strong></td>
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</tr>
<tr>
<td><em>(Manager of Government Business in the Senate)</em></td>
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</tr>
<tr>
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<td>Senator the Hon Fiona Nash</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td><strong>Minister for Social Services</strong></td>
<td>Hon Christian Porter MP</td>
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<tr>
<td><strong>Minister for Human Services</strong></td>
<td>Hon Alan Tudge MP</td>
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<tr>
<td><em>Assistant Minister for Social Services and Disability Services</em></td>
<td>Hon Jane Prentice MP</td>
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<tr>
<td><em>Assistant Minister for Social Services and Multicultural Affairs</em></td>
<td>Senator the Hon Zed Seselja</td>
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<tr>
<td><strong>Minister for Education and Training</strong></td>
<td>Senator the Hon Simon Birmingham</td>
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<tr>
<td><em>Assistant Minister for Vocational Education and Skills</em></td>
<td>Hon Karen Andrews MP</td>
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<tr>
<td><strong>Minister for the Environment and Energy</strong></td>
<td>Hon Josh Frydenberg MP</td>
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<tr>
<td>Shadow Minister for Indigenous Affairs and Aboriginal and Torres Strait Islanders</td>
<td>Hon Bill Shorten MP</td>
</tr>
<tr>
<td><strong>Shadow Assistant Minister for Indigenous Affairs and Aboriginal and Torres Strait Islanders</strong></td>
<td>Senator Patrick Dodson</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon Jacinta Collins</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Preventing Family Violence</td>
<td>Terri Butler MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister to the Leader (Tasmania)</td>
<td>Senator Helen Polley</td>
</tr>
<tr>
<td><strong>Deputy Leader of the Opposition</strong></td>
<td>Hon Tanya Plibersek MP</td>
</tr>
<tr>
<td>Shadow Minister for Education</td>
<td>Hon Tanya Plibersek MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for Women</strong></td>
<td>Hon Tanya Plibersek MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Schools</td>
<td>Andrew Giles MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Universities</td>
<td>Terri Butler MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Equality</td>
<td>Terri Butler MP</td>
</tr>
<tr>
<td><strong>Leader of the Opposition in the Senate</strong></td>
<td>Senator the Hon Penny Wong</td>
</tr>
<tr>
<td><strong>Shadow Minister for Foreign Affairs</strong></td>
<td>Senator the Hon Penny Wong</td>
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<tr>
<td>Shadow Minister for International Development and the Pacific</td>
<td>Senator Claire Moore</td>
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<tr>
<td><strong>Deputy Leader of the Opposition in the Senate</strong></td>
<td>Senator the Hon Don Farrell</td>
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<tr>
<td><strong>Shadow Special Minister of State</strong></td>
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<tr>
<td>Shadow Minister for Sport</td>
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<tr>
<td><strong>Shadow Treasurer</strong></td>
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<tr>
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<tr>
<td>Shadow Minister for Competition and Productivity</td>
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<tr>
<td>Shadow Minister for Charities and Not-for-Profits</td>
<td>Hon Dr Andrew Leigh MP</td>
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<tr>
<td>Shadow Minister for the Digital Economy</td>
<td>Ed Husic MP</td>
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<tr>
<td>Shadow Minister for Consumer Affairs</td>
<td>Tim Hammond MP</td>
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<tr>
<td>Shadow Assistant Minister for Treasury</td>
<td>Hon Matt Thistlethwaite MP</td>
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<tr>
<td><strong>Shadow Minister for Environment and Water</strong></td>
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<td><strong>Shadow Minister for Citizenship and Multicultural Australia</strong></td>
<td>Hon Tony Burke MP</td>
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<td>Hon Tony Burke MP</td>
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<tr>
<td>Shadow Minister for Families and Social Services</td>
<td>Hon Jenny Macklin MP</td>
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<tr>
<td>Shadow Minister for Housing and Homelessness</td>
<td>Senator the Hon Doug Cameron</td>
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<tr>
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<td>Hon Linda Burney MP</td>
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<tr>
<td>Shadow Minister for Disability and Carers</td>
<td>Senator Carol Brown</td>
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<tr>
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<td>Senator Louise Pratt</td>
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<tr>
<td><strong>Shadow Minister for Infrastructure, Transport, Cities and Regional Development</strong></td>
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<td>Hon Anthony Albanese MP</td>
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<tr>
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<td>Stephen Jones MP</td>
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<tr>
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<td>Pat Conroy MP</td>
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<tr>
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<tr>
<td>Shadow Attorney-General</td>
<td>Hon Mark Dreyfus QC MP</td>
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<tr>
<td>Shadow Minister for National Security</td>
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<td>Deputy Manager of Opposition Business in the House of Representatives</td>
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<td><strong>Shadow Minister for Employment and Workplace Relations</strong></td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Shadow Assistant Minister for Cyber Security and Defence</td>
<td>Gai Brodtmann MP</td>
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<tr>
<td>Shadow Assistant Minister for Defence Industry and Support</td>
<td>Hon Mike Kelly AM MP</td>
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<tr>
<td><strong>Shadow Minister for Innovation, Industry, Science and Research</strong></td>
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<tr>
<td>Shadow Assistant Minister for Manufacturing and Science</td>
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<tr>
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<tr>
<td><strong>Shadow Minister for Health and Medicare</strong></td>
<td>Hon Catherine King MP</td>
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<tr>
<td>Shadow Assistant Minister for Medicare</td>
<td>Tony Zappa MP</td>
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<tr>
<td>Shadow Assistant Minister for Indigenous Health</td>
<td>Hon Warren Snowdon MP</td>
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<tr>
<td><strong>Shadow Minister for Early Childhood Education and Development</strong></td>
<td>Hon Kate Ellis MP</td>
</tr>
<tr>
<td><strong>Shadow Minister for TAFE and Vocational Education</strong></td>
<td>Hon Kate Ellis MP</td>
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<tr>
<td>Shadow Minister for Skills and Apprenticeships</td>
<td>Senator the Hon Doug Cameron</td>
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<tr>
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<td>Senator the Hon Jacinta Collins</td>
</tr>
<tr>
<td><strong>Shadow Minister for Agriculture, Fisheries and Forestry</strong></td>
<td>Hon Joel Fitzgibbon MP</td>
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<tr>
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<tr>
<td>Shadow Minister for Resources and Northern Australia</td>
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<tr>
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<td>Hon Shayne Neumann MP</td>
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<td>Shadow Minister for Finance</td>
<td>Dr Jim Chalmers MP</td>
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<tr>
<td>Shadow Minister for Small Business and Financial Services(^{(2)})</td>
<td>Senator Katy Gallagher</td>
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<tr>
<td>Manager of Opposition Business in the Senate</td>
<td>Senator Katy Gallagher</td>
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<tr>
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<td>Julie Owens MP</td>
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<td>Hon Michelle Rowland MP</td>
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<tr>
<td>Shadow Minister for Ageing and Mental Health(^{(3)})</td>
<td>Hon Julie Collins MP</td>
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<tr>
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<td>Senator Helen Polley</td>
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<td>Senator Deborah O’Neill</td>
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Each box represents a portfolio except for (1) which is in the Education portfolio, (2) which is in Treasury portfolio and (3) which is in the Health portfolio. *Shadow Cabinet Ministers are shown in bold type.*
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CHAMBER
Tuesday, 22 November 2016

The SPEAKER (Hon. Tony Smith) took the chair at 12:00, made an acknowledgement of country and read prayers.

BILLS
Superannuation (Objective) Bill 2016
Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016
Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016
Second Reading

Cognate debate.
Consideration resumed of the motion:
That this bill be now read a second time.

Mr BOWEN (McMahon) (12:01): Here we are in the final sitting fortnight of this year and we are finally debating the government's superannuation legislation, the Superannuation (Objective) Bill 2016 and related bills. I guess it is surprising that we are debating it at all, given that it was the position of the government until budget day that they would never tax superannuation differently.

It is worth a brief recount of how we got to this point. In April 2015, the Labor Party announced a superannuation package to better target tax concessions in superannuation. It was a substantive policy announcement on behalf of the opposition, raising a considerable amount of money and making the superannuation system fairer. Of course, the government responded strongly when we announced that policy, and one person in particular led the fight. He was at the time the Minister for Social Security and, since then, he has been made the Treasurer. He has had a lot to say about superannuation in both portfolios. He said, following our announcement, that the Labor Party would change the superannuation tax arrangements if we were elected to government. He said, for example:

That is why we are so adamant about not having adverse changes to superannuation, that’s why we aren’t going to increase taxes on superannuation …

That is what the Treasurer said. There is a pattern here. When the Treasurer says he is adamant about something, it is a cause for real concern.

He said he was adamant that he would never change taxation rules for superannuation. He said it was a matter of great passion to him and that he was going to introduce 'big and broad and sweeping' personal income tax cuts. Of course, he did not do that, because that was going to be funded by the increase in the GST, and the Prime Minister cut him off on the issue of the increase in the GST. But the quotes go on from the now Treasurer. He said:
Well we do want to encourage everyone Dale to be saving for their retirement and particularly when you are drawing down on that when you are retired we don’t want to tax you like Chris Bowen does.
That is a direct quote from the Treasurer. He then said on 5 May 2015:
It’s the Labor Party who wants to tax superannuation, not the Liberal Party, particularly the incomes of superannuants and I think that’s a fairly stark contrast that’s emerging.
It is interesting that he said that on 5 May 2015, because a year later, in May 2016, he stood at the despatch box and brought down his first—and quite possibly only—budget, and that budget that he introduced contained substantial changes to the taxation treatment of superannuation. These are things that the Treasurer said he would never do. But this budget announcement was far from being a matter for congratulations for the Treasurer—though, at least he came around to the Labor Party’s way of thinking; we accept that. The Labor Party led the debate, and he eventually saw the merit in what the Labor Party was putting. But, as he did so, he completely botched the delivery of this superannuation tax package. He got it wrong and it had to be revised and redrafted post-election, because he had announced in the budget a retrospective tax measure. We can have our arguments in this House—and I would argue that you do not expect the Liberal Party to believe in much—but you do expect the Liberal Party to stand against retrospective tax changes. The one thing that you would expect the Liberal Party of Australia to be consistent on is that we should not change tax retrospectively. It is an important principle—and I tell you what, Mr Speaker, the Labor Party believes it too—because if Australians are complying with the law of the land at the time, acting in good faith, they should be able to invest, make their decisions and plan their future knowing that a future government will not come along and fiddle with those laws retrospectively.

There have been a very small number of instances where a retrospective tax change was justified. The only one I can think of was in 1982, when then Treasurer Howard changed the tax laws retrospectively to deal with bottom-of-the-harbour tax evasion. That was justified. But that was one of the very rare instances where you could say that principle could be breached, in that case because of the egregious behaviour of people engaging in tax evasion. It certainly was not justified in this instance.

The Treasurer had a unique response to the concerns raised—in fairness, in his own party room, the Nationals’ party room, by us, by superannuants and by the sector—about this retrospective tax change: he said it is not retrospective. He just denied that it was retrospective. There was a dead giveaway in the budget papers, because the 2016 budget said this measure applied from 2007. It was a dead giveaway that it was retrospective. The giveaway was in the budget measure itself. When a budget measure in the 2016 budget applies from 2007 it is retrospective.

Of course, the Treasurer was, in a humiliating backdown, forced to change that post-election. We had suggested that the measure be changed to a cap of half a million dollars prospectively. He did not do that. He took a slightly different approach. He made the cap annual. I have no problem with that in principle. Showing the sort of bipartisan approach we can when the government admits it got it wrong, we said: ‘Yes, we think an annual cap prospectively works. We can deal with that.’ He then dropped two other measures. He dropped the measure relating to the harmonisation of contribution rules for those aged between 65 and 74, and he delayed, in fairness, another measure relating to catch-up concessional contributions. They are three changes. The Treasurer came out and said he had made just one change to the election package. He said, ‘Yes, we changed the package we took to the election, but it was only one small change.’ In fact, there were three changes. That is what you get from a Treasurer who has octupled the budget deficit on his watch: you get a
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Treasurer who is just not up to the task of managing Australia's economy or superannuation system. What we get is this sort of bad policy on the run.

Let me be very clear: This package is better than it was. This package is better than nothing. We are glad the government have finally acknowledged the need for superannuation tax reform. What we will do, in this debate and in the other place, is make sensible suggestions as to how it can be improved. The government lecture us about the AAA rating. They lecture the Australian people, pensioners and students about the need to tighten their belts. They lecture families. Then they introduce these measures, which will cost money, and they introduce them in a way which could be improved. The suggestions we make would add $1.4 billion to the budget bottom line over the next four years and more than $18 billion to the budget bottom line over the next decade.

The Treasurer says that these new measures are vital and necessary, but he has already dropped one. He says they took them to the election, they are going to continue with them and the measures are absolutely vital, but he has already dropped one. If he has dropped one, he can drop more in the interests of budget fairness and budget repair. The Treasurer seems to think that he can breach election promises but he will choose which election promises he breaches and the circumstances in which he breaches them.

Well the fact of the matter is this parliament can say, given the pressure on the budget, 'we have a better way', and that better way goes to keeping the annual cap but making it $75,000 instead of $100,000. That is a better measure. I recognise it is not the biggest change that has ever been suggested in the course of this parliament. It is not a revolutionary change but it slightly better targets the measure. The number of people who would contribute between $75,000 and $100,000 is small and of course it is primarily focused on those who have higher incomes.

We have a situation here where we are saying our other proposals, which were in fact first outlined by the Leader of the Opposition in the Press Club earlier this year, would also improve the budget bottom line. We are glad that the government has adopted Labor's position of targeting the division 293 tax threshold better. The contribution tax was originally at $300,000, but the government has now agreed to bring that down to $250,000. But we again argue in this time of fiscal restraint, in this time when the budget is under pressure, in this time when the government may lose the triple-A rating before Christmas or next year that it would be better to target that at a level of $200,000. Again, I accept that not everybody will be wildly enthusiastic about that idea, but we do need to ensure the priorities of the system and we need to ensure that the tax concessions are properly targeted. We need to do that because we know that the current system sees half of all superannuation benefits flowing to the top 20 per cent of income earners. In fact 40 per cent of the benefits of superannuation tax concessions go to the top 10 per cent of income earners alone.

We will have a discussion later about the objective of superannuation, but I would have thought we could all agree that one of the objectives of superannuation is to lift as many Australians as possible out of the age pension so that they can have a dignified retirement based on their own savings through superannuation. It is better for the budget and better for them. But if you have the situation where 40 per cent of the benefits are going to the top 10 per cent of income earners, that is not achieving that objective. Superannuation was not designed by the Labor Party in the 1980s and 1990s as a high-income estate planning...
mechanism. It was designed to lift people out of poverty and to give as many Australians as possible a dignified retirement without recourse to the full age pension, taking pressure off the federal budget and giving Australians a chance to share in the wealth creation of this nation.

With all due respect to Australia's top 10 per cent of income earners, it does not matter what the tax concessions are on superannuation. If you are in that bracket no doubt you have made smart decisions and worked hard during your life but you will not darken the door of the Centrelink office regardless of what the tax concessions are in superannuation. You do not need those tax concessions to ensure that you do not fall back on the age pension in retirement. So we do need to better target those tax concessions.

Also we do not propose to support proceeding with the other new measures that the government is implementing via this legislation—the tax deductibility for personal superannuation contributions and the catch up concessional contributions. Again, this is not a matter in which we say we have an in-principle objection, an ideological objection or an objection which would withstand all time but we say, if we are having this discussion about how to improve the budget, these two new measures combined come up to over $12 billion over the next decade in new tax concessions.

So we are taking the responsible approach and saying to the government, in effect: 'We will release you from your commitments; we will not criticise you for dropping these measures because the budget is under pressure since the election.' The triple-A rating has been put on negative watch. Since the election, the pressure on the budget has grown, and so we are, in effect, saying to the government: 'We will release you from the obligation. We will not hold you to it. In fact we will support you dropping those measures as a measure of bipartisan support for budget repair.' You would think that the government, with the budget under such pressure, would accept that offer. It appears they will not. They have said they will not. That is a matter for them, but we will pursue that through the appropriate mechanisms of the parliament. Whether they are adopted or not by the government or by the other place, I cannot predict. But they represent Labor policy. If they are not adopted, we will take them to the next election and they will be reflected in our commitments at the next election whenever that may be.

I want to make it clear that we will move the appropriate amendments, and I will move a second reading amendment at the conclusion of my remarks today—and I hope the government will support it, as they have done on previous occasions. They have supported second reading amendments which are sensible and well crafted. I see no reason why the government would not support this one. It is a very good one. In the Senate we will also pursue amendments.

If the government refuse, at the end of the day, to accept those amendments, we will not give the government an excuse to walk away from this legislation. I will not give this Treasurer an excuse to walk away from what he has been dragged kicking and screaming to do. We will not let the perfect be the enemy of the good, and we will facilitate the passage of the legislation. I hope the Treasurer goes to the ratings agencies and says, 'Look, we can pass legislation which improves the budget bottom line. We can do so with the opposition's support.' And he is free to say, 'Look, the opposition even moved amendments which would have improved it by $1.4 billion but we chose not to accept them.' He is welcome to do that too.
And I will point out, in my interactions with the ratings agencies and in the public discussion about budget repair, that we have a superior position, which would have improved the budget more if the government had adopted it, and it will reflect our policy at the next election. But we will not seek to frustrate the passage of the legislation, because good is better than perfect. While the government, in their own stubborn fashion, are refusing to accept Labor's sensible suggestions, we will not allow the government to use that as an excuse for them to walk away.

I also want to flag, given that this is a cognate debate, the matter of the superannuation objective. The superannuation objective which the government is seeking to legislate arises out of the Murray review. The Labor Party responded positively to the recommendation in the Murray review that superannuation should have an agreed, legislated objective. I have said publicly that it is an idea arresting in its simplicity. Many people would think that we already had one, but we do not. Superannuation means different things to different people, in terms of what it is designed to achieve.

I sometimes joke that in 12 years in this House, with about six years in the ministry and five years in the cabinet, I have never heard a public policy problem which has not had one of two solutions suggested for it: either teach it in the curriculum or force superannuation funds to invest in it. That answers all problems. The Minister for Infrastructure and Transport knows that that answers all problems—force superannuation funds to invest in infrastructure. But the thing is: that would not meet the objective of superannuation. The objective of superannuation should be a dignified retirement for as many Australians as possible. Whilst many superannuation funds do invest in infrastructure—and it is a very good thing that they do, and, if they can get good returns, that should be welcomed—it is not what the system is designed for.

So we should have a bipartisan agreed objective. I am sorry to say that, at the moment, we do not. In fairness, I give credit to the government and I give credit to the Minister for Revenue and Financial Services, in particular, who reached out to the Labor Party before the last election, before the last budget, and asked for discussions about reaching an objective for superannuation—and we had those discussions. Without going into the detail of those discussions, those discussions were going fairly well. I think it was well within our wit to find an agreed objective for superannuation, in a bipartisan fashion. But then what happened? I am not critical of the minister for revenue in this instance, because she was trying to reach agreement with the Labor Party—we needed more time to do so, but we were getting close. Then, lo and behold, the Treasurer on budget night got up and announced that he would legislate an objective for superannuation.

The objective that the government announced is not bipartisan and has not been agreed with us and will not meet with our support. If the government wants to continue those discussions which the minister and I had before the election, I am very open to that idea. I think we could reach a bipartisan objective for superannuation. That would be better. But we are not simply going to sign up to an objective which the government decides and which we think could be improved and which many in the sector think could be improved. If you look at the comments on the objective by various groups, ranging from the Institute of Public Affairs to industry funds, they all have complaints about the government's proposed objective. We do not think it is fit for purpose, so we are not just going to blindly vote for something which has
not been the subject of proper consultation and discussion with us and which could be done so much better.

This is not time critical. I have accepted, in terms of passing the government's legislation, that it would be better done more quickly, to provide the certainty for the sector and for superannuants and to allow people to make the necessary plans for the changes. But that does not apply to the objective. The objective is not time critical. The objective could be handled through discussions and could be an agreed objective going forward. It is important that it be an agreed objective. Murray recommended that it had broad political agreement, for good reason. Governments change from time to time. The government may change at the next election. And what we do not want is a situation where a new government comes in and fiddles with the objective because they did not agree with it when it came in. It would be better if we had one agreed objective. Agree on it now. Get it right the first time. And then, if the Labor Party comes to office at the next election, we will not have to change it because we agreed to it now, and then the Liberals will not have to change it when they eventually retake office 20 or 30 years after that, because they will have agreed to it now.

Dr Chalmers: Under an O'Dwyer prime ministership.

Mr BOWEN: Steady on! Don't push the envelope, Member for Rankin! But what we see instead is the government, in a bloody-minded fashion, just attempting to ram through legislation to get an objective for superannuation. I do not think the minister was in the House when I said that she, in good faith, reached out to the Labor Party. I commended her for it. I do not blame her for the current situation. She was trying. I was trying. We just needed a bit more time. The budget and the election intervened, and we could not reach agreement. But we should attempt to now. I had already outlined previously a proposed objective for superannuation, but I was not wedded to those particular words. We were not being obstructionist about it. We could have changed those words, and that is what the minister and I were discussing; we were getting very close, but, alas, the Treasurer decided to come in over the top, to intervene and stop those discussions, in effect, by announcing his own legislation. Well, that is not legislation that we would support in this House or the other, and I dare say that that will be the subject of some debate in the other house.

As I conclude my remarks, I move the following second reading amendment which has been circulated in my name:

That all the 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:

(1) the Budget is under threat due to this Government’s poor economic leadership, which is hitting the pay packets of Australians and risking our triple-A credit rating;

(2) the Opposition has been leading the debate on reforming superannuation tax concessions for over a year;

(3) while the Government’s superannuation package goes some way to reforming these concessions, they could go further;

(4) the Opposition has outlined a clear position for sustainable and fairer super tax concessions that includes:

(a) lowering the High Income Superannuation Contribution threshold to $200,000;

(b) lowering the annual non-concessional contributions cap to $75,000;
(c) opposing the introduction of catch-up concessional contributions; and
(d) opposing the changes to tax deductibility for personal superannuation contributions; and

(5) the Opposition’s position on the super package would improve the budget by $1.4 billion over the forward estimates and $18.9 billion over the medium-term”.

I hope the government can support that second reading amendment in good faith, as they have supported good, well-drafted second reading amendments in the past. This is a very good one.

That would see bipartisanship reach new levels when it comes to superannuation—because the government has moved in this debate. They have moved to accept our argument that tax concessions could be better targeted—not just by dealing with them at the top end but by dealing with them at the bottom as well, for low-income earners. And the government expects praise for that. Well, only to a certain degree, because what they have done is to reinstitute something that they abolished. They inherited a low-income superannuation contribution. They abolished the low-income superannuation contribution, against the votes and complaints and objections of this side of the House. We said: 'Why would you abolish the one tax concession for low-income earners in superannuation—the only bit of support that low-income earners get to build their retirement? Why would you abolish that?' This government was adamant that it had to go. They rammed it through the parliament with the support of the then Palmer United Party. And, before that abolition has even been implemented, they bring it back through this measure. Well, we are glad that they saw the error of their ways. They took decisive action, and changed the name from the 'low-income superannuation contribution' to the 'low-income offset'. I mean, that is a massive change! But everything else is effectively the same.

So we support the better targeting of superannuation tax concessions. We say it could be done better. We say it could go further. That is what our amendments will seek to do. At the end of the day, we will facilitate passage of the legislation because that is the right thing: to provide the certainty that the sector needs. It is the right thing to do to provide at least some budget repair, even though there could be more. And we will continue to lead the debate on superannuation, as this side of the House has done under the leadership of the member for Maribyrnong since April 2015. We will continue to provide that leadership. We will continue to prosecute the case. And, I dare say, we will continue to win those arguments.

The SPEAKER: Is the amendment seconded?

Mr Stephen Jones: I second the amendment.

The SPEAKER: And reserve your right to speak?

Mr Stephen Jones: Yes.

The 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. If it suits the House, I will state the question in the form that the amendment be agreed to. The question now is that the amendment be agreed to.

Ms O'DWYER (Higgins—Minister for Revenue and Financial Services) (12:24): I am very glad to rise to speak on these three important bills, the Superannuation (Objective) Bill 2016, the Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016 and the Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016. Superannuation is a
$2
dollar—trillion—and growing—industry. But even more important than that undoubtedly very impressive figure is this. Superannuation in large part determines how most Australians are able to live for about one-third of their lives. It means our superannuation industry must look to the future.

Let me underline that point with a bit of history. It was in 1908 that the Deakin government established the old-age pension in Australia. It was a move that had enormous significance—then, obviously, but also for the political and policy debate today. At that time, the life expectancy for men was 55, while for women it was 59. Few Australians at that time were likely to reach the age 65 pension milestone. Indeed, in 1911 it was only about four per cent. Despite that, however, it was still means tested and character tested—and it had to be. Even then the government was struggling to pay for the scheme's limited reach.

The challenges of those times resonate today. Last year’s Intergenerational report showed that by 2055 the number of Australians aged 65 and over will more than double, while one in every 1,000 people will be 100 years or older. At the same time, the number of people of working age for each person aged 65 years and over is decreasing. This dynamic will put pressure on our retirement income system, a system that today includes the age pension, superannuation and other savings. It will also burden younger generations with increased taxes to pay for the retirees of today and then their own retirement in the future—if we do nothing. These bills provide us with an opportunity to modernise our retirement income system, to make sure it works for everyone, to ensure there is a clear and unambiguous objective enshrined in law, to ensure that the tax concessions that apply to superannuation are sustainable and that the system is fair and has integrity, and to ensure the system is flexible, accommodating the wide range of working arrangements and patterns people follow across their lifetimes.

Despite its critical importance, there has never been a clear legislated objective for superannuation. This has meant that it has been too easy for different governments to make ad hoc changes to the superannuation system and, ultimately, undermine confidence in it. That is why the financial system inquiry, a root-and-branch review of the financial system, recommended that the government enshrine in law the objective of superannuation—that is, to provide income in retirement that substitutes or supplements the age pension. It means we now have a clear definition of what our superannuation system is intended to do and what it is not intended to do. I believe that this clarity will promote confidence in the system overall and provide a framework for evaluating future changes. And it is important that we do not introduce new subjective measures into this definition, because that, of course, would lead to future governments potentially politically interfering in superannuation, which is what we want to avoid with a very clear objective.

Let me now turn to the flexibility measures in this legislation, which will help people to save for their retirement. Australians are hardworking and aspirational, and the government does not want to put a handbrake on that aspiration when it comes to people saving for their retirement. For instance, we know that people have very different work patterns. Some might have multiple jobs and several careers across their lifetimes. Others might take breaks from work to look after children or to care for an elderly parent. As it stands, the system offers little in the way of flexibility for these Australians. It is structured in such a way that favours higher
income earners who work full time, without breaks, for the entirety of their working lives.
And that must change.

It is easy to talk about these bills in a very abstract way and lose sight of how legislation
can help everyday Australians. So let me give an example of how the government's flexibility
measures will help an individual going about saving for their retirement. Let us use the
example of Sarah. Sarah is 32 and runs and owns her own baby clothing business from home
as a sole trader. She also works part time in the hospitality industry while raising two
children. 'Busy mum' does not even begin to describe her situation. At the moment, Sarah has
a superannuation balance of $25,000 and, over the last year, she has earned about $20,000 in
her hospitality job, including $1,900 in a superannuation contribution from her employer. In
addition to this, Sarah has made $60,000 from her business, giving her an assessable income
of $80,000.

So what does the current system hold for Sarah? She would not be able to make deductible
personal contributions from her business income because she receives more than 10 per cent
of her income from employment. Not only that; because her employer does not offer salary
sacrifice, she would not be able to make any voluntary concessional superannuation
contributions. In other words, Sarah's only concessional contributions would be the
superannuation guarantee on the one-quarter of her income that comes from wages.
Furthermore, because she cannot make voluntary concessional contributions, she also cannot
reach a rate of contributions anywhere near the superannuation guarantee rate of 9.5 per cent,
let alone exceed it.

However, under the government's legislation before the House, Sarah's outlook in 2018-19
is a lot brighter than it is today. For instance, Sarah would be able to make a $10,000 personal
contribution and claim a tax deduction for it. This amount will then be taxed at 15 per cent
in the fund, rather than at her marginal tax rate of 32½ per cent, making the contribution
concessional. From 1 July 2017, the annual concessional cap will be $25,000. This means
Sarah will have the unused concessional cap space of $13,100, which is available to carry
forward for up to five years starting from 1 July 2018. Additionally, because her
superannuation balance is below $500,000, Sarah can contribute up to $38,100 in
concessional contributions the following 2019-20 financial year. Because Sarah's business
income varies significantly from year to year, this will allow her to make larger contributions
in the good years when she can afford to do so. It is a big change, and it is an important
change for the many hardworking Australians who are in similar situations to Sarah. They are
the Australians who come to mind first when I say that I want a superannuation system that
works for everyone.

I also want to highlight some numbers to show the reach of these changes. By removing the
10 per cent rule, this alone will improve the superannuation balances of more than 800,000
Australians. The one-third of hospitality workers and around half of farm workers who do not
have salary-sacrificing arrangements, and are therefore limited by this rule, will have a door
opened for them. Meanwhile, the unused concessional cap carry-forward, to take effect from
1 July 2018, is expected to be used by around 230,000 people in the 2019-20 financial year
alone. And it is worth noting that this measure will be available to anyone with a balance of
less than $500,000, which in 2013-14 was up to 14 million individuals. It could include
mums, dads, carers, those who have taken extended leave because of illness and those whose
circumstances have changed, such as when children are no longer at school and those expenses can be redirected.

These numbers I have mentioned are worth reflecting on. It is amazing then that Labor come into this House and oppose these very flexibility measures, citing affordability to the budget, at the same time that they are trying to punch a bigger hole in the budget with tax cuts for Swedish backpackers. Together, these bills play an important part in giving Australia a superannuation system that achieves its objective, is equitable, sustainable, flexible and has integrity. So I commend these bills to the House.

Dr CHALMERS (Rankin) (12:34): Thank you very much, Deputy Speaker, for the opportunity to speak on the Superannuation (Objective) Bill 2016 and cognate legislation and to support the amendment moved by the member for McMahon. Our superannuation system in Australia is the envy of the world, but it has some imperfections, and, whether it is the enviable bit or the imperfect bit, the public policy that we make in this building is part of that story. When we consider the imperfections in the system—the ones that we have a responsibility to carefully address in a considered way—there is a lot of work that needs to be done: firstly, when it comes to adequacy; when it comes to issues like the substantial gender gap that exists in superannuation; and also when it comes to issues around compliance, with something like 690,000 Australians not even getting paid the superannuation that they have earned and that they deserve, missing out on something like $2.6 billion a year—a big and growing problem in compliance in superannuation.

As I said, it is our responsibility to carefully address each of these challenges. Unfortunately, when you look at a lot of the measures implemented by those opposite, you see they are proving to be part of the problem and not part of the solution. I will give you a couple of examples. When it comes to adequacy, there were legislated increases to 12 per cent regarding the superannuation guarantee, but those opposite have frozen that three times now, so it is stuck at 9½ per cent. They flagged on the front page of a major newspaper earlier in the year that that freeze might be permanent, which would have devastating consequences for adequacy in superannuation. In relation to gender, one of the most important initiatives was the low-income super contribution—I will come back to that in a moment—being reinstated in this bill, with our support. But that was abolished by those opposite. Most of the people benefiting from the low-income super contribution were women, and that was a very disappointing decision taken by those opposite. When it comes to compliance and the 690,000 Australians I mentioned who are missing out on super, earlier this year those opposite tried to water down the penalties for those employers who do not pay their employees the superannuation that they have earned and they deserve.

In all of these ways, when we do have acknowledged challenges in our superannuation system and we do have a very substantial role to play in public policy out of this building, it is very disappointing to see that some of the government's measures have been attempted in some cases and put in place in other cases. When we think about the imperfections in the superannuation system, the main thing is the way that superannuation tax concessions are so horribly skewed towards those with the most money in the superannuation system. Even the financial system inquiry, initiated by those opposite, with a report written by David Murray with help from a lot of good people around the financial services community, concluded that those tax concessions were horribly skewed. Thirty-eight per cent of the concessions go to the...
top 10 per cent of earners—more than the combined benefit to the bottom 70 per cent of Australians. It was obviously not the original intention of superannuation to see tax concessions skewed in that way.

I think the original sin, if I may put it in those terms, was really during the Costello treasurership, when he took what was a progressive and well-designed retirement income system and sort of grafted on top of it an estate planning vehicle. What we really got from that big decision taken in the 2000s around the tax arrangements was a fair amount of fiscal vandalism and really the beginnings of this problem that we are addressing today. We do not agree with all the ways that those opposite are going about this, but it is important that we recognise that that original sin—the Costello change in the 2000s—has created this situation where tax concessions are now so horribly skewed towards the wealthiest people in the system. That was a policy failure by anyone’s definition, and it is the main reason why we are debating these important bills today and why they are necessary.

It gives us no comfort to see the typical and characteristically shambolic way that we have got to this point, when you consider the history of this debate. It was the member for McMahon and the former member for Oxley—a great contributor to this place, Bernie Ripoll—who announced with the Leader of the Opposition in April 2015 that we would do something very courageous but very well considered, which is to begin to address these issues at the top end of tax concessions in superannuation.

Of course, those opposite said that that would be the end of the world, that that would be a terrible outcome and that we could not possibly change the tax concessions in super. But then, lo and behold, on budget night earlier this year, we had what were pretty dramatic and pretty drastic changes proposed by those opposite. Then we had the election, where it really blew up as an issue in lots of parts of the country, and then we had, of course, the shredding of the original policy and the rewriting of the policy by the member for Dawson and others, with what seemed to be, from our point of view, very little input from the Treasurer—that it was really rewritten by the backbench, who were so desperately unhappy with the first draft provided by the Treasurer.

What we then saw was what I like to call the five stages of shambles when it comes to policymaking on that side. It began with denial that there was a problem. Then it became a ‘big surprise’ policy announcement that they had not consulted on, followed by confusion over what it means, including from the Minister for Revenue but also the foreign minister and others who could not explain the basic details of the changes. Then we had the dishonesty about the retrospective elements of the policy. Then we had the division, as it was hastily rewritten on the back of a beer coaster by the member for Dawson. So we saw the five stages of shambles here in superannuation policy, which really showed us how not to go about superannuation reform in this country.

Unfortunately, it is the same sorts of ingredients we are seeing with the discussion around the superannuation objective as well, which was legitimately and genuinely supposed to be a bipartisan process, as the member for McMahon went through in some detail. There were discussions going on. I thought the discussions were healthy and a good sign of working together in this place, but then of course those discussions ended abruptly and we had the announcement on budget night. Nobody out in the broader community seems to support that
objective, including the stakeholders. So we have the same problem that could have been avoided. But it has not been avoided because those opposite did not learn the lesson.

We have done our best to be constructive, not just when it comes to the objective but also when it comes to the broader policy sweep. In that context, in that vein, there are elements of the bills that we are debating today that we on this side of the House do support. It is worth noting that we support the $1.6 million transfer cap. We do support improving the super balances of low-income spouses. We do support removing the anti-detriment provision. We do support strengthening the integrity of retirement income streams.

Probably most notably, given what I said before about the low-income super contribution, we of course support the reinstatement of that. It should never have been abolished in the first place. It is a shameful episode when you consider the impact on women in particular. As my terrific colleague from the other place, Jenny McAllister, senator for New South Wales, said, if we had known your only problem was with the name of the thing, we could have resolved this two years ago, before you abolished it. It is good to see the policy intent of that measure. A new name, so be it, but it is back and is a feature of the superannuation system in this country. It is a very important measure, and we support it. There are other measures, of course, that we oppose, and those have been discussed at some length. The minister referred to them, as did the shadow Treasurer. The ones that we do not intend to support are the catch-up concessional super contributions, the tax deductions for personal super contributions and there is one other that I will not go into.

I think the most important contribution we can make, given the shambolic way that this policy has been made by those on that side of the House, is to play the type of constructive role that says that we have found ways to improve the policy. We have a substantial contribution to make on that front, given that we have led this debate over the last couple of years. So we are proposing some changes, including lowering the annual non-concessional contributions cap to $75,000 and further lowering the high-income super contribution threshold to $200,000. There are also the measures that we oppose and a couple of other odds and sods as well. What we are trying to do is say to the government, 'We think we can do a better job making superannuation even fairer.' We support some elements of what the government is proposing, because they do take tentative steps towards a fairer system, but we think there is no reason why we cannot take this opportunity to make it even fairer than what the government is proposing.

At the same time—and this is no small thing—we do have a situation at the moment with our AAA credit rating. This AAA credit rating was won from all three agencies under the former Labor government, proudly—a much coveted, highly sought after AAA credit rating from the three agencies. One of those agencies has said that that AAA credit rating is at risk. It has said multiple times now on Treasurer Morrison's watch that that AAA credit rating is at risk.

So what we have done here in this bill and in other policy areas as well, including negative gearing, capital gains and other measures too, is that we have said to the government: 'Look, you've got a big problem here. The AAA is at risk. The 2015-16 deficit blew out by a factor of eight from the PEFO in 2013 to the final budget outcome. We've got a 2016-17 deficit which has tripled. Our net debt has blown out by well over $100 billion, and, if we believe
Deloitte Access Economics, that number is blowing out substantially more than that. We've got a big problem on Treasurer Morrison's watch, and we need to address it.'

So what we are saying—and over and over again we get the lectures from those opposite about playing a constructive role—is: 'Here, if you want to take it, is an extra $1.4 billion over the forwards and an extra $19 billion over the medium term. We want you to copy our homework. We want you to pick up this policy and run with it. Now is a good opportunity, having taken the tentative steps towards a fairer super system, for you to get it right and to pick up the suggestions that we are putting on the table. That is really an investment in protecting that coveted AAA credit rating, which is at serious risk after the midyear update on 19 December. So here it is. If you want us to be constructive when it comes to savings, pick up and run with the proposal that we are putting on the table for you to take and run with today.' We are proposing to make the superannuation system fairer. We are proposing to save more money in the process and to protect that AAA credit rating.

I had the privilege of being in this portfolio before the election. Over that period from 2015, all the way through the election and all the way through those opposite's budget announcement, there was really an enormous amount of goodwill and constructive contributions from all parts of the superannuation system and the broader financial services world. I want to acknowledge all of that input that I had over that period. It really has fed— not just with me but with the shadow Treasurer and with Senator Gallagher, who holds the portfolio now, and Bernie Ripoll, who held it before—into a tremendous amount of goodwill in the sector. People do genuinely want to get these things right.

The more that we in this place can listen to people in the broader community but also people from the peak organisations, the super funds and the consumer groups, the better chance we give ourselves of getting these big policy decisions right. It is no credit to this place and especially to those opposite that, when you announce these big changes as a surprise on budget night, having said for some months that they were not necessary, without consultation, without working through the retrospective elements and without working through the significant and genuine feedback that people have, you get this kind of shambolic process that has led us to this point today.

Superannuation is a precious, cherished policy achievement not just of our side of politics, though we are definitely proud of that achievement, but also of this parliament and also of the nation beyond these walls. Superannuation is something that other countries look at in Australia, and they wish that they had a system like ours. Our responsibility is to cherish it and to improve it in a careful way, in a considered way and in a consultative way, because at the end of the day, even though what we say here and do here has such a big impact on the superannuation system, it is, after all, all about a dignified and secure retirement for the people we represent, the millions of people who would rather have self-sufficiency in retirement than rely on the age pension, as the member for McMahon said before. Our responsibility is to get it right for them so that we give the Australian people the best possible chance of a retirement that is secure, rewarding and enjoyable, one that is based on the contributions that people have made throughout their working life. In our superannuation system, the benefits far outweigh the imperfections, but it is incumbent on us to get it right and to go about reform in the right way, not in the shambolic way that has got the government to this point to date.
Mr FALINSKI (Mackellar) (12:49): It is with great alacrity that I speak on the Superannuation (Objective) Bill 2016, as it was one of those changes during the election campaign that excited many people in my electorate. In fact, my favourite piece of correspondence during the election came from a Mr Bill Snodgrass, who lives in Palm Beach. He reflected that he did not think the Treasurer was terribly smart because the Treasurer keeps saying that only four per cent of Australians are impacted by these changes to superannuation. So it made absolutely no sense, and he had proof that it made no sense, because everyone he spoke to in Palm Beach has been impacted adversely by these changes.

The government changes to superannuation is clearly an important issue for the people of Mackellar and for all Australians. But the fact of the matter is that this is what good microeconomic reform looks like. These changes are about ensuring that our economy allocates scarce capital as effectively and efficiently as possible to ensure our economy grows. Savings in super funds are usually and quite properly put into conservative investments. That is a good thing, not a bad thing, unless we start excessively saving in these vehicles to maximise tax benefits.

If we are too risk adverse in our investments of capital then we limit opportunities for new businesses and ventures that need to access risk capital. These changes to superannuation are not a numbers game. They are not purist, theoretical economics. They are about reducing inequality in our society at large. Removing disincentives to risk capital will secure jobs growth, wages growth, more competition in the market and better choices for consumers. This means employment for the unemployed. It means increased wages for hardworking Australians who aspire to a better future for themselves, their friends and their families. It means increased competition in the markets—so greater and better choices for consumers. It means producers that currently have limited avenues through which to distribute their products will have greater choices when choosing to market them. Everyone will be happier—well, everyone except for entrenched players; those with a vested interest from the business world or the union movement who have taken advantage of hardworking Australians for far too long.

For those who have saved for retirement and who do not want to rely on taxpayers—of whom there will be fewer as a proportion of those in retirement in the future—this is also a win. We cannot ignore that not changing the current system is leading to intergenerational problems. Tax incentives are benefiting savings for older, well-off individuals at the expense of younger and less-well-off people—in most cases their very own children. They have certainly aspired to a bright future and worked hard for what they have, but this cannot come at the cost of younger people and families in the workforce looking to save so that they can afford things like a home. This government's changes to superannuation will improve the fairness, sustainability, flexibility and integrity of the superannuation system. They will better position the superannuation system to meet the key challenges over the rest of the 21st century, including the ageing of our population and the need to return the budget to surplus. For the first time, the purpose of the superannuation system is defined in law to provide income in retirement to substitute, or supplement, the age pension.

These bills implement a specific recommendation from the financial services inquiry which found that while Australia superannuation system has considerable strengths it lacks efficiency in a number of areas. In particular, the inquiry said that the lack of clarity around
the ultimate objective of superannuation lead to short-term, ad hoc policy making, added complexity, imposed unnecessary cost and undermined long-term confidence in the superannuation system. The changes this government has put forward will improve sustainability by better targeting superannuation tax concessions to hardworking Australians who aspire to be self-sufficient in their retirement.

All caps that form part of the government’s superannuation reforms continue to be set at levels well above the average and median contribution levels. For example, the $1.6 million transfer balance cap is around twice the level at which access to the age pension ceases on account of an individual’s assets. This illustrates that the transfer balance cap has been set at a level to support retirement income streams well above that provided by the age pension.

The median Australian worker currently makes annual concessional contributions to their superannuation of around $4,200 per year. For them, the concession cap will now be $25,000. The government is also ensuring that low-income Australians are not worse off, through the introduction of the low-income superannuation offset, to ensure most individuals with taxable incomes of $37,000 or less do not pay more tax on their concessional superannuation contributions than on their take-home pay.

The government’s reforms not only improve the fairness and sustainability of the superannuation system; they also improve its flexibility and integrity. Flexibility will be enhanced by introducing measures to allow more people to claim tax deductions on personal superannuation contributions from 1 July 2018, making catch-up concessional contributions available to those with interrupted work patterns, like mothers returning to the workforce.

We have introduced measures to limit the superannuation system from being used for tax minimisation or estate-planning purposes and to ensure broadly commensurate treatment across the superannuation system between accumulation and defined benefit accounts. This package will make it possible for Australians to manage their superannuation and plan their retirement with confidence, while strengthening the foundation of the superannuation system for Australia’s future.

When it comes to deductions for personal superannuation contributions, we are abolishing the so-called 10 per cent rule. This rule prevented anyone earning more than 10 per cent of their income from salary and wages from claiming a deduction for personal superannuation contributions. As a result, more people, not fewer, will be able to claim a tax deduction for personal contributions to superannuation. This reform will benefit up to 800,000 Australians, particularly self-employed contractors, individuals employed by small businesses and freelancers who are partly employed. It offers flexibility to people who are partially self-employed and partially wage and salary earners and in instances where employers do not offer salary sacrifice arrangements. It will also help small business compete on a level playing field for talented people. Currently, many small businesses just do not have the capability to offer salary sacrificing to their employees. This limits their ability to attract talented staff, particularly those who are moving closer to retirement age. Under this change, those employees will be able to access the superannuation concessions to the same extent as the rest of the community, without imposing red tape on the small businesses that they work for.

We have also introduced a low-income superannuation offset, to ensure that most individuals earning less than $37,500 will not pay more tax on their concessional contributions than on their take-home pay. This measure will boost the superannuation
accounts of around 3.1 million Australians. The government are expanding the current spouse superannuation tax offset to help more couples where one partner makes contributions to their spouse's superannuation savings. We are extending it by making the offset available to those whose spouses earn up to $40,000 a year. This is up from the current threshold of $13,800 a year, and an additional 5,000 people can access this offset.

From 1 July 2018, people with superannuation balances of less than $500,000 will be able to access any unused component of their concessional contributions cap on a rolling basis for a period of five years. This is a crucial step in providing assistance to those, particularly women, who have interrupted work patterns, whether it be to raise children or look after elderly parents, or who seek to boost their retirement savings just before retirement. This gives hardworking Australians the flexibility to make catch-up concessional contributions when they can afford to do so. Annual concessional contribution caps can limit the ability for people with interrupted work patterns or variable incomes to make savings through superannuation. This goes to the very issue of fairness within the superannuation system. Over 90 per cent of Australians who have balances below $500,000 will be able to make these catch-up contributions if they have unused cap space to carry forward.

We are, of course, not forgetting the backbone of our economy: the small-business sector. Under the reforms, eligible small-business owners can make superannuation contributions that do not count to their non-concessional contributions cap where the contribution is the proceeds from the disposal of a capital gains tax asset that is exempt from CGT under the 15-year exemption or the retirement exemption. The 15-year exemption allows a maximum contribution of $1.415 million where it is an active asset that has been owned continuously for 15 years and the owner is over 55 years of age. The retirement exemption allows a maximum contribution of $500,000. Currently, both exemptions cannot exceed the cumulative total of $1.415 million. These contributions will continue to be available and will be in addition to the annual non-concessional contribution caps.

I am very proud that this government is implementing reform. It has listened to people who would be impacted by these changes to superannuation and has proposed a system that will benefit all Australians—for this is what good microeconomic reform looks like. This is how you grow an economy for everyone, not just the entrenched privileged few occupying positions of power.

Mr THISTLETHWAITE (Kingsford Smith) (13:01): I speak in support of the amendment moved by the member for McMahon to the second reading motion. It is a very sensible amendment that would improve the bills that are being debated here, the Superannuation (Objective) Bill 2016 and related bills, regarding the objectives of superannuation and a number of reforms to superannuation tax concessions. When I speak to my constituents about superannuation, the feedback that I generally get is that they are sick and tired of governments continually moving the goalposts around their retirement incomes. They are sick of governments changing the rules around superannuation. They think that superannuation is complicated enough. Just when they get used to a set of conditions that they can work with to save for their retirement, government comes along and moves the goalposts.

I appreciate that, when Labor were in government, we did make changes to superannuation. Some of those included the MySuper reforms for low-income Australian workers and the lifting of the statutory rate for employer contributions from nine to 12 per cent over the course
of a 10-year period, but all of these reforms came from a series of recommendations in the Murray review, the most thorough investigation, consultation and review of the adequacy and the operation of Australia's superannuation laws since, basically, their inception—since the Keating years—to ensure that they were fit for purpose and that they met the objectives for which superannuation was established in Australia. Through that investigation, David Murray consulted with industry, Labor proposed reforms and we based those reforms on the recommendations of that inquiry. They were sensible amendments and conscious of the fact that Australians were tired of and had fatigue from some of the reforms that had been undertaken in the past. Nonetheless, we intended them to be a clear road map for superannuation to cover at least the next decade, based on the principle objective of sustainable retirement incomes for all Australians and removing the need to rely on the age pension in retirement.

Then, of course, the Abbott government were elected in 2013. They came along and completely changed everything. They undertook to stop a lot of the reforms suggested by the Murray review and put a freeze on the compulsory increase in superannuation contributions from nine to 12 per cent, basically because, as we all know, the Liberal Party do not believe in superannuation, never have and never will. They do not want to see retirement incomes for working class people in Australia increase. They do not want to see that pool of savings that is managed well—in fact managed the best—by industry funds increase so they put a stop to that increase in compulsory superannuation with no regard at all for the adequacy of superannuation balances, particularly for low-income workers, in this country and whether or not they are going to have enough to retire on.

The government had no regard at all for the future of the Australian fiscal position because, let's face it, if people have an adequate superannuation retirement fund, they do not need to rely on the age pension so that takes pressure off the fiscal position of the Australian government in supplying those aged pensions. They had no regard for that at all in that decision. They abolished the low-income superannuation contribution because, let's face it, the former Prime Minister, the member for Warringah, never really believed in superannuation and certainly did not believe in low-income workers, those on less than $37,000, getting a tax rebate to ensure that they had an incentive to save rather than remain on welfare. And they also sought to change the governance and the operation of superannuation bonds.

the member for Warringah of course was then rolled as the Prime Minister, and Turnbull, the member for Wentworth, was elected as the nation's Prime Minister. We then got another set of changes, another set of reforms, many of which were completely contrary to those proposed by the member for Warringah when he was the Prime Minister. I talk of course of the low-income superannuation contribution. The member for Warringah got rid of it; the member for Wentworth, the Prime Minister, sought to get back in this year's budget.

The government also proposed in this year's budget a number of changes to the taxation of superannuation, particularly the introduction of a very controversial retrospective lifetime cap for non-concessional contributions. Then of course the government's party room got angry. The government members all got battered from pillar to post during the election campaign and their party room got angry with the Treasurer. It became apparent that they did not like what the Treasurer was proposing and the Treasurer had a problem on his hands—he was not
going to be able to get those reforms through the party room when it came to putting a bill to the party room for debate—so it was all put on hold. There was further confusion, uncertainty, disruption—stoked by this government—for Australians who were looking for some certainty about retirement incomes and the way that they could save for their future particularly in the context of being in the wake of the financial crisis where Australians were increasing the amount that they were saving. Australians were not encouraged to put it into superannuation funds by this government because of the uncertainty they had created.

The government announced that they were reviewing what was proposed in the budget. That is code for 'I cannot get this through the party room so I will announce a review of what is going on and further consultation'. By this time, the Australian people's heads were spinning. As if superannuation is not complicated enough but this government have once again—after two attempts at it—on the third go attempted to move the goalposts once again. All through this process, the stable, consistent and responsible approach has been taken by the Labor government. When the government again got themselves into this pickle of not being able to get these reforms through the party room, the member for Maribyrnong and the Leader of the Opposition announced at the Press Club earlier this year that Labor would offer a sensible compromise that would get the government out of it particularly in respect of retrospectivity, and raise additional funding on the back of targeting some of the tax concessions for the budget. The government ignored that sensible offer.

Finally, we get to these bills. It appears they have been amended once again. The Treasurer and the Minister for Revenue and Financial Services have been able to get these reforms through their party room. But the great shame is that the reforms reflect a political deal rather than good public policy. They have been rushed and are not in the best interests of many Australians, particularly when it comes to taking adequate action to target some of the superannuation tax concessions and, importantly, to raise additional revenue for the budget. There are some redeeming features in this bill—which I will go through in a moment—which Labor will support, particularly those amendments that will improve the adequacy and the effectiveness of superannuation and its impact on the budget, and those that target superannuation tax concessions for high-income earners.

In respect of those concessions, we do need to take action—and this is a problem that was identified a long time ago by the Labor opposition. Currently in Australia, 38 per cent of tax concessions on superannuation go to the top 10 per cent of income earners. It is inequitable, it is uneven and it is unsustainable. Those who are getting those superannuation tax concessions at the high end do not even need them. They are on high enough incomes to be able to save for their own retirement. If you are going to have concessions on superannuation, they need to be targeted, and well targeted, to the low end to provide the incentive for low-income workers to put aside an amount, hopefully additional to the compulsory contributions, to save for their retirement.

We can all thank the former Treasurer, Peter Costello, for these massive tax concessions on high-end superannuation. He introduced this massive wealth accumulation vehicle, which massively advantages those people on high incomes, by removing, in 2005, the superannuation surcharge which ensured that high-income earners paid a fair rate of tax on their superannuation contributions and earnings, rather than just 15 per cent flat tax. The government of the day got rid of that superannuation surcharge, and high-income earners paid
just a flat tax rate of 15 per cent. Then, in 2007, they reduced the taxation on super to zero for Australians aged over 60. These are the two gifts that the former Treasurer Peter Costello left the Australian public. They cost the budget $2.5 billion in 2009-10, and they were unfunded. When they were introduced, during the mining boom, they were not offset by other reductions in expenditure or revenue-raising measures in the budget. They were accompanied by close to $50 billion worth of unfunded measures, which cost the Australian budget. Australians are now paying for the profligacy and inept management of Peter Costello as Australia’s Treasurer. We are all paying for that at the moment, and that is why this parliament has to have a look at these tax concessions and take action. It is good to see that this bill rights some of the wrongs of the former Treasurer, but it does not go far enough.

Labor’s package, in respect of the first measure in these bills, would support the government’s $1.6 million superannuation transfer balance cap, which would apply on the total amount of accumulated superannuation an individual can transfer into the tax-free retirement phase. Any further contributions will need to be held in an accumulation account, where they are taxed at 15 per cent. We will support that first measure.

On the second measure, we would lower the annual non-concessional contribution cap to $75,000, rather than the $100,000 that this government is proposing, and we would also introduce a $225,000 carry forward measure. This, of course, replaces the government’s controversial $500,000 lifetime cap in the government’s original package. It significantly lowers the annual non-concessional cap, which is currently $180,000. Importantly, too, the ability to make any non-concessional contributions will be limited to people with superannuation balances of less than $1.6 million.

The third measure, the low-income superannuation tax offset of $500 for income earners on less than $37,000 a year, has Labor’s full support. This puts back in place the low-income superannuation contribution that Labor put in, which was removed by the member for Warringah when he was the Prime Minister and put back in by the member for Wentworth. It perfectly represents the confusion of this government but nonetheless we are going to support it.

Labor would also seek to lower the high-income super contribution threshold from the government’s $250,000 to $200,000. This would ensure that people earning above this amount pay 30 per cent tax on concessional contributions above $200,000—the same as someone on $80,000 a year. Labor will oppose the catch-up concessional contributions and changes to tax deductibility of personal superannuation contributions. With the deficit almost at $40 billion, we believe that responsible governments must ensure that every new dollar of Commonwealth money is targeted and well spent. The government’s proposed new superannuation loopholes will cost the budget $12.3 billion over the decade, and this is simply not affordable in the current climate. Each of these measures is likely to be taken up by those on high incomes, who can afford to make additional contributions. Meanwhile, the number of middle- and low-income earners who have the financial capacity to take advantage of these changes is limited.

In conclusion, our package, which we are offering as an alternative, would improve the government’s proposals by $1.4 billion over the forward estimates and $18.9 billion over the medium term, for a total budget improvement of $4.5 billion in 2019-2020 and $32.6 billion in 2026-2027. Based on those figures our reforms are sensible. They target those massive...
superannuation tax concessions but also offer credible alternatives, and in that respect I
support the amendment moved by the member for McMahon.

Mr STEPHEN JONES (Whitlam) (13:16): It is my great pleasure to speak on the
Superannuation (Objective) Bill 2016 and related bills which concern the provision of
superannuation, how it is taxed and how it is managed. I also rise to support the excellent
amendment to this bill that has been moved by my friend the member for McMahon and
spoken to most eloquently by the member for Rankin, who is in the chamber with us today
together with the member for Kingsford Smith, who has spoken passionately about these
issues.

I want to contrast the position of Labor, when it comes to superannuation, with the chaotic,
haphazard approach that this government has taken to superannuation issues since it first
occupied a position on the treasury bench after the 2013 election. I ask you to consider this,
Mr Deputy Speaker: since the 1980s, when a partnership was formed between Labor in
government and the Australian trade union movement to introduce occupational
superannuation so that it was not just the managerial class, not just the wealthy, who had
access to superannuation in this country, we have seen a clear-eyed and consistent approach
to superannuation in this country. From the Hawke and Keating governments to the Rudd and
Gillard governments, we have seen a clear and consistent approach to superannuation.

We want to work with the union movement and with businesses to ensure that we can see a
steady increase in the percentage of contributions that are made through the compulsory
contribution system into a worker's superannuation account. From that very first moment
when there was a wage-superannuation trade-off, it has been our mission to ensure that we
can steadily increase the contributions that are being made. We have an objective of ensuring
that average Australians can approach the position that we privileged people in this place have
when it comes to occupational superannuation. Members of the public may or may not know
that members in this place attract a superannuation contribution of 15 per cent. Labor believes
that that should be a contribution that is available to every working man and woman. Those
on the opposite side continue to frustrate our objectives of improving and increasing
compulsory superannuation contributions.

That said, significant progress has been made. But, when you look at occupational
superannuation and when you look at superannuation accounts, we also have a long way to
go. I had the opportunity to do some research and looked at an excellent report by the
Association of Superannuation Funds of Australia. It was their most recent report and it
included a survey of average contributions, broken down by gender, age and state. It was very
interesting reading, particularly when you consider the approaches taken by many members of
the government party in the immediate period after the election. Whilst the average
superannuation account balance across Australia comes in at just under $160,000, averages
believe the actual truth.

I see the member for Dawson is here in the chamber. He championed the human right that
would ensure that people could put up to a million dollars or more of post-tax money into
their superannuation accounts. It might surprise the member for Dawson that the majority of
people in his own electorate—let's not stop at his own electorate—and the majority of people
in his own state do not have a superannuation balance that approaches near that, and nor will
they ever. In Queensland, the average superannuation balance is $156,000, which is a long way short of what we believe is necessary for a dignified and fair retirement.

I was very interested to hear a senator for Tasmania championing the human right of people to dump up to a million dollars—or more—of their post-tax money into their superannuation accounts, even positing that it was the government's May 2016 superannuation proposals which led to the devastating results for the Liberal Party in Tasmania. This is a man who comes from a state where the average superannuation balance is $31,000 less than the national average. That is right—the average superannuation balance of a person from Tasmania is $128,000.

Of course, averages do not tell the entire truth. If you look at the disparities between men and women, you will see that, of people aged 60 to 64 approaching retirement, males average a median superannuation accumulation of $100,000; females, $28,000. We know, in that instant, that we have much work to do. It is why, on this side of the House, we are still scratching our heads when we consider the fact that, in their first act and in their first budget, when presented with these statistics, when presented with the unavoidable facts that we have massive inequality between men and women and between the wealthiest and the poorest when it comes to superannuation contributions and superannuation accumulation, they went after the poorest people. In their first budget, why did they go after the poorest people by removing the low-income tax offset and by providing massive tax cuts to people with superannuation balances of a million dollars or more? If you were going to address the real problems that we are facing in inequality in superannuation in this country, why would you provide massive tax cuts to the wealthiest—to the people with the largest superannuation contributions—and yet remove the low-income tax offset for people who are on the lowest incomes in this country? In that one act alone, we see the absolute contempt that the government members have for equity in superannuation and for consistent policymaking when it comes to something that requires, nay begs, consistent policymaking.

So we are very pleased that after exploring every possible alternative, the government in some respects is doing the right thing in this bill before the House today, and not before time, by changing the name on the low-income tax offset and reintroducing it—if you like, making amends for the sins of the 2014 budget by reintroducing it in this bill today. Of course, we on this side of the House support these propositions—of course we do; we introduced them in the first place. Of course, we offer our full-hearted support to the government for these propositions. But that does not mean that we are going to be supporting every measure in this bill. It is not just the confusion; it is the fact that there are so many measures within this bill that strike at the heart of any government plan to introduce budget repair that is fair and equitable.

It is for this reason that we will be opposing a number of measures within the bill. For instance, we will not be supporting the measure which will allow catch-up concessional superannuation contributions for individuals with balances that are set out within the bill. We will not be supporting that proposition because we do not believe that it is either fair or equitable. We will be making some amendments to the provisions within the bill—for example, the measure which proposes to replace the controversial $500 lifetime cap in the government's original package. This is the proposition that the member for Dawson and others went war against. We will be amending this proposition. I support the member for
McMahon's proposition in that because we believe that there are still problems in the proposition that the government is making. We will be proposing, in our amendments, to reduce the annual concessional contribution cap to $75,000. When it comes to reforming the taxation of concessional superannuation contributions, we are proposing amendments to that as well.

But more than anything, what is needed in this area is certainty. We support the fact that within the bill there is a proposition to set out the purpose of our occupational superannuation scheme. Both the member for McMahon and the member for Rankin have pointed out that every opportunity this government has had and the previous government has had to improve and amend the operation of our superannuation scheme, they have stuffed it up. That is because they do not have a clear understanding of the purpose—as the member for Rankin pointed out and, by my way of thinking, from the contribution of the government's member for Mackellar, who supported that when he pointed out that there was a confusion in previous governments' approaches to this when they have merged estate planning propositions with the original purpose of superannuation, which of course was to provide a pool of savings for a dignified retirement. There is the dual purpose: to ensure that individual Australians could plan for a retirement where they could live in modest comfort on the basis of the earnings from their superannuation savings and, at the same time, ensuring that we were reducing the pressure on the government coffers through the pension payment system. That is the purpose of the superannuation system, not as a means for estate planning, not as a means for tax minimisation, as we have seen over the last couple of decades; it is to provide a dignified retirement savings for ordinary wage and salary earners.

I support the amendments moved by the member for McMahon. We are pleased to see that finally we have a bill before the House that we are able to debate, a bill that we are able to consider. It is an improvement on the proposition that was put before the Australian people, an improvement on the proposition that was introduced in this year's budget, but it requires the amendments that are put forward by the Labor opposition to ensure that superannuation can reach the potential that all Australians who send us to this place rely upon.

The DEPUTY SPEAKER: The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour. The member may have leave to continue his speech if he wishes to use his remaining one minute and 43 seconds at a later hour.

STATEMENTS BY MEMBERS

Mayo Electorate: Homelessness

Ms SHARKIE (Mayo) (13:30): Tomorrow marks the deadline for submitting expressions of interest to buy the now empty Inverbrackie Detention Centre in my electorate of Mayo. My understanding is that at least five developers have indicated an interest in buying the former Defence housing estate beside the Woodside Army Barracks, which is being sold off as a result of the 2014 budget cuts. Finance Minister Mathias Cormann will soon make a decision about who will develop the 22 hectare property, which boasts 81 homes, a community hall, a day-care centre, a gym and many vacant allotments.

Recently I learnt that my regional electorate has one of the highest rates of homelessness in South Australia. There are 48 people per 10,000 head of population without homes in Mayo, compared with 38 per 10,000 across South Australia and 34 per 10,000 in Adelaide. The
leading cause of homelessness in my area is family violence. I implore Minister Cormann to
give due consideration to any bid for the Inverbrackie Detention Centre that provides some
affordable and transitional housing and offers some scope for the homes to be used to address
the lack of accommodation for local families escaping family violence. With the spectre of
domestic violence hanging over this country, the federal government must also end its silence
in relation to the National Partnership on Homelessness. It needs to take responsibility and
show leadership in relation to this.

The DEPUTY SPEAKER: Before I call the member for Leichhardt, I would like to
acknowledge the presence in the gallery of students from Coonabarabran Public School in my
electorate of Parkes. The member for Leichhardt.

Leichhardt Electorate: Nautilus Aviation

Mr ENTSCH (Leichhardt) (13:32): In September I attended an event to celebrate the
arrival of Nautilus Aviation's Bell 412EP multipurpose helicopter, a magnificent piece of
equipment that is solely for emergency purposes in Far North Queensland. The $7 million
aircraft is kitted out with everything needed for emergency services, flood and cyclone relief
and search and rescue. Nautilus worked with Queensland Fire and Emergency Services to
acquire the helicopter and train up its crew. It is intended to be a back-up for those times
when the Queensland Government Air rescue helicopter is not available due to servicing or
being out on another call. Queensland Government Air provides a wonderful service, but
there have been three occasions since 2015 when the helicopter has been unavailable to attend
fatal incidents on the Great Barrier Reef due to unscheduled maintenance. The most recent
occasion was last Wednesday, when two French tourists suffered heart attacks whilst
snorkelling on the reef.

When lives are at stake, politics has to be put aside. Nautilus is no threat to Queensland
Government Air but can fill a critical gap in service when Queensland Government Air is not
available. I have spoken to the Nautilus CEO Aaron Finn and I have absolute confidence in
their service. I strongly urge Queensland Government Air to engage with Nautilus to take
advantage of the assistance they are offering.

16 Days of Activism Against Gender-Based Violence

Ms BRODTMANN (Canberra) (13:33): This Friday marks the beginning of the 16 Days
of Activism Against Gender-Based Violence campaign. It will also be the launch of the
Prosecute, Don't Perpetuate campaign, helping to end impunity for sexual violence in armed
conflict. The campaign calls for the investigation and prosecution of sexual violence
perpetrated by people who have travelled to Iraq and Syria to fight with Daesh. We know that
Daesh has used sexual violence as a tactic of war. Sexual violence is a war crime and we
should treat it as such. The occurrence of systematic rape is well documented in Iraq and Syria.
It is a crime against humanity and we should treat it as such.

The UN Human Rights Council has published reports of Daesh's intentions to impose
'measures to prevent Yazidi children from being born'. This is genocide and we should treat it
as such. By some accounts, over 100 Australians have travelled to Iraq and Syria to fight with
Daesh and other extremist groups. We need to investigate and prosecute the sexual violence
they have perpetrated as war crimes, crimes against humanity and genocide, for these are all
crimes under domestic Australian legislation. These crimes create victims, and these victims deserve justice. This is violence against women. These women deserve justice.

In finishing I want to acknowledge Susan Hutchinson, who wrote this speech with me, and who is an expert on women, peace and security. Thank you so much, Susan, for your assistance on this and for your support for this issue.

**Telecommunications: Cottage Point Mobile Phone Reception**

**Mr FALINSKI** (Mackellar) (13:35): I stand here today to fight for the people of Cottage Point, who have been denied the basic right of reliable mobile phone coverage in their area. Cottage Point is a designated mobile blackspot community, and it is home to 83 adults and 54 families. Its community includes a royal fire brigade, a marine rescue centre, a kiosk, a boatshed and even the Kuring-Gai Yacht Club—not to forget Seawing Airways. Cottage Point is a tourist destination that attracts tens of thousands of tourists per year, and it is embarrassing that such a popular tourist destination cannot provide basic mobile phone reception and internet services to those who visit.

It is downright dangerous that emergency services cannot be contacted directly when phone reception drops out again. The people of Cottage Point have been raising this issue since 2004—they have had 12 years of waiting in vain and fearing that tourism will decline and small businesses will struggle because of something that is preventable. The Cottage Point community contributes close to $3 million a year to the tax system. They have no public transport, no water or sewerage, no garbage collection, no access to free-to-air television and no kerbing or guttering. For some people, not having access to free-to-air television would be Nirvana, but all they ask for is basic mobile phone coverage so that their businesses can continue to operate.

**Moad, Miss Sarah**

**Mr ROB MITCHELL** (McEwen) (13:36): Today I would like to acknowledge an exceptional young person from our electorate, Sarah Moad. Sarah is a former Laurimar Primary School student who was one of the winners of the 2015 Northern District National Servicemen’s Association of Australia school scholarship award, set up as part of the Centenary of Anzac commemorations. Thirty-two primary schools across Victoria answered the call to participate in this competition, and from that two recipients were chosen. It is easy to see why Sarah's poem, entitled 'A story of the fallen', rose to the top of the competition. Sarah was only 11 years old when she wrote her poem, and yet her empathy and ability to bring the reader into the emotional mindset of soldiers at Lone Pine who knew they would never make it home, and her story of a lone pine itself, shows an understanding well beyond her years. Sarah's amazing ability to touch us all with her remembrance story reminds us of the importance of reflecting on history and not allowing ourselves to forget the extreme sacrifice that our service men and women have made for our democracy and safety.

'A story of the fallen' is now immortalised in a bronze plaque as part of the memorial at the Seymour Soldiers' Memorial Hospital. I had the honour of meeting Sarah and her family at the unveiling of the new World War I memorial at the hospital on Remembrance Day, where Sarah had the privilege of unveiling the plaque. I commend Sarah for her efforts, and thank Noel Blake from the Northern Districts NSAA for organising this thought-provoking competition. I seek leave to table 'A story of the fallen', the poem by Sarah Moad.
Leave granted.

**Dubbo Sports Awards**

Mr GEE (Calare) (13:38): Mr Deputy Speaker, as you know, the Wellington area has a proud sporting history, and today I wish to recognise the outstanding achievements of the sports people from the district who were recognised at the 14th annual Dubbo Sports Awards last Friday night.

The awards were organised in conjunction with your good self, Mr Deputy Speaker, and I thank you for that; the Dubbo City Sports Council and Dubbo Regional Council. Also in attendance was guest speaker Lisa Beehag, who was a former Australian netball player and coach of the Sydney Swifts. The award recipients from Wellington were: Sara Darney, who won selection in the Indigenous female cricket team; Tracey Hardie-Jones, who claimed bronze for Australia at the World Masters Hockey Cup and gold for New South Wales at the Australian National Masters hockey tournament; Thomas Atlee, who gained selection in the New South Wales Country Cyclones and Australian Merit under 15 indoor cricket team; Anthony Atlee, his brother, who was selected in the New South Wales Country Cyclones under 13 indoor cricket team; Naylise Thomas, who placed first in the junior girls freestyle and backstroke at the New South Wales PSSA carnival; Ella James, who was selected in the New South Wales All Schools touch football team; and Alistaire Thompson, who was selected in the Hunter and Western Hornets over 30 men's touch football team.

I am sure that all members of the House join me in congratulating the wonderful achievements of the sports men and women from Wellington and its surrounding districts. Well done. This House salutes you all.

**Tasmania: Health Care**

Mr BRIAN MITCHELL (Lyons) (13:39): Getting good health outcomes in regional and rural areas is difficult. On most measures, outcomes are behind those in the cities and suburbs. Meander Valley straddles my electorate and that of my good friend the member for Bass. It is bucking the trend. For some years Meander Valley has benefited from programs run by a mental health worker, a social worker and a youth worker. They run programs that are well attended and that report very good levels of satisfaction. The people of Meander Valley value these services very highly and are desperate to see them kept. They are concerned that funding looks set to cease on 31 December because of a change in focus by the Primary Health Network in regard to funding coordinated chronic care. What is particularly galling is the short amount of time the community has been given to prepare—just a matter of weeks. But it should not be a case of either-or. When something works, when something is valued, it should not simply be discarded for something new and untested. The member for Bass and I have been asked by the Meander Valley community to speak up on their behalf, to seek a six-month reprieve from the minister for health at the very least prior to the cessation of these services. We ask that for six months the current programs, not just those in Meander Valley but those throughout Tasmania, run concurrently with whatever new services the PHN decides upon, that a review be undertaken of respective outcomes and that a decision as to how best to proceed then be made based on qualitative data. Let's make decisions based on health outcomes and not budget outcomes.
Moore Electorate: Alta-1 College

Mr GOODENOUGH (Moore) (13:41): I wish to record my thanks to Senator James McGrath, Assistant Minister to the Prime Minister, for his visit to the Alta-1 College in my electorate last Thursday to see firsthand the successful alternative education program being delivered there. Currently, Alta-1 caters for the complex needs of more than 430 at-risk youth to keep them engaged in school and learning activities. We were given a tour of the Joondalup campus by principal Dave Stevens and members of staff who introduced us to a number of young people who are overcoming significant personal challenges to complete their secondary education. Since 2004, Alta-1 has offered education, support and training to young people who are at risk of not making a successful transition through high school. Participants come from disadvantaged backgrounds and are struggling to cope with family dysfunction and mental health and other traumatic issues. A personal recovery and community-building program helps to re-engage the youth back into learning through self-reflection and community involvement. The school's curriculum has been endorsed by the Schools Curriculum and Standards Authority in Western Australia, allowing participants to gain credits towards a Western Australian Certificate of Education. It makes sense for the government to support Alta-1, as these students can go on to participate in the workforce and become productive members of our society.

Centrelink

Mr FITZGIBBON (Hunter) (13:42): I rise to give voice to those who cannot speak for themselves: the elderly, the sick, the disabled, the unemployed and families who are dealing with the loss of an elderly parent—people who cannot secure any assistance or advice from our Centrelink offices. I have had constituents in my office literally crying—in tears—because of the way they have been treated by Centrelink. They have been unable to get the assistance they need. They have stories of near empty Centrelink offices with not a staff member to be seen, stories about waiting for hours on hold on the phone for advice and stories about being expected to go online to interact with Centrelink—usually, of course, with no success. The funding cuts imposed on Centrelink are now a disgrace. The system is in crisis, and everything I say about Centrelink applies equally to Medicare services. But I also speak for Centrelink staff: those professional public servants who, of course, are overworked because of the cuts but who also inevitably wear the brunt of the anger of people who cannot get the service and advice they require. I have been told by a whistleblower that Centrelink staff are basically being told by management to tell people to get lost and they are not there to help them. This is the sort of culture that is being developed in Centrelink by this government. They think people are all unemployed and not worthy of assistance. They are wrong. They need to reverse these cuts and restore some of these services. (Time expired)

Canning Electorate: Byford and Districts Country Club

Mr HASTIE (Canning) (13:44): Recent studies suggest that loneliness is just as lethal as smoking 15 cigarettes a day. Right now, six out of 10 Australians say they often feel lonely and 80 per cent of Australians believe our society is becoming a lonelier place. This is why I applaud the official opening of the Byford & Districts Country Club on Friday of last week. Byford is one of the fastest growing regions in Western Australia, but infrastructure, facilities and services have struggled to keep up with the growth of the local population. The new club now lies in the heart of Byford and provides a modern, multipurpose space for the shire's
many clubs and agencies, as well as for private and community events. This government provided $240,000 through the National Stronger Regions Fund and $7,000 through the Stronger Communities Program to furnish the facility.

The club's President, John Erren, project coordinator Steven White, the Darling Range MLA, Tony Simpson, and many volunteers are to be commended for their longstanding commitment to this project. I also thank Ali Kley and his team from Alita Constructions for their integrity and hard work in delivering the project on time and for making the best use of public funding.

The Byford & Districts Country Club will provide a hub for the local community, drawing together people from all walks of life. It is a place where relationships can be built and fostered. Well done to all those involved on this great project.

**Lewis, Mr Russell**

Ms HUSAR (Lindsay) (13:46): Today I rise to congratulate Mr Russell Lewis, a local paramedic in my electorate of Lindsay, on his recent and well-deserved retirement from the Ambulance Service of New South Wales. Russell retired on the same day I got my new job in this place and he says that I was his gift in retirement. It was a real honour to attend his retirement party as my first official public event as the member for Lindsay.

Russell called time on his distinguished career of caring for people after 39 years of service to our community, working out of the Colyton branch of the New South Wales ambulance service. During that time he has seen every aspect of being on the frontline of emergency health care, including significant trauma and suffering. With every job, he has sought to help those most in need. He also boasts an incredible count of 60 babies delivered on the side of a road! Each of those families and thousands of others who have been assisted by Russell—myself included—are undoubtedly indebted to him and to his work. Russell was the first responder when I snapped my ACL and MCL in an attempt, perhaps misguided, to showcase my basketball skills during the election campaign. Russell and his wife, Kay, have recently purchased a motorhome, and I wish them and their children all the best as they enjoy their retirement travelling and spending much more time with their grandchildren.

**Owens, Mr Chris**

Robinson, Mr River

Mr HOGAN (Page) (13:47): Chris Owens from Grafton has just won the Les Gilsenan memorial 350-millimetre standing block world championship in wood chopping. It took him 40 seconds to win the competition and take home the prize. Chris put his success down to training and the encouragement of his grandfather, Max Kroehnert, who provided support over the last 15 years. Max has been involved in competitive wood chopping for over six decades. Chris will now return to the regular North Coast Axemen circuit before competing in the Australian championships in January and then the Sydney Royal Easter Show in April. Chris is aiming to join the Australian Chopperoos on the world stage. I congratulate Chris on his great success.

I also take this opportunity to highlight the great achievement of the Yamba Public School year 3 student River Robinson. River is now one of the best spellers in New South Wales and got to compete in the junior final in Sydney this month. River beat 39 other students from primary schools across New South Wales to finish in the top four of the competition. I know
that River’s family and classmates at Yamba Public School are extremely proud of his achievements and I congratulate River on his great result.

**Moreton-Rankin Unity Cricket Game**

Dr CHALMERS (Rankin) (13:48): There have not been enough nice things said about Australian cricketers in the last little while, so I want to pay tribute to my favourite cricketer of all time, the member for Moreton. Were it not for his bowling spell in the penultimate over, or the little dollop of a catch that he spooned to the midfield off what can only be charitably described as my medium paced bowling, the mighty Rankin team may not have prevailed over Moreton two Sundays ago to take a 2-1 series lead in the annual Moreton-Rankin Unity Cup.

On a more serious note, the Unity Cup is all about building understanding with and within the Muslim communities in our part of Australia, the southern suburbs of Brisbane and Logan City. It is a wonderful day of sun, laughter, tweaked hammies and, yes, a bit of good-natured sledging, but it has a much deeper meaning.

I want to thank my co-captain, Ahsan Assadi, and all our team. I want to thank Graham and his co-captain, Ali Kadri, and the team, including the Rohingya Strikers; the umpires Phil and Steve, back for another year, and Mohammad, who helped out; the staff and volunteers who kept the score, cooked the barbie, cut the oranges and shooed away the plovers; the big unit, Billy Stanlake, from the Queensland Bulls, who dropped in to flip the coin; and the locals who came by to watch as well. But most of all I want to acknowledge the people in my community, the Muslim community and people of all faiths in Moreton and Rankin who want to build understanding, respect and unity between us and not tear it down.

**Swan Electorate: Environment**

Mr IRONS (Swan) (13:50): I would like to speak about a couple of environmental projects in the electorate of Swan. The great state of WA has a beautiful environment with many magnificent locations in the seat of Swan. The electorate of Swan is named after Perth’s Swan River, which acts as the electoral border in the north and west of the electorate and, more importantly, is home to more than 130 species of fish and 1,500 plant species. Such an environmentally rich and diverse electorate comes with a responsibility to ensure that our future generations can also enjoy our natural surroundings.

Swan has two current projects within the Environment portfolio. The first is the new Green Army project to aid the recovery of the Swan and Canning rivers. The project will entail environmental restoration of the rivers, improving local riverbanks and protecting local threatened species of the area. In addition to this, we have received funding to stage 2 of the Swan-Canning River Recovery Program. This will actively help finish the job of completely eliminating hydrocotyl, a highly invasive weed, from the river system, effectively improving and stabilising the condition of the rivers.

Yesterday, I had the fortune to meet with the Minister for the Environment and Energy. We discussed how this government is getting on with the job of protecting and preserving our natural heritage through education, action and making a long-term investment in our local environment in the seat of Swan.

The DEPUTY SPEAKER (Mr Coulton): I reluctantly call the member for Moreton!
Moreton-Rankin Unity Cricket Game

Mr PERRETT (Moreton—Opposition Whip) (13:51): Deputy Speaker, yes, I do appreciate the right of reply, but I am not going to question anything that the member for Rankin has said. It is true that Rankin did win the Unity Cup, which is a competition between the Muslim community in Moreton and the Muslim community in Rankin. They let Jim and me be honorary Muslims for the day—perhaps honorary cricketers for the day might be more accurate!

Thank you to the captains, Ahsan Assadi, who led the winning team for Rankin, and Ali Kadri, from my team, and the mighty Rohingya Strikers and others who turned out for Moreton. I know that they will have learnt some lessons. They have studied the bowling of the member for Rankin. I know that we will be able to pick it apart next year. And I do give this commitment to the people of Moreton and the cricketers from that team: I will not bowl in the final overs, because I know we got into trouble with 11 runs off the second-last over.

Thank you again to the umpires, Steve Buckland and Phil Barnsley, and to Queensland Cricket for support generally and for sending Billy Stanlake along from the Queensland Bulls. I also thank our guest umpire in a wheelchair at square leg, Mohammed, who did some great work as well. I know that James Stedman scored scrupulously fairly. I will work on that because obviously, with Moreton losing, I need to increase that score. Thank you to Jim Chalmers and all those who participated in the Unity Cup. (Time expired)

Petrie Electorate: Constituent Concerns

Mr HOWARTH (Petrie) (13:53): I take my role as a community representative very seriously. I know that the only way I can represent locals in the federal seat of Petrie is to get out into the community and listen to their needs, feedback and suggestions for us here. Over the weekend, I held a range of mobile offices around my electorate in various suburbs, and I want to thank everyone who came out to see me. Thank you very much for coming out to see me to say hello, to ask a question or to pass on some feedback that you would like me to pass on to members here as well.

I want to especially thank Jess and Cheyenne Daia, who made me a beautiful mosaic for my office. Thank you, Jess and Cheyenne. I know you put a lot of work into it, and it is very much appreciated.

There were a lot of suggestions and issues raised, and I want to let everyone know that I am working on these here. I also want to thank everyone who got in touch with me before the last parliamentary sitting week. To Damon and Chris: thank for raising the issue of bias against fathers in the Family Court system, amongst other things. There was also a lot of feedback from people about ensuring that we focus on Australia. There was talk of homelessness and of looking after veterans and helping them find work, like we need to do as a community for everyone.

I have raised these issues with my colleagues, and I look forward to continued feedback. I will let you know when we have actioned these things. I am here to represent people. If you would like me to look into anything in particular, please let me know. (Time expired)
Immigration

Mr DICK (Oxley) (13:54): I rise to repudiate the offensive and disgraceful remarks by Australia’s immigration minister. Last week, Minister Peter Dutton stated: The reality is Malcolm Fraser did make mistakes in bringing some people in the 1970s … And, as if that were not bad enough, yesterday we saw the immigration debate in Australia brought to a new low.

I proudly represent one of the largest Vietnamese communities in Australia—hardworking men and women who fled a brutal Communist regime during the 1970s in the hope of a better life for their children and grandchildren. Over the past decades, like many in Australia, tens of thousands of Vietnamese Australians have greatly contributed to our society through just about every endeavour possible. In the south-west of Brisbane I am proud of my friends in the many Vietnamese senior associations who have achieved great success, particularly through business and commerce. They have worked so hard to see their children and grandchildren prosper, and I will not have their name and their contribution trashed by this minister and this government.

Today I call on the Prime Minister to show some leadership, apologise and reject his minister’s comments. As the federal Leader of the Opposition remarked yesterday, enough is enough. Prime Minister, our hardworking migrant communities deserve better than a leader who wants to remove protections against hate speech and will not stand up to this sort of bigotry from a disgraceful immigration minister. I, like many members on this side of the House, will always stand up for multiculturalism in the great electorate of Oxley.

Fire Mitigation

Stronger Communities Grants

Ms HENDERSON (Corangamite) (13:56): As we move into summer, it is important, as we all know, to be vigilant and prepared for the fire season ahead. I am very proud that, under the federal government’s $15 million National Bushfire Mitigation Program, I was delighted to announce $25,500 in funding for the Kennett River Surf Life Saving Club in Corangamite. And I know, Mr Speaker, that you have also announced some $208,000 for fire mitigation projects in your electorate of Casey as well as funding for better mobile phone coverage in fire-risk areas like Kalorama, Mt Evelyn, Reefton and Chum Creek.

The safety of our electorates is key during the fire season. That is why the protection of our CFA volunteers is paramount. Last year, I hosted the Prime Minister at Wye River to meet the CFA volunteers who fought the devastating Christmas there, and I know that you, Mr Speaker, hosted the Prime Minister in Coldstream earlier this year. CFA volunteers have always supported Victorians in their hour of need and, as a government, we are very, very proud to stand up for them with the legislation that we have passed in this place. I also know, Mr Speaker, that you have been very focused on encouraging youth and female participation in sport through various Stronger Communities grants, including for electronic scoreboards in Mooroolbark, Monbulk and Warburton, cricket practice nets in Kilsyth and the like. It is very important that we are both working hard for our electorates, Mr Speaker.
Western Australia: Employment

Mr KEOGH (Burt) (13:58): Unemployment in Western Australia is officially the worst in the country, rising to 6.5 per cent in October. Just yesterday, Rio Tinto confirmed another 500 West Australian jobs will be cut from its iron ore division over the next few months. And what has been the response of the Nationals? To whack a flat tax on an already struggling industry. Let's be clear: Brendon Grylls's Nationals proposal for a $5 a tonne iron ore tax simply could not come at a worse time for the mining industry and for Western Australia. It would see a 1,900 per cent increase in the production rental levy. This is not 2008; the rivers of gold are no longer flowing in the Pilbara. Margins have tightened, and an additional flat rate levy on iron ore will be a direct hit to the competitiveness of the WA mining industry.

The combination of the mining and construction boom coming to an end, a low iron ore price and a hapless Liberal state government have proven devastating for the people of Western Australia. Further investment in new or replacement mining operations, such as Area C, will be crucial for saving jobs in the mining industry. But, if BHP and Rio cannot see the financial benefit of investing in Western Australia, capital will flow elsewhere at the expense of Western Australian jobs. Make no mistake: the election of the Liberal-National state government at the state election will see this job-destroying policy become a reality. The only way that the people of Western Australia will again see jobs in WA is the election of a Mark McGowan Labor government.

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

QUESTIONS WITHOUT NOTICE

Migration

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:00): My question is to the Prime Minister. The Prime Minister has had the opportunity to be fully briefed on the minister for immigration's statement in the House yesterday in which the minister expressed the view that the behaviour of children and grandchildren of immigrants meant Malcolm Fraser made a mistake by allowing their parents and grandparents to migrate to Australia in the late 1970s. Is this the Prime Minister's position: yes or no?

Mr TURNBULL (Wentworth—Prime Minister) (14:00): I am not going to accept the Leader of the Opposition's characterisation of remarks made by the minister for immigration. The fact of the matter is that the greatest mistake made in immigration, the greatest failure—which we do not need to be a historian to recall and which we do not need to go back to the 1970s to reflect upon—was by those opposite when they abandoned the integrity of our borders, when they threw away Australia's sovereignty and they allowed 50,000 unauthorised arrivals and over 1,200 deaths at sea.

Ms Catherine King interjecting—

The SPEAKER: The member for Ballarat is warned.

Mr TURNBULL: I can well understand how members opposite seek to tear down the minister for immigration. They cannot stand the fact that he has succeeded where they have failed. They cannot stand the fact that he took 2,000 children out of detention centres. They
cannot stand the galling fact that, unlike the member for Watson, they did not betray those children.

_Mr Pyne interjecting—_  
_Mr Morrison interjecting—_  

_The SPEAKER:_ The Prime Minister will resume his seat. The Treasurer and the Leader of the House will cease interjecting. Has the Prime Minister concluded his answer?

_Mr TURNBULL:_ Yes. That is fine.

**Trade**

_Mr FALINSKI_ (Mackellar) (14:02): My question is to the Prime Minister. Can the Prime Minister update the House on the APEC leaders forum in Peru, including how free trade is delivering jobs and growth for Australia?

_Mr TURNBULL_ (Wentworth—Prime Minister) (14:02): The Asia-Pacific Economic Cooperation is an economic summit that was, in fact, the result of an initiative by Bob Hawke. That was in the days when the Labor Party believed in free trade and believed in economic integration with our neighbours in Asia. Sadly, not any more. It is a very different Labor Party today. Now they are campaigning against the economic liberalisation and the free trade that delivers jobs and growth, just like they are seeking to protect the CFMEU and the thugs in the CFMEU—whereas Bob Hawke, of course, deregistered the Builders Labourers Federation.

APEC accounts for 60 per cent of global GDP and 73 per cent of our trade. Leaders were very focused on the need to maintain the momentum towards further economic integration, recognising the way in which trade has delivered strong growth and jobs in Australia, in Asia and, indeed, in Latin America—in Peru, where the meeting was held. But all the leaders recognised the need to ensure that growth was inclusive. We recognised that we are at a time of rapid economic change that has had enormous benefits for billions of people but, invariably, at times of change there is disruption, and communities, industries and businesses can feel left behind. It is vitally important that governments ensure that nobody is left behind and that growth is absolutely inclusive.

We have seen in Australia the benefits of opening up those big markets in Asia over the last term of government, the benefits that have flowed to regional Australia. There is perhaps no better example of that than Tasmania, a state which has been facing strong economic headwinds for many years but is now enjoying some of the strongest growth—

_Ms Plibersek interjecting—_  

_The SPEAKER:_ The member for Sydney.

_Mr TURNBULL:_ it has had for many years because of the great export opportunities offered particularly from the China market.

So right across the board there is strong support for continued commitment to free trade, to economic integration, to removing the barriers to trade whether they be in the form of tariffs or behind-the-border regulations that inhibit the export and import of services across the region. We know that free trade and open markets deliver jobs and growth. It is up to us as leaders to ensure that that growth is thoroughly inclusive so that everybody enjoys the benefits of the prosperity that free trade will deliver.
Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:05): My question is to the Prime Minister. I refer to reports in the Herald Sun of a panicked, two-hour long extraordinary meeting of the National Party last night. Following this meeting, for the first time in the history of Liberal-National coalitions, three Nationals ministers in the cabinet failed to vote for the cabinet position. What are the consequences—

The SPEAKER: The Leader of the Opposition will resume his seat. The Minister for Transport and Infrastructure is bellowing in my right ear. I am trying to hear the question. Can members please be quiet, at least while the question is being asked. The Leader of the Opposition will start his question again.

Mr SHORTEN: My question is to the Prime Minister. I refer to reports in the Herald Sun of a panicked two-hour long extraordinary meeting of the National Party last night. Following this meeting, for the first time in history of Liberal-National coalitions, three Nationals ministers in the cabinet failed to vote for the cabinet position. What are the consequences in the Prime Minister's government for cabinet ministers who fail to vote for the cabinet position?

Mr TURNBULL (Wentworth—Prime Minister) (14:07): I thank the honourable member for his question. Dealings in the Liberal Party room are not the subject of questions in the House, or at least in accordance with standing orders, let alone asking me about deliberations in the party room of a party of which I am not a member. It really is extraordinary. I can understand dealing with the Byzantine politics of the Labor Party following all the factions, but you would think the honourable member opposite would have worked out that I am in the Liberal Party and that the Deputy Prime Minister is in the National Party.

Cutting right to the chase, the coalition cabinet, my government, my cabinet of which I am the Prime Minister and my colleague, the Deputy Prime Minister, the Leader of the Nationals, resolved to extend indefinitely the ban on the Adler shot gun that had been previously subject to a sunset clause. That was a cabinet decision.

Mr Perrett interjecting—

The SPEAKER: The member for Moreton is warned as well.

Registered Organisations

Mr ZIMMERMAN (North Sydney) (14:08): My question is to the Prime Minister. Will the Prime Minister advise the House how the Registered Organisations Commission will crack down on union rorts and rip-offs and ensure that union bosses are acting in the interests of hard-working Australians.

Mr TURNBULL (Wentworth—Prime Minister) (14:08): Last night the Senate passed the registered organisations bill. What this meant was that for the first time trade union officials and, indeed, officials of employer organisations would be subject to the same standards of accountability to their members as company directors are to their shareholders. This was doing no more than applying the same standards of accountability that we expect of company directors. Now you would think that after Craig Thomson, after Kathy Jackson, after one scandal after another, that the Labor Party would have been lining up to support that legislation because they would have recognised that when so many rorts and frauds and malfeasance had been exposed, the best thing to do was to ensure that governance was
improved. You would think that is what the Labor Party would have done, but what you saw was a very clear class war shown in this matter—and these were the classes at war. The Leader of the Opposition, a member of the union officials class, of the union bosses class, stuck to his own. He wanted to defend the bosses in the trade union movement. He wanted to stand up for them. And what we saw again was the coalition standing up for the more than two million members of registered organisations across Australia, demanding for them the accountability they are entitled to—

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney is now warned.

Mr TURNBULL: just as we stood up for the owner-drivers who are being put out of business—35,000 of them—by legislation introduced by the Leader of the Opposition when he was in government, at the behest of the Transport Workers Union. That was its deliberate intent: to put hardworking Australian business men and women out of business. And, of course, after the parliament came back after the election, we were able to amend the Fair Work Act to protect 60,000 volunteer firefighters in Victoria who, again, a Labor government was seeking to subordinate to another militant union—in that case, the UFU. And, once again, we saw the Labor Party in this parliament and the Leader of the Opposition, a former union boss, standing up for his fellow union bosses. He has sold the members of trade unions down the river again and again. Whether it is at Chiquita Mushrooms or Cleanevent or here in this parliament, we are standing up for the members of the unions. We are ensuring they have accountable, honest processes in their unions managing their billions. Their billions of dollars managed by these organisations will, henceforth, be conducted transparently and with full accountability.

Turnbull Government

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:11): My question is to the Prime Minister. Clause 23 of the Prime Minister’s Cabinet Handbook states:

Members of the Cabinet must publicly support all Government decisions made in the Cabinet, even if they do not agree with them.

Has the Prime Minister disciplined the three cabinet ministers who took the unprecedented disloyal step of failing to vote for the cabinet position? Isn't it clear this Prime Minister is so weak, his government is so divided, he cannot even keep his cabinet in line?

Mr TURNBULL (Wentworth—Prime Minister) (14:12): I cannot claim to be an authority on the practices of the Senate, but my understanding—

Opposition members interjecting—

Ms Husar interjecting—

The SPEAKER: Members on my left! The member for Lindsay is warned.

Mr TURNBULL: is that, when there is a vote that has the support of both the government and the opposition, the coalition and the Labor Party, it is referred to as a 'mickey', and that is a vote which—because it is going to be carried by such an overwhelming majority—frontbenchers, and indeed other members, regularly do not attend. So I can note that, on this particular vote, the shadow special minister of state, the Labor senator Senator Farrell, did not
attend; Senator Carr did not attend; indeed, the Labor Party's chief whip, Senator Urquhart, did not attend. That is, apparently, the practice in the Senate.

*Mr Shorten interjecting—*

**The SPEAKER:** The Leader of the Opposition knows the rules on props.

**Mr TURNBULL:** That is the advice I can give the House as to practices in the other place.

**Defence Industry**

**Mr WILKIE** (Denison) (14:13): My question is to the Minister for Defence Industry. The government is quick to say that increased Defence spending will provide an economic stimulus for states and regions in need of a boost, so what tangible commitment can you now give that Tasmania will get its fair share of the work? For example, will Hobart's Prince of Wales Bay defence manufacturing precinct benefit from the as-yet-to-be-decided subcontract work on the Sea 1180 offshore patrol vessel and the Sea 5000 future frigates projects? Moreover, will you commit to visit Prince of Wales Bay and meet the companies based there? Tasmania and Hobart need a boost too, and there are many firms with the skills and advantages to help build and sustain Australia's future defence needs.

**Mr PYNE** (Sturt—Leader of the House and Minister for Defence Industry) (14:14): I thank the member for Denison for his question, because it gives me the opportunity to reassure him, and the rest of the House, that the government's program for naval shipbuilding is on schedule. It is on track to deliver thousands and thousands of jobs right across Australia—enormous investment in the economy, in every city right across our great country—because this government has committed to 54 naval vessels, whereas the previous Labor government committed to none at all in the six years that they were in government. In fact, they reduced spending on Defence to 1.56 per cent of GDP, which was the lowest since 1938—since the years of appeasement.

The member for Denison asked specifically about what is in it for Tasmania, which is a very fair question for him to ask. I can assure him that Tasmania has benefitted in the past from the naval shipbuilding plan. For example, Taylor Bros, which is very near the Prince of Wales precinct that you talked about, has provided material for the air warfare destroyer program—things like refrigeration spaces, prefabricated doors et cetera. A business called CBG Systems in Hobart has provided things like fire equipment, fire blankets and so on for the air warfare destroyer program.

He asks about what might be in the Future Frigate Program, where we are building nine vessels, and the Offshore Patrol Vessels Program, which is for 12 vessels. I can tell him that the workshops for those two programs are happening right now, where businesses in the Defence industry space, or that want to be in the Defence industry space, are being given the opportunity to meet with the Department of Defence and the other bidders in the two programs to show what they might be able to do. In Adelaide, they have attracted 200 businesses; in Perth, 300 businesses; in Darwin, it was about 100; in Brisbane, it was 150; and Sydney and Melbourne are yet to come, but they are both subscribed by hundreds of businesses already.

The workshop in Hobart will occur on 7 December, when businesses in Hobart and elsewhere in Tasmania will get the opportunity to come and meet with the Department of
Defence and learn, in a workshop situation, how they can take advantage. One of the key differences between the Turnbull government's approach to Defence and Defence industry compared to other governments has been that we want to have, as our No. 1 priority, the capability of our Defence Force and our No. 2 priority is doing as much as possible in Australia.

**Building and Construction Industry**

**Mr VASTA** (Bonner) (14:17): Will the Treasurer outline how a transparent and efficient construction sector supports a strong budget and a growing economy? Will the Treasurer also advise the House of the cost to hardworking Australians of widespread disruption and lawlessness on Australian building sites?

**Mr MORRISON** (Cook—Treasurer) (14:17): I thank the member for his question and his keen interest in ensuring that we remove lawlessness from the building and construction industry. Can I start by commending the Minister for Employment for the success that we have seen in the other place in the passage of the registered organisations bill, which provides groundbreaking reform to ensure that unions will face the same level of scrutiny and accountability as company directors in this country. We know that those opposite did not support those measures—

*Ms Butler interjecting—

*Ms Chesters interjecting—

**The SPEAKER:** The members for Griffith and Bendigo.

**Mr MORRISON:** in the same way that they continue to refuse to support the Australian Building and Construction Commission being restored. It leads me to wonder why they would be opposing these important changes—

*Ms Chesters interjecting—

**The SPEAKER:** The member for Bendigo is warned.

**Mr MORRISON:** that will lift productivity in this country, that will support the interests of workers in this country and improve wage outcomes and jobs in this country. It is a simple issue. I was reflecting on it—and maybe we could get a show of hands. How many of those on that side of the House are members of trade unions? A show of hands—how many are there? They are all keeping their hands down. They do not want to commit to it. Show me your hands. How many of those on that side of the House have been the beneficiaries of donations from the CFMEU? Let's get a show of hands. They are all down.

**Dr Chalmers interjecting—

**The SPEAKER:** The member for Rankin.

**Mr MORRISON:** How many of those today are members of the CFMEU? No show of hands, and I particularly note the member for Griffith has kept her hands very much below the table. Just as well; I could go to the register of interests and I could see when she was asked about the membership organisation where a conflict of interest with a member's public duties could foreseeably arise or be seen to arise. Guess what it lists? Membership of the CFMEU—that is what it says.
As a member of the Leader of the Opposition's executive and in particular as the shadow assistant minister for universities, I wonder what the member for Griffith thinks about the state of affairs at the Queensland University of Technology, where the Fair Work Commission launched the Federal Circuit Court proceedings against the CFMEU and official Michael Myles, after he allegedly disrupted two major concrete pours on the $60 million project at the Queensland University of Technology? On 8 April 2016, the Federal Court ordered penalties totalling some $50,000 against the CFMEU and Mr Myles, and Judge Jarrett found Mr Myles's conduct to be:

… a deliberate and intentional disregard of workplace laws.

That is a fellow member of the CFMEU, and the shadow minister is supposed to care about the building and construction of universities. But I note it is telling that not one of them wanted to put up their hand and declare their association with the CFMEU when they are acting as a bloc to bringing it to heel. (Time expired)

**Turnbull Government**

**Mr SHORTEN** (Maribyrnong—Leader of the Opposition) (14:21): My question is to the Prime Minister. I refer to the Prime Minister's previous answer about his missing National Party cabinet ministers. How can the Prime Minister claim the absence of all three National Party cabinet ministers in the Senate was insignificant when Senator Leyonhjelm has confirmed to Peter Van Onselen on Sky News that these cabinet ministers deliberately refused to back the cabinet position because they did not agree with it?

**Mr TURNBULL** (Wentworth—Prime Minister) (14:21): I refer to my earlier answer and remind the Leader of the Opposition, once again, that the decision was to extend the ban indefinitely because it is anticipated that at some point in the future the state and territory ministers and the Commonwealth minister will agree on a reclassification. But the ban is being extended without an end date and that was a decision of the cabinet.

**Registered Organisations**

**Mr RAMSEY** (Grey—Government Whip) (14:22): My question is to the Minister for Defence Industry representing the Minister for Employment. Will the minister explain to the House why it is important to restore the rule of law to building sites in Australia? How will the government's policy in relation to the ABCC and the Registered Organisation Commission help bring this about?

**Mr PYNE** (Sturt—Leader of the House and Minister for Defence Industry) (14:22): I thank the member for Grey for his question and I know that he like I, and all members of this side of the House, are absolutely delighted with the fact that the Registered Organisations Commission bill passed in the early hours this morning. Full congratulations should go to Senator Michaelia Cash from Western Australia, who has done a sterling job to drive through a bill that the last Senate failed to pass on, I think, at least two occasions—it might have been three occasions—and in fact was the cause of the double dissolution election. The Senate has done its job, which is to consider the Registered Organisations Commission bill, amend it where necessary and send it back to the House of Representatives. So it is a red-letter day in industrial relations in Australia and it proves once again that the coalition is on the side of the workers and the Labor Party is on the side of the union bosses. It took us to stand up for the two million members of registered organisations in Australia. It took the coalition to stand up
for the 60,000 volunteers in the Country Fire Association against the United Firefighters Union. It took this side of politics to stand up for—

Mr Rob Mitchell interjecting—

The SPEAKER: The member for McEwen is warned.

Mr PYNE: the owner-operators of transport businesses against the TWU. Over and over again, it is the coalition who stand up for the small business men and women against trade union bosses, who always put themselves first and Australia last. Last Friday, we saw two union leaders charged with 172 counts of fraud against their union, against their workers, totalling $870,000—people being robbed of their own money by two union leaders. Eventually their names will come out, and it will be fascinating to see whether members on the other side of the House rush to their defence—as one of them might have done in their maiden speech not that long ago. We will see, no doubt.

The reality is that the work is not finished. The ABCC must be passed in the next sitting fortnight. It must be passed if the job is to be completed of cleaning up unions and cleaning up building sites. It is critically important. Just today we found out the CFMEU in Adelaide holds the record for the most number of fines of any state in Australia. There have been over $1 million worth of fines levied against the CFMEU in South Australia in the last year or two by the Fair Work Commission. Nigel Hadgkiss, the Fair Work Commissioner, said:

... despite significant penalties being handed down, repeated and deliberate contraventions of workplace laws continue to be a common feature at worksites.

It is time for Labor to stand up for the worker and pass the ABCC.

Gun Control

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:25): My question is to the Prime Minister. Given last night no member of the National Party Senate team voted to keep the government's ban on the Adler shotgun, and given that the Prime Minister has just confirmed that the Deputy Prime Minister and Leader of the National Party backed the ban in the cabinet, does the Prime Minister's deputy still support the ban on the importation of the Adler shotgun? If so, why did none of his team in the Senate back up the cabinet decision?

The SPEAKER: Just before I call the Prime Minister—I will call the Deputy Prime Minister in a second; I can see the Prime Minister referring the question to him. I have said before—and I have listened to all these questions carefully. The earlier question—whilst it did relate to the National Party, of which the Prime Minister is not a member—did relate to the cabinet. But what members cannot do is be asked to answer for other members. They simply cannot. That is well established in the Practice. I need to uphold the Practice and the standing orders, and I am going to move to the next question. The member for Boothby.

Building and Construction Industry

Ms FLINT (Boothby) (14:27): Thank you, Mr Speaker. My question is to the Minister for Sport and Minister for Health and Aged Care. Will the minister explain to the House how a re-established Australian Building and Construction Commission will ensure hardworking Australians receive the health services and infrastructure they deserve. Is the minister aware of any threats to the progress of health infrastructure?

Ms Chesters interjecting—
The SPEAKER: The member for Bendigo has already been warned. The Minister for Health has the call.

Ms LEY (Farrer—Minister for Sport and Minister for Health and Aged Care) (14:27): Thank you very much, Mr Speaker, and thank you to the member for Boothby for her question. She certainly understands the importance of the health of her electorate and the health of the nation.

Members on our side of course know about the government's record spending on Medicare and public hospitals—public hospital infrastructure, $95 billion over five years, more than any previous government has spent. But we need more than record funding to deliver the world-class health system that Australians have come to expect. It also takes infrastructure; it takes hospital infrastructure. We need hospital infrastructure to deliver our record finding. Unfortunately, due to the actions of unions on building sites across this country—described variously in the trade union royal commission as 'bullies', 'liars', 'thugs' and 'thieves'—that infrastructure has been delayed.

When you see a hospital that does not get opened on time, when you see beds that do not arrive on time, when you see treatments that are not delivered on time, you know that this Labor Party is putting the health of their union mates before the health of the nation.

Due to the actions of unions on hospital building sites, and I will give you an example.

Ms LEY: We have heard examples in the House: Fiona Stanley Hospital, Perth Children's Hospital, Lady Cilento Children's Hospital. Stoppages and strikes cost $9 million at Lady Cilento Children's Hospital. No-one has made any attempt to call out the—

Mr Brendan O'Connor interjecting—

The SPEAKER: The member for Gorton will cease interjecting.

Ms LEY: Members are yelling and screaming because they do not want to admit the truth.

Mr Brendan O'Connor interjecting—

The SPEAKER: The member for Gorton has been warned already.

Ms LEY: The truth comes back down to Labor union members and their relationship with the union movement. They are in a hopelessly compromised relationship. They used to care about the patients, but they have put their relationship with the union ahead of their relationship—

Mr Brendan O'Connor: My point of order is on relevance, Mr Speaker.
The SPEAKER: The member for Gorton will resume his seat.

Mr Brendan O’Connor interjecting—

The SPEAKER: The member for Gorton will resume his seat.

Mr Brendan O’Connor interjecting—

The SPEAKER: The member for Gorton has already been warned. I am not going to continuously warn people on points of order when I have asked them to resume their seat. It is a defiance of the House, and the member for Gorton will leave under 94(a).

The member for Gorton then left the chamber.

The SPEAKER: I will hear the Manager of Opposition Business.

Honourable members interjecting—

The SPEAKER: Members on my right will cease interjecting.

Mr Burke: The member for Gorton, when he rose on that point of order and was about to give the reason, and he was not given the opportunity.

Honourable members interjecting—

Mr Pyne interjecting—

The SPEAKER: The Leader of the House will cease interjecting.

Mr Burke: The issue that he was raising was about people having died on the site.

Mr Pyne interjecting—

The SPEAKER: The Leader of the House will cease interjecting.

Mr Burke: Given that that was the circumstance, to say that he had to sit down instantly when he rose for that particular reason, I think is a harsher than usual ruling, Mr Speaker.

The SPEAKER: I ask the Manager of Opposition Business to resume his seat.

Honourable members interjecting—

The SPEAKER: The minister will cease interjecting.

Mr Dreyfus interjecting—

The SPEAKER: The member for Isaacs and the minister will cease interjecting or they will be having their conversation outside the chamber. I will make a couple of points to the Manager of Opposition Business. I have heard him and I do respect the fact that the member for Gorton was obviously passionate on the issue—I could see that from here—as are other members. Nonetheless, I have made it very clear on points of order that, if I am hearing a point of order and I ask someone to resume their seat, they need to resume their seat immediately. No matter how passionate they feel about the issue, they will not remain at the dispatch box and shout into the chamber. It was for that reason and the fact that he had been warned for his conduct twice previously in question time—the combination of those things and not resuming his seat—that I was forced to eject him. If he had resumed his seat, I would have heard from the Manager of Opposition Business. Has the minister concluded?

Ms LEY: If Labor want to play politics, they might like to be reminded about safety. They might like to be reminded that Senator Kitching fraudulently sat the safety tests of six union
leaders and was referred to the DPP as a result—which is something that they have never mentioned. *(Time expired)*

*Mr Pyne interjecting—*

*Ms Plibersek interjecting—*

**The SPEAKER:** The Leader of the House and the member for Sydney are both testing my patience.

**Cabinet Ministers**

*Mr SHORTEN* (Maribyrnong—Leader of the Opposition) (14:33): My question is to the Prime Minister. Clause 23 of the Prime Minister's Cabinet Handbook states:

Cabinet ministers cannot dissociate themselves from, or repudiate the decisions of their cabinet colleagues unless they resign from the cabinet.

It is the Prime Minister's role to enforce cabinet solidarity. Given it is up to the Prime Minister to enforce cabinet solidarity, why hasn't he sacked these three disloyal ministers? Is it that he genuinely believes their absence was a coincidence or is he just too weak to run his cabinet?

*Mr TURNBULL* (Wentworth—Prime Minister) (14:33): I thank the member for his question about weakness because it reminds me of Paul Kelly's observation in his book *Triumph and Demise* when he said:

The distrust between Rudd and Shorten was intense and enduring. The Gillard camp was contemptuous of Shorten, considering him weak and duplicitous. Neither side trusted him and neither side revised its view.

And the Australian people will not revise their view of him either.

**Mining Industry**

*Mr RICK WILSON* (O'Connor) (14:34): My question is to the Minister for the Environment and Energy. Will the minister update the House on how the government's policies are supporting Australia's energy sector? Is the minister aware of any alternative approaches?

*Mr FRYDENBERG* (Kooyong—Minister for the Environment and Energy) (14:34): I thank the member for O'Connor for his question and acknowledge his deep commitment to resources across Australia, given the richness of the resource industry in his electorate, and ensuring that Australia remains a global energy powerhouse. Who would have thought back in 1989, when Australia had one LNG facility, that today we would have 10 either operating or under construction, which will see Australia overtake Qatar as the world's largest exporter of LNG by 2020? In fact, we will see a tripling of our export earnings up to $49 billion, which will see LNG join coal and iron ore among our top three exports.

There are enormous opportunities for the LNG sector in Australia, but what is holding it back is actually the high cost of construction, because the BCA has told us that to build an LNG plant in Australia is some 50 per cent higher cost than to build a similar plant in the US Gulf of Mexico—and industrial relations are a major component of that. We know that when the ABCC was in place we saw increased productivity, a fall in industrial disputation and more money flowing into Australian terms of investment. Woodside's experience with their fourth and fifth LNG trains is illustrative because, with their fourth train, before the ABCC came into being they lost 254,000 hours due to industrial action, but their fifth train, which
came into being after the ABCC became a cop on the beat, saw that drop by some 90 per cent to only 27,000 hours lost to industrial action.

You do not have to trust the industry groups like ACCI and the BCA as to why the ABCC is important. You do not have to trust us on this side. You only have to listen to a former Labor minister for resources, the former member for Batman, who said in a speech to CEDA, and I quote—this is worth listening to: 'As the son of a bricklayer, I know a thing or two about the building industry, but it's time that some in today's union leadership recognise that their members' long-term interests are aligned with their long-term job security. Rather than seeing the ABCC as a tool that allows one side to get an upper hand over the other in some never-ending ideological skirmish, it should be seen for what it was: a mechanism that holds both sides to account and which can help deliver projects on time and on budget.' There you have it from the former Labor member for Batman.

MOTIONS

Prime Minister

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:37): I seek leave to move the following motion:

That the House:

(1) notes:

(a) clause 23 of the Prime Minister's own Cabinet Handbook states "Members of the Cabinet must publicly support all Government decisions made in the Cabinet, even if they do not agree with them. Cabinet ministers cannot dissociate themselves from, or repudiate the decisions of their Cabinet colleagues unless they resign from the Cabinet. It is the Prime Minister's role as Chair of the Cabinet, where necessary, to enforce Cabinet solidarity";

(b) for the first time in the history of the Liberal-National Coalition, three National Party Ministers in the Cabinet failed to vote for the Cabinet's position, contrary to the Prime Minister's Cabinet Handbook and Cabinet solidarity; and

(c) the dysfunction and division in the Government means the Prime Minister and his Ministers are spending every minute fighting for their own jobs and not the jobs of Australians; and

(2) therefore, condemns the Prime Minister for being so weak and leading a Government that is so divided that the Prime Minister is powerless to act.

Leave not granted.

Mr SHORTEN: I move:

That so much of the standing orders be suspended as would prevent the Member for Maribyrnong from moving the following motion forthwith—That the House:

(1) notes:

(a) clause 23 of the Prime Minister's own Cabinet Handbook states "Members of the Cabinet must publicly support all Government decisions made in the Cabinet, even if they do not agree with them. Cabinet ministers cannot dissociate themselves from, or repudiate the decisions of their Cabinet colleagues unless they resign from the Cabinet. It is the Prime Minister's role as Chair of the Cabinet, where necessary, to enforce Cabinet solidarity";

(b) for the first time in the history of the Liberal-National Coalition, three National Party Ministers in the Cabinet failed to vote for the Cabinet's position, contrary to the Prime Minister's Cabinet Handbook and Cabinet solidarity; and
(c) the dysfunction and division in the Government means the Prime Minister and his Ministers are spending every minute fighting for their own jobs and not the jobs of Australians; and

(2) therefore, condemns the Prime Minister for being so weak and leading a Government that is so divided that the Prime Minister is powerless to act.

Division, chaos and destruction—business as usual and the Turnbull government—

Mr PYNE (Sturt—Leader of the House and Minister for Defence Industry) (14:40): 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 [14:44]

(The Speaker—Hon. Tony Smith)

Ayes ...................... 74
Noes ........................ 71
Majority .......................... 3

AYES

Abbott, AJ
Andrews, KJ
Banks, J
Broad, AJ
Buchholz, S
Christensen, GR (teller)
Coleman, DB
Crewther, CJ
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hartsuyker, L
Hawke, AG
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Laundy, C
Ley, SP
Marano, NB
McVeigh, JJ
Morton, B
O'Brien, T
O'Dwyer, KM
Pitt, KJ
Prentice, J
Pyne, CM
Robert, SR
Sukkar, MS
Tehan, DT
Turnbull, MB
Vasta, RX
Wicks, LE

Alexander, JG
Andrews, KL
Bishop, JI
Broadbent, RE
Chester, D
Ciobo, SM
Coulton, M
Drum, DK
Entsch, WG
Falinski, J
Flint, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Henderson, SM
Howarth, LR
Irons, SJ
Keenan, M
Landry, ML
Leeser, J
Littleproud, D
McCormack, MF
Morrison, SJ
O'Brien, LS
O'Dowd, KD
Pasin, A
Porter, CC
Price, ML
Ramsey, RE (teller)
Sudmalis, AE
Taylor, AJ
Tudge, AE
Van Manen, AJ
Wallace, AB
Wilson, RJ
Question agreed to.

The SPEAKER (14:47): Is the motion seconded?

Mr Burke: Seconded. He cannot manage the parliament, the cabinet or the country.

Mr PYNE (Sturt—Leader of the House and Minister for Defence Industry) (14:47): I move:

That the Member be no longer heard.
The Speaker: The question is that the Manager of Opposition Business be no further heard.

The House divided. [14:48]

(The Speaker—Hon. Tony Smith)

Ayes .................74
Noes ..................71
Majority ..............3

AYES
Abbott, AJ
Andrews, KJ
Banks, J
Broad, AJ
Buchholz, S
Christensen, GR (teller)
Coleman, DB
Crewther, CJ
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hartsuyker, L
Hawke, AG
Hogan, KJ
Hunt, GA
Joyce, BT
Laming, A
Laundy, C
Ley, SP
Marino, NB
McVeigh, JJ
Morton, B
O’Brien, T
O’Dwyer, KM
Pitt, KJ
Prentice, J
Pyne, CM
Robert, SR
Sukkar, MS
Tehan, DT
Turnbull, MB
Vasta, RX
Wicks, LE
Wilson, TR
Wyatt, KG

NOES
Albanese, AN
Bandt, AP
Bowen, CE
Burke, AS

Executive

CHAMBER
Question agreed to.

The SPEAKER (14:49): The question now is that the motion be agreed to.

Mr PYNE (Sturt—Leader of the House and Minister for Defence Industry) (14:49): I move:

That the question be now put.

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

The House divided. [14:50]

(The Speaker—Hon. Tony Smith)

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<tr>
<th>Ayes</th>
<th>Noes</th>
<th>Majority</th>
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<td>74</td>
<td>71</td>
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AYES

Abbott, AJ
Andrews, KJ
Banks, J

CHAMBER
AYES

Broad, AJ
Buchholz, S
Christensen, GR (teller)
Coleman, DB
Crowther, CJ
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
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Marino, NB
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Prentice, J
Pyne, CM
Robert, SR
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Turnbull, MB
Vasta, RX
Wicks, LE
Wilson, TR
Wyatt, KG

NOES

Albanese, AN
Bandt, AP
Bowen, CE
Burke, AS
Butler, MC
Byrne, AM
Champion, ND
Claydon, SC
Conroy, PM
Dick, MD
Elliot, MJ
Feeney, D
Freelander, MR
Giles, AJ
Hammond, TJ
Hayes, CP

Alderman, AN
Aly, A
Bandt, AP
Bowen, CE
Burke, AS
Butler, MC
Byrne, AM
Champion, ND
Claydon, SC
Conroy, PM
Dick, MD
Elliot, MJ
Feeney, D
Freelander, MR
Giles, AJ
Hammond, TJ
Hayes, CP

CAMPBELL

Broadbent, RE
Chester, D
Christensen, GR
Coulton, M
Coulthor, CJ
Drum, DK
Falinski, J
Fieth, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Hawke, SM
Howarth, LR
Irons, SJ
Keenan, M
Landry, ML
Lee, J
Littleproud, D
McCormack, MF
Morrison, SJ
O’Brien, LS
O’Dowd, KD
Pasin, A
Porter, CC
Price, ML
Ramsey, RE
Sudmalis, AE
Taylor, AJ
Tudge, AE
Van Manen, AJ
Wallace, AB
Wilson, RJ
Wood, JP
Zimmerman, T
Question agreed to.

The SPEAKER: The question now is that the motion moved by the Leader of the Opposition be agreed to.

The House divided. [14:52]

(The Speaker—Hon. Tony Smith)

Ayes .................68
Noes .................74
Majority ...............6

AYES

Albanese, AN
Bandt, AP
Bowen, CE
Burke, AS
Butler, MC
Byrne, AM
Champion, ND
Claydon, SC
Conroy, PM
Dick, MD
Elliot, MJ
Feehey, D
Freelander, MR
Giles, AJ
Hammond, TJ
Hayes, CP
Husar, E
Jones, SP
Kelly, MJ

NOES

Husar, E
Jones, SP
Kelly, MJ
Khalil, P
King, MMH
Leigh, AK
Marles, RD
McGowan, C
Mitchell, RG
O’Neill, CE
Owens, JA
Plibersek, TJ
Rowland, MA
Sharkie, RCC
Snowdon, WE
Swan, WM
Templeman, SR
Vamvakinou, M
Wilkie, AD
Zappia, A

Husic, EN
Keay, JT
Keogh, MJ
King, CF
Lamb, S
Macklin, JL
McBride, EM
Mitchell, BK
Neumann, SK
O’Toole, C
Perrett, GD (teller)
Rishworth, AL
Ryan, JC (teller)
Shorten, WR
Stanley, AM
Swanson, MJ
Thistlethwaite, MJ
Watts, TG
Wilson, JH
AYES

Khalil, P
King, MMH
Leigh, AK
Marles, RD
Mitchell, BK
Neumann, SK
O'Toole, C
Perrett, GD (teller)
Rishworth, AL
Ryan, JC (teller)
Snowdon, WE
Swan, WM
Templeman, SR
Vamvakinou, M
Wilson, JH

NOES

Abbott, AJ
Andrews, KJ
Banks, J
Broad, AJ
Buchholz, S
Christensen, GR (teller)
Coleman, DB
Crewther, CJ
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
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Prentice, J
Pyne, CM
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Turnbull, MB
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Wicks, LE

King, CF
Lamb, S
Macklin, JL
McBride, EM
Mitchell, RG
O'Neil, CE
Owens, JA
Plibersek, TJ
Rowland, MA
Shorten, WR
Stanley, AM
Swanson, MJ
Thistlethwaite, MJ
Watts, TG
Zappia, A

Alexander, JG
Andrews, KL
Bishop, JI
Broadbent, RE
Chester, D
Coulton, M
Drum, DK
Entsch, WG
Falinski, J
Flint, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Henderson, SM
Howarth, LR
Irons, SJ
Keenan, M
Landry, ML
Leesser, J
Littleproud, D
McCormack, MF
Morrison, SJ
O'Brien, LS
O'Dowd, KD
Pasin, A
Porter, CC
Price, ML
Ramsey, RE (teller)
Sadmalis, AE
Taylor, AJ
Tudge, AE
Van Manen, AJ
Wallace, AB
Wilson, RJ
Question negatived.

**QUESTIONS WITHOUT NOTICE**

**Agriculture Industry**

Ms LANDRY (Capricornia—Deputy Nationals Whip) (14:59): My question is to the Deputy Prime Minister and Minister for Agriculture and Water Resources. Will the minister update the House on how the agriculture sector is contributing to jobs for hardworking Australians and growth in the Australian economy? Is the minister aware of any alternative approaches?

Mr JOYCE (New England—Deputy Prime Minister and Minister for Agriculture and Water Resources) (14:59): I thank the honourable member for her question and note the work that she has done towards making sure that we build Rookwood Weir—the $130 million that the federal government has put towards it, to be matched by the state government whenever we hear from the Labor Party state government. We look forward to actually getting that built because that, of course, is jobs. There are an extra 2,000 jobs that would be attributable to that infrastructure—an extra billion dollars a year for the people of Central Queensland.

I also note the work that the honourable member has done for Beef Australia, where we secured an extra $3 million to go to the 2018 beef week in Rocky. She also talked about the work that agriculture has done. Agriculture is more than carrying its weight. In fact, in our nation, agricultural exports are now our second biggest export after iron ore. It comes on the back of the work that was done on the free trade agreements with China, Korea and Japan. I note that in our relationship with the United States it is one area where we have a trade surplus. We send them about $5 billion worth of exports and we import about $2 billion worth of imports. We actually have a trade surplus in agriculture with the United States. The work that we are doing in improving beef roads is also very important: the $100 million to beef roads and the $594 million that we put into inland rail so that we can create a corridor of commerce from Melbourne up to Brisbane through the inland. We put $100 million on the table for the Outback Way because we believe in the vision of sealing the third road across our nation through the Alice: from Winton through to Laverton.

But there are alternative policies, and the alternative policies are no better seen than in the previous Labor government, which more than halved the budget in agriculture. That is what the Labor Party think of agriculture. By the time we came in we had to refurbish all the requirements, whether for biosecurity or for research and development, because the Labor Party have no vision in agriculture. That continues to be the case, because the biggest threat to agriculture is the fact that they have weakness in the agriculture portfolio—a person who cannot even stand up for the dams portfolio and who has rolled over and offered up $235.2 million from the dams portfolio. It is a shame that they do not actually take it seriously. It is a shame that that they had the same weakness when they closed down the live cattle trade and created massive problems through the north of Australia. It is the same type of weakness they showed when they bought all the water back from Collarenebri and put 58 people out of work.
in a town of 700. That is the sort of decimation you get with the Labor Party: a party who do not believe in jobs in regional areas, a party who do not take agriculture seriously and a party who would put at risk our agricultural future in this nation.

**Skilled Migration Program**

**Mr HART** (Bass) (15:02): My question is to the Prime Minister. Australian seafarers aboard the CSL *Brisbane*, including Andrew Halliday from my electorate, were made redundant by their foreign owned employer, Canada Steamship Lines, but there are 457 visa holders working for the same company on a similar vessel off Western Australia. Isn't it the case that the Prime Minister is so focused on his own job that he has forgotten about the jobs of Australian seafarers, like Andrew, who is in the public gallery today?

**Mr TURNBULL** (Wentworth—Prime Minister) (15:03): I thank the honourable member for his question. I remind the honourable member for Bass that his party is led by a man who is the absolute Olympic champion in issuing 457 visas. Nobody issued more 457 visas than the Leader of the Opposition did when he was the minister. He was the champion. The level of 457 visas issued today is more than a third lower than it was during the honourable member opposite's time as minister. I will ask the immigration minister to supplement this answer, but can I say to the honourable member: we are absolutely committed to ensuring that there are great jobs, more jobs and better paid jobs for Australians. The regime governing 457 visas has been constrained under our government—has been modified to better protect Australian jobs. It was running amok under the time of the Leader of the Opposition.

**The SPEAKER:** I caution all those members who have been warned. It is nearing the end of question time.

**Mr DUTTON** (Dickson—Minister for Immigration and Border Protection) (15:04): As the Prime Minister rightly points out, when the Leader of the Opposition was the employment minister in the Gillard government, under the 457 program, the numbers grew from 68,000 to more than 110,000. Right on cue, the member for Isaacs comes in and says 'oh well, this is all about the mining boom'. The reality is that, of the 40,000 additional 457s, there were only 3,000 who went to the mining sector. Under this government, the number of 457 visa holders has actually fallen.

The objective of the program is to find work for Australians first, and if a job cannot be filled by an Australian then employers can advertise for a 457 worker. We have promised, and have already delivered in part on this, to tighten up the 457 program. Members might be interested to know the list that was the consolidated sponsorship occupation list presided over by Labor included a number of particular classifications. One was boarding kennel or cattery operator. The other one was goat farmer. There were sculptor and others. We have said we are going to condense this list because we thought that the Leader of the Opposition was too liberal to allow goat farmers and goat herders into this country on 457 visas.

This Leader of the Opposition cannot be trusted. The Australian public have worked out that the Leader of the Opposition is a dishonourable person who seeks to be Prime Minister of this country, and people know that he speaks out of both sides of this mouth on every issue including on this issue of 457 visas.
Economy

Ms BANKS (Chisholm) (15:06): My question is to the Treasurer. Will the Treasurer outline how the government is delivering on our plan to repair the budget and arrest national debt in the interest of hardworking Australians. Will the Treasurer inform the House how any other approach would jeopardise jobs and stifle growth.

Mr MORRISON (Cook—Treasurer) (15:07): I thank the member for Chisholm for her question because she knows that she is pleased to be part of a coalition government that has been getting on with the job of consolidating the budget and, in particular, getting expenditure under control. This government has so far taken through this parliament budget improvement measures which account for $14 billion. That is what we have already been able to achieve as a government just since the last election.

Under the budgets of those opposite, spending grew in real terms at 4.2 per cent a year. That is what those opposite did with spending—grew it by 4.2 per cent a year. Under the budgets of this government, that has been cut to 1½ per cent. That is a dramatic reduction in the growth of spending, which is arresting the debt. We have a plan to continue to consolidate the budget, and the budget is projected to return to balance in 2021. When the budget returns to balance depends on whether the Labor Party is prepared to face up to their economic responsibilities and pass the savings and budget improvement measures which will return the budget to surplus. But those opposite have not engaged in that process to the full extent possible and they know themselves that that will continue to put the budget position at risk and the ratings at risk. Those opposite know that the ratings agencies have warned that unless the parliament is there to support the budget consolidation and the budget savings and improvement measures of the government then that rating gets put at risk.

Those opposite know that but they have an alternative and that alternative is not to reduce the deficit more, not to pass more budget savings measures but to actually increase the deficit by $16.8 billion. They think the answer to saving the rating is to increase the deficit by $16.8 billion, and that is after they abolish things like the corporate tax cuts for small- and medium-sized businesses in this term. They want to oppose those cuts that actually help small- and medium-sized businesses give workers more hours. We know that our plans are designed to drive investment, drive jobs and drive growth and we are in a competitive market.

We know that the Trump administration will be bringing down tax cuts for companies. We know that the May administration is prepared to go even further when it comes to reducing the tax burden on businesses so they can support jobs, support investment and support growth. And this government wants to do the same. But those opposite stand in the way despite supporting those sorts of measures for decades. This government has a plan to drive jobs and drive growth. This opposition only has a job to drive the budget into the ground.

Mr Turnbull: At the risk of breaking the heart of the member for Isaacs, I ask that further questions be placed on the Notice Paper.

DOCUMENTS

Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Defence Industry) (15:10): 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.
MATTERS OF PUBLIC IMPORTANCE

Broadband

The SPEAKER (15:10): I have received a letter from the honourable member for Greenway proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The Government's latest failures on the National Broadband Network.

I call upon those honourable 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 ROWLAND (Greenway) (15:11): It is no surprise that we see on the front pages today that in the minds of Australians they have completely lost confidence in the economic credentials of this Prime Minister and of this government— their ability to maintain our AAA credit rating, their ability to manage this economy. And it is instructive when it comes to the National Broadband Network. The constant, self-proclaiming as superior economic managers—so they said when it came to Australia's largest infrastructure project. Any semblance they may have had of any credibility has evaporated over the past week.

We had the Prime Minister telling this chamber just last month that the NBN was one of the biggest corporate turnarounds in Australian history. It turns out, Mr Speaker, that the only thing that is turned around is this government in doing a massive backflip on its commitment to limit its equity stake in the NBN to $29½ billion. What did they do on Friday? On Friday we bid a solemn farewell to what we on this side thought would be an ironclad promise—possibly the last promise standing from the government—on the NBN. The promise was that their equity contribution, due to run out on 31 December this year, would be absolutely capped and that there would be no more public funding going into this vehicle. And we believed this because they said it boldly, confidently and often. They even said it as recently as a few weeks ago. They have declared for the past three years that it would always be capped at $29½ billion. Surprise, surprise, Mr Speaker! Last Friday the government quietly announced a $19.5 billion loan to the NBN—$19.5 billion in taxpayers money to help complete the rollout of its second-rate, rubbish National Broadband Network.

We on this side honestly thought they would keep to this one promise because we heard it time and again. We had then Prime Minister Abbott in April 2013 announcing the coalition's policy on the NBN. 'What we are going to do is invest the money up to $29.5.' We had the then minister for communications, along with the minister here at the table, Mr Fletcher, on 13 May 2014 again commit:

The Government's investment is capped at $29.5 billion, with the balance of the project to be funded by the private sector.

We had Senator Cormann in Senate estimates in May last year, when asked if the government was leaving open the possibility of more government equity for the NBN, answer:

No. The equity cap that is in place is $29.5 billion, and our planning is for nbn to source the remaining funding requirements by raising debt from external markets … We believe and are confident that that will be able to be achieved.

We had the current minister for communications on 13 May this year say:
Well, the Commonwealth has indicated that our cap on equity contributions will be $29.5 billion. NBN will have to borrow money beyond that, but 29.5 billion is the Commonwealth cap.

We had the same in the NBN Corporate plan 2017.

It is expected that nbn will continue to be funded with Commonwealth equity up to $29.5 billion.

We had the strategic review in 2013:

Equity funding is capped at $29.5 billion.

Well, have a look at what we have got here. It was absolutely consistent until last Friday, when this government decided some $20 billion of taxpayers' money would go back into the NBN. And now this government is trying to find excuses for its latest broken promise. They put out a media statement saying that NBN's 2017 corporate plan 'assumes it will source private debt funding for the remaining $19.5 billion needed to complete the rollout'. And here is the big excuse:

A government loan on commercial terms represents the most cost effective way to raise the debt and secure funding to complete the rollout of this important national infrastructure project.

Well, it is no news—of course the government rate is always lower.

But it goes to the utter incompetence and inability of this government to manage this project. It was the last remaining promise that they had on the NBN that was still standing. We did not even think they were going to break it; they surprised even us. It was so unequivocal that these promises are still on the Prime Minister's website today. Go to the Prime Minister's website today. He has his coalition broadband policy FAQs. He says:

Public funding of $29.5 billion will be required for a coalition NBN.

Full stop. No equivocation whatsoever. It goes on:

Labor currently claims funding of $44.1 billion will be required to complete its NBN.

Well, even if that were the case, the people of Australia would be getting a real NBN for less money than what this government is doing. It goes on—this is really good, these are the words of the Prime Minister:

There is no free lunch. If capital is tied up in the NBN then it has to be paid for either by taxpayers or consumers or both. Less funding is needed under the Commonwealth plan.

But not less money; this government has just tipped $20 billion of taxpayer funding into it. But here is the special bit that I love that is still on the Prime Minister's website:

Our goal is to ensure that all Australians have very fast broadband by 2016 and that everybody can access at least 25 megabits per second.

Well, with 39 days to go, there are still seven million premises that are not connected. I have done the maths. We only need 180,000 premises a day to be connected! Why is this minister sitting here? He should be out there with the pliers in the node. Everyone needs to chip in.

I note that even the SBS commented in an article yesterday entitled 'NBN a growing worry for federal budget':

Concerns are mounting that Australia's broadband network will leave an anchor on the country's budget. The new $20 billion loan is an unanticipated commitment from the government. Malcolm Turnbull had previously indicated that the organisation would be able to operate without assistance from the government with only the initial funding.

Well, we now know that to be completely and ultimately wrong.
On that point, where is the minister in all of this? Unfortunately, the minister woke up yesterday to an editorial in *The Australian*—of all places—stating:

The end-of-year awards season is almost here but there’s already an odds-on favourite for the title of the most ineffective politician in the land.

Take a bow Mitch Fifield, the Homer Simpson of the Turnbull government.

Well, I will not have Homer Simpson spoken about in those terms! Frankly, when you have a minister like this it is no surprise—and I know that my colleagues contributing to the debate will back this up with the real world experiences of our constituents—as we have seen in the Telecommunications Industry Ombudsman’s most recent figures that came out last week.

And look at the top 10 postcodes for NBN complaints; we hear about it time and time again in this chamber. We had the minister sitting at the table take a question from the member for Robertson on 12 September about the rollout of the NBN on the Central Coast. He said: 'The Turnbull government is delivering when it comes to the NBN.' What they are delivering on the Central Coast is amongst the top four postcodes for complaints. Toukley, Wyong, Central Coast, Gosford—all of these areas are recording the highest numbers of complaints. And where, overall, are the highest numbers of complaints? In rural and regional areas. They are being utterly let down by this government. We have the front page from the *News Mail* in Bundaberg: 'Bundy tops the nation for NBN complaints'. Bundaberg tops the nation! What is the coincidence that is going on here? Amazingly, these are predominantly areas where fibre-to-the-node copper based technology has been rolled out.

If you wanted any example, any evidence, of why this government is so hopeless at delivering for the consumers of Australia, here it is in the TIO’s own figures. Complaints have gone up by something like 150 per cent in some cases for faults and for consumers failing to get the product that they paid for. So we can see quite clearly how much this government has let down the people of Australia and how hopeless it has been in terms of the economic management of the project. On top of all that, we have recently seen Australia ranked 23rd out of 26 countries when it comes to broadband satisfaction. This government has utterly failed the people of Australia on every single count with the NBN. Sooner, faster, more affordable? It has been fail, fail, fail from this government every step of the way.

**Mr FLETCHER** (Bradfield—Minister for Urban Infrastructure) (15:21): Well, here we go again—yet again we have the shadow minister maintaining the tradition of being a Labor shadow minister for communications and continuing to assert, in the face of the gathering evidence, that the rollout is going badly. When the light of broadband availability is spreading across the land, it falls to the Labor shadow minister to look for gloom.

Let's remind ourselves of Labor's history of trying to claim in the parliament something that was quite at odds with the reality. Their preferred tool for doing that is a matter of public importance debate. On 17 September 2015, the member for Blaxland, who was then the shadow minister, brought forward the topic: 'The Prime Minister's mismanagement of the National Broadband Network'. At that point, 1,291,635 Australians were able to connect. He was at it again on 21 October 2015, with 'the Prime Minister's second-rate NBN'. By that time, the number of Australians who were able to connect had risen to 1,374,408.

By 10 February this year he tried again, with 'the Prime Minister is failing Australians with his second-rate NBN'. Of course, the numbers continued to show an inexorable rise in the number of people who could be connected. At that point it was 1,719,122. On 3 May—
remarkably, on budget day—Labor chose to raise the NBN as their brilliant wheeze as a topic for the matter of public importance debate. Then it was 'the government's failure to deliver on the NBN for Australians' when, by that time, the numbers had risen to 2,428,606. So we see that, as Labor continues to insistently deny reality, what is happening is that the numbers of people who can connect are rising steadily, strongly and inexorably due to the fact that we have a competent government that is competently delivering the rollout of this complex infrastructure project.

The member of Blaxland was delighted, I am sure, to finally be relieved of this smelly dead cat of a portfolio and to hand it to the member for Greenway. And she has been continuing to try to assert in some Stalinist fashion the alternative reality, which is at odds with the truth and at odds with what is actually happening. By 11 October the number of premises that could connect had risen to 3,207,727. So that inexorable, relentless, continuing rise in the number of people who can get the National Broadband Network has been continuing even while the member opposite, the shadow minister, has been trying desperately to assert that reality is at odds with what the numbers, what the reality, what the empirical observations, tell us. And today she is at it again, untroubled by the empirical evidence. She does not mind. She is not interested in what the numbers say; she is going to turn a blind eye to that and she is going to put forward the proposition of 'the government's latest failures on the NBN', while the number of premises that can connect now stands at 3,426,350.

We can only conclude that there is some kind of Labor shadow communication minister version of the prayer which is the opposite of the prayer of St Francis of Assisi: Where there is light, let me look for darkness; where there is progress, let me assert problems; where there is a network being rolled out with the numbers steadily and relentlessly increasing, let me in an increasingly desperate and, frankly, somewhat unhinged way, assert the existence of an alternative reality; let me clutch at the day-to-day vagaries of a massive project and claim that they show—to quote from her media release—'the government is in absolute disarray'. The position is absolutely the opposite of that.

We are seeing a steady, relentless, continuing increase in the number of people who can connect. Those numbers are reported on the company's website every week. The company has repeatedly said that it is on track, and its performance is backing up what it is saying: that, by the end of June 2017, half of all premises, 5.4 million, will be able to access the NBN, and it will be three-quarters of all premises in Australia by the end of June 2018. That builds on a steady increase in the number of premises—by the end of 2014, 604,000; by the middle of 2015, 1,166,000; by the middle of 2016, 2,893,000—and now, as I have recently informed the House, 3,426,350 premises are now able to access the National Broadband Network.

The claims of the Labor Party would be absurd even if they started with a blank slate, but we know they do not. The Labor Party, when it comes to the National Broadband Network, starts with a record of delivery that is one of the great displays of policy and execution incompetence in the history of the Commonwealth. The rank ineptitude of the other side of this House when it comes to the question of the National Broadband Network will still be studied in case studies in schools of business and government in 2030 or 50 years' time.

Let us not forget that what Labor proposed in the 2007 election was that there was going to be a national broadband network; it was going to be a 12 megabit per second network; it was going to deliver fibre to the node to 98 per cent of premises; and it was going to cost $4.7
billion and the private sector was going to pay for half of it. None of that got delivered. In a display of rank ineptitude, they managed to completely fail to hold a competitive selection process and, in 2009, they were forced to admit that they could not do it.

So then we had a new plan: the $43 billion fibre-to-the-premises model which was announced in a lather of excitement, and of course we were told that the private sector was still going to invest—'Don't worry; the private sector is still going to invest in the National Broadband Network.' And guess what? That did not happen. The implementation study, which was dropped out in the dead of night in May 2010, disclosed that the private sector advisers to the then Labor government, KPMG and McKinsey, said: 'The private sector is not going to touch this with barge pole.' And guess what? It turned out to be 100 per cent government funded.

And now it turns out that these geniuses in corporate finance presume to come in and lecture to this government about the financing structure of the National Broadband Network. What an extraordinary proposition after their rank display of incompetence and ineptitude over the six years in which they were in government. Let us not forget that then Prime Minister Rudd urged Australian mums and dads to invest through Australian infrastructure bonds. That did not happen either—and we should be very relieved that it did not, because that would have been a spectacularly poor piece of financial advice.

So this Labor opposition's track record when it comes to corporate finance, when it comes to the finance structure underpinning the National Broadband Network, is a track record that any rational person would be acutely embarrassed by, and you certainly would not be returning to the topic in some Pavlovian fashion week after week, month after month, as if you wanted to remind the Australian people of the gross display of incompetence and lack of credibility on this topic that manifests when it comes to the Labor Party and the National Broadband Network.

And now the shadow minister is in a lather of indignation, because we have said that, in addition to the cap of $29.5 billion on equity funding from the taxpayer into the National Broadband Network, there will be debt finance. We have consistently said that there will be debt finance. The company said just last week that it was very encouraged by the indicative credit ratings it had received from the credit agencies. We are confident, as the Minister for Finance said, that we could have raised private sector debt, but what we have chosen to do at this stage is raise the debt from the government. Why? Because it is cheaper. It is a very simple reason: it saves money for taxpayers. This is a financing strategy which saves money for taxpayers. This debt will be subsumed by the private sector within a few years. This is a rational, cost-effective strategy to maximise the best outcome when it comes to the National Broadband Network.

The proposition that the Labor Party, who delivered such a spectacularly inept display and skulked out of government with barely 50,000 people connected to the National Broadband Network, should presume to lecture this government—the proposition that they should be sufficiently irrational as even to raise this topic—is frankly quite extraordinary. You have a clear contrast: on this side of the House you have a government who are systematically and steadily rolling out the National Broadband Network, this complex project which we inherited in absolute disarray; on the other side of the House you have a party who have a hopeless track record of delivery. When it comes to NBN, they have a lot to be ashamed of.
Ms TEMPLEMAN (Macquarie) (15:31): Let me say from the start that I am a huge fan of high-speed broadband. Until some months ago I would probably have said I am a huge fan of the NBN. It has the capacity to be a transforming technology for the economy in my seat of Macquarie. Certainly where we have fibre to the premises we are seeing some great stories, but in the last few months the experiences of the rollout of NBN in my electorate make me despair for what might have been.

I am thrilled that the government has failed to achieve its target of delivering NBN by the end of 2016 because it gives me some hope that the massive areas in my electorate that are not getting this second-rate fibre-to-the-node system might, sometime in the future, be entitled to a decent rollout. I hope that the other side sees our sense that fibre to the premises is the way to go. However, we are getting fibre to the node up in the Blue Mountains. Last week, around 200 people joined me for a forum in Wentworth Falls. I made it clear to that audience that I did not think fibre to the node was really going to achieve the things we wanted; however, I did say we needed to try to make the best of a bad bunch. That is what we tried to do. To be fair, not everybody at the forum had had a bad experience with connecting or running NBN, but they were the minority. People do not come out on a Thursday night to talk about an issue like NBN unless they are really driven. I have to tell you, a lot of people in that room were driven. We were overflowing. We had to put extra seats out. I have never seen people as angry about an issue.

I want to acknowledge that in that room I managed to get not just angry people but NBN representatives. I also had Telstra representatives in the room. My office finds that one of the biggest issues is that NBN blames a service provider, usually Telstra, and Telstra blames NBN. I think having them both in the room was a good start. In my view, however, the test of an organisation, and of a government, is not how you deal with an issue when it is going well but how you deal with an issue when it is not going well. I have to say, I am unimpressed with NBN Co's response to many of my constituents. I did not really know why they would respond that way until I heard the member for Bradfield, who seems to have no interest in the challenges that people are having, the hours they are spending on the phone trying to get solutions. Now I can see that this is a top-down approach.

Let me talk a little bit about the frustration that my community is feeling. In one street there are houses where one person has been connected and their neighbour has not. No-one can really work out what the problem is. North Katoomba seems simply to have been plonked in the too-hard basket. People have had weeks without a phone or connection in the switchover period. And, again, no-one can really explain why. Slow speeds are an ongoing issue. Bob Paton from Leura suffered this and, again, no-one really seems to be able to identify if it is the NBN or the RSP.

Can I tell you about dropouts? Michelle McKenzie, who works for a financial services firm, told me that getting connected took three days. They lost hours and hours; their business pretty much had to grind to a halt. By day 3 of the saga, she was getting frustrated—and here is a bit of insight into how well our community is being serviced. In one conversation, the NBN guy—and I am quoting Michelle—'suggested I walk to the nearest Optus shop and grab a dongle so that I could have internet connection.' Here is her response: 'Walk to the nearest Optus shop and grab a dongle? We are in Katoomba and the nearest Optus shop is 50 kilometres away in Penrith.' She does confess that was the moment she lost her temper. And I
think that is what this government does not appreciate, that it is pushing people who are having a bad customer experience, a bad technical experience, and no sense that anyone actually cares about their problems. This is just one of the examples that we are seeing.

We also have issues around the wireless rollout and Sky Muster. One of the things I think this government has done is redefine community consultation. I think they believe it means you make a decision and then you tell the community. That is the way our community is being treated—there is no respect. It is not good enough and, like everything this government touches, they know how to take a visionary idea and they know how to destroy it.

**Dr Gillespie** (Lyne—Assistant Minister for Rural Health) (15:36): Speaking about the NBN is such a pleasure because we have just heard a diatribe about people who have had problems. When you have a system that has been beset with poor planning and on-the-back-of-a-coaster concepts from the previous government, I find it grossly hypocritical that they are now complaining about a system that they delivered to the nation. People in glass houses should not throw stones. The hypocrisy is breathtaking.

Just look at the record of what was achieved in the six years of the previous Rudd-Gillard-Rudd government. It started off, as I said, on the back of a coaster on a plane, and it was going to be $4.4 billion. Six years and more than $6 billion later, less than one per cent of their projected rollout happened, and contractors and, in fact, whole states where the rollout was meant to be happening going broke. There were rip-offs of contractors and subcontractors. There was a whole board with very few people with communication skills, and a lot of political appointments rather than technocrats. There were pop-up contractors with whole states that had absolutely nothing to show for six years of work. They had to change their own model to fibre to the premise. We changed that model because things changed—$4,400 per connection for fibre to the premise, whereas fibre to the node is $2,800.

A lot of the big contractors in the US and Europe are now using—surprise, surprise!—fibre to the node with VDSL2 and vectoring, delivering speeds of the magical 100 megabytes per second, which in your previous model, you were going to spend almost twice as much delivering. It was going to be $30 billion more and take six to eight years longer.

The member for Greenway criticised the change in financing, but it is actually not a change. There is $29½ billion of government equity in it which was always the plan, and there is another $20 billion from debt financing. And, as the member for Bradfield just pointed out, equity is different from debt financing. Debt means the NBN will be paying interest and repaying the capital over time. If any business can get cheaper capital—cheaper borrowing costs—obviously it is a good idea, and the government can get capital at a lot cheaper rate than going out to the markets. You only have to look at what has been delivered now, in the four years of the coalition running out the NBN—which we inherited from the other side. We have increased exponentially the number of people that can now be attached to the NBN. In fact, 3.4 million premises can now be connected. At the end of the Labor government in 2013, there were of 51,000 people across the country versus 3.4 million now. You only have to look in my electorate of Lyne. In September 2013, there were just over 1,000 people with an active connection. Now, it is available to 35,216 premises. Wireless rollout across the Lyne electorate is now available to 12,695—it was less a thousand back in 2013—and there are 29,000 more under construction just in my electorate alone. The old, interim satellite, that underpowered and overloaded system that was so frustrating, was
available to 500 people—and they were all pulling out their hair. Now, Sky Muster has 7,000 people in the Lyne electorate who are eligible—50,000 paying customers in 2013 versus 1½ million now. You only have to look at the record. In rural and regional Australia, for instance, there has been a massive spend on internet capability—$2.6 billion in rural and regional Australia on the fixed wireless network, $2 billion on the satellite network. That means hundreds of people in remote Australia are now hooking up with 50 gigabytes available for education purposes, speeds of 25 megabytes per second for download and five megabytes up—(Time expired)

Mr KHALIL (Wills) (15:41): I thank the member for Greenway for raising this matter of public importance, because the electorate of Wills is almost a microcosm of Australia and the staggering failures of this government in rolling out the NBN are so pronounced in Wills and have affected so many people. The member for Lyne said that the NBN started out on the back of a coaster on a plane. Well, this government's online policy framework would not take up a drink coaster. Labor comes up with the ideas and this government destroys them. When I say my electorate of Wills is a microcosm of Australia, in the southern part of Wills residents enjoy the economic, social, educational and entertainment benefits of world-class, fibre-to-the-premises connectivity that was rolled out under the previous Labor government. In fact, I am lucky to be one of those residents. I live in the suburb of Brunswick, which had fibre to the home, rolled out before the coalition took government. Just north of my street, however, residents are cursed with Malcolm's mess, the Prime Minister's mess—a shoddy, third-rate internet in an age when businesses and residents are increasingly reliant on internet connectivity—

The DEPUTY SPEAKER (Mr Coulton): Order! I remind the member for Wills to refer to members by their correct title. This will be the last warning I give on that.

Mr KHALIL: The Prime Minister's mess, and let us be very clear about this: a broadband connection in 2016 is not merely a luxury item; it is an essential utility. I rose in this place on 12 October to speak about how shocked and disappointed I was to discover that the scheduled rollout of the NBN to the suburbs of Pascoe Vale, Glenroy, Fawkner, Gowanbrae, Hadfield and Coburg was sneakily cancelled by this government. That is right, it just quietly disappeared from the NBN website, but many residents noticed. Even though they might be on ADSL, they actually go and look at that website because they are anticipating a rollout into their suburbs. I regularly hear complaints from constituents in those northern suburbs of Melbourne about the quality of their internet connection being so poor. That same week that my constituents were reeling from the disappointment of their long-awaited upgrade being pulled from under them, the Prime Minister proclaimed on 11 October that the coalition's NBN was 'one of the great corporate turnarounds in Australia's history'. I am astounded by that comment, especially in light of what was occurring in my electorate that very same week. But the Prime Minister was right: it did turn around from a world-class, fibre-to-the-premises NBN delivered by a Labor government to the Prime Minister's mess.

The debacle in Wills is not unique. There is a litany of government failures on the NBN since they have taken control. The coalition promised Australia that their version of the NBN would cost $29.5 billion. Apart from the technological inferiority of the fibre-to-the-kerb or the fibre-to-the-node solution that they have presented to Australians, it is now apparent that
the cost of their already technologically crippled NBN has blown out to at least $54 billion from $29.5 billion.

The Telecommunications Industry Ombudsman has also reported that complaints about faults on NBN services have jumped by 147 per cent under the coalition's stewardship of the NBN. Complaints about slow internet speeds have soared by 48 per cent. For a service which is supposed to improve internet service for Australians, this is a catastrophic failure by the government.

And I am sure we all remember Mr Turnbull's promise to provide every Australian household with access to the NBN by the end of 2016. Well, he has 39 days left. The Prime Minister has 39 days left to meet this promise—39 days, and almost eight million Australian households are still waiting for any upgrade to their homes and the fibre to their homes. Many of those households and businesses are in my electorate of Wills, and I know from many of the speakers we have heard today that this is replicated right across Australia.

So many people are frustrated, angry and upset that they are being dudged. So I ask: what does the Prime Minister have to say to all these people? What does he have to say to all the people of Wills and all the people across Australia? What has the Prime Minister to say about dudging them with his fizzer of a policy?

Mr RICK WILSON (O'Connor) (15:46): It is a real pleasure today to be able to talk on this matter of public importance. I had the pleasure last week of addressing an MPI from the shadow minister for agriculture, and we have an MPI today from the shadow minister for communications. Surely they were two most complete policy failures when they were in government.

I want to bring a regional perspective to this issue today. We have heard about people in the suburbs who apparently have ADSL2 and have a reasonable internet connection, but of course people living in regional areas do not have that. I live that experience. I rely on mobile data for my internet connection at my house. It is intermittent. It is very poor. I am very excited about the satellite service, which I will come to in a moment.

But let us talk about Labor's record. They have been very critical of the government here today, but let us have a look at what Labor delivered, starting back when then Prime Minister Rudd and then Minister Conroy concocted the NBN on the back of a beer coaster, I believe, on an aeroplane on the way to Darwin. Remember? It was going to cost $4 billion—$4.4 billion was the original estimate. We have obviously come a long way from there. There have been a lot of developments in this space.

When I became a member of parliament in September 2013, the number of people that had access to the NBN was just slightly over 50,000. That was what the Labor government had achieved in this space in that time. In my electorate of O'Connor—I might be wrong; I may well be wrong, and I will come and correct the record if I am—there was not one person connected to the NBN, although I will make the point that the Interim Satellite Service was available to some people in my electorate.

And what a disaster that was. One of my first experiences as a member of parliament was being deluged with complaints about the poor service that people were receiving on the Interim Satellite Service. It was slower than dial-up, expensive and unreliable, and why was that? It was because the previous government had purchased a certain amount of capacity on
the interim satellite. That capacity was swamped in no time flat—you are nodding your head, Deputy Speaker Coulton; you understand this very well—and the speed of that service slowed down to less than dial-up. People like me, who would have liked to have had access to a satellite service, could not join that satellite service. It was oversubscribed, so we did not have access to that service.

Of course, what had happened in the meantime is that, once the previous government had announced the NBN plan, not one cent of private capital had been invested in that space. There was not one private operator that was out there offering an alternative service.

Let us have a look at the government's record. We have heard some criticism of the government today, but let us have a look at what we have achieved since September 2013, mainly via the then Minister for Communications, Malcolm Turnbull, now the Prime Minister. He has a fantastic record in business and understands communications and business probably better than anybody else in this place. In the three years since we took government, we have passed 3.5 million homes. Three point five million homes are now in a position to connect to the NBN. By 30 June 2017, in just over six months' time, there will be 5.4 million homes that will be able to connect to the NBN.

We have heard a lot of criticism about the speed—that not everyone is getting 100 megabits per second. Well, let us have a look at what people who are joining the service at the moment are actually choosing to get. Only one in five people are opting for a speed greater than 25 megabits per second—only one in five. The opposition are proposing the fibre-to-the-premises model, at an additional cost of $2,200 per connection, so that everybody gets 100 megabits per second. But not everyone wants 100 megabits per second; that is borne out by the commercial reality that people are quite happy with up to 25 megabits per second. But, for 11 million homes, at an extra $2,200 per home, that is $22 billion in extra expenditure to deliver that service, which most people do not actually want. Most people do not actually want it.

But one of the major successes of the government in my electorate has been, of course, the launch of the satellite, which is providing a fantastic service to the 2,200 customers across my electorate that will no doubt choose to take up that service.

Ms KEAY (Braddon) (15:51): All I can say about the NBN, one of my favourite topics, is that, under this coalition government, it is nothing but a national travesty. It is completely a national travesty. You should come to Tasmania and see what has happened in that state. Would you buy something that was of an inferior quality but would cost more and probably take longer to be delivered? I mean, seriously! This is what you are proposing, or what you have been putting in place, under your fibre-to-the-node plan.

As a Tasmanian, I was very proud when, in about 2009, Tasmania was to be the first state to roll out full fibre-to-the-premises NBN. Stage 1 was completed a year after its construction, and that was the backbone. That was a huge undertaking for Tasmania, to construct a backbone and connect to people. And they were connected a year after that construction commenced. We now are in stage 3, and we have cities in my electorate, Burnie and Devonport, that have not been connected to fibre to the node—other than a tiny little section of my city that has just got a couple of nodes built. That is absolutely ridiculous; that is all I can say. Businesses and industry in those cities tell me all the time that they are absolutely gutted by this government—that, when you are talking about jobs and growth, there is not the
infrastructure there to support them. They have been dudged by the then minister, who decided, ‘We'll change this to fibre to the node,’ a technology that is not future-proof and will not meet the needs of Australians.

But, apart from that, there is the inequity of this rollout in my electorate. You have got some sections that, under Labor's plan, have been connected with full fibre to the premises, which is fantastic, and in the major population centres they will get fibre to the node. So you have just got to look at the inequity. You talk about a government that supports regions. Sorry—you are not supporting regional Tasmania at all.

But the most ridiculous thing is that the coalition went to the 2013 election with the document that talked about the coalition's economic growth plan for Tasmania; this was in August 2013. It said that the rollout of the NBN under the coalition would be complete in Tasmania by the end of 2015! Now we are not looking for Tasmania to be connected to the NBN until about 2018—perhaps; question mark. Is that when it is going to be completed? Who would know!

And then you have got to look at the west coast of Tasmania. Under Labor, they were going to get full fibre to the premises, and Strahan was going to get fixed wireless. Then the then-minister came in. First of all he said, ‘We'll honour all contracts,' before the election, and then he said, 'No; now you're getting fibre to the node.' But then, alas, they changed it and put the west coast of Tasmania on a satellite. The satellite is great for little hamlets. But you have got 4,000 homes on the west coast of Tasmania, which has high rainfall and mountainous terrain. The community there knew it was not going to work.

They then went to the local Liberal member for Braddon at the time, absolutely disgusted with what was going to happen for them, and he said, ‘This represents a great opportunity, and you should instead stop pining for a fibre-to-the-premises.' He is gone. He is saying, 'Sign up. Find out what it's like, and if it's still a problem let's talk about it.' I went to a forum with all the community with the then shadow minister, the member for Blaxland and, I tell you what, I am surprised that that federal member got out of there alive. Then they did another backflip and said, 'Now we're going to put you on fibre-to-the-node,' which is great for them as it is an improvement from the satellite. One of the state members of parliament for the Braddon area says, 'You're now getting what you deserve.'

It is a second-rate system for a population that is experiencing some really difficult and challenging economic hardships with mine closure and an economy that is depressed. They need this type of technology now and into the future to diversify and grow jobs so that they can grow their local economy. All that this government has done is let the people of regional Tasmania down, and it should be condemned for that.

Ms MARINO (Forrest—Chief Government Whip) (15:56): I heard an interesting word in the previous speaker's presentation, and it was the word 'deserve'. It was a word that I could use quite strongly. Labor clearly believed when it was in government that WA did not deserve any NBN. Labor left WA completely stranded in 2013, only managing to connect 109 existing homes during four years in charge of the NBN. That is all WA deserved, according to the Labor government.

Like everything else that we inherited, the NBN project was in such a shocking mess in 2013 that the construction contractors in Western Australia refused to continue building it.
That is how much of a mess the Labor government left. In 2013 the company contracted to build the NBN in WA and South Australia actually handed back 47 sites in Western Australia which Labor had deceptively listed as 'under construction'. Labor has a very long record of broken promises on the NBN, and their really empty criticisms ignore the amazing progress the coalition has made in getting this failing project back on track. When contractors were handing back and stopping work, I would not call that success. Today the NBN network covers more than 343,000 WA addresses. What did we have back when Labor was in government? It was 109. Now we have 343,000 WA addresses, and there are over 137,000 residences and businesses connected and enjoying the benefits of better broadband.

In my electorate two weeks ago we were actually able to celebrate the switching on of the final NBN node in central Bunbury. This was not even on Labor's map; it was on a map for perhaps 10 years hence or whenever. The Bunbury town centre can now service over 2,200 premises with fibre-to-the-node and joins around 24,000 premises in the greater Bunbury area that now have the same access. This has employed local people, and when I get out on the ground and talk to the contractors there are so many local people involved.

This was a seriously underserviced area that was totally ignored by the Labor government. We were not even on their maps, and the South West is now very well advanced with the NBN rollout. This is such an innovative and creative hub, and it has been absolutely prioritised by the coalition government. I think it is great to see the South West embracing the technology. To support this, a group combining Regional Development Australia South West, Business South West, the South West Chambers of Commerce and Industry, and the South West Development Commission have appointed an NBN adviser for the region. Mike Hendry has been tasked with arming South West people and businesses with the very best information about their NBN options and opportunities so that they can actually make the right decisions for them, their families and their businesses.

With Labor's 'pie in the sky' proposal, we in the South West were looking at construction at least a decade away. Instead, my region today is seeing towers go up and boxes being built on street corners. Of the 62,000 or so premises on the NBN rollout plan, there are currently some 35,000 premises in Forrest that have access to the NBN. This is great news in my part of the world. After knowing that we were at least 10 years away under a Labor government, we now have access to the NBN.

Of course, we all know that Labor was overbuilding in areas where there was already significant NBN access and was certainly not prioritising underserviced rural and regional areas. Now businesses and individuals can come along to a small business gathering and learn what is the right access for their business and what they need, and that is what they are actually accessing. These one-to-one gatherings are really useful for people. I am particularly proud that the NBN is in the South West.

Ms CLAYDON (Newcastle) (16:01): I am glad that the issue of small business was raised, because that is certainly something I would like to come back to. It is extraordinary that we have a Prime Minister who talks a lot about ours being an agile, innovative economy, but the one thing he has never properly invested in is a first-rate fibre-to-the-premises NBN, the kind of NBN that this nation actually needs. Members opposite have alluded to some alleged favouritism, where NBN was allegedly being built in areas that were already overserviced or well serviced perhaps. I would like to give the House some examples from
Newcastle. Newcastle was a priority area for Labor, as it should be. But it was also a priority area for this government. Under Labor's plan, every home and every business in Newcastle was to get fibre to the premises within three years. It would have already been done and dusted by now. Here we are, in 2016, and what is the experience of the government's prioritising? We were in a priority rollout area, this government said. Well, the government initially removed vast areas of Newcastle from the so-called priority rollout, which we had to scramble to get included back on the NBN rollout. In addition to that, the experience of people in Newcastle has been illuminating, to say the least.

Those opposite purport to be champions of small business in this place and like to suggest that people on this side of the House do not understand small business, do not understand what they are going through. I would like to talk a little bit today about Mel and Gordon Allerton, the owners of a small business in Newcastle, in the suburb of Islington, an inner city area of Newcastle. They are the owners of Opposite Lock. It is an auto accessories place. Most of their business is not walk-in. Most of their business is done through online and telephone contact. They had a thriving business. Regrettably, in the last 15 months they have suffered 66 days of outages—66 days in which they cannot trade. They have lost tens of thousands of dollars. The great irony is that they are not even trying to connect to the NBN at this point. This is just to do with the fact that the old copper pit happens to be positioned out the front of their business, and it is the point of access, the node, which everybody who is trying to connect to the NBN is having to connect to. Whether the technicians are from Optus, Telstra or NBN Co, no-one wants to claim responsibility for most of the outages and stuff-ups in this case. But, regardless of who attempts to try and resolve this issue, invariably when you think you have got a fix it turns out that it creates another problem two doors down or down the track. It is because this is a shonky, second-rate NBN, a piece of infrastructure that this government is now relying on in order to deliver the needs not only of people today but allegedly of the future generations of Australian men and women. It is crazy.

Let me also talk briefly about some residential areas. There are brand-new greenfield builds in areas that are already NBN ready, allegedly. We are not talking about places under construction or places sometime in the future; these are NBN-ready areas. There are brand-new apartments being built, allegedly able to hook up to the NBN. I have been working for six months with a constituent to get the NBN connected to his brand-new apartment. And, when it finally happened, they managed to completely stuff it up again. At the end of the day, he ended up paying for his own electrical contractor to ensure that the connection was made properly. That is another example.

A final example is that in another residential area in the west of my electorate, out in Fletcher, there are brand-new housing developments, with lots of young, professional families moving into the area. Stages 1 to 4 of the development are getting fibre to the node, and stage 5 and onwards will get fibre to the premises. This is within a very tiny geographical area. This the classic digital divide that Labor warned this government about. Under Labor's plan, there were no losers. We do not back winners and losers, but the members opposite are creating winners and losers everywhere.

Mr WALLACE (Fisher) (16:06): I am glad to speak today on the coalition's rollout of the National Broadband Network. It is being done efficiently and affordably, with all Australian premises to be connected by 2020. Under the coalition, the NBN is connecting more active
users every month than Labor connected during its entire time in government. Under the coalition, the NBN has hit every rollout target we have set since coming into government. It is a fact that NBN is now available to more than one in four Australian premises, or more than 3.4 million premises, with more than 1.5 million active connections.

In my own electorate of Fisher, the rollout of the NBN is gathering pace, with more than 3,000 premises recently connected and ready for service in Wurtulla. Feedback from locals I have spoken to is that the latest work is already delivering faster and more reliable internet access, through fibre-to-the-node connections. As at 28 October, there were 30,694 homes and businesses ready for service in Fisher, and, of these, 11,250 had an active NBN connection. Connections to a further 11,237 homes and businesses are currently being rolled out. In October 2015, NBN Co released its three-year rollout plan, which forecast that, by the end of September 2018, approximately 66,160 homes and businesses in Fisher will either be ready for service or have connections under construction.

I have spoken to some local business owners in recent weeks about their NBN connections, including the owner of Wurtulla Newsagency, Gavin Yarrow, and the arrival of the NBN has made their businesses more efficient. Gavin does a lot of daily downloads for invoicing and for magazine subscriptions, which used to take him and his staff up to an hour. Now he tells me that the same task is completed in just a few minutes, and his new NBN service is actually cheaper than his old internet service.

While it is important to roll out the NBN in the areas where homes and businesses are most concentrated, it pleases me to say that there is also a strong focus on reaching regional and remote areas. The government recognises the vital importance of communications to people living, working and travelling in regional and remote Australia. That is why we have committed to prioritising the NBN rollout to under-served areas, where it is feasible to do so.

The first satellite, Sky Muster, was launched in October 2015. Indeed, there are currently 885 premises in the Fisher electorate eligible to order a satellite service where the standard service will not do the job. That is because connectivity in the form of the NBN or mobile coverage is an essential part of everyday life—for emergencies, natural disasters, businesses, agriculture, public safety, and staying in touch with family and friends. There is more government investment going into regional communications infrastructure than at any time before. The second satellite, Sky Muster II, successfully launched from French Guiana on 6 October, providing additional capacity for the delivery of health and education services as well as improving the productivity of agriculture and regional businesses.

In contrast, despite being in government for six years, Labor did not spend a single dollar on improving mobile coverage in regional and remote Australia. The NBN rollout is further progressed in regional Australia that it is in metropolitan areas. All premises being served by satellite are now able to order a service and nearly 70 per cent of the fixed wireless network is ready for service. Every day, thousands of regional Australians—students, farmers, families and business owners—are benefitting from these improved services. The NBN is on track to be available to half, or 5.4 million, of all Australian premises by the end of June 2017, increasing to three-quarters of premises by the end of June 2018. To date, nearly two-thirds of all premises are in design, under construction or ready for service. Seventy per cent of premises covered by the NBN today are in regional and non-metro areas.
While there is no doubt that transitioning to a new technology can be difficult, the latest Telecommunication Industry Ombudsman report clearly shows that the NBN is getting better at managing new connections and working hard to address service complaints.

The DEPUTY SPEAKER (Mr Coulton): The discussion has concluded.

BILLs

Fair Work (Registered Organisations) Amendment Bill 2014

Consideration of Senate Message

Bill returned from the Senate with amendments.
Orderd that the amendments be considered immediately.

Senate's amendments—

(1) Clause 2, page 2 (table items 2 and 3), omit the table items, substitute:

2. Schedules 1 and 2: A day or days to be fixed by Proclamation.
   However, if any of the provisions do not
   commence within the period of 12 months
   beginning on the day this Act receives the
   Royal Assent, they commence on the day
   after the end of that period.

(2) Schedule 1, item 88, page 13 (lines 28 and 29), omit the note, substitute:

Note: The expenditure of relevant money (within the meaning of the Public Governance, Performance and Accountability Act 2013) must comply with the requirements in that Act.

(3) Schedule 1, item 88, page 15 (lines 13 to 17), omit section 329BG, substitute:

329BG Disclosure of interests

(1) A disclosure by the Commissioner under section 29 of the Public Governance, Performance and Accountability Act 2013 (which deals with the duty to disclose interests) must be made to the Minister.

(2) Subsection (1) applies in addition to any rules made for the purposes of that section.

(3) For the purposes of this Act and the Public Governance, Performance and Accountability Act 2013, the Commissioner is taken not to have complied with section 29 of that Act if the Commissioner does not comply with subsection (1) of this section.

(4) Schedule 1, item 88, page 16 (lines 19 and 20), omit paragraph 329BJ(2)(d), substitute:

( d) the Commissioner fails, without reasonable excuse, to comply with section 29 of the Public Governance, Performance and Accountability Act 2013 (which deals with the duty to disclose interests) or with rules made for the purposes of that section.

(5) Schedule 1, item 88, page 18 (lines 8 and 9), omit "Special Account for the purposes of the Financial Management and Accountability Act 1997", substitute "special account for the purposes of the Public Governance, Performance and Accountability Act 2013".

(6) Schedule 1, item 88, page 18 (lines 22 and 23), omit "Special Account if any of the purposes of the Account", substitute "special account if any of the purposes of the special account".

(7) Schedule 1, item 88, page 19 (lines 2 and 3), omit the note, substitute:

Note: See section 80 of the Public Governance, Performance and Accountability Act 2013 (which deals with special accounts).

(8) Schedule 1, item 88, page 19 (line 21) to page 20 (line 20), omit section 329FC, substitute:

329FC Annual report
The annual report prepared by the Fair Work Ombudsman and given to the Minister under section 46 of the Public Governance, Performance and Accountability Act 2013 for a period must include the following in relation to the period:

(a) details of the number and types of investigations conducted by the Commissioner under Part 4 of Chapter 11 of this Act;
(b) details of:
   (i) when each investigation was started; and
   (ii) if the investigation has been completed—when it was completed; and
   (iii) if the investigation has not been completed—when it is expected to be completed;
(c) details of any orders applied for under paragraph 310(1)(a) of this Act;
(d) details of the types of education activities undertaken by the Commissioner and whether the education activities were provided to:
   (i) registered employer organisations; or
   (ii) registered employee organisations; or
   (iii) members of registered employer organisations; or
   (iv) members of registered employee organisations;
   (e) any other matter prescribed by the regulations.

(9) Schedule 1, item 136, page 28 (lines 21 to 26), omit the item.

(10) Schedule 2, page 29 (before line 6), before item 1, insert:
1AA Section 6 (definition of approved auditor)
Repeal the definition.
1AB Section 6 (definition of auditor)
Repeal the definition, substitute:
   auditor, in relation to a reporting unit, means:
   (a) if an individual holds the position of auditor of the reporting unit under section 256—the individual; or
   (b) if a firm holds the position of auditor of the reporting unit under section 256—each person who is, from time to time, a member of the firm and a registered auditor; or
   (c) if a company holds the position of auditor of the reporting unit under section 256—each person who is, from time to time, a director, officer or employee of the company and a registered auditor.

(11) Schedule 2, page 29 (before line 6), before item 1, insert:
1A Section 6
Insert:
authorised official means any of the following:
   (a) the Commissioner;
   (b) the General Manager;
   (c) an FWC Member;
   (d) the Director, within the meaning of subsection 4(1) of the Fair Work (Building Industry) Act 2012;
   (e) the Fair Work Ombudsman (within the meaning of the Fair Work Act).
designated publication restriction has the same meaning as in the Public Interest Disclosure Act 2013.
detriment, in Part 4A of Chapter 11, has the meaning given by subsection 337BA(2).
disclosable conduct means an act or omission that:
(a) contravenes, or may contravene, a provision of this Act, the Fair Work Act or the Competition and Consumer Act 2010; or
(b) constitutes, or may constitute, an offence against a law of the Commonwealth.

(12) Schedule 2, page 29 (after line 7), after item 1, insert:
1B Section 6 (definition of excluded auditor)
Repeal the definition, substitute:
excluded auditor, in relation to a reporting unit, means:
(a) an officer, former officer, employee or former employee of the reporting unit or the organisation of which the reporting unit is a part; or
(b) a partner, employer or employee of an officer, former officer, employee or former employee of the reporting unit or the organisation of which the reporting unit is a part; or
(c) a relative of an officer, former officer, employee or former employee of the reporting unit or the organisation of which the reporting unit is a part; or
(d) a liquidator in respect of property of the reporting unit or the organisation of which the reporting unit is a part; or
(e) a person who owes more than $5,000 to the reporting unit or the organisation of which the reporting unit is a part; or
(f) a person who would not be, or whom a reasonable person would consider would not be, capable of exercising objective and impartial judgement in relation to audits relating to the reporting unit, having regard to all the circumstances.

For the purposes of this definition, employee has the same meaning as in Part 3 of Chapter 8.

(13) Schedule 2, item 2, page 29 (before line 10), before the definition of officer and related party disclosure statement, insert:
lawyer has the meaning given by section 12 of the Fair Work Act.

(14) Schedule 2, item 2, page 29 (after line 11), after the definition of officer and related party disclosure statement, insert:
plays a significant role has the meaning given by subsection 256A(4).

(15) Schedule 2, item 3, page 29 (after line 19), after the definition of proceeding, insert:
registered auditor means a person who is registered as an auditor under subsection 255B(2) or (3).

(16) Schedule 2, item 4, page 30 (after line 3), after the definition of serious contravention, insert:
takes a reprisal has the meaning given by section 337BA.

(17) Schedule 2, item 59, page 35 (line 12), after "section 290A", insert "or 337BE".

(18) Schedule 2, page 38 (after line 24), after item 89, insert:
89A Before section 256
Insert:
Subdivision A—Registration of auditors
255A Applications may be made for registration as an auditor

(1) A person may apply in writing to the Commissioner for registration as an auditor.

(2) An application under subsection (1) must:

(a) be in a form approved by the Commissioner; and

(b) if the person is a registered company auditor—include evidence of that status; and

(c) if the person is not a registered company auditor—contain the information required by the regulations.

255B Registration by Commissioner

(1) This section applies if a person has made an application under subsection 255A(1) for registration as an auditor.

(2) If the person is a registered company auditor, the Commissioner must, subject to section 255E, grant the application and register the person as an auditor.

(3) If the person is not a registered company auditor, the Commissioner must, subject to section 255E, grant the application and register the person as an auditor if the Commissioner is satisfied that:

(a) the person meets the requirements of subsection 255C(1) or (2) (educational qualifications, or equivalent qualifications and experience); and

(b) the person has either:

(i) satisfied all the components of an auditing competency standard approved by the Australian Securities and Investments Commission under section 1280A of the Corporations Act 2001; or

(ii) had such practical experience in auditing as is prescribed by the regulations for the purposes of this paragraph; and

(c) the Commissioner is satisfied that the person is capable of performing the duties of an auditor and is otherwise a fit and proper person to be registered as an auditor.

255C Circumstances in which a person meets educational etc. requirements

(1) A person meets the requirements of this subsection if the person:

(a) holds a degree, diploma or certificate from a university, or other institution in Australia, that is prescribed by regulations made for the purposes of paragraph 1280(2A)(a) of the Corporations Act 2001; and

(b) has, in the course of obtaining that degree, diploma or certificate, passed examinations in such subjects, under whatever name, as the appropriate authority of the university or other institution certifies to the Commissioner to represent a course of study:

(i) in accountancy (including auditing) of not less than 3 years duration; and

(ii) in commercial law (including company law) of not less than 2 years duration; and

(c) has satisfactorily completed a course in auditing prescribed by regulations made for the purposes of paragraph 1280(2A)(c) of the Corporations Act 2001.

(2) A person meets the requirements of this subsection if the person has other qualifications and experience that, in the Commissioner's opinion, are equivalent to the requirements mentioned in subsection (1).

255D Commissioner must give an opportunity to be heard before refusal and written notice of decision

(1) The Commissioner must not refuse to grant an application for registration of a person as an auditor unless the Commissioner has given the person an opportunity to appear at a hearing before the
Commissioner and to make submissions and give evidence to the Commissioner in relation to the matter.

(2) If the Commissioner refuses an application by a person for registration as an auditor, the Commissioner must, not later than 14 days after the decision, give to the person a notice in writing setting out the decision and the reasons for it.

255E Refusal to grant an application for registration
(1) This section applies if a person has made an application for registration as an auditor.

(2) The Commissioner must refuse to grant the application if:

(a) under subsection 215(1), the person is not eligible to be a candidate for an election, or to be elected or appointed, to an office in an organisation; or

(b) under section 307A, the person is disqualified from holding office in an organisation.

(3) If the person is not a registered company auditor, the Commissioner must refuse to grant the application if the Commissioner is not satisfied as mentioned in subsection 255B(3) in relation to the person.

(4) The Commissioner may refuse to grant the application if the person is not resident in Australia.

255F Commissioner must give certificate of registration
(1) If the Commissioner grants an application made by a person for registration as an auditor, the Commissioner must give the person a certificate:

(a) stating that the person has been registered as an auditor; and

(b) specifying the day the application was granted.

(2) The registration of a person as an auditor:

(a) takes effect at the beginning of the day specified in the certificate as the day the application for registration was granted; and

(b) remains in force until:

(i) the registration is cancelled by the Commissioner; or

(ii) the person dies.

255G Cancellation and suspension of registration—general
(1) The Commissioner may cancel, or suspend for a specified period, the registration of a person as an auditor if the Commissioner is satisfied that the person:

(a) has failed to carry out his or her duties under this Act; or

(b) has not performed any audit work, or any significant audit work, during a continuous period of not less than 5 years, and as a result has ceased to have the practical experience necessary for carrying out audits for the purposes of this Act; or

(c) is otherwise not a fit and proper person to remain registered as an auditor.

(2) In determining for the purposes of paragraph (1)(b) whether audit work performed by a person is significant, the Commissioner must have regard to:

(a) the nature of the audit; and

(b) the extent to which the person was involved in the audit; and

(c) the level of responsibility the person assumed in relation to the audit.

(3) The Commissioner may cancel, or suspend for a specified period, the registration of a person as an auditor if the person requests that his or her registration be cancelled or suspended for that period.
(4) If the Commissioner cancels, or suspends for a specified period, the registration of a person as an auditor under subsection (1), the Commissioner must notify the Australian Securities and Investments Commission of the cancellation or suspension and the reasons for it.

(5) The regulations may make further provision for and in relation to the suspension of the registration of a person as an auditor.

255H Cancellation and suspension of registration—person no longer a registered company auditor

If a person was registered as an auditor under subsection 255B(2) on the basis that the person was a registered company auditor at the time of registration, the Commissioner may:

(a) cancel the registration if the person's registration as a registered company auditor is cancelled; or

(b) suspend the registration for some or all of any period throughout which the person's registration as a registered company auditor is suspended.

255J Written notice to be given of cancellation or suspension of registration

(1) If the Commissioner decides to cancel or suspend the registration of a person as an auditor:

(a) the Commissioner must, not later than 14 days after the decision, give the person a written notice setting out the decision and the reasons for it; and

(b) the decision comes into effect at the end of the day on which that notice is given to the person.

(2) A failure of the Commissioner to comply with subsection (1) does not affect the validity of the decision.

255K Registered auditors to advise of material changes in circumstance etc.

A person who is registered as an auditor under this Subdivision must advise the Commissioner of any change in circumstances that could materially affect the person's registration within 14 days of the change in circumstances.

Civil penalty: 200 penalty units.

255L Commissioner may request further information

(1) The Commissioner may, in writing, request further information from any person for the purposes of making a decision under this Subdivision.

(2) The Commissioner is not required to make a decision under this Subdivision until any information requested under subsection (1) in relation to the decision has been provided.

255M Basis of registration

Registration under this Subdivision is on the basis that:

(a) the registration may cease or be suspended as provided for by this Subdivision; and

(b) the registration may cease or be suspended by or under later legislation; and

(c) no compensation is payable if the registration ceases or is suspended as mentioned in paragraph (a) or (b).

255N Regulations

(1) The regulations may make provision for and in relation to the registration of auditors.

(2) Without limiting subsection (1), the regulations may make provision for and in relation to the following:

(a) information relating to the matters to which the Commissioner must have regard in deciding whether to register a person as an auditor;
(b) the keeping of a register;
(c) fees in respect of applications for registration;
(d) matters relating to the suspension and cancellation of registration;
(e) the delegation, by a person on whom functions or powers are conferred by regulations made for the purposes of this Subdivision, of any such functions or powers.

Subdivision B—Audits

(19) Schedule 2, item 91, page 38 (line 29), omit "100", substitute "200".
(20) Schedule 2, items 92 and 93, page 39 (lines 1 to 5), omit the items, substitute:

92 Subsections 256(2) and (3)

Repeal the subsections, substitute:

(2) The position of auditor of a reporting unit is to be held by:
(a) an individual who is a registered auditor; or
(b) a firm, at least one of whose members is a registered auditor; or
(c) a company, at least one of whose directors, officers or employees is a registered auditor.

(3) An individual must not accept appointment as auditor of a reporting unit unless:
(a) the individual is a registered auditor; and
(b) the individual is not an excluded auditor in relation to the reporting unit.

Civil penalty: 200 penalty units.

93 Paragraph 256(4)(a)

Omit "an approved auditor", substitute "a registered auditor".

(21) Schedule 2, item 95, page 39 (line 10), omit "60", substitute "200".
(22) Schedule 2, items 96 and 97, page 39 (lines 11 to 15), omit the items, substitute:

96 Subsection 256(5)

Repeal the subsection, substitute:

(4A) A company must not accept appointment as auditor of a reporting unit unless:
(a) at least one director, officer or employee of the company is a registered auditor; and
(b) no director, officer or employee of the company is an excluded auditor in relation to the reporting unit.

Civil penalty: 200 penalty units.

(5) An individual who holds the position of auditor of a reporting unit must resign the appointment if the individual:
(a) ceases to be a registered auditor; or
(b) becomes an excluded auditor in relation to the reporting unit.

Civil penalty: 200 penalty units.

97 Paragraph 256(6)(a)

Omit "an approved auditor" (wherever occurring), substitute "a registered auditor".

(23) Schedule 2, item 99, page 39 (line 20), omit "60", substitute "200".
(24) Schedule 2, page 39 (after line 20), after item 99, insert:

99A After subsection 256(6)

Insert:
(6A) A company that holds the position of auditor of a reporting unit must resign the appointment if:
   (a) there is no longer any director, officer or employee of the company who is a registered auditor; or
   (b) a director, officer or employee of the company becomes an excluded auditor in relation to the reporting unit.

Civil penalty: 200 penalty units.

99B After section 256

Insert:

256A Limited term to play significant role in audit of a reporting unit

(1) An individual must not play a significant role in the audit of a reporting unit:
   (a) for more than 5 consecutive financial years; or
   (b) for more than 5 out of 7 consecutive financial years.

Civil penalty: 200 penalty units.

(2) Paragraph (1)(b) does not apply to an individual, in relation to a reporting unit and a series of 7 consecutive financial years, if the Commissioner declares in writing that, in all the circumstances, it is not appropriate for that paragraph to apply to the individual in relation to the reporting unit and that series of 7 consecutive financial years.

(3) A declaration made under subsection (2) is not a legislative instrument.

(4) An individual plays a significant role in the audit of a reporting unit for a financial year if:
   (a) the individual holds the position of auditor of the reporting unit for the financial year; or
   (b) if a firm or company holds the position of auditor of the reporting unit for the financial year— the individual is a registered auditor who, on behalf of the firm or company:
      (i) participates in the preparation of an audit report in relation to a financial report of the reporting unit for the financial year or any part of the financial year; or
      (ii) participates in the conduct of an audit in relation to the reporting unit for the financial year or any part of the financial year.

(25) Schedule 2, item 101, page 39 (line 25), omit "100", substitute "200".
(26) Schedule 2, item 103, page 40 (line 5), omit "100", substitute "200".
(27) Schedule 2, item 106, page 40 (line 12), omit "100", substitute "200".
(28) Schedule 2, item 109, page 40 (line 19), omit "60", substitute "200".
(29) Schedule 2, item 111, page 40 (line 24), omit "60", substitute "200".
(30) Schedule 2, item 113, page 41 (line 3), omit "60", substitute "200".
(31) Schedule 2, item 115, page 41 (line 8), omit "60", substitute "200".
(32) Schedule 2, page 68 (after line 10), after item 211, insert:

211A Section 317

Omit:

Part 4A provides protection for officers, employees and members of organisations who disclose information about contraventions of this Act or the Fair Work Act.

substitute:
Part 4A provides protection for certain persons (including officers, employees, members and contractors of organisations) who disclose information about certain contraventions of the law. It also provides for investigation of protected disclosures.

(33) Schedule 2, page 86 (after line 30), after item 230, insert:

230A Before section 337A

Insert:

Division 1—Protected disclosures

230B Section 337A

Before "A disclosure of information", insert "(1)".

230C Subparagraph 337A(a)(i)

After "officer", insert "or former officer".

230D Subparagraph 337A(a)(ii)

After "employee", insert "or former employee".

230E Subparagraph 337A(a)(iii)

After "member", insert "or former member".

230F Subparagraph 337A(a)(iii)

Omit "and".

230G At the end of paragraph 337A(a)

Add:

(iv) a person who has or had a contract for the supply of services or goods to, or any other transaction with, an organisation or a branch of an organisation;

(v) a person who has or had a contract for the supply of services or goods to, or any other transaction with, an officer or employee of an organisation or of a branch of an organisation who is or was acting on behalf of the organisation or branch;

(vi) an officer, former officer, employee or former employee of a person referred to in subparagraph (iv) or (v); and

230H Paragraphs 337A(c) to (e)

Repeal the paragraphs, substitute:

(c) the discloser has reasonable grounds to suspect that the information indicates one or more instances of disclosable conduct by:

(i) the organisation or a branch of the organisation; or

(ii) an officer or employee of the organisation or of a branch of the organisation.

230J At the end of section 337A

Add:

(2) A disclosure is taken to have been made by a person mentioned in paragraph (1)(a) (the discloser) to a person mentioned in paragraph (1)(b) (the official) if the disclosure is made to the official by a lawyer on the discloser's behalf.

(3) A disclosure of information by a person (the discloser) qualifies for protection under this Part if:

(a) the discloser is a person mentioned in paragraph (1)(a) in relation to an organisation or a branch of an organisation; and

(b) the disclosure is made to the discloser's lawyer; and
(c) the discloser has reasonable grounds to suspect that the information indicates one or more instances of disclosable conduct by:

(i) the organisation or a branch of the organisation; or

(ii) an officer or employee of the organisation or of a branch of the organisation.

230K Before section 337B

Insert:

Division 2—Protections

(34) Schedule 2, item 231, page 87 (lines 1 and 2), omit the item, substitute:

231 Sections 337C and 337D

Repeal the sections, substitute:

337BA What constitutes taking a reprisal

(1) A person (the first person) takes a reprisal against another person (the second person) if:

(a) the first person causes (by act or omission) any detriment to the second person; and

(b) when the act or omission occurs, the first person:

(i) believes or suspects that the second person or any other person made, may have made, proposes to make or could make a disclosure that qualifies for protection under this Part; or

(ii) should have known that the second person or any other person made, may have made, proposes to make or could make a disclosure that qualifies for protection under this Part.

(2) In this Part, detriment includes (without limitation) any of the following:

(a) dismissal of an employee;

(b) injury of an employee in his or her employment;

(c) alteration of an employee’s position to his or her detriment;

(d) discrimination between an employee and other employees of the same employer;

(e) harassment or intimidation of a person;

(f) harm or injury to a person, including psychological harm;

(g) damage to a person’s property;

(h) damage to a person’s reputation.

(3) Despite subsection (1), a person does not take a reprisal against another person to the extent that the person takes administrative action that is reasonable to protect the other person from detriment.

337BB Civil remedies

(1) If the Federal Court or Federal Circuit Court is satisfied, on the application of a person mentioned in subsection (4) (the applicant), that another person (the respondent) took or threatened to take, or is taking or threatening to take, a reprisal against a person (the target), the Court may make any one or more of the following orders:

(a) an order requiring the respondent to compensate the target for loss, damage or injury as a result of the reprisal or threat;

(b) an order granting an injunction, on such terms as the Court thinks appropriate, to prevent, stop or remedy the effects of the reprisal or threat;

(c) an order requiring the respondent to apologise to the target for taking, or threatening to take, the reprisal;

(d) if the target is or was employed in a particular position with the respondent and the reprisal wholly or partly consists, or consisted, of the respondent terminating, or purporting to terminate, the
target's employment—an order that the target be reinstated in that position or a position at a comparable level;

(e) if the Court thinks it is appropriate—an order requiring the respondent to pay exemplary damages to the target;

(f) any other order the Court thinks appropriate.

(2) However, the Court must not make an order under subsection (1) if the respondent satisfies the Court that the belief or suspicion mentioned in subparagraph 337BA(1)(b)(i) is not any part of the reason for taking the reprisal.

(3) Notwithstanding subsection (2), the Court may make an order under subsection (1) if satisfied that:

(a) the target made, may have made, proposed to make or could have made a disclosure that qualifies for protection under this Part; and

(b) the respondent was under a duty to prevent, refrain from, or take reasonable steps to ensure other persons under the respondent's control prevented or refrained from, any act or omission likely to result in detriment to the target; and

(c) the respondent failed in part or whole to fulfil that duty.

(4) Any of the following persons may make an application under subsection (1):

(a) the target;

(b) the Commissioner;

(c) the General Manager;

(d) the Director, within the meaning of subsection 4(1) of the *Fair Work (Building Industry) Act 2012*;

(e) the Fair Work Ombudsman (within the meaning of the *Fair Work Act*).

(5) If the reprisal wholly or partly consists, or consisted, of the respondent terminating, or purporting to terminate, the target's employment, the Court must, in making an order mentioned in paragraph (1)(a), consider the period, if any, the target is likely to be without employment as a result of the reprisal. This subsection does not limit any other matter the Court may consider.

(6) If the Federal Court or Federal Circuit Court has power under subsection (1) to make an order against a respondent in relation to conduct that constituted or constitutes taking or threatening to take a reprisal against a target, the Court may make any other orders that it thinks appropriate against any other person who has:

(a) aided, abetted, counselled or procured the conduct; or

(b) induced the conduct, whether through threats or promises or otherwise; or

(c) failed to fulfil a duty to prevent, refrain from, or take reasonable steps to ensure other persons under the person's control prevented or refrained from, the conduct; or

(d) been in any way (directly or indirectly) knowingly concerned in or a party to the conduct; or

(e) conspired with others to effect the conduct.

337BC Costs only if proceedings instituted vexatiously etc.

(1) This section applies to proceedings (including an appeal) in a court in relation to a matter arising under section 337BB if the target makes the application under subsection 337BB(1).

(2) Section 329 does not apply to the proceedings.

(3) The target must not be ordered by the court to pay costs incurred by another party to the proceedings, except in accordance with subsection (4).
(4) The target may be ordered to pay the costs only if:
   (a) the court is satisfied that the target instituted the proceedings vexatiously or without reasonable cause; or
   (b) the court is satisfied that the target's unreasonable act or omission caused the other party to incur the costs.

337BD Civil penalties

Taking a reprisal

(1) A person (the first person) must not take a reprisal against another person if the first person's belief or suspicion that a person made, may have made, proposes to make or could make a disclosure that qualifies for protection under this Part is the reason, or part of the reason, for taking the reprisal.

Civil penalty: 100 penalty units.

(2) In proceedings for a contravention of subsection (1), it is not necessary to prove that a person made, may have made, proposed to make or could have made a disclosure that qualifies for protection under this Part.

Threatening to take a reprisal

(3) A person (the first person) must not make a threat to another person (the second person) to take a reprisal against the second person or a third person if:
   (a) the first person:
      (i) intends the second person to fear that the threat will be carried out; or
      (ii) is reckless as to the second person fearing that the threat will be carried out; and
   (b) the first person's belief or suspicion that a person made, may have made, proposed to make or could make a disclosure that qualifies for protection under this Part is the reason, or part of the reason, for making the threat.

Civil penalty: 100 penalty units.

(4) For the purposes of subsection (3), the threat may be:
   (a) express or implied; or
   (b) conditional or unconditional.

(5) In proceedings for a contravention of subsection (3), it is not necessary to prove that the person threatened actually feared that the threat would be carried out.

337BE Criminal offences

Taking a reprisal

(1) A person commits an offence if:
   (a) the person takes a reprisal against another person; and
   (b) the person's belief or suspicion that a person made, may have made, proposed to make or could make a disclosure that qualifies for protection under this Part is the reason, or part of the reason, for taking the reprisal.

Penalty: Imprisonment for 2 years or 120 penalty units, or both.

(2) In a prosecution for an offence against subsection (1), it is not necessary to prove that a person made, may have made, proposed to make or could have made a disclosure that qualifies for protection under this Part.

Threatening to take a reprisal

(3) A person (the first person) commits an offence if:
(a) the first person makes a threat to another person (the second person) to take a reprisal against the second person or a third person; and
(b) the first person:
   (i) intends the second person to fear that the threat will be carried out; or
   (ii) is reckless as to the second person fearing that the threat will be carried out; and
(c) the first person's belief or suspicion that a person made, may have made, proposes to make or could make a disclosure that qualifies for protection under this Part is the reason, or part of the reason, for making the threat.

Penalty: Imprisonment for 2 years or 120 penalty units, or both.

(4) For the purposes of subsection (3), the threat may be:
   (a) express or implied; or
   (b) conditional or unconditional.

(5) In a prosecution for an offence under subsection (3), it is not necessary to prove that the person threatened actually feared that the threat would be carried out.

337BF Interaction between civil remedies, civil penalties and criminal offences

To avoid doubt, a person may bring civil proceedings under section 337BB, or civil proceedings for a contravention of subsection 337BD(1) or (3), in relation to the taking of a reprisal, or the threat to take a reprisal, even if a prosecution for a criminal offence against section 337BE in relation to the reprisal or threat has not been brought, or cannot be brought.

Note: Part 2 of Chapter 10 sets out the relationship between civil penalty provisions (including subsections 337BD(1) and (3)) and criminal proceedings (including under section 337BE) arising out of the same conduct.

337BG Protections have effect despite other Commonwealth laws

Section 337B or 337BB has effect despite any other provision of a law of the Commonwealth, unless:

(a) the provision is enacted after the commencement of this section; and
(b) the provision is expressed to have effect despite this Part or that section.

Division 3—Investigation of protected disclosures

337C Allocation of handling of disclosure

(1) If a disclosure that qualifies for protection under this Part is made (other than a disclosure to a lawyer that qualifies for protection under this Part because of subsection 337A(4)), the person to whom the disclosure is made must allocate the handling of the disclosure to one or more authorised officials (which may be or include the person).

(2) The person must use his or her best endeavours to decide the allocation within 14 days after the disclosure is made.

(3) The person may, after making a decision under subsection (1) or this subsection allocating the handling of the disclosure to one or more authorised officials, decide to allocate the handling of the disclosure to one or more other authorised officials.

(4) For the purposes of deciding an allocation, the person may obtain information from such persons, and make such inquiries, as the person thinks fit.

337CA Investigation of disclosure

(1) If a disclosure that qualifies for protection under this Part is allocated to an authorised official, the authorised official must investigate the disclosure.
(2) However, the authorised official may decide not to investigate the disclosure, or (if the investigation has started) not to investigate the disclosure further, under this Division in circumstances prescribed by the regulations.

(3) To avoid doubt, Division 2 continues to apply to the disclosure even if the authorised official decides not to investigate the disclosure, or not to investigate the disclosure further, under this Division.

(4) The investigation under this Division by the authorised official is to be conducted in accordance with any regulations made for the purposes of section 337CC and otherwise as the authorised official thinks fit.

(5) The authorised official may, for the purposes of the investigation, obtain information from such persons, and make such inquiries, as the authorised official thinks fit.

337CB Time limit for investigations under this Division

(1) An investigation under this Division must be completed within 90 days after allocation of the handling of the relevant disclosure.

(2) The Commissioner may extend, or further extend, the 90-day period by such additional period (which may exceed 90 days) as the Commissioner considers appropriate:

(a) on the Commissioner's own initiative; or
(b) on application made by the authorised official; or
(c) on application made by the discloser.

(3) If the 90-day period is extended, or further extended:

(a) the Commissioner must inform the discloser of the extension or further extension, and of the reasons for the extension or further extension; and
(b) the authorised official must, as soon as reasonably practicable after the extension or further extension, inform the discloser of the progress of the investigation.

(4) Subsection (3) does not apply if contacting the discloser is not reasonably practicable.

(5) Failure to complete the investigation within the time limit under this section does not affect the validity of the investigation.

337CC Regulations in relation to allocation and investigation

(1) The regulations may prescribe procedures to be followed and other matters in relation to allocation of handling of disclosures that qualify for protection under this Part.

(2) The regulations may prescribe procedures to be followed and other matters in relation to investigations under this Division, including in relation to the following:

(a) informing the discloser that an authorised official will investigate a disclosure;
(b) informing the discloser and the Commissioner of a decision not to investigate a disclosure, or not to investigate a disclosure further, under this Division;
(c) preparing a report of an investigation;
(d) adopting a finding of another investigation or inquiry for the purposes of an investigation.

337CD Disclosure to enforcement agencies

(1) If an authorised official to whom a disclosure is allocated suspects on reasonable grounds that some or all of:

(a) the information disclosed; or
(b) any other information obtained in the course of investigation of the disclosure;
is evidence of the commission of an offence against a law of the Commonwealth, a State or a Territory, the authorised official may disclose the information, to the extent that it is such evidence, to a member of an Australian police force that is responsible for the investigation of the offence.

(2) However, if the offence is punishable by imprisonment for life or by imprisonment for a period of at least 2 years, the authorised official must so notify such a member.

(3) If an authorised official to whom a disclosure is allocated suspects on reasonable grounds that some or all of:

(a) the information disclosed; or

(b) any other information obtained in the course of investigation of the disclosure;

is evidence of a contravention of the *Competition and Consumer Act 2010*, the authorised official may disclose the information, to the extent that it is such evidence, to the Australian Competition and Consumer Commission.

(4) This section does not, by implication, limit a person's power to notify a matter to a member of an Australian police force, the Australian Competition and Consumer Commission or another agency or person.

### 337CE Protection of witnesses etc.

(1) A person is not subject to any criminal or civil liability because the person (voluntarily or otherwise) gives information, produces a document or answers a question if:

(a) the person does so when requested to do so by a person conducting an investigation under this Division; and

(b) the information, document or answer is relevant to the investigation.

Note: The first person may be the person whose disclosure gave rise to the disclosure investigation.

(2) This section does not apply to liability for an offence against section 137.1, 137.2, 144.1 or 145.1 of the *Criminal Code* that relates to the information, document or answer, as the case may be.

(3) This section does not apply to proceedings for a breach of a designated publication restriction.

(4) To avoid doubt, if the information, document or answer relates to the person's own conduct, this section does not affect his or her liability for the conduct.

### Division 4—Miscellaneous

#### 337D Reference to this Part

A reference in this Division to this Part includes a reference to regulations made for the purposes of section 337CC.

#### 337DA Liability for acts and omissions

(1) A person to whom a disclosure that qualifies for protection under this Part is made or an authorised official (or a delegate of an authorised official) is not liable to any criminal or civil proceedings, or any disciplinary action (including any action that involves imposing any detriment), for or in relation to an act or matter done, or omitted to be done, in good faith:

(a) in the performance, or purported performance, of any function conferred on the person or authorised official by this Part; or

(b) in the exercise, or purported exercise, of any power conferred on the person or authorised official by this Part.

(2) This section does not apply to a breach of a designated publication restriction.

#### 337DB Concurrent operation of State and Territory laws
This Part is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with this Part.

337DC Law relating to legal professional privilege not affected

This Part does not affect the law relating to legal professional privilege.

337DD Other investigative powers etc. not affected

(1) This Part does not, by implication, limit the investigative powers conferred on an authorised official by a law of the Commonwealth other than this Part.

(2) This Part does not detract from any obligations imposed on an authorised official by a law of the Commonwealth other than this Part.

(35) Schedule 2, page 87 (after line 4), after item 232, insert:

232A Paragraph 343B(2)(f)

Omit ", 3 or 4", substitute "or 3, or Subdivision B of Division 4, ".

(36) Schedule 2, page 87 (after line 14), after item 236, insert:

236A After subsection 343B(2)

Insert:

(2A) Despite subsection (1), the Commissioner's functions or powers under Subdivision A of Division 4 of Part 3 of Chapter 8 (registration of auditors) can only be delegated to a member of the staff assisting the Commissioner who is an SES employee or an acting SES employee.

(37) Schedule 2, item 237, page 87 (after line 19), after subsection 343B(4), insert:

(4A) Despite subsection (1), the Commissioner's functions or powers under section 337CB can only be delegated to a member of the staff assisting the Commissioner who is an SES employee or an acting SES employee, or who is in a class of employees prescribed by the regulations.

Note: The expressions SES employee and acting SES employee are defined in section 2B of the Acts Interpretation Act 1901.

(38) Schedule 2, item 243, page 89 (lines 8 to 12), omit the item.

(39) Schedule 2, page 89 (before line 13), before item 244, insert:

243A Excluded auditors

Without limiting the application of the amendments of the definition of excluded auditor made by this Schedule, those amendments apply in relation to a former officer, or former employee, whether the person ceased to be an officer or employee before or after the commencement time.

(40) Schedule 2, page 89 (after line 28), after item 245, insert:

245A Protected disclosures

(1) Without limiting the application of the amendments of paragraph 337A(1)(a) of the Act made by this Schedule, those amendments apply in relation to:

(a) a former officer, former employee or former member whether the person ceased to be an officer, employee or member before or after the commencement time; and

(b) a contract or transaction whether the contract or transaction started, ended or occurred before or after the commencement time.

(2) A reference in Part 4A of Chapter 11 of the Act, as amended by this Schedule, to a disclosure that qualifies for protection under that Part includes a reference to a disclosure made before the commencement time that qualified for disclosure under that Part as in force at the time the disclosure was made.
(3) Despite subitem (2), Division 3 of Part 4A of Chapter 11 of the Act, as amended by this Schedule, only applies in relation to disclosures made after the commencement time.

(4) For the purposes of the definition of *disclosable conduct* in section 6 of the Act:

(a) the reference to an act or omission includes an act or omission that occurred before the commencement time; and

(b) the reference to the Fair Work Act includes the WR Act (within the meaning of item 3 of Schedule 2 of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*), as in force from time to time.

**Mr PYNE** (Sturt—Leader of the House and Minister for Defence Industry) (16:12): I move:

That the amendments be agreed to.

**Mr BRENDAN O’CONNOR** (Gorton) (16:12): I want to comment on the Senate's proposed amendments to the Fair Work (Registered Organisations) Amendment Bill 2014. As you know, Mr Deputy Speaker, there was a debate that went until after two o'clock this morning in the other place about this bill. I want to make it very clear, firstly, that Labor believe that there was room to find longstanding reform in this area, and that is why we moved five separate amendments, including providing that the regulator for registered organisations be the Australian Securities and Investments Commission. We believe that is a mature body, one that would be invulnerable to executive government interference. We believe it would treat registered organisations and companies in the same manner. So the government would have had a change, if you like, to the law where we had a regulator that would treat bodies the same and be seen to be treating them the same, but, unfortunately, that amendment was not accepted by the government and by the Senate. I just wanted to put on record that that reform would have been significant and longstanding, unlike some of the amendments that have been proposed and accepted in the Senate.

In relation to the matters that have been accepted, firstly the whistleblower protection provisions proposed by Senator Xenophon, we in principle support greater protection to be afforded to whistleblowers. In fact, one of our five amendments went to the protection of whistleblowers. However, given that we were given no time to consider the amendments moved by Senator Xenophon, we did not support his amendment but had our own amendment. We are also concerned that the basis upon which Senator Xenophon moved that amendment was that there is an undertaking by the government to extend protection to whistleblowers beyond registered organisations to the corporate and public sectors. We think that undertaking means nothing unless there is evidence to suggest that the government will respond to that undertaking—and we do not see any evidence of that. So we cannot support the amendment in its form, although I want to make it very clear that we in principle did support protection afforded to whistleblowers, and that is why we had our own amendment. In relation to the compliance arrangements with respect to auditors, we too think that there needs to be greater compliance—and had our own amendments rejected in the Senate.

I think it is important to note that we did not come to this matter seeking to stymie or impede the intention of the legislation. In fact, we believed our amendments, if accepted, would have improved the bill. Our amendments would have improved the bill with respect to the regulation of registered organisations and they would have ensured that the regulation of those bodies would have been the same of companies. We would have ensured that
whistleblowers would have been afforded protection and that auditors would have had greater compliance in order to ensure that they did not act improperly or fail to report matters that were improper. We also, of course, sought to amend the bill to reduce the donation disclosure for candidates of registered organisations, provided the government accepted an amendment to the Electoral Act that would also reduce the threshold for donations to federal candidates of federal electorates to $1,000. If it is fair enough to lecture union candidates that there should be disclosure on donations in their elections to a candidate, for example, who wants to run a union, surely it is reasonable to expect that people who seek to become a member of this place be subject to the same levels of transparency—and yet the government failed to accept that reform.

We do not accept the amendments as put, but, in principle, we support whistleblower protection and support greater compliance on auditors. We will continue to fight for better disclosure laws to make sure that the government ultimately accepts that $13,000 or more is not an acceptable threshold for transparency when donations are provided either to union candidates or, for that matter, federal candidates of federal elections. We will also ensure—and it is the reason why we cannot support the bill—that volunteers in registered organisations should be exempt from these laws. That was not accepted by the government and, for that reason, we have to oppose the amendments.

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

The House divided. [16:21]

(The Speaker—Hon. Tony Smith)

Ayes ...................... 77
Noes ...................... 70
Majority............... 7

AYES

Abbott, AJ
Andrews, KJ
Banks, J
Broad, AJ
Buchholz, S
Christensen, GR (teller)
Coleman, DB
Crewther, CJ
Dutton, PC
Evans, TM
Fletcher, PW
Frydenberg, JA
Gillespie, DA
Hartsuyker, L
Hawke, AG
Hogan, KJ
Hunt, GA
Joyce, BT
Kelly, C
Landry, ML
Leeser, J
Littleproud, D
McCormack, MF

Alexander, JG
Andrews, KL
Bishop, JI
Broadbent, RE
Chester, D
Ciobo, SM
Coulton, M
Drum, DK
Entsch, WG
Falinski, J
Flint, NJ
Gee, AR
Goodenough, IR
Hastie, AW
Henderson, SM
Howarth, LR
Irons, SJ
Keenan, M
Laming, A
Laundy, C
Ley, SP
Marino, NB
McGowan, C
## AYES

- McVeigh, JJ
- Morton, B
- O'Brien, T
- O'Dwyer, KM
- Pitt, KJ
- Prentice, J
- Pyne, CM
- Robert, SR
- Sudmalis, AE
- Taylor, AJ
- Tudge, AE
- Van Manen, AJ
- Wallace, AB
- Wilkie, AD
- Wilson, TR
- Wyatt, KG

- Morrison, SJ
- O'Brien, LS
- O'Dowd, KD
- Pasin, A
- Porter, CC
- Price, ML
- Ramsey, RE (teller)
- Sharkie, RCC
- Sukkar, MS
- Tehan, DT
- Turnbull, MB
- Vasta, RX
- Wicks, LE
- Wilson, RJ
- Wood, JP

## NOES

- Albanese, AN
- Bandt, AP
- Bowen, CE
- Burke, AS
- Butler, MC
- Byrne, AM
- Champion, ND
- Claydon, SC
- Conroy, PM
- Dick, MD
- Elliot, MJ
- Feeney, D
- Freeland, MR
- Giles, AJ
- Hammond, TJ
- Hayes, CP
- Husar, E
- Jones, SP
- Keay, JT
- Keogh, MJ
- King, CF
- Lamb, S
- Macklin, JL
- McBride, EM
- Mitchell, RG
- O'Connor, BPJ
- O'Toole, C
- Perrett, GD (teller)
- Rishworth, AL
- Ryan, JC (teller)
- Snowdon, WE
- Swan, WM
- Templeman, SR
- Vamvakou, M

- Aly, A
- Bird, SL
- Brodman, G
- Burney, LJ
- Butler, TM
- Chalmers, JE
- Chesters, LM
- Collins, JM
- Danby, M
- Dreyfus, MA
- Ellis, KM
- Fitzgibbon, JA
- Georganas, S
- Gosling, LJ
- Hart, RA
- Hill, JC
- Husic, EN
- Katter, RC
- Kelly, MJ
- Khalil, P
- King, MMH
- Leigh, AK
- Marles, RD
- Mitchell, BK
- Neumann, SK
- O'Neil, CE
- Owens, JA
- Plibersek, TJ
- Rowland, MA
- Shorten, WR
- Stanley, AM
- Swanson, MJ
- Thistlethwaite, MJ
- Watts, TG

Report made a parliamentary paper in accordance with standing order 39(e).

Mr GOODENOUGH: by leave—I rise to speak on the tabling of the Parliamentary Joint Committee on Human Rights report 9 of 2016.

The committee's report examines the compatibility of recent bills and legislative instruments with Australia's human rights obligations. Twelve new bills are assessed as not raising human rights concerns and the committee has also concluded its consideration of a number of matters.

As can be seen in this report, much legislation either does not engage human rights or, if it engages with human rights, either promotes rights or does not limit them. Under international human rights law, most rights may be permissibly limited providing certain criteria are met. Where legislation does not limit human rights, the committee's longstanding analytical framework allows it to focus on three questions: firstly, whether the measures are aimed at achieving a legitimate objective; secondly, whether there is a rational connection between the measures and that objective; and, thirdly, whether the measures are proportionate in that objective. These questions are considered at the first stage of the committee's analysis of the rights that can be subjected to permissible limitations. If a statement of compatibility does not provide sufficient information and analysis the committee seeks advice of the ministers to enable it to conclude its examination.

The report includes consideration of the Privacy Amendment (Re-identification Offence) Bill 2016, which seeks to amend the Privacy Act 1988 to prohibit conduct related to the re-identification of de-identified personal information. On the one hand the bill engages and promotes the right to privacy. However, the bill raises human rights questions insofar as it creates retrospective criminal offences, which are absolutely prohibited under international human rights law. The committee is therefore seeking advice from the Attorney-General as to whether consideration has been given to introducing prospective, rather than retrospective, offences.

The report also includes consideration of two separate bills that seek to amend the Migration Act 1958.

The explanatory memorandum to the Migration Amendment (Visa Revalidation and Other Measures) Bill 2016 indicates that the measure introduced by the bill is intended to apply only to specific visa holders, but there is nothing on the face of the bill that constrains its
application in this way. Consistent with its usual approach, the committee has sought further advice from the minister about the rights engaged by the measures in the bill.

The Migration Legislation Amendment (Regional Processing Cohort) Bill 2016 seeks to introduce a lifetime visa ban for asylum seekers in specified circumstances. The measure engages a number of human rights, including the right to equality and nondiscrimination, the right to protection of the family, and the rights of the child. The committee is seeking advice from the minister in relation to whether the bill is compatible with these rights, including whether they are subject to permissible limitations.

Finally, I would like to draw the chamber's attention to an inquiry recently referred to the committee by the Attorney-General, pursuant to the Human Rights (Parliamentary Scrutiny) Act 2011. This is the first such inquiry to be referred to the committee by the Attorney-General.

The inquiry includes an examination of sections 18C and 18D of the Racial Discrimination Act 1975 and the complaints-handling procedures of the Australian Human Rights Commission. I strongly encourage interested organisations and individuals to submit to the inquiry. The closing date for submissions is 9 December 2016.

In addition, a series of public consultations—hearings—will be held in major capital cities of all states and territories, the dates and times of which will be advertised shortly. Further details about the inquiry are available on the committee's website.

I encourage my fellow members and others to examine the committee's report to better inform their understanding of the committee's work.

With these comments, I commend the committee's report No. 9 of 2016 to the chamber.

Thank you.

**BILLS**

Superannuation (Objective) Bill 2016

Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016

Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016

**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 the 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:

(1) the Budget is under threat due to this Government's poor economic leadership, which is hitting the pay packets of Australians and risking our triple-A credit rating;

(2) the Opposition has been leading the debate on reforming superannuation tax concessions for over a year;

(3) while the Government's superannuation package goes some way to reforming these concessions, they could go further;

(4) the Opposition has outlined a clear position for sustainable and fairer super tax concessions that includes:
(a) lowering the High Income Superannuation Contribution threshold to $200,000;
(b) lowering the annual non-concessional contributions cap to $75,000;
(c) opposing the introduction of catch-up concessional contributions; and
(d) opposing the changes to tax deductibility for personal superannuation contributions; and
(5) the Opposition's position on the super package would improve the budget by $1.4 billion over the forward estimates and $18.9 billion over the medium-term”.

The DEPUTY SPEAKER (Mr Vasta): Before the debate is resumed on this bill, I remind the House that it has been agreed that a general debate be allowed covering this bill, the Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016 and the Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016. I call the honourable Treasurer.

Mr MORRISON (Cook—Treasurer) (16:32): I am pleased to summarise and conclude this debate. I first of all want to thank members who have contributed to this debate.

The measures that are included in this set of bills make important changes to superannuation, to make it fairer and more sustainable from a fiscal point of view, but also to ensure that our—I think—world-leading superannuation scheme continues to be that. It ensures that Australians are able to save over the course of their working lives in a much more flexible and fair way to ensure that they can provide for their retirement.

There are three great economic goals that I think Australians share: to be able to own your own home; to be able to raise your children—where you have been given that great blessing—and to be able to provide for your children and support you children by obtaining work and becoming self-sufficient as a family; and, thirdly, to be able to be independent in your retirement years. These are important economic objectives and goals that I think Australians share and aspire to. As a government, we want to facilitate and support all of those goals. These bills do exactly that, by making the superannuation system fairer, more flexible and, of course, more sustainable.

This is to reflect also the more precisely defined objective of superannuation; it is not there to provide a tax minimisation vehicle and it is not there to provide an estate planning tool. It is there to ensure that people can save and provide for an income in retirement where they can support themselves, and that is what these bills achieve.

I note the second reading amendment that has been brought forward by the opposition. I make a couple of comments in relation to that second reading amendment. Firstly, it makes reference to the budget being under threat and hitting the pay packets of Australians and risking our triple-A credit rating. The greatest threat to our triple-A credit rating sits on the opposition benches. When the Labor Party faces up to its economic responsibilities and supports the budget consolidation measures that are before this parliament then the budget will return to balance as projected, and that is what the rating agencies have called on this parliament to do. Those opposite do not share the government's objectives in achieving budget balance. In fact, with the measures that they have put forward, including the additional revenue that is contained in their suggested amendments, and even after removing the government's tax cuts for small and medium-sized businesses, they are still looking at an increased deficit over the government's figures of $16.8 billion. So that hardly does anything to give encouragement or confidence to the ratings agencies. The greatest threat sits not on
this side of the House but on the other side of the House, because those opposite continue to
deny their economic responsibility as a major political party in this country and ensure that
the government is able to pass its budget measures in order to restore the budget to balance.

Those opposite talk about their own measures in superannuation as leading a debate. The
only debate they are leading is the debate to have higher taxes. That is the only debate they
are leading and they are welcome to it. I will concede happily that the opposition are the
world debating leaders when it comes to increasing taxes. They are unchallenged at least from
those who sit on this side of the House when it comes to that great claim that they make for
themselves. What they have put forward in their amendments is to actually make
superannuation not more flexible, not fairer, not more sustainable just more highly taxed. So
their changes to superannuation are just about trying to tax savings and Australians more, not
to make the system fairer and not to make it more flexible.

In the measures that those opposite refer to, first of all, they just basically tax people more
by reducing the division 293 threshold to $200,000, which is basically because it is inclusive
of superannuation contributions of a wage income of $180,000. Not only do they
want to keep
tax rates higher for everyone but they also want to have a higher tax rate on incomes going
from $180,000 and above when it comes to superannuation contributions. So they want to tax
working Australians more as they are making contributions to their superannuation, and the
government does not support that objective.

Secondly, those opposite want to lower the annual non-concessional contributions cap to
$75,000. In the budget-in-reply speech, the Leader of the Opposition made only one criticism
of the government's superannuation package—that was, the lifetime non-concessional cap and
the false allegations that it was retrospective. That was the only thing he raised. He did not
raise any other concerns or questions about the government's superannuation package from
there all the way to election day. That was the only problem. The government, after the
election and after consulting further with government members and others, brought forward
an amendment to our package which replaced the non-concessional lifetime cap with the
$100,000 cap for annual contributions for non-concessional contributions as an alternative to
that approach. That was only for those who have a balance of less than $1.6 million, which is
the annual transfer balance cap.

Those opposite are now saying that that cap of $100,000 should be dropped to $75,000.
Why we object to that is we think that if an Australian is in a position to get to the $1.6
million transfer cap—frankly, very few Australians are able to achieve that over the course of
their lifetime, around one per cent—and they can get there as a result of the $100,000 annual
non-concessional contribution, if they were a farmer and their income was lumpy or if they
were a contractor or things changed over time then they would have the flexibility in that
$100,000 cap to help them get to that limit. So all this trying to drop it to $75,000 will do is
make it even harder for those people to reach what is the threshold that has been established
here to ensure that something is fair, and that is why we do not support it.

Thirdly, those opposite want to oppose the introduction of catch-up concessional
contributions for Australians who have a balance of less than $500,000. That is a third of what
the transfer balance cap is, and we want to say that if you have been out of the workforce, if
you have been a carer, if you have had kids, or for whatever reason you have not been able to
make the concessional contributions to your superannuation that you have been entitled to,
then we will let you catch up. But those opposite say no, because they are not interested in trying to improve the flexibility of superannuation. It is just one big tax grab from their perspective.

This is an important fairness and flexibility principle, particularly for women, and that is why we are doing it. We got into this business of trying to reform our superannuation system to make it work better for people who have economically uncertain working lives. Things change over the course of a lifetime. Life's events can be quite cruel. Weather events can be quite cruel to farmers, and others can be equally impacted by these things. We are saying, 'Let them catch up. Give them a go to catch up when they have the means to do so.' But those opposite say no.

Then, of course, they are opposing the changes to tax deductibility for personal superannuation contributions for those who have more than 10 per cent of their income from nonwage sources. Who are they? They are contractors, they are small business owners, they are home business owners and they are people who are actually engaging in the opportunities of the new economy that we are in, whether we like it or not, and are actually having a go and trying to make things work. They cannot claim deductions for superannuation from that contracting or business income and put it in their superannuation. They can only do it for the wage income. That might be a firey, like in New South Wales, or a policeman—and I know plenty of them, particularly in the shire—who is working two nights or days a week and protecting our community. On other days, they are working on building sites or doing other jobs. They do not get access to those contributions on their contracting income.

There are 800,000 Australians who will benefit from this flexibility measure, and the Labor Party is opposing it because they are only interested in the tax grab from super, not in making superannuation fairer and more flexible. That is why the second reading amendment opposed by the opposition is a nonsense, that is why it is not responsible and that is why it does not give me any encouragement that the Labor Party is going to step up to their economic responsibilities to ensure that the budget is returned to balance. They will stick to their plan for $16.8 billion in deficits over the next four years.

Mr Bowen interjecting—

Mr MORRISON: I hear the interjection from the shadow Treasurer: 'Oh, but this gives me 1.4.' Even after he has the 1.4, he is still $16.8 billion behind. He is chasing his tail around the room; he cannot keep up with spending by his own colleagues. I know it is a tough job for the shadow Treasurer. I know the shadow Treasurer would like to save more money, but he cannot keep up with the spending binge of all those with whom he sits around the table, so he has my sympathies. But I cannot share his experience because, on this side of the House, our cabinet works together to try and improve the budget. What those opposite are about is just spending like there is no tomorrow. The poor old shadow Treasurer has to stand up at elections and whisper quietly into the microphone, 'By the way, our deficit is $16.5 billion higher—shhh.' That is what happens.

I am pleased to commend these bills to the House and I am very pleased to have been part of the process. I want to commend, again, all our Treasury officials, all of our staff and advisers and the many thousands of people who have been consulted in the preparation of these bills—and the strong working relationships. Our own government members have made
an outstanding contribution in making sure that this is a package of reforms that makes superannuation fairer, makes it more flexible and makes it more sustainable.

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

The House divided. [16:48]

(The Speaker—Hon. Tony Smith)

Ayes ...................... 69
Noes ...................... 77
Majority ................. 8

AYES

Albanese, AN
Bandt, AP
Bowen, CE
Burke, AS
Butler, MC
Byrne, AM
Champion, ND
Claydon, SC
Conroy, PM
Dick, MD
Elliot, MJ
Feeney, D
Freelander, MR
Giles, AJ
Hammond, TJ
Hayes, CP
Husar, E
Jones, SP
Kelly, MJ
Khalil, P
King, MMH
Leigh, AK
Marles, RD
Mitchell, BK
Neumann, SK
O’Neill, CE
Owens, JA
Plibersek, TJ
Ryan, JC (teller)
Swan, WE
Swan, WM
Templeman, SR
Vamvakinou, M
Wilkie, AD
Zappia, A

NOES

Abbott, AJ
Andrews, KJ
Banks, J
Broad, AJ

CHAMBER
Mr MORRISON (Cook—Treasurer) (16:55): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Treasury Laws Amendment (Fair and Sustainable Superannuation) Bill 2016

Second Reading

Consideration resumed of the motion:
That this bill be now read a second time.
Question agreed to.
Bill read a second time.
Message from the Governor-General recommending appropriation announced.

Third Reading

Mr MORRISON (Cook—Treasurer) (16:56): by leave— I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Superannuation (Excess Transfer Balance Tax) Imposition Bill 2016
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 MORRISON (Cook—Treasurer) (16:57): by leave— I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Counter-Terrorism Legislation Amendment Bill (No. 1) 2016
Second Reading

Mr KEENAN (Stirling—Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism) (16:58): I present a revised explanatory memorandum to the bill and I move:
That this bill be now read a second time.
The Counter-Terrorism Legislation Amendment Bill (No. 1) marks an important step in the government's efforts to further strengthen Australia's robust national security laws and counterterrorism framework. It is broadly the same as the bill of the same title introduced into the Senate in November of last year—with the important additions of further safeguards recommended by the Parliamentary Joint Committee on Intelligence and Security.

Australians face the most significant threat from terrorism in our nation's history. The Australian government continues to work diligently towards combating the threat we face from terror groups and individuals, both overseas and at home. Sadly, by any measure, the threat that we face has only risen.

Around 110 Australians are currently fighting or engaged with terrorist groups in Syria and Iraq. At least 62, although probably up to 68, Australians are believed to have been killed in the conflict already—we would expect that figure to rise—while approximately 40
Australians have returned to Australia after travelling to Syria or Iraq and joining groups involved in the conflict. Some of these returnees remain a significant security concern.

There are around 200 people in Australia being investigated for providing support to individuals and groups in Syria or Iraq, including through funding and facilitation, or seeking to travel.

The national terrorism threat level for Australia is 'probable'. This means there is credible intelligence that indicates that individuals or groups have developed both the intent and capability to conduct a terrorist attack in Australia. Since 12 September 2014, when the national terrorism threat level was raised, 55 people have been charged as a result of 24 counter-terrorism operations around Australia. That is over half of all terrorism-related charges since 2001.

These numbers highlight the significance of the threat we face.

One of Australia's greatest strengths is our harmonious, diverse, multicultural, multi-faith community. This must be preserved and protected.

The measures introduced in this bill reflect operational learnings from recent counter-terrorism investigations. The bill also includes a number of recommendations from the Council of Australian Governments review of counter-terrorism legislation.

The bill seeks to maintain a careful balance between enhancing our law enforcement capabilities and protecting individual rights. To this end, the bill reflects the government's acceptance of the recommendations of the Parliamentary Joint Committee on Intelligence and Security on the 2015 bill. The provisions complement the earlier tranches of counter-terrorism measures introduced by this government since 2014.

The bill strengthens Australia's already robust counter-terrorism laws in several key areas.

Schedule 2—Control orders for young persons

First of all, the bill amends the existing control order scheme to provide that a control order may be issued against a young person from the age of 14 years.

Recent experience, including law enforcement operations, has shown that young persons can pose a significant risk to national security through their involvement in planning, supporting and executing terrorist acts.

Regrettably, recent events demonstrate the necessity of our law enforcement agencies being able to access the full suite of measures in relation to young persons.

Australia's national security legislation must provide law enforcement with appropriate tools to ensure the safety of the public and to ensure they are well equipped to respond to, and prevent, terrorist acts. This is the case even where the threats are posed by people under the age of 18.

A control order would only be issued against a person aged under 18 in the rare circumstances that it was required to:

- protect the public from a terrorist act;
- prevent a young person from supporting or facilitating a terrorist act; or
- prevent a young person from supporting or facilitating the engagement in a hostile activity in a foreign country.
The bill retains the existing safeguards in relation to young persons and introduces important new provisions applicable to 14- to 17-year-olds. These include:

- a maximum three month duration for the control order; and
- a requirement for the issuing court to take into account the young person's 'best interest'.

In response to recommendation 2 of the Parliamentary Joint Committee on Intelligence and Security's advisory report, the bill includes a requirement for the Australian Federal Police to advise all people subject to a control order of their right to obtain legal advice and legal representation. This provision will improve the safeguards not only for young people, as recommended by the committee, but for all people who are subject to control orders. Importantly, the bill also provides that, if a young person to which this section applies is not legally represented, the court will appoint a legal representative for that person.

**Schedules 8, 9 and 10—New monitoring powers**

Schedules 8 to 10 contain amendments to Commonwealth legislation to ensure law enforcement agencies can monitor compliance with control orders.

With the increased use of the control order regime to address the risk posed by foreign fighters, these measures will ensure that we can effectively monitor compliance with the obligations, restrictions and prohibitions imposed by control orders.

The amendments will ensure investigative tools are sufficiently adapted to monitoring the risk of possible breaches of control orders. Warrants will be available for the purposes of:

- protecting the public from a terrorist act
- preventing support for or the facilitation of a terrorist act or a hostile activity in a foreign country, and
- determining whether a control order has been or is being complied with.

These powers will only apply to individuals subject to a control order. Importantly, in response to recommendations of the Parliamentary Joint Committee on Intelligence and Security, the use of these powers will be subject to oversight from the Commonwealth Ombudsman.

**Schedule 15—National security information**

Schedule 15 provides a broader range of options for protecting national security information that is used in control order proceedings. With the increased tempo of counter-terrorism operations, it is sometimes necessary for our law enforcement agencies to take action earlier to protect community safety. To prevent death or serious harm, agencies may need to act before a full brief of evidence can be developed.

Consequently, those agencies will need to place a greater reliance on information from intelligence partners and sensitive sources.

The changes introduced in this bill will provide greater protection to national security information that is considered in control order proceedings. This is vital in order to maintain critical intelligence partnerships and to protect sensitive capabilities.

These provisions amend existing arrangements for the protection of sensitive information whilst balancing the rights of individuals involved. They will provide the court with a discretion to consider very sensitive national security information in support of a control order.
application that is not shown to the subject of the control order proceeding or their legal representative. However, the bill reflects the government's acceptance of recommendation 4 of the Parliamentary Joint Committee on Intelligence and Security on the 2015 bill, to make clear that the subject of the control order proceeding must be provided with sufficient information about the allegations against them on which the control order is based to enable effective instructions to be given in relation to those allegations.

In addition, the government has implemented recommendation 5 of the Parliamentary Joint Committee on Intelligence and Security to create a special advocate role to represent the interests of persons subject to control order proceedings where the subject and their legal representative have been excluded from hearing or seeing sensitive national security information. The special advocate provides an important safeguard in ensuring that the procedural rights of the subject of a control order proceeding are upheld.

Whilst the bill creates the architecture for a special advocate role, some time will be needed for the supporting regulations and administrative arrangements to be established for the regime to work. The government will work swiftly to ensure these arrangements are put in place as soon as possible.

Consistent with the recommendation of the committee, the provisions in the bill providing for the protection of sensitive information in control order proceedings will commence without delay. The court will be able to continue to exercise its inherent powers to appoint a special advocate on an ad hoc basis.

**Schedule 11—Offence of advocating genocide**

To address the negative impact of hate preachers, Schedule 11 introduces a new offence of advocating genocide.

The Australian government is doing everything it can to tackle the threat posed by those who justify terrorism and who radicalise and recruit people to take part in terrorism.

The Australian government has a long and deep commitment to free speech. But the community cannot allow the advocacy of terrorism or of genocide, which is the incitement to murder an entire population, not an exercise of free speech.

In the current threat environment, the use of social media by radical Islamist preachers means the speed at which persons can become radicalised and could prepare to carry out acts in response to a call to commit genocide may be accelerated.

Law enforcement agencies require tools to intervene earlier in the radicalisation process to prevent and disrupt further engagement in terrorist activity. This new offence is intended to be one of those tools.

**Schedule 18**

Schedule 18 implements all of the recommendations made by the Independent National Security Legislation Monitor in his report on section 35P of the ASIO Act.

These amendments will introduce new protections to section 35P by establishing two separate offence regimes, with one regime to apply to persons who came to the knowledge or into the possession of the relevant information in their capacity as an entrusted person and a separate regime for 'outsiders'.
Under these new regimes the disclosure of information made by members of the community, except those who received information in their capacity as an entrusted person, will only constitute an offence if the information will endanger the health or safety of a person or prejudice the effective conduct of a special intelligence operation.

The amendments will also establish a defence of prior publication available only to persons who did not receive the relevant information in their capacity as an entrusted person.

It is critical that ASIO continues to have the tools and capabilities, such as the use of special intelligence operations, available to them in order to effectively combat the significant terrorism and espionage threats that Australia faces.

Indeed, in making his recommendations the monitor agreed that it is appropriate to retain disclosure offences, and that the special intelligence operation scheme is both necessary and proportionate.

The government understands the importance in maintaining public awareness of, and confidence in, the activities of our security agencies. The decision to implement all of the monitor's recommendations regarding section 35P in full further demonstrates our commitment to ensuring that we are achieving the right balance between the public interest and our national security requirements.

**Concluding remarks**

The government is committed to ensuring that Australia's national security laws and counterterrorism framework are as robust as possible.

We have worked closely with the states and territories to ensure that Australia's counterterrorism framework is as good as it possibly can be. Countering terrorism and violent extremism is a priority for all Australian governments. We greatly appreciate the ongoing cooperation of the states and territories in this endeavour.

Consistent with the legislative reforms made in 2014 and early 2015, the government continues to monitor the adequacy of our legislation, and we will develop further necessary legislative amendments.

We will continue to take on board operational learnings and ensure that Australia's counterterrorism framework adapts to the constantly changing threat environment.

We are committed to fulfilling the most important responsibility that the federal government has—protecting Australia, its people and its interests. We will continue to do so while instilling confidence that our national security and counter-terrorism laws will be exercised in a just and accountable way, consistent with the values of our free and open society.

This bill demonstrates the Australian Government's determination to proactively and effectively address this and to proactively and effectively address the evolving threats to our national security.

*Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (17:11):* This latest national security bill introduced by the Abbott-Turnbull government, the Counter-Terrorism Legislation Amendment Bill (No. 1) 2016, was originally introduced to the Senate on 12 November 2015. On the same day, the Attorney-General wrote to the Parliamentary Joint Committee on Intelligence and Security to refer the provisions of the bill for inquiry and
report by 15 February 2016. Submissions on the bill were requested by 10 December 2015, and hearings were held on 14 December 2015. The committee, of course, did report in February 2016. Now, the bill has reached this House for debate a little over a year since the bill was first introduced to the Senate.

This bill implements several recommendations from the Council of Australia Governments review of counter-terrorism legislation in 2012 and reflects developments from recent counter-terrorism investigations. The Abbott-Turnbull government has introduced several national security bills over the past four years. These previous legislative measures have provided additional and broader powers for intelligence agencies and law enforcement authorities.

Labor's motivation when it comes to national security matters is always the safety of the Australian community. Labor has continuously demonstrated our strong belief that our intelligence and security agencies and our law enforcement authorities should have the resources and capabilities they need to keep Australians safe from the threat of terrorism. Labor's support of our security agencies includes a commitment to ensuring that appropriate resources and powers are available to combat the threat of terrorism. Labor will work responsibly to give our intelligence and security agencies the support they need to combat future security challenges.

Labor is bipartisan on matters of national security, but our bipartisanship is not to be mistaken for a blank cheque. Labor's commitment to national security means that we will support necessary and effective measures to address threats to our nation, but it does not mean that we will give automatic support to every proposal that this government puts forward.

The measures in the Counter-Terrorism Legislation Amendment Bill (No. 1) 2016 ensure that our security agencies and police forces are equipped with a valuable tool for preventing terrorist attacks—the control order regime. The effectiveness and value of control orders for our police and security agencies has been demonstrated carefully and sparingly since control orders were introduced into Australian law in 2005. Just six control orders have been issued, reflecting that these orders are reserved for only the most serious of cases. Control orders will be sought if this will help to prevent a terrorist attack if the person against whom an order is sought has been trained, has participated in training with a listed terrorist organisation, has engaged in a conflict or hostile activity in a foreign country or has been convicted of a terrorism-related offence.

At the time of the introduction of the bill to the Senate, estimates provided by security agencies showed that there have been around 110 Australians fighting or otherwise engaged with terrorist groups in Iraq and Syria and approximately 200 others providing support or facilitation from Australia. This increase in the number of Australians engaged with terrorist groups means that security agencies may need to respond with greater frequency than when the control order regime was first introduced in 2005.

Labor will always support legislation that makes Australians safer, but we must also ensure that the balance between public safety and privacy and civil liberties is appropriate. That is why we have advocated for improvements to the national security measures that we support, in line with Labor's values, to ensure that human rights are protected as much as possible. It is this constructive bipartisanship that we have brought to this bill and all national security legislation.
Most of this bill is largely uncontroversial, and Labor immediately supported those measures. But we have also argued for improvements and criticised the elements of the bill where the right balance between protecting community safety and protecting human rights and freedoms has not been achieved. Labor members have worked hard to ensure that we balance the need to provide our security agencies with the control order powers that they need with the safeguarding of the rights of any minors subject to control order applications. We have been careful to ensure that any such young person has the right to be provided with a lawyer to advise and represent them.

Labor members pursued improvements to the bill through the Parliamentary Joint Committee on Intelligence and Security to ensure that this bill was fit for purpose. Our work resulted in 20 substantial recommendations for improvements to the bill, and, following negotiations with the government, we were able to reach agreement on the implementation of these recommendations.

To give context to the improvements to this bill that were achieved by the work of Labor members, it is useful to consider the scope of the bill in the original form in which the bill was first introduced into the Senate. The bill updates Australia's counterterrorism legislation in a number of ways, including allowing preventative detention orders to be issued to prevent not only a terrorist attack expected to take place within 14 days but also a terrorist attack that is capable of being carried out and could occur within 14 days; removing the ability of serving Family Court judges, as opposed to serving judges of the other federal courts, to issue preventative detention orders; the introduction of a new offence of advocating genocide; lowering the age of a person who may be subject to a control order to 14; improved protections for all minors subject to control order applications; the introduction of a new class of warrants to facilitate the monitoring of compliance with control order conditions; and allowing national security information not to be fully disclosed to a person who is the subject of a control order, where that is necessary.

Once introduced to the Senate, as I noted earlier, the bill was referred to the Parliamentary Joint Committee on Intelligence and Security for inquiry and report. The committee received submissions, held a public hearing and tabled its report on 15 February 2016. The committee made a number of recommendations to change the bill. These included improved reporting of the exercise of monitoring powers, including telecommunications interception and surveillance device control order warrants; improved drafting of the threshold conditions for preventative detention orders; introducing a requirement that, in order to meet the threshold to be convicted of the proposed 'advocating genocide' offence, a person must be reckless as to whether another person might engage in genocide on the basis of their advocacy; mandating that a young person subject to a control order proceeding be provided with a lawyer; making clear that the best interests of a young person are the primary consideration in any control order proceeding; mandatory reporting to the parliament on the use of national security information in control order proceedings; and legislation for a scheme of special advocates to be introduced by the end of 2016. This will ensure that lawyers are able to advocate for the interests of a person in control order proceedings from which they have been excluded on national security grounds.

There was significant public concern at the time that this bill was introduced and in the course of the hearings of the intelligence committee about the proposal to lower the minimum
age for persons that can be subject to control orders to 14 years of age. Several representatives of the Muslim community particularly expressed their concerns that extending control orders to people as young as 14 years of age could be counterproductive and further alienate disaffected teenagers. They were also concerned that it could damage relations between young Muslim Australians and the police. The National Children's Commissioner, among others, also raised concerns about this proposal noting the potential of a control order to disrupt the education of a child and arguing that it is preferable to work with communities to divert children from the path to extremism.

Labor supports early intervention and community engagement as a way of countering emerging terrorist threats. In combination with strong counter-terrorism legislation, these are key approaches to preventing vulnerable young Australians from being groomed into extremist ideology. It is essential that the government seek wide and diverse advice on matters of national security and deradicalisation, as Labor does, from security agencies and from community leaders. I note the comment of ASIO Director-General Duncan Lewis:

If there is indeed a silver bullet to solving the issue of radicalisation, it is in the area of social cohesion.

Countering violent extremism programs need to be targeted, cohesive and properly funded. To work, they need to provide viable alternatives to disenfranchised young Australians who may be vulnerable to being groomed by terrorist recruiters. Security agencies must work with families and communities to challenge the lies told by those who wish to radicalise young Australians, and Labor accepts that control orders are one tool which should be available to our security agencies where appropriate. It is a tragedy that people as young as 14 are being targeted by organisations like ISIL for radicalisation, and Labor takes this threat seriously.

Labor understands the challenges faced by our security agencies and the challenge of identifying and resisting radicalisation in young Australians. My new colleague the member for Cowan has vast experience in fighting the radicalisation of young people. Her skills as an international expert in countering violent extremism will be of enormous benefit to this parliament.

Labor recognises the need for our anti-terror laws to be periodically updated to keep up with evolving threats. But each change must be treated carefully, particularly where minors are potentially affected. The age of criminal responsibility, under Australian federal law, is generally set at 14 years of age. To ensure that the bill properly implements Australia's obligations under the United Nations Convention on the Rights of the Child, the Parliamentary Joint Committee on Intelligence and Security recommended that the bill require the best interests of the child to be the primary consideration. The bill includes this requirement and also explicitly provides that a young person has the right to legal representation in control order proceedings. Labor insisted on these amendments because they strike a better balance between protecting the rights and civil liberties of young people and ensuring the safety of all Australians.

The COAG recommendation that the government give consideration to introducing a special advocate system for control order proceedings has been implemented by this bill. The bill now includes amendments that will establish such a system in response not only to that COAG advisory council report but also in response to the recommendations of the Independent National Security Legislation Monitor in January 2016 and the PJCIS in February 2016.
As with all national security legislation, Labor has approached this bill responsibly and with the rights and safety of Australians in mind. We have offered the government our bipartisan support for measures to ensure the security and safety of Australians and have accepted the advice of security agencies and community leaders to strike the correct approach between protecting community safety and implementing appropriate safeguards. As a responsible opposition, Labor did not offer the government a blank cheque on this legislation. We will not do so with any piece of legislation. We will continue to approach national security in a considered manner informed by experience, expert advice and the recommendations of community, legal and law enforcement experts.

Labor's approach will ensure that this bill operates as intended and serves to protect our great country and its citizens. We have worked hard to achieve the right balance through the committee process and we have kept the need for appropriate safeguards in mind throughout the negotiations with the government. Labor will continue to work to ensure that our security agencies and national institutions have the powers and resources they need to keep Australians safe from the threat of terrorism. I commend the bill to the House.

Mr DANBY (Melbourne Ports) (17:25): This proposed legislation, the Counter-Terrorism Legislation Amendment Bill (No. 1) 2016, is appropriate. I want to examine and commend the process that was outlined by the member for Isaacs in his remarks and also by the Minister for Justice. The Parliamentary Joint Committee on Intelligence and Security inquiry included the very unusual idea of having public hearings of the committee. This is a practice that is commendable and has been introduced only in recent years. The examination of these issues and the allaying of concerns of members of the public that this parliament is both active enough and concerned about individual rights is a very good process.

As the member for Isaacs pointed out, this is one of several tranches of government legislation that the opposition has supported over a number of years to deal with the worsening situation that we have faced since the sudden appearance of Daesh in western Iraq and the raising of the so-called Islamic State in Syria based in Raqqa. The member for Isaacs outlined the number of Australians who, tragically, have been over there fighting with Daesh. The security services have outlined a number of people who are back here in Australia, having returned from the fight. We know, of course, of many people who have been radicalised—I thought 'groomed' was a very good expression that the member for Isaacs used—by these fiendish, wicked people misusing one of the great religions of the world in a political ideology designed to effect their violent and horrible aims.

We all remember the terrible scene of the Australian Daesh fighter pictured in Syria—I think it was in Raqqa—with his two young Australian sons, holding up the heads of beheaded Syrian citizens. That is one of the most terrible scenes that reflects on the seriousness of this issue for Australia. It is an iconic scene of the process that is taking place over there. It has involved not just those two young ones. We saw in Australia, in Parramatta, a 15-year-old and, in Endeavour Hills, a 17-year-old involved in incidents. One of the worst events that did not happen, thanks to the good work of the security services and the police, involved a 14-year-old in London who gave instructions to an 18-year-old here, who has since been convicted, to do on Anzac Day in Melbourne two years ago what was done in Nice. Imagine if that had happened.
I am very pleased with the process that the member for Isaacs outlined. The Labor Party has been entirely responsible. Of course the primary duty of any political party in this parliament is to ensure the right to life and peace and safety of Australian citizens. We have gone into this process with a great deal of seriousness. I want to outline—because most people will not remember this—where this all began. It began many years ago when Labor was in opposition, before the last Labor government, and the then Attorney-General proposed taking powers unto himself that would have allowed him to point to different organisations which he would then label as terrorist and have outlawed. Labor and the parliament thought it was a much better idea for those organisations to be referred to the Parliamentary Joint Committee on Intelligence and Security so that we would have bipartisan support for that. That is not only good ethically, and it is not only good democratically for this parliament to have that view; it is actually politically necessary because of the make-up, for more than a decade, of the Senate of Australia. These laws might not have been passed—the five tranches of legislation so assiduously worked on by the opposition to improve them to see that they were balanced with civil liberties, balanced with privacy and at the same time gave the security services and the police the powers that are needed to handle the developing situation with terrorism.

These organisations were advanced to the Parliamentary Joint Committee on Intelligence and Security. The committee decided, on the basis of recommendations, which was or was not a terrorist organisation. As far as I understand it, the committee has never gone against the recommendations, which are put in great seriousness by the various agencies that are responsible. Part of the reason I am standing here today is a particularly insolent response I got from the Minister for Foreign Affairs in an answer to a question on notice about one of these organisations. The response pooh-poohed the role of the committee and said that all powers were in the hands of the Attorney-General and that these issues were briefly referred to the Parliamentary Joint Committee on Intelligence and Security. The shadow Attorney-General in his speech has outlined the fundamental importance of that committee in seeing that there is bipartisan support. I say to members of the government: you would not get this through the Senate if Labor opposed these kinds of resolutions. The irresponsible Greens political party speak against these amendments and this kind of legislation at every opportunity. They do not seem to be interested in the safety of Australian citizens. They do not seem to have the great national purpose that either of the two major political parties have. It is with that great purpose that we come to this parliament and that we consider these issues.

When I got this response from the foreign minister in Hansard in questions on notice, I thought about how this is the same minister who used to talk 18 months ago about the useful role that the Russians might provide in Syria. I constantly used to ask her about how the bombing was going in Aleppo. But it has almost got beyond the point of making jokes about the foreign minister's views on the Russians or the Assad regime in Syria. The tragedy that is happening in Aleppo, the breeding ground for terrorism, the fact that 330,000 people are being carpet-bombed—we may dislike Daesh, which springs from some elements of Sunni Islam, but to do what is being done there is a crime against humanity. It is going to come back to haunt all of us, so talking about the useful role of the Russians in Syria is a laughable prospect. It is a breeding ground for the kinds of people that we are going to have to be concerned about. Similarly, the same minister, who rightly comes into this House and talks about North Korean missile tests, never mentions even the American government, which has
been involved in a nuclear deal with Iran, and never mentions the four ballistic missile tests
that the equally dangerous regime in Iran has undertaken in the same period of time as the
North Korean missile tests.

The member for Isaacs pointed out that there were 20 amendments that the Parliamentary
Joint Committee on Intelligence and Security recommended to improve these bills. It shows
the worthiness of the process of referring this kind of legislation to the intelligence
committee. I think it is particularly wise also to have the amendment on advocating genocide
there. Some of the people, who, as the minister said, want to groom young people do not give
direct signals. They do not say, 'Go out and do this terrorist act,' and therefore legislation
might not cover what they are doing. They might say, 'Go out and kill all of these Ahmadiyya
Muslims', a very nice group within the Muslim community that exists in Sydney. What would
happen if they did that? Some of the people who have been groomed might be prompted to
take action against that entirely peaceful group in the Muslim community if they were given
such instructions by some of these devilish people involved in Daesh both here and there.
Therefore it is appropriate, with 14 to 18-year-olds, that the government have the power to
use control orders to prevent such tragedies happening here in Australia.

I will conclude by saying this legislation has been so thought through, so worked over that
it has bipartisan support. As I said, it will then pass in the Senate with both government and
the opposition support. Hopefully, as the member for Isaacs reminded me, some of this
legislation will never be used. Some of the previous tranches of legislation will never be used.
We hope that they will never be used because (a) the incidents will not happen and (b) other
legislation will cover the acts of such people if, God forbid, they are undertaken.

I commend this legislation. I commend the process by which it has been examined. This is
the Australian parliament at its best. It is an example of the kind of serious work we have
done to protect the safety of all Australians.

Mr Perrett (Moreton—Opposition Whip) (17:37): I rise to speak on the Counter-
Terrorism Legislation Amendment Bill (No. 1) 2016. As stated by the member for Isaacs, this
legislation brings in some elements that we hope will never be necessary, will never be called
upon. It certainly contains some challenging ideas for lawyers and for people concerned about
children generally in Australia. Obviously there is nothing more important to all Australians
than our national security. I do note up-front that there has been bipartisan support for this
legislation.

National security is an issue for all Australians whether they are Indigenous Australians,
whether their ancestors were transported as convicts in the early 1800s, whether their
ancestors migrated to Australia from China in the gold rush of the 1850s and beyond, whether
their great grandparents migrated from Europe after the Second World War, whether their
parents came from Vietnam in the 1970s or from Lebanon in the 1970s, whether you came
from Bosnia in the 1990s or from Sudan, or whether you came by boat and have been granted
asylum as a refugee. Irrespective of all of these people that I have listed, leaving aside the
Indigenous Australians, we do not call these people 'Australians that are second or third or
fourth or 26th generation migrants'; we call these people 'Australians'. We should never be
talking about people as second or third generation migrants as if that defines them.
Irrespective of our background, we all have in common a desire to live and to bring up our
families in a safe and secure country.
Labor has always taken a bipartisan stance on national security legislation even though it can be challenging particularly for many of the lawyers considering some of the concepts, rights and protections that might be curtailed because of putting national security first. Keeping Australians safe by ensuring that our national security legislation is as good as it can be is always a priority for the Labor Party. Our security agencies require that parliament give them the powers they need to do their job and to respond appropriately to threats as and when they occur.

This bill, like most of the previous national security bills, includes some measures which will have serious consequences for those who come within its powers. In particular, this bill extends the application of control orders to include minors as young as 14, and obviously that is a very serious step for the parliament to take, even in the pursuit of national security. Thankfully this bill was carefully examined by the Parliamentary Joint Committee on Intelligence and Security. The Labor members of that committee scrutinised the bill and heard evidence from security agencies and a range of experts and community groups. The PJCIS recommended 20 substantive changes to the bill. These recommendations included: mandating that a young person subject to a control order proceeding be provided with a lawyer—an important right; making clear in the legislation that the best interests of a young person are a primary consideration in any control order proceeding; mandatory reporting to parliament on the use of national security information in control order proceedings; a requirement that, for the offence of genocide, a person must be reckless as to whether another person might engage in genocide on the basis of their advocacy; and removing the requirement that, for the offence of genocide, the advocacy must take place publicly. Labor has worked hard on this committee to ensure that the recommendations have been included in the final bill.

Control orders, although a serious measure, are a necessary and valuable tool for our national security agencies. It is important to note that these orders have been used very sparingly since they were first introduced by the Howard government, in 2005. Obviously they are only reserved for the most serious cases. As of February this year, only six have been issued. They are only used in situations where measures such as interventions or deradicalisation programs would be unlikely to work. It is very sad that it has become necessary to extend the use of these serious control orders to include 14-year-olds. Sadly, that is the world we live in. Very young Australians are being targeted for radicalisation by organisations such as Daesh. The boy who murdered the New South Wales Police Force accountant Curtis Cheng in 2015 was just 15 years old, and another 15-year-old was charged in 2015 with conspiracy to conduct an act in preparation for a terrorist act. Fourteen is the age set in Australian federal law as being the age of criminal responsibility.

There were concerns raised with the Parliamentary Joint Committee on Human Rights about that aspect of this bill. Concerns were raised by the Human Rights Commission, the Gilbert + Tobin Centre of Public Law, UNICEF Australia and other bodies. To address these concerns, the PJCIS recommended that, when imposing an interim control order on a person aged between 14 years and 17 years, the best interests of the child must be taken into account as a primary consideration—that is, other than the objects of the control order regime itself, they are the most important consideration. The object of the control order regime must be considered as a paramount consideration, the most important consideration, so that the
purpose of the test is not skewed. The impact on the person's circumstances will obviously be an additional consideration.

The bill also includes a requirement that a person aged between 14 and 17 years in control order proceedings be provided with a lawyer if they do not already have one. Also, it is intended that control orders only be used in the most serious of situations. So far they have been used sparingly, with just six issued since 2005, as I said. It is important that, when such severe powers are given to authorities, there are some checks and balances put in place to ensure the powers are being used appropriately—and, as I said, hopefully never but, at the very least, sparingly. The Attorney-General is currently required to table an annual report detailing statistical information relating to the control orders made in each financial year. Importantly, this bill will mandate that the report must contain details specific to control orders made in relation to persons aged between 14 and 17 years.

This bill also contains a new offence of advocating genocide. This measure has been introduced to cover behaviour that did not meet the threshold of current offences. After the implementation of the PJCIS recommendations, this offence will apply where a person advocates genocide and that person does so recklessly as to whether another person will engage in genocide. The Australian Federal Police gave evidence to the committee that this additional offence is necessary to enable police to intervene earlier in the radicalisation process, to prevent and disrupt further engagement in genocide offences. This new offence will be subject to the existing defence for acts done in good faith, protecting the implied freedom of political communication.

The Australian Labor Party has approached this important legislation in a constructive and bipartisan manner. Labor is content that the measures, although very serious, are necessary to counter the potential national security threats. It is sad that it has become necessary to introduce this legislation, but that is the world we live in. Sadly, the necessity for the legislation reflects the worst of our society. But we must remember the best of our society too. We must not let those who seek to divide imprint on many the sins of a few. I am extremely lucky to have a constant reminder of the best of our community in my electorate of Moreton. The south side of Brisbane has a harmonious and inclusive multicultural community representing some of the best of Australia, and I am fortunate to witness this in action almost every weekend and at every school I visit.

I would particularly like to highlight some of the wonderful community organisations in Moreton and the wonderful work that they do. I particularly acknowledge the Islamic Council of Queensland, who this year hosted Eid Down Under, which aims to provide opportunities for intercultural collaboration and engagement across all of the community. It provides opportunities for community members and groups to come together and be part of the largest Muslim community event in Queensland. I have to mention Galila and her crew—the Islamic Women's Association of Queensland. I could spend a long time talking about their many events, including their annual iftar dinner during the month of Ramadan, and I think they recently celebrated their 25th anniversary. There is also the great work being done by the Muslim Charitable Foundation. This group is currently collecting handbags to give to homeless women at Christmas for the Share the Dignity charity. The bags are filled with personal items such as soap and hand cream to make these women feel special at Christmas. I will also mention Crescents of Brisbane and their many events, and particularly acknowledge
their annual CresWalk, which I think takes place in the member for Griffith's electorate down on the river. It aims to create awareness of domestic violence and lots of other great causes.

I mention my Islamic community in particular because, whilst this legislation applies to all Australians, unfortunately, there are some who seek to target the Islamic community. I was searching on the internet for a quote that I think David Irvine, the former head of ASIO, made about the Islamic community, indicating that there would be no greater ally than the Islamic community. Whilst I thought I was looking at his speech, I was actually looking at a speech that the Attorney-General, Senator Brandis, gave to the National Press Club. He has been quoted a bit lately for what he has said publicly, but this is a very good speech that he gave on 1 October 2014. I wanted to quote some particular lines from the Attorney-General. He said:

… The threat to Australia's domestic security … comes principally from a small number of people among us who try to justify criminal acts by perverting the meaning of Islam. Crime masquerading as religious dogmatism is still crime, and a fanatic who slaughters the innocent is a murderer, however much he might try to explain his crime in religious terms. People like that have nothing to do with the Islamic faith which they falsely invoke to justify their wicked deeds. As the Grand Mufti of Australia, Ibrahim Abu Mohammad, said on 15 September, their conduct is a betrayal of the Islamic faith:

'These criminals are committing crimes against humanity and sins against God.'

There could be no greater error than for Australians to demonise our Islamic fellow citizens—a community of some 500,000—because of the criminal elements who live among them and prey upon them … the leaders of that community are our partners and key allies in eradicating the problem of those who would lure their young men and women along a path to violence and, ultimately, self-destruction.

Fine words from the Attorney-General, and I commend him for that speech and for the efforts that he has made. We need to do this constantly, because there are those—unfortunately, including politicians and wannabe politicians—who are trying to cultivate fear and division in our Australian community. I do not want to name them, but I will call out their racism and I will call out their targeting of religious groups on every occasion. We have a Constitution that ensures we are not able to put religious requirements on Australians. I would hope that we always maintain that sound principle and that we are a harmonious community. Obviously, as I said at the start, I do not lightly consider the idea of control orders for children, but, with the appropriate checks and balances and upon the advice of our security agencies, I am prepared to support this legislation and commend it to the House.

Ms BUTLER (Griffith) (17:50): I rise to support the Counter-Terrorism Legislation Amendment Bill (No. 1) 2016. The Minister for Justice was wondering how I felt about this bill, and I thought I might end the suspense for him while we wait for our next speaker to come into the chamber. I see that he is now here but, since I am speaking, I will make a couple of observations about this bill.

Firstly, it is preferable to avoid the detention of children wherever possible, and I certainly hope that the availability of control orders can be used as a means of avoiding detention of children—which, obviously, should be a last resort. I know that Australia takes its international law obligations in relation to the rights of children very seriously. I would like to see a slight extension of that. For example, I would like to see us ratify the Optional Protocol to the Convention against Torture. That is something that a number of people have been speaking about in this place for some time, and I would like that to happen. When we talk about control orders, I also think it is important to put on record—as the member for Moreton
has just done—that we are a very successful multicultural society in Australia. We should be very proud of our very successful multicultural society and we should, in our bipartisan approaches to national security issues, make sure that we are continuously mindful of the success that we have had in bringing so many different cultures together. We are always stronger when we work together as a community and when we are cohesive, and I am very proud to be an Australian on that basis. I commend the bill to the House.

Mr KEENAN (Stirling—Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism) (17:52): I thank the members who contributed to this debate: the member for Isaacs, the member for Melbourne Ports, the member for Moreton and, very briefly, the member for Griffith. Clearly, we are living in extraordinary times in Australia when we need to bring legislation to this parliament that seeks to do some of the things that this bill will implement. The reason we are doing this—and it has been noted in this debate—is that the security situation in Australia has deteriorated very significantly as a result of events in Syria and Iraq. The Australian government recognised this very early on and we took proactive action—in fact, we have responded better than anywhere in the world—to make sure that our agencies, the Australian Federal Police, the Australian Criminal Intelligence Commission, ASIO and other agencies involved with a national security, had what they needed to deal with this threat.

The terror threat in Australia 10 years ago was vastly different from what it is today. At that stage we were dealing with people who had returned from the Afghanistan conflict, who had been radicalised, who were much smaller in number but who had a network and an intent to do Australia harm. They planned large, spectacular plots—attacking a military base, attacking large sporting events—and, of course, that involved an enormous amount of planning. You needed to source materials, you needed to talk to a network of people and you needed to coordinate. Clearly, that gave our agencies an opportunity to understand and take action on those plots. What we have now is a situation where somebody—often a young person, often a young man—could be radicalising late at night online. They could be doing it in the basement of their parents' home without their parents even knowing. It is a vastly different security arrangement that we need in Australia to be able to deal with that. We have worked with our operational agencies, who have been providing us with advice about what we need to do to change the laws to address this radically altered environment. We have methodically worked through—and I appreciate that we have done this with the assistance of the opposition—what they need to keep us safe and we have provided them with the powers that they require.

This bill is the latest iteration of that ongoing conversation that we have with our security agencies. It does do things, as has been noted by other speakers, that are relatively difficult, particularly control orders for people as young as 14. But, sadly, events in Australia have shown us that these powers are required. I will not go into the details of the bill again, considering I made an introductory speech about it only about 45 minutes ago, but I do remind the House and the Australian people that these measures are necessary. As some of the speakers noted in the debate, I too hope that they are never used, but if our agencies need them, if the circumstances call for it, if our national security demands it and action is needed to keep us safe, then we do need to make sure that they have the tools at their disposal to do
that. I, therefore, commend this bill to the House and I thank the House for the indication that it will be supported.

The SPEAKER: 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, Ms McGowan and Mr Wilkie voting no.

Bill read a second time.

Third Reading

Mr KEENAN (Stirling—Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism) (18:01): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Australian Organ and Tissue Donation and Transplantation Authority Amendment (New Governance Arrangements) Bill 2016

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Mr ZAPPIA (Makin) (18:02): This bill, the Australian Organ and Tissue Donation and Transplantation Authority Amendment (New Governance Arrangements) Bill 2016, amends the Australian Organ and Tissue Donation and Transplantation Authority Act 2008 to do three things: firstly, establish the Australian Organ and Tissue Donation and Transplantation Board; secondly, abolish the existing Australian Organ and Tissue Donation and Transplantation Authority Advisory Council; and, thirdly, transfer responsibilities currently vested in the CEO to the board.

The CEO’s role once the board is established will be to manage the day-to-day administration of the authority. The eight-member board will have a chair, deputy chair, CEO and five other members. It will be formally appointed by the Commonwealth minister on a part-time basis, and the chair will be nominated by the Commonwealth. With respect to the appointment of the chair, I thank the government for offering to consult the opposition over the appointment of the chairperson.

Before appointing the deputy chair and board members, the minister must request that the jurisdictions provide a written notice nominating one or more persons for the role of deputy chair and the COAG Health Council to provide a written notice nominating persons for appointment as board members. Board members are to be paid the remuneration that is determined by the Remuneration Tribunal or, if no determination is in operation, the member is to be paid the remuneration that is prescribed by the regulations. The existing advisory council members are remunerated according to the Remuneration Tribunal determination.
The bill also provides that the board may delegate some of its functions to the CEO. It further provides that the chair is to have substantial experience in or substantial knowledge of public administration, business or management. Board members, including the deputy chair, are required to have substantial experience, or substantial knowledge of, at least one of the following fields: public hospital administration; community leadership or representation in relation to organ or tissue donation and transplantation; consumer health issues; promotion of health issues; any other appropriate field of expertise; or the person has substantial clinical expertise in organ or tissue donation; or the person has substantial clinical expertise in organ or tissue transplantation; or the person is a consumer of health services.

By way of background, in 2008, then Prime Minister Kevin Rudd committed to making organ and tissue donation a national priority. The Australian Organ and Tissue Donation and Transplantation Authority—also referred to as the organ and tissue authority or simply the OTA—was established as part of the national reform program in 2009. The nine key elements of the national reform program were to establish a new national approach and system for organ and tissue donation; establish a national authority and network of organ and tissue donation agencies; establish specialist hospital staff and systems dedicated to organ donation; provide new funding for hospitals; provide national professional education and awareness; provide coordinated, ongoing community awareness and education; provide support for donor families; establish a safe, equitable and transparent donation and transplantation network; promote national eye and tissue donation and transplantation; and undertake additional national initiatives, including living donation programs.

The OTA is an independent statutory agency within the Australian government health portfolio. Currently there is no board of governance responsible for the overall strategic performance of the organisation; however, an advisory council was established to provide advice to the CEO. The OTA manages the implementation of the national reform program through leadership of, and collaboration with, state and territory medical directors, DonateLife agencies—of which each state has one—and hospital medical and nurse specialists in organ and tissue donation. These people and organisations comprise the DonateLife Network. State and territory governments, through funding agreements with the OTA, deliver organ and tissue donation services in the public hospital sector and, where mutually agreed, in the private hospital sector as part of the national reform program. States and territories use these funds to employ the DonateLife Network staff, in accordance with a nationally consistent organ and tissue donation service delivery model.

The proposal to abolish the advisory council and replace it with a board arose from the recommendations of the Ernst and Young review, which was commenced in June 2015 and reported in August 2015. The Ernst and Young review made 24 recommends, of which five deal with governance. All five recommendations are reflected in the bill. I want to go through those five recommendations individually, because they are all relevant to this legislation.

Recommendation 5:
The Australian Government should consider amendments to the Australian Organ and Tissue Donation and Transplantation Authority Act 2008 to establish a Board of governance of seven to nine people to govern the OTA.

Recommendation 6:
The Chair of the Board of governance should be an experienced leader of public hospital organisations, but need not be a clinician.

Recommendation 7:
The skill base of the Board should include community leadership, health promotion expertise, DonateLife Network clinical expertise, transplantation clinical expertise, consumer experience, and communication skills.

Recommendation 8:
The Chair should be nominated by the Australian Government, the deputy Chair nominated by the states and territories, with the balance of members nominated collectively by the Council of Australian Health Governments Health Council (CHC) members.

And recommendation 9:
The members should be appointed for a term of four years by the Australian Government Minister, with staggered appointments at the commencement of Board of governance operations.

There has been considerable debate over the years about the need to raise organ donation rates throughout Australia. Much of the increase from 11.4 deceased donors per million population in 2009 to 18.3 in 2015 is a consequence of Labor's reforms. However, Australia is still well short of the target of 25 donations per million people.

The following statistics highlight the difficulty in finding donors. In 2015, there were almost 154,000 deaths in Australia, of which around half, or 74,000, were in a hospital. Of those, 970, or a little over one per cent, were in the specific circumstances where the potential for organ donation was identified. Nine hundred and forty requests to families for donation were made and 564 families consented. There were 129 cases where family consent was given, but donation did not proceed for clinical reasons. This resulted in 435 deceased organ donors for the year.

What can be done to improve that figure? We know that, in 2015, 91 per cent of families agreed to donation where the deceased had registered their decision to donate. That figure drops to 52 per cent if the deceased was not registered and the family had no prior knowledge of their wishes. This highlights the importance of registering on the Australian Organ Donor Register. Currently, there are around 6.2 million people on the register, which includes about 26,000 who do not wish to donate. Around 150,000 signed up in the year 2015-16. Clearly, ensuring that families know the deceased's wishes through greater participation on the Organ Donor Register will maximise the number of requests that are agreed to. I note that South Australia is currently the only jurisdiction where a person can register their organ donation decision via their driver's licence. Interestingly, 64.7 per cent of South Australians over the age of 16 are on the Organ Donor Register. That is a much higher figure than for the rest of Australia, and it is perhaps something that we should consider looking at to see if the other states might benefit by applying the same system.

I want to turn for a moment to living donors. Whilst most of the focus has been on deceased donors, we should not ignore the incredible gift that living donors give, often to a close family member. In 2015, according to the OTA's annual report, there were 245 recipients of living donor organs. I note, however, that that figure has been trending downwards over the last three consecutive years. Living organ donation requires major surgery and, if the living donor is working, they will almost certainly need a significant amount of time off work for recovery. Some donors may have to take leave without pay, or
may exhaust their paid leave entitlements during the recovery period. Labor introduced supporting leave for living organ donors as a two-year pilot from July 2013 to June 2015. The aim of the program was to help alleviate the financial stress that living organ donors may experience, by reimbursing employers for payments or leave credits provided to their employees for leave taken to donate an organ and recover from the procedure. The government followed that lead and has continued the program for another two years until June 2017.

Organ donation and transplantation saves lives and changes lives. The waiting lists for organs, however, are lengthy, often causing further health complications, additional health costs and productivity losses. I do not know if any cost-benefit studies on organ transplant have been carried out, but the figures would be interesting. There is financial and social urgency in lifting organ and tissue donation rates. One of my concerns about doing that is the shared responsibility between the federal government and the states and territories for organ and tissue donation and transplantation. Commitment to the program by each of the jurisdictions appears to vary and to be linked to the budgetary health priorities of each jurisdiction.

Establishing a board of governance to whom the CEO will report and be accountable is expected to make the authority more effective. However, an increase in organ donation and transplantation comes at a cost. Each transplant incurs a cost, both in the donation and the transplantation process, so raising transplantation rates will inevitably require additional funding. How that funding is to be provided, and by whom, is a matter that cannot be ignored if governments are serious about raising organ and tissue transplants.

Whilst considerable progress has been made, organ transplantations are still complicated matters. The medical professionals who carry out the procedures deserve our gratitude. It is through their work and research that lives are changed. In an article which appeared in the Adelaide Advertiser last Saturday, 19 November, Professor Toby Coates, director of kidney and pancreatic transplantation at the Royal Adelaide Hospital, commented on some research that was being carried out relating to kidney transplants at the hospital. Professor Coates said of the cold perfusion that is currently used:

… when we preserve an organ, it is put onto ice and kept at 4C until the person arrives for the transplant.

He went on to say:

What we want to do is warm perfusion, so instead of chilling the kidney down, we would put it on a pump system to keep it at 37C and ticking over with oxygenated blood.

I commend Professor Coates and his team for the research they are carrying out. I have no doubt many other dedicated medical professionals are also continuously looking at improving the existing procedures.

In closing, I take this opportunity to thank and acknowledge the work of the organ transplant authority advisory council that has existed to date and all of the members that formed part of that council for the good work that they have done. It was, indeed, under their stewardship that the organ donation rates went from about 11 to 18 per million people in this country, which is a considerable increase. I also especially thank David Koch for his contribution as the chair of the OTA for a long period until he stepped down about a year ago. I have no doubt that his contribution was also a significant reason why the rates of donation
went up. Labor supports this legislation for the reasons I have outlined. I again thank the 
minister, who is here at the table, for offering to consult with Labor with respect to the 
appointment of the chairperson for the board.

Ms SHARKIE (Mayo) (18:17): I support the Australian Organ and Tissue Donation and 
Transplantation Authority Amendment (New Governance Arrangements) Bill 2016 because it 
gives effect to recommendations about governance and accountability in the report Review of 
the implementation of the national reform agenda on organ and tissue donation and 
transplantation. One of the observations in the review related to the advisory nature of the 
governance arrangements for the Organ and Tissue Authority, specifically the fact that they 
do not provide strategic oversight, performance monitoring, succession planning or mentoring 
of the CEO. So it is clear that a stronger leadership role would be beneficial at the national 
level if we are to achieve greater national consistency as well as an increase in donor rates. 
Stakeholders in the sector are broadly supportive of establishing a skills based board of 
governance for the Organ and Tissue Authority that will become the accountable authority 
and will set strategic direction.

We all recognise the complexities surrounding organ and tissue donation and 
transplantation. These are in part caused by the complexities of our health system and the fact 
that it is overburdened. But I am concerned that we have spent around $240 million over six 
years and have only achieved an increase of 3.9 in our deceased donors per million population 
rate. Over 1,000 Australians die each year because they have not been able to receive an 
organ transplant, and for many we know this is a preventable death. The waiting and hoping 
while your health deteriorates must be excruciating. Significantly, only one per cent of people 
die in circumstances which enable organ donation.

So, while improving governance and accountability is important, I believe we should be 
learning from the experience of other countries which have higher rates of donation than 
others. Which country has the highest deceased organ donation rate in the world? Spain. One 
of the major reasons is that they have an opt-out system. While the families still have a final 
say, the initial assumption under the law is that the default position of consent to donate 
organs has been given unless otherwise stated. We see an interesting trend when we compare 
the deceased organ donation rates in pairs of countries that are similar. For example, Austria 
and Germany are culturally similar and yet their organ donation rates differ drastically. 
Germany has only 10.45 deceased donors per million population, while Austria's rate is 150 
per cent higher at 25 deceased donors per million population. Guess which country has an 
opt-out system. Yes, Austria.

Similarly, the Netherlands and Belgium have quite different rates. Belgium, which has an 
opt-out system, has a deceased donor rate of 27 per million whereas the Netherlands, which, 
like Australia, has an opt-in system, has a rate of only 17 per million. However, the 
Netherlands have recognised that his needs to be an area addressed. In September this year, 
the Dutch parliament considered a bill to introduce an opt-out system, meaning that everyone 
would be an automatic donor unless they request not to be. It has passed their House of 
Representatives and is now being considered by the Dutch Senate.

Australia is ranked a disappointing 22nd in the world for its rate of deceased organ 
donation at 16 per million—just 16 people per million Australians! A relatively small 
percentage of people do not register as donors because they object on religious or
philosophical grounds. And, of course, that is their right; it is perfectly acceptable. But I think that one of the reasons our rate is so low is not because people do not want to donate but because many people are genuinely apathetic. If we are required to take action—for example, to opt into an organ donation scheme—people just do not quite get around to it.

I believe that if this bill passes—and I understand that, with the support of Labor, it will—the newly constituted board should have one of its key priorities the introduction of a nationwide opt-out system for organ donation. Of course, this would require extraordinary cooperation from the states and territories. Importantly, we must ensure that people are able to opt out easily if they have personal objections to organ donation for whatever reason. However, the introduction of an opt-out system is a worthwhile aim. The reversal of the burden will take action and save many lives.

Mr WYATT (Hasluck—Assistant Minister for Health and Aged Care) (18:22): The Australian Organ and Tissue Donation and Transplantation Authority, known commonly as the Organ and Tissue Authority, is responsible for the implementation of the Australian government national reform program on organ and tissue donation for transplantation. On 2 February this year, the then minister from rural health, Senator the honourable Fiona Nash, released the findings of the Ernst & Young review of the national reform program on organ and tissue donation for transplantation. The Ernst & Young review examined the respective contributions to the reform program for the Organ and Tissue Authority, state and territory governments, DonateLife hospitals and clinicians. The Ernst & Young review found that the implementation of the national reform agenda had been broadly effective. However, there is scope for improvement in the areas of governance, transparency and accountability.

To improve these key areas in line with review recommendations the bill will establish a board to govern the Organ and Tissue Authority under the Australian Organ and Tissue Donation and Transplantation Authority Act 2008. These new arrangements will also improve the strategic oversight of the DonateLife network, as well as the performance monitoring, succession planning and mentoring of the CEO.

As part of the bill, the functions of the CEO will transfer to the board once established. The board will assume the role of the accountable authority under the Public Governance, Performance and Accountability Act 2013 and be the decision-making body for the organ and tissue donation authority. The CEO, who will have responsibility for the day-to-day administration of the Organ and Tissue Authority, will also be a member of the board. This arrangement has been instituted to improve transparency and operational efficacy of the Organ and Tissue Authority and will ensure that the strategic and policy objectives of the authority are effectively integrated in the day-to-day operations and activities. The board may also choose to delegate some of its functions to the CEO to ensure the Organ and Tissue Authority remains agile and responsive.

The board will have a skills-based membership, harnessing expertise, experience and knowledge from a broad range of areas. The Commonwealth will nominate the chair of the board. The jurisdictions will nominate the deputy chair, with the remaining five members nominated by the COAG Health Council. All board members will be appointed by the responsible Commonwealth minister. The CEO will be appointed by the Commonwealth minister in consultation with the chair of the board. The bill retains the ability for the
Commonwealth minister to give policy principles to the authority about the performance of its functions.

The establishment of the Organ and Tissue Authority board will improve accountability and transparency and will better support the authority to be more effective in achieving its strategic goals: saving lives and improving the quality of the lives of more Australians.

I thank the members for Mayo and Makin for their contribution and I would like to acknowledge the member for Port Adelaide for his prize stewardship when he had responsibility for the authority. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Third Reading

Mr WYATT (Hasluck—Assistant Minister for Health and Aged Care) (18:26): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016

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:

“Whilst not declining to give the bill a second reading, the House notes that the Turnbull Government cannot guarantee that, under Youth Jobs PaTH (Prepare, Trial, Hire):

(1) jobs will not be displaced by cheaper labour;

(2) wages will not be undercut and some participants will be paid below minimum award wages;

(3) participants’ safety will not be compromised and that adequate insurance arrangements will be provided;

(4) participants won’t be used to help businesses sidestep unfair dismissal protections; and

(5) it will prioritise using small to medium enterprises in PaTH because they have a demonstrated track record of employing more job seekers through the jobactive programme.”

The DEPUTY SPEAKER (Mr Goodenough): If it suits the House, I will state the question in the form: that the amendment be agreed to. The question now is that the amendment be agreed to.

Mr WALLACE (Fisher) (18:28): Taking off from where I left off: from 1 January 2017 Australian employers will be eligible for a youth bonus wage subsidy if they hire a young jobseeker who has been in employment services for six months or more. Most job-ready young people will attract a wage subsidy of $6,500. A larger $10,000 wage subsidy will be available to businesses that employ jobseekers with barriers to employment. Businesses will
have the flexibility to employ young jobseekers either directly, through labour hire arrangements or combined with an apprenticeship or traineeship.

As part of these reforms, existing wage subsidies will be streamlined making them easier for employers to access. Wage subsidies will be available to employers from day 1 of a young person's employment. Employers will choose how often instalments are paid—whether fortnightly, monthly or some other arrangement—and over what time period. Wage subsidies will be paid over six months and at a flat rate instead of pro rata instalments. Employers will have up to 12 weeks to decide whether to enter into a wage subsidy agreement.

In relation to youth innovation and self-enterprise: in our 21st century economy, opportunities are becoming open to people at every income level, and young people have the skills, knowledge and attitude to capitalise on this. The government will encourage young people to start their own businesses by fostering their innovation and interest in self-employment. Young people do not often look at a small businesses as being an option, but the Sunshine Coast—where the seat of Fisher is, where I come from—is becoming more and more known as the entrepreneurial small business capital of the country. This program will fit very neatly with that, because it will encourage young people to look at starting their own businesses.

In addition to creating the Youth Jobs PaTH, the government is investing an extra $88.6 million in supporting jobseekers, including young people, who wish to start their own businesses. This complements the government's National Innovation and Science Agenda and will help more Australians capitalise on the opportunities presented by Australia's economic transition.

From 1 December 2016, eligibility for the highly regarded New Enterprise Incentive Scheme will be broadened to allow access to self-employment training and mentoring for jobseekers who are not on income support. The government will provide funding for an additional 2,300 New Enterprise Incentive Scheme places each year, making a total of 8,600 places available annually. The New Enterprise Incentive Scheme will continue to provide eligible jobseekers with small business accredited training, mentoring and business advice for up to 52 weeks.

The government's National Innovation and Science Agenda recognises the importance of innovation and the ideas boom, especially for young Australians in the new economy. Australia's future growth and prosperity rely on having a sufficient workforce to fill the jobs of tomorrow. To do so, we need to increase workforce participation, especially by supporting young Australians to get and to keep jobs. The government will establish new 'Exploring Being My Own Boss' workshops to engage jobseekers to explore self-employment. To help young people to develop their innovative ideas into successful businesses, self-employment starter packs will also be introduced. These will contain information on the services available to support jobseekers to establish a business.

I remember the night that I decided to start my own first business. I spoke to my dad, who at that stage had been self-employed all his life. He started out as a motor mechanic at the age of 14. He told me that, if you start your own small business, you will never, ever get the sack because you will always be your own boss. They were words of wisdom from my dear old dad, because I basically spent the next 30 years working for myself, and I never got the sack!
Finally, entrepreneurship facilitators will be appointed in Cairns, Launceston and the Hunter Valley—locations with high youth unemployment. Facilitators will help bring together available services and programs such as jobactive, the New Enterprise Incentive Scheme, microfinance services and start-up incubators. They will also provide practical assistance, including help accessing local mentors, business partners, finance, office space, equipment and ongoing business development training.

It is worth pointing out at this point that I recently attended the University of Sunshine Coast's Innovation Centre, where many start-ups and young people look to start their own businesses with the assistance of the mentorship of more experienced businesspeople, and also gaining support and assistance from academics and other like-minded people. In fact, I spoke to one gentleman who had a multimillion dollar business and, yet, he was operating out of a small office at the Innovation Centre because, in his view, the Innovation Centre at the Sunshine Coast was such a fantastic incubator for small businesses that he would rather spend his days working in that environment, in a collegiate environment, assisted by those people, than operating in a flash office in his own business. I commend the government's Youth Employment Package. It will get young people ready and it will give them a go and get them a job. I commend the minister on the bill.

Mr BRIAN MITCHELL (Lyons) (18:35): Far be it from me to wish anybody the sack—we will see how the member for Fisher will go in three years. Youth unemployment is a big issue in my electorate of Lyons. There are far too many young people not at school, not in training or not at work. In August, the Australian Bureau of Statistics stated Tasmania's youth unemployment rate was 18.7 per cent, and that compares to a national average of 12.7. Some parts of my mostly regional and outer suburban electorate suffer unemployment rates amongst 15- to 24-year-olds as high as 27 per cent. It is a crushing level of unemployment; a terrible waste of human potential.

All of us, in this place, agree that the scourge of youth unemployment needs to be addressed, but I think where we differ is how we get it done. On this side of the House, we believe a large part of the answer lies in addressing underlying issues that cause young people to be underemployed or unemployed in relation to other Australians. Better education, better training and more access to apprenticeships are the key. But these things require long-term government commitment and investment, and that does appear to be a stumbling block to those opposite.

One thing that we do not do on this side of the House is blame the unemployed for being unemployed. The vast majority of young people want to work. Some lack the skills for the jobs they want, some lack the ability or the resources to find work. Many others apply time and again and are simply unlucky, because the simple truth is, there are many more young people looking for work than there are jobs available. Sure, we all know someone, or at least a story or an urban myth of someone, who is capable of working but chooses not to. In my state of Tasmania, there are many fruit-picking jobs available. It is so difficult to source labour locally, despite high unemployment, that farmers rely overwhelmingly on backpackers. In 2013, those opposite did try to force young Tasmanians to pick fruit by seeking to remove unemployment entitlements for lengthy periods. That vicious plan was abandoned when it dawned on the government it was simply unworkable, because, of course, fruit picking is seasonal; it is not permanent; it is not secure. It is perfect work for young, fit people who seek
a short-term job but it is far from a permanent, secure option. It is a job ideally suited for working holiday-makers—backpackers—and that is why Labor is keen to attract backpackers to this work and not price ourselves out of the international market. But that is a debate for another time and in another place, if the other place ever manages to bring on the debate.

If we want young people in permanent work, we must as a nation create more opportunities for permanent work. And we, in this parliament, have our role to play. For example, by offering support for Australian industry such as an Australian shipping industry, that will help keep and create jobs here. Australians, like Andrew, who was in the public gallery at question time today, can get a job in Australian shipping and plan for a secure future. Addressing what appears to be a proliferation of foreign workers in traditionally entry-level jobs at service stations, construction sites and aged-care homes is also part of the solution. Addressing this has to be part of the debate because these are exactly the sorts of entry-level jobs that give young Australians a start in life.

When it comes to jobs in Australia, we should look local first. Fast food outlets, pubs, supermarkets, restaurants, service stations, these are the sorts of jobs that are ideal for young people and which already employ thousands of them. Unfortunately PaTH could actually make things worse, not better, because it incentivises employers to put on free labour—temporary interns—over full-wage employees. Employers basically get a worker for free for 12 weeks, the wages are paid by the government plus the employer gets $1,000 for the burden of putting somebody on.

Under the coalition's rules, there is nothing stopping employers using cheap youth labour, so-called interns, to displace real jobs and churning through new interns every 12 weeks. Treating young people like they are disposable should not be part of any decent youth employment solution. But of course, it is my fear that the Youth Jobs PaTH program is not really about young people. PaTH is about providing employers, particularly big corporations, with easy access to a pool of free labour; it keeps wages down. If PaTH was really about making young people job-ready, it would include proper training and skills pathways. It would require more of employers, not less.

Instead, there is nothing in this program to stop an employer sticking a PaTH employer on a deep fryer and getting rid of them after 12 weeks and then starting again with somebody else and collecting another $1,000 for every new intern they put on. Worse, it appears these interns can be told to work weekends and nights—times when paid workers would receive penalty rates. 'Register now to host an intern' says the PaTH application form. Businesses will receive an up-front payment of $1,000 to help cover the costs of hosting an internship placement. All the form requires is a name, organisation, ABN and email—that is it. There is nothing about training, nothing about mentorship, nothing about the potential for ongoing work.

These young people are perversely called 'interns'. I have worked in private enterprise most of my working life. At the newspaper I worked at, we supported university intern programs. We would offer four- to six-week placements for senior journalism students and graduates. They received on-the-job training, mentorship and the chance to build a portfolio of published work. And we in turn received a warm body to give extra jobs and research to. Sometimes we would get an absolute ace of an intern and they would be given more complex stories to cover. It was in the main a win-win for both parties. Sometimes interns—desperate interns—
would offer to stay on the job for free for months on end. But we always turned them down because there comes a time—and it is different for everyone—when it stops being an internship and it simply becomes sweatshop labour.

Most reasonable people would think of interns as students or graduates gathering on-the-job training in the profession of their choice such as journalism, law, politics or something similar. Few would consider a kitchen hand or a check out operator or a cleaner to be an intern. And of course every free or cheap person on-the-job is one less paid employee that you need—less superannuation, less workers compensation, and less annual leave to pay. Free youth labour might be nirvana for employer groups but it is a direct assault on the Australian culture of a fair go.

I hear the arguments of those opposite, who say a so-called internship will get young people job ready because it gives them experience, it gets them used to getting up early and dressing neatly. I do strongly believe that work develops character. I recommend it to every young person whether at school or not. My first job was at 14, at Hungry Jacks, and I stayed there for seven years—and I have kept the kilos that I put on them. But if the entry-level job market is saturated with interns, what jobs are young people expected to get? What I can see happening is young people ending up on a never-ending treadmill of free internships and traineeships, never able to crack a real job because the jobs that used to be properly paid are filled by free interns.

I want young people in work, but I want them in decent jobs and not exploited. I want a job market where the disgraceful goings-on at employers like 7-Eleven are the exception not the norm. Our national character and identity are built on the notion of a fair go. There is nothing fair about treating young Australians like second-class citizens who are somehow unworthy of the pay and conditions that working men and women have fought for generations to create and protect. I have an obligation to the communities, families and young people in my electorate to ensure they are given decent opportunities to find meaningful ongoing employment.

There are many unanswered questions about PaTH. What happens if an intern sustains an injury at work? Are interns covered by workers compensation? The government has not addressed this important question. Will the base $200 a fortnight include the possibility of being made to work on public holidays and weekends? Does a penalty rates regime apply for these times? I suspect it does not. Will interns be expected to do the same work as someone earning a full-time wage? The government has not clarified this either.

For $200 a fortnight, on top of Centrelink entitlements, a young person can be expected to work up to 25 hours a week—eight bucks an hour. Is that our measure of what a young person is worth in Australia in 2016? What qualifications will an intern have earned after four to 12 weeks in a workplace working 15 to 25 hours a week? Will they have a recognised certificate or qualification to assist them with getting a proper paid job? I doubt it.

With PaTH scheduled to start in May, the government has many questions still to answer. It still cannot even tell us what an intern actually is. Labor intends to refer this bill to a Senate inquiry because the Australian people deserve these answers. Australians have fought for too long to win decent pay and conditions to see them undermine with reckless, lazy legislation. The bedrock of our society is 'a fair go for all'. We must never be a nation that applauds exploitation. Yes, we want young people in work. But we on this side of the House
know the way to achieve this is through more support for education, training and apprenticeships, more support for Australian industry and more robust oversight of working visas to ensure that young Australians get the first crack at Australian jobs.

Mr EVANS (Brisbane) (18:47): I rise today to speak in favour of the Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016. I was very interested to hear some of the comments from the member for Lyons. I note that he commended schemes like this in terms of how they would work in the industries with which he has experience and that he has concerns about how the scheme might play out in a range of other industries. I would say two things in response to that. First of all, the parameters of the scheme will not allow many of those fear-mongering claims to occur in practice. Secondly, it reveals maybe a lack of understanding about the number of unemployed youth and the number of firms and businesses in the industries he listed that would be perfect for finding jobs for unemployed youth. As I will discuss a little later, there are over 400,000 shopfronts in this country that fit the description of the industries that the member for Lyons listed. If they were all to attempt the sort of churn that he described, the churn would last for the first tranche of 12 weeks and then all the unemployed youth in Australia would have work experience, opportunities and things on their CV, which would actually be a fantastic result.

We do have a serious and lingering problem with youth unemployment in some parts of Australia. While unemployment is relatively low in my inner Brisbane electorate due to the economic opportunities that are present there, we can and must do better to address it. In particular, I think it is worth noting the contribution of a state MP in Brisbane who is actually supposed to be the minister for employment in the Queensland Labor government, the Hon. Grace Grace. I think it was earlier this year that she said, 'There's not much that you can change.' Truly, that was not a heartening moment for the tens of thousands of young people looking for work around Queensland, especially in areas like Cairns and Townsville, where youth unemployment really is a crippling problem.

I do not think it is a case of saying youth unemployment is nothing new or that it is good enough to bury your head in the sand, or to put this problem in the too-hard basket. I think there are things that we can change to help reduce youth unemployment and I am willing to support proposals such as this bill to try to help. I have played a role in providing training to job seekers, creating traineeships and work experience, and fostering new jobs. All of that experience suggests that this proposal is likely to make a real difference. That is because I understand how sometimes, especially for many entry-level jobs that are available right now, recent experience and a foot in the door of the job market can contribute as much to someone's prospects of getting a job as any formal qualification.

When I worked with the retail sector, I used to conduct regular experiments everywhere I went around the country—in conference halls, boardrooms and conventions—where I asked people about their first step into the job market, where they got their first experience and first opportunities from. It was always remarkably consistent how over half of the room had got their foot in the door of the jobs market through businesses like retail and hospitality, and more often than not a small business, that had given someone a go, given them some work experience, something to put on their CVs and, most importantly of all, some job-ready foundation skills like customer service or sales that they could then apply for the rest of their careers wherever those careers took them. Experience and opportunity were the key to many
of those stories and it is experience and opportunity that we are trying to create with the proposals in this bill.

Employing youth provides self-esteem and self-worth and it provides financial independence and dignity for youth unemployed. The Turnbull government's national plan for economic growth and jobs will facilitate this economy's transition to broad-based growth over the next decade and beyond. The $840 million youth employment package provides an enterprising new approach to youth employment and we aim to help up to 120,000 vulnerable young people over four years to take advantage of job opportunities as the economy diversifies and transitions. The youth employment package will help get young people ready, give them a go and get them a job. Before I dive into the specifics of the bill, I would like to speak to the timely nature of this bill for my home state of Queensland.

The next tranche of Queensland's lockout laws will begin by February. Labor's lockouts are costing Queensland the equivalent of 6,000 jobs, mainly for younger workers and at a time when the Queensland economy obviously does have some lingering and local problems in some areas with high youth unemployment. The cost to the Queensland economy is estimated to be around $150 million a year and many of the young people who work in our pubs, clubs, live music venues and the night-life economy have already found their hours and their shifts reduced. Many will suffer further cuts to their hours and their take-home pay when the next tranche takes effect. So I suppose I want to make the observation that while the Turnbull government is getting on with its job of fostering employment and empowering our youth, our state Labor counterparts appear to be doing the exact opposite.

The Turnbull government recognises that one critical aspect of the youth unemployment issue is that youth can often be a proxy for experience. Young people, often due to a lack of experience in the workforce, can face higher difficulties getting the start they need in the workforce and more can be done and more must be done to help young people who are finding it hard to get into the workforce. Young Australians need the right assistance and encouragement to learn new skills, become job ready, get a job and keep the job. In formulating this bill, the Turnbull government has gathered feedback from businesses all around Australia, large and small, and we have taken the preliminary findings of the investment approach analysis, international best practice and domestic experience into account to design an innovative Youth Jobs PaTH program that will truly make a difference. The pathway will encourage employers to hire young people by enhancing their employability, providing them with real work experience and increasing incentives for employers to take them on. The program will also help to incentivise and instil confidence amongst vulnerable young people to make the transition into employment.

The government's innovative Youth Jobs PaTH program will help young job seekers to move off welfare and into employment. I truly believe that. The three stages of the Youth Jobs PaTH are (1) to prepare—with detailed employability skills training; (2) to trial—an internship placement of up to 12 weeks with financial incentives to participate for both the businesses and the job seekers; and, finally, (3) to hire—including more accessible and increased wage subsidies for youth.

For the first part, we will help young people gain a foothold in the labour market by providing intensive, pre-employment skills training within five months of registering with jobactive. The first three weeks of training will focus on skills such as working in a team,
presentation and appropriate IT skills, for instance. A further three weeks of training will centre on advanced job preparation and job-hunting skills.

Next, the government will introduce up to 120,000 internship placements over four years to help young job seekers who have been in employment services for six months or more to gain that valuable work experience. Job seekers and businesses, with the help of employment service providers, will work together to design internships of four to 12 weeks duration, during which time the job seeker will work 15 to 25 hours per week. Participation in an internship will be voluntary for both job seekers and businesses.

In addition to gaining valuable hands-on experience in a workplace, young people will receive $200 per fortnight on top of their regular income support payment while participating in the internship. Businesses that take on interns will receive an up-front payment of $1,000, as the previous speaker mentioned, and will benefit from the opportunity to see what a young worker can do and how they fit into the team before deciding whether to offer them ongoing employment, in much the same way as the former speaker described in his former industries and career.

Stage 3 of the new jobs path provides increased and streamlined wage subsidies for youth. From 1 January 2017, Australian employers will be eligible for a youth bonus wage subsidy if they hire a young job seeker who has been in employment services for six months or more. The most job-ready young people will attract a wage subsidy of $6,500, and a larger $10,000 wage subsidy will be available to businesses that employ job seekers who face real barriers to employment. Businesses will have the flexibility to employ young job seekers either directly through labour hire arrangements or combined with an apprenticeship or traineeship. As part of these reforms, existing wage subsidies will be streamlined, making them easier for employers to access.

In addition to creating Youth Jobs PaTH, the government is investing an extra $88.6 million in supporting job seekers, including young people, who wish to start their own businesses. This is an exciting and timely initiative which complements the government's National Innovation and Science Agenda and should help more young Australians to capitalise on the opportunities presented as Australia's economy transitions. The government's National Innovation and Science Agenda recognises the importance of innovation and the ideas boom, especially for young Australians, in this new economy. Australia's future growth and prosperity relies on having a sufficient workforce to fill the jobs of tomorrow. To do so, we will need to increase workforce participation, especially by supporting young Australians to get jobs.

In closing, I want to make the point very, very strongly that sometimes experience and an opportunity can make all of the difference for our young unemployed. While many people think first about the industries and the jobs where specific qualifications or tickets are needed to perform various jobs or roles, in fact many of the opportunities and jobs being created right now are in the services industries like retail and hospitality. These are the industries where experience and skills can play as big a role in earning you work and a foot in the door as any specific qualification. For the most part, qualifications are not needed to get a foot in the door or a promotion in these industries. These service industries like retail and hospitality, which are capable of creating all of the new starts and the opportunities for so many young people, are predominantly small businesses. These industries are already doing more than any other
sector to provide jobs, opportunities and prosperity for the young, for women and for the least skilled, and we will be relying on them even more than ever as some of the so-called fast lanes of the economy have slowed.

As I have previously mentioned in this House, there are roughly 400,000 shopfronts, cafes, food outlets and stores around our country. About 10,000 of them are in my electorate of Brisbane. The majority of them are family-owned small businesses. Collectively, they are the biggest source of jobs and opportunities for Australians. More than one in 10 Australians work in them right now. If every shopfront, as I mentioned, could be encouraged to employ two more workers tomorrow, our unemployment rate would be zero and our youth unemployment rate would be zero, meaning that the majority of young people, as well as our mature-aged Australians, Indigenous Australians and the disabled who are looking for work, would find the dignity they want and deserve. While I do not believe that this bill will be able to achieve all of that, I do genuinely believe that this is a step in the right direction to achieving it—that it can help some of those businesses to have the confidence and the support to employ a young Australian.

If the government can keep coming up with solutions like this, we will have done more than any other recent governments to overcome the potential long-term welfare traps associated with youth unemployment. A few weeks ago I emailed the details of this proposal to small businesses all around Brisbane, and I am very, very pleased to say that the response was overwhelmingly positive and encouraging. I support this bill, and I commend it to honourable members.

Dr CHALMERS (Rankin) (19:00): I rise to speak to the Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016. The responsibilities of this parliament are to deliver economic growth which is inclusive, to create work that is rewarded, and to have a decent social safety net for those left behind. The failure of the current government to deliver on those three fronts is nowhere more acute than when it comes to our labour market in Australia. We do have some very serious challenges when it comes to jobs in this country. We have underemployment, which is people looking for more hours but are unable to find them, at record highs. For those people in the workforce we have wages growth at record lows. We have pockets of high unemployment around the country, including in parts of my own state of Queensland. And, for the purposes of this discussion today, we have an extreme issue, an extreme problem, an extreme challenge, when it comes to youth unemployment, with something like 260,000 young people looking for work and unable to find it.

As confronting as these figures are—record underemployment, record low wages growth and 260,000 young people looking for work—they do not completely and properly paint the picture of the devastation that is rort on a young life if they look for a job and do the right thing and are unable to find work. Colleagues in the parliament, on all sides of the parliament, will know that this time of year is graduation time. I am sure the member at the table opposite me goes to a lot of school graduations—as do I; as does everyone in this place—and talks to these impressive young people graduating from high school, who have already probably dipped their toe into the labour market and are trying to work out where they might fit if they are not going on to further study, or even if they are.
When you talk to these young people, you hear the stories and the real angst they feel about what their future will hold for them—when they finish grade 12 and they get beyond schoolies week and recover from that—in the jobs market, a jobs market which is remarkably tight, remarkably difficult and remarkably uncertain for people like them. As the graduation ceremonies break up—and all the selfies are happening and there is all the happiness of the graduating class—in the high schools in my community, I really do think about the prospects for them. I also talk to the families, largely the mums and dads, about where their kids might end up, and at that level, too, there is an extraordinarily amount of anxiety about whether their young people can find a job in the uncertain economy that they find themselves graduating into.

The jobless figures also do not properly paint the picture of the psychological damage done to people who are looking for work for a long time—the long-term unemployed who are unable to find work in this economy—and they also do not speak to the intergenerational vandalism that is done to communities like mine, in Logan City and the southern suburbs of Brisbane, when you have multiple generations of families who, for a combination of reasons, are unable to find work.

Our task in this parliament, as I said, is to deliver growth which is inclusive, work that is rewarded and a safety net for those left behind. Our responsibility to people in my community and, indeed, right around the country is to do what we can to invest in those three pillars of economic policy in this country. I have seen too much unemployment in my community. I spoke about it in my first speech and I have probably spoken about it in one way or another during most of the parliamentary weeks that we have been here. Ideally, both sides of the parliament should share this most important concern for unemployment—youth unemployment in this case—long-term unemployment, intergenerational unemployment, underemployment and, for those in the labour market, that record low wage growth.

That is why we need to really think about this task in two ways. Firstly, there is growing the economy—not as a slogan; we actually need to grow the economy. In my local community that means getting a proper NBN. It means fixing the M1. It means getting our slice of the action when it comes to renewable energy jobs. It means not cutting apprenticeships, so that we can train the trades men and women of the future. That is one part of it. Secondly, we also need active labour market programs. We need very intelligent, well-targeted, well-considered labour market programs. Notwithstanding all of the things that I am about to say about the bills before us—the legitimate and genuine concerns that I do have—at the very least, we are talking about active labour market programs. That is the second element.

Apart from boosting growth in our local communities and making sure that growth is fairly shared, we also do need programs like the ones that we are talking about today. We have our issues with what we are talking about today, but at least we are having the conversation—and a very welcome conversation, if I may say so—about how we specifically help young people in communities like mine get the jobs that they need to eventually buy a home, provide for a family and save for their retirement. These are all of those sorts of things that we cherish in this country and that we should cherish in this parliament.

But we need to make sure that we do not have just any kind of active labour market program. We need to make sure that we get it right. From my point of view, that means five
things. We need to get value for money. We need to make sure that young people are not excluded. We need to make sure that wages for people in the workforce are not undercut by some of the programs we are thinking about now. We need to make sure that young people are gaining real skills. Most importantly, we need to make sure that there are real jobs available for them at the end of it. If I am honest, as much as I welcome the attention paid to this crucial issue, I am not confident that we can tick all five of those boxes when it comes to the legislation that we are discussing today.

To go to the detail of it, the bill seeks to implement parts of the government's Youth Jobs PaTH (Prepare-Trial-Hire) program. We all know that was announced in the 2016-17 budget and is intended to take effect from April next year. It is all about providing jobseekers between the ages of 17 and 24 with some pre-employment training and some voluntary internships for from four to 12 weeks. Jobseekers receive $200 a fortnight on top of their current income support payments. Businesses will be paid $1,000 to take on an intern. The businesses get a wage subsidy of $6½ thousand to $10,000 if they hire jobseekers at the end of those internships. Specifically, the bill addresses small parts of the overall program that cannot be dealt with by the department. There are some provisions inserted into the relevant acts—for example, to allow young people to suspend their payments if they find work and restart them within 26 weeks if they lose their job through no fault of their own.

As I said, I am pleased at least that, as a foundation for this discussion, there is a recognition that we do have a serious problem with employment in this country. It really is a symbol of the sense that people in communities right around the country have that the economy is not necessarily working for them and that there are changes going on in the economy that are leaving people behind. We can debate the political consequences of that, we can debate all kinds of aspects of that, but I think we can all agree that there is an issue where people think that the link between wanting to work hard and the reward for that has been severed in this country, and that is what is driving people to look for political alternatives.

One of the issues with that, if I can respectfully say it, is that being told by the Prime Minister, the Treasurer and others that the economy is going gangbusters at a time when people are finding it tough to find the working hours or the jobs or the wages they need to provide for their families does grate with people. This sense that there has never been a more exciting time to be alive may be true for some, but it is certainly not true for all, and I think that language is unhelpful.

On the surface, if you look at the headline figures of some of the economic indicators, yes, there are some numbers that we would traditionally considered to be pretty good. The headline GDP growth figure of 3.3 per cent and the fact that we have just racked up a quarter-century of continuous economic growth are things to be proud of. When you think about that quarter-century of growth and the fact that we made it through the GFC without the massive skills destruction and capital destruction that so many other countries went through, that is something we should be particularly proud of.

So there are some things in the economy that we should be upbeat about, at least on one level, but below that there are a whole bunch of very troubling indicators and statistics before we get to those stories that I mentioned. Wages growth is the lowest on record, as I said. The statistic that we use as a proxy for living standards in this country, which is real net national disposable income per capita, is still 1.9 per cent below the level it was at the 2013 election.
For lay people, that means that our living standards have actually declined over the last three and a bit years since that election. That is a very troubling statistic. If you look at the October jobs figures, which were released quite recently, employment growth slowed to just 0.9 per cent over the year, less than half the two per cent rate the government predicted in its budget. We have lost 89,900 full-time jobs since Christmas. The participation rate has dropped to a decade-long low. Youth unemployment fell again, to 12½ per cent—still more than double the national average, with 260,100 young people unable to find work—but it only fell because the youth participation rate plummeted to the lowest level in the history of the labour force survey. It has never been below 66 per cent before. When we talk about youth participation in our labour market, it is a very worrying statistic. Underemployment was at 8.7 per cent. The Treasury officials at the most recent estimates said that that is the lowest it has ever been and the worst it has ever been since the records began in the year of my birth, 1978.

Mr Zimmerman: Show off!

Dr CHALMERS: The member for North Sydney likes that! That means 1.1 million Australians cannot get the hours that they want. The RBA's statement on monetary policy also talked about their underlying concerns about the labour market. Part-time work accounted for all the increases. Growth in part-time jobs was more likely to be driven by weakness in the labour demand than by changes in employee preferences. That means people are forced into part-time work when they really would prefer not to be in part-time work. The RBA also talk, along the same lines as I have been, about their concern about this serious underemployment challenge we have in the economy.

As I said, we welcome the attention paid to this issue of youth unemployment, but we do have our concerns about the program. We are worried about exploitation and about undercutting of wages. We are worried people could churn through participants, leaving them with little prospect of a job at the end. We are worried about young Australians working for less than the minimum wage. We are worried about replacing existing jobs with these jobs paid at the cheaper rate. We are worried about people in sectors like the hospitality sector being replaced by interns so that companies do not have to pay the penalty rates. There is no firm definition of an intern or what they will be doing—whether they will be working or observing, with all of the health and safety implications of that. There are a whole range of issues that we are genuinely concerned about. We all want to get to a good outcome here, but we are very concerned about what this means for the labour market and particularly for young people's place in it.

There are quite a few deficiencies in the policy, and the most important parallel we can draw is probably to the Work for the Dole program. When the Work for the Dole program is explained to people in the abstract, it seems like a good idea, but, when you delve into the detail of Work for the Dole, you find that 90 per cent of participants do not actually get a job at the end of it—which is the main stated aim, at least, of the program. So we need to be very careful, when it comes to things that sound okay on the surface like 'try before you buy' and these sorts of slogans that people use about young people in the labour market, that we actually understand what they mean and whether they have the capacity to work. If we are really genuine about fixing this problem with youth unemployment as a way of beginning to address some of the broader concerns around unemployment in our community, we need to make sure that what we are talking about will actually work.
That is why we want this bill to receive the proper consideration by Senate colleagues in the committee process. We do want to take the time to get it right. It is a pressing issue—it is an urgent issue, but that does not mean that we should rush in and get it wrong and undercut wages and all of those sorts of things that trouble us greatly. I know they trouble the member for Wakefield, who is in the chamber, greatly and all of us on this side of the parliament. We want to get it right. We want to ensure we do get that value for money. We want to make sure that young people, who are already doing it tough enough in the labour market, are not exploited. We want to make sure that, at the end of it, they have developed real skills that are useful in the workplace. We want to make sure that they have the capacity to get real jobs at the end of it.

There is arguably no more important task in this place than to create the conditions where young people can get ahead and prosper if they work hard and do the right thing. I am pleased to see the attention paid to this issue. I am deeply sceptical and deeply concerned about some of the ways that the government is proposing to go about it, but we will learn more about it in the committee process and we will continue to play a constructive role as we go forward.

Mr CREWATHER (Dunkley) (19:15): I rise today to speak on the Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Bill 2016. We can all appreciate the importance of the need to get young people into work and how hard it can be to obtain employment without experience or relevant training. Australia's youth participation in our workforce is critical to ensure we counter the problems of an ageing population and a diminished workforce. We are duty-bound to make sure that young people can access employment opportunities and are able to step into these roles and participate in meaningful employment.

As the electorate with the current highest economic growth in Victoria, central to Dunkley is its support for enterprise and localism. For the 12-month period ending September 2016, the unemployment rate sits at a regular level similar to other electorates, but when that data is narrowed down to the 15-to-24-year-old demographic, that figure more than doubles. And when we look at underemployment, it is even higher. This is a common theme across Australia.

There are many reasons why young people may be unemployed or underemployed—that transition period between study or work, or being committed to full-time education—but the concerning reason is being unable to find work or being ineligible for a job because of a lack of a foundation in industry. One of our biggest problems with bringing young people into the workforce is that many employers want experience in a successful job applicant, yet no-one is willing to give them that experience as that experience can only be gained through working in business or in industry. This makes it near impossible to enter the system, short of working for free in order to gain that foothold. That is the juxtaposition of needing experience to get a job but needing a job to get experience.

In Dunkley, we currently have over 6,500 people claiming youth allowance or Newstart payments. Many of these young people would like to work if they were given the opportunity. We, the coalition government, would like to give them that opportunity to work. Nationwide, we have over one million people claiming either youth allowance or Newstart. This number does not include those who may be on other payments related to this period in life, such as Austudy, ABSTUDY or the disability support pension, among others. Welfare dependence is
a real risk for this cohort, and long-term unemployment cripples people's ability to avoid welfare dependency. Welfare dependency is a space that no-one wants to be in. It harms self-esteem and takes away independence.

This legislation aims to get 120,000 vulnerable young people out of that harmful cycle by helping them get ready, giving them a go and getting them a job—in this case, known as 'Prepare, Trial, Hire'—and I am proud to be part of a coalition government that is taking action in this area. Particularly as the youngest MP in the House of Representatives, I am personally very passionate about this issue.

Preparing young people for work is absolutely essential. We do not want to throw them in the deep end, especially when many may not have had the opportunity to experience the demands or expectations of a job. Things like working as part of a team or presentation skills tend to be acquired through the experience of actually being in situations where those skills are required. If you have not had the chance to learn these skills, it is unreasonable to expect those entering the workforce to display them. This demonstrates the thoroughness of this legislation, having the depth to make it actually practical. Assisting young job seekers to obtain employment without helping to provide the foundations to perform well and maintain said employment is irresponsible and can set people up to fail. We acknowledge this existing issue, and this aspect of the program addresses these problems.

Employability skills are not always expressly required; rather, it tends to be taken for granted that people entering the workforce will be in possession of skills, such as IT skills or personal presentation skills, or even that they will have had experience of working, or be competently able to work, as members of a team. So many of these abilities are transferable to many situations in everyday life, and the comprehensive preparation that the Youth Jobs PaTH provides young people is commendable.

Trialling an industry through an internship is an option for jobseekers who have been in employment services for six months or more. This internship, while voluntary for jobseekers and businesses, means that participants can gain valuable hands-on experience without feeling like they have committed to something or that they are being asked to undertake work for which they are unprepared. From the perspective of the employer, they have the advantage of seeing what a young person, a young worker, is capable of, especially when they are individuals who may not otherwise be part of the pool of prospective employees available to the business.

Further to this, the internship is designed not to hinder either the participants or the businesses financially. Those young people who take up the opportunity will receive an additional $200 a fortnight on top of their usual income support payments. This means not only that there is a financial incentive to participate but also that this kind of program is clearly linked to progress in jobseeking. In participating, young people actually feel that they are getting somewhere in a system which, thus far, has not been successful for them. Furthermore, businesses that do take on interns will be assisted by a singular up-front payment of $1,000 so that there is an incentive for both the employee and the employer to take this on. For businesses that may otherwise feel that they cannot afford the time required to sufficiently mentor or support these young people, the coalition government recognises and supports their goodwill in taking on an intern and provides the additional assistance they may need to enable them to participate in the internship program.
Hiring these young jobseekers is, of course, ultimately the aim of the program. Stemming from the trial stage, businesses have the opportunity to keep on jobseekers who have already experienced their work. The option also exists to hire in combination with apprenticeships or traineeships. This program aims to ease the path to permanent employment for some of our most vulnerable young people, and the three-stage process of 'prepare-trial-hire' supports both jobseekers and businesses every step of the way.

Once employment is offered, the support does not cease. In the case of those young people who have been in employment services for six months or more, businesses who offer employment as of 1 January next year will be eligible for a wage subsidy starting at $6,500 regardless of the degree of employability of the individual. These are not one-off payments but ongoing over several months, maintaining involvement with the business and the jobseeker. In the case of those who still have barriers to employment, a larger wage subsidy of $10,000 will be offered to encourage businesses to help these young people in the system and not to let them continue to fall through the gaps.

The impact of the Youth Jobs PaTH program is such that it truly gives young jobseekers a chance to access employment, training and opportunities in a way that they may not have been able to before. The people who will be able to take advantage of this program are those who have encountered barriers and obstacles in their efforts to find work, whether due to health or socio-economic factors or because they have been unable to obtain the necessary experience for the job. For example, a young Langwarrin resident in my electorate of Dunkley was recently in the news for having applied for over 200 jobs without success due to an eyesight condition, with employers turning him away once they were aware of a disability. He is a perfect example of someone who wants to work—who wants to be able to contribute—but is struggling to find that opportunity. This program is designed to ease this path. Indeed, this program is about preventing welfare dependency before it starts—a crippling cycle which, for many people, is immensely difficult to get out of. By teaching employability skills and expectations of the workforce, this bill prepares our young people for the workforce, contributing to ensuring workforce sustainability, particularly with an ageing population.

Furthermore, an additional $88.6 million will be invested into promoting innovation and self-employment through the New Enterprise Incentive Scheme. Broadened access for people who are not receiving income support payments provides opportunities for training and mentoring for those who seek to set up their own businesses. The government's National Innovation and Science Agenda supports enterprise and the ideas boom, making our country's economic transition something to be capitalised on, with new opportunities presenting themselves for innovative young Australians. Training and mentoring will again be available to eligible jobseekers, support which will continue over the first year.

With regard to employers, this bill is important as it works with businesses to bring a larger cohort of talent into Australia's labour force. The coalition government is partnering with businesses to bring these young people into the workforce and enabling these businesses to develop their own staff talent pools, with the aid of financial subsidies and streamlined programs. The jobseekers who come to them, through the internship or through the hire step of the program, are already prepared and equipped for their placements through their intensive pre-employment skills training. This makes it easier for businesses to accommodate or work through any of the barriers that these young people may have encountered previously when
seeking employment. With government and business working side by side, we will help our young people become part of the workforce and facilitate the economy's transition to broad-based growth over the next decade and beyond.

This social security legislation amendment bill works to secure Australia's future growth and prosperity by boosting the workforce to provide for opportunities and industries of the future. It will achieve increased involvement in the workforce by catching those for whom the employment networks and services have not worked. The bill ensures that jobseekers are not disadvantaged by taking part in the program, with the supplementary payments complementing, not detracting from, their existing social security payments. It amends the Social Security Act 1991, the Social Security (Administration) Act 1999 and the Veterans' Entitlements Act 1986 to ensure that the Youth Jobs PaTH program is not in conflict with existing legislation and fulfils the youth employment measures announced in the May budget.

In not classifying the fortnightly incentive payments as income for social security and veterans' entitlement purposes, the bill does not penalise those already on payments, who are some of our society's most vulnerable people. This legislation is about protecting and helping to advance the situation of these individuals, not detracting from the little support they receive. The coalition government's commitment to a hand up, not a handout, is what this bill is about.

In Dunkley, we have some wonderful services that assist young people in seeking employment, and they all demonstrate the same story. For example, the Treasurer, Scott Morrison, visited my electorate during the election campaign to see the wonderful work that the Brotherhood of St Laurence do, and the amazing, energetic young people looking to create a career for themselves through the Brotherhood of St Laurence. The fact that these services exist demonstrates that many young people out there have a desire to work but are being failed by the system. The Youth Employment Package will help to get young people ready, give them a go and help them get a job.

This legislation is a fantastic part of the government's National Innovation and Science Agenda, providing opportunities to disadvantaged and vulnerable young people for whom barriers and circumstances make it difficult to access employment. Many young people experience difficulty in finding work, as I have said previously, because many employers require experience, yet few will offer it and still pay jobseekers while they gain that experience. This cycle continues to catch many young people and leaves a large number dependent on welfare.

This is precisely what this legislation aims to avoid. The government is committed to giving our young people a go. This bill provides for an enterprising new approach to youth unemployment, providing 120,000 young job seekers with opportunities for training, internship experience and a path to a job. We want to make it easier for young people to enter the workforce. Having a job boosts their independence, life experience, self-esteem and their own skills development. Everyone has something to contribute to our economy and the Australian labour force. This legislation only makes it easier for young people who, thus far, have been unable to participate. For these reasons, I commend this bill to the House.

Debate interrupted.
ADJOURNMENT

The SPEAKER (19:30): It being 7.30 pm, I propose the question:
That the House do now adjourn.

Middle East

Mr DANBY (Melbourne Ports) (19:30): This morning a couple of foolish speeches in this House paid little attention to reality—that is, reality in the Palestinian territories. First of all, let me give the context. The statistics just in from the Syrian Observatory for Human Rights are that in Syria over the last four years 15,000 children under 18 have been killed. There was no mention of them this morning.

A second point is that we have just introduced control orders in this House for 14- to 18-year-olds, supported by nearly all of the political parties in this place, because of evidence of young people, even here in Australia—a 15-year-old at Parramatta in Sydney and a 17-year-old in Endeavour Hills in Melbourne—who were involved in attempts to stab or injure people. Yet, this morning, the massive upsurge in similar events in Israel and in the territories was not mentioned at all. The 'stabbing intifada', it has been called. Hundreds of people have been run down. Younger people have attempted to stab innocent Israeli civilians. This was not mentioned at all. What was mentioned was the fact that there are people who are arrested for these deeds. Similarly, here in Australia, if people threw stones through the front windows of trucks driving along our highways, whatever age they were, they would be arrested by the relevant authorities and prevented from doing so. It happening in another country should not be a reason for us disassociating ourselves or condemning people who are trying to assist the security of their own civilians.

Minors should not be involved in armed conflict or violence. Unfortunately, Palestinian leadership have encouraged young people to carry out acts of terrorism—including throwing rocks through the windows of cars and trucks, causing death and injury—through their media, involved in violent incitement. Anyone in this parliament who has been to the many sessions of Palestinian Media Watch that have taken place here over the last 15 years has seen some of the appalling material on television in that area. Honestly, if one is to support a two-state solution and a peace process, one of the things we have to address in the future is this incitement of young people by the Palestinian Authority. It is not good enough for the authority to receive Australian taxpayers' support, American taxpayers' support and European taxpayers' support and yet encourage people via sporting events, young people at soccer matches, and in their media et cetera. For this person X, who was a terrorist who murdered 25 people, you have a soccer stadium or an educational institution named after them. That is the exact opposite of what any society that is trying to construct itself for the greater good should do.

Let me give you some examples of the kinds of things we are talking about. A 16-year-old stabbed to death an Israeli sleeping on a bus the other day. Five members of the Fogel family, including a four-year-old and an 11-year-old, were stabbed to death by a 17-year-old who lived in a nearby village. These kinds of things are completely unacceptable. It is much better to do what organisations like Save a Child's Heart are doing—even with the daughter of Ismail Haniyeh, the leader of the violent Hamas terrorist organisation in Gaza—to accept large numbers of Palestinian children from Gaza and the West Bank into hospitals. I note that
the Hadassah Organisation does a lot—including by using Australian taxpayers money—to look after Palestinian children who come and who have their travel approved from Gaza and the West Bank into Israel for very serious conditions.

There are many countries in the world that have problems with young people being involved in terrorist incidents. It is a very serious thing. All of us have to address these issues. All of us should continue to support peace, but we cannot say there should be one set of circumstances in one country and a different set of circumstances in our own.

Robertson Electorate: Telecommunications

**Mrs WICKS** (Robertson) (19:35): I rise to update the House on the vital issue of improving mobile coverage in my electorate of Robertson and to describe how the Turnbull government is continuing to work to deliver for local families, businesses and emergency services across the Central Coast.

In the months leading up to the recent federal election, I heard from hundreds and hundreds of local residents from our region who told me why a lack of mobile coverage in certain areas is such a critical issue. Together, we have been working and fighting hard to see this issue addressed through our $220 million Mobile Black Spot Program. Under this program, we have already seen improved coverage for Somersby, Mount White and Mangrove Mountain. But, in the election campaign, the Turnbull government also committed to improving coverage in Killcare, Spencer and Wendoree Park. These three communities have struggled for many, many years with poor or, in some cases, non-existent mobile coverage. And it is no wonder. Despite six years of government, Labor did not invest one single dollar to improve or to address poor mobile coverage. Local communities like Killcare, Spencer and Wendoree Park cannot be ignored any longer.

For communities like Killcare, their limited mobile coverage means that down on the beach and at the Killcare Surf Life Saving Club, for instance, there is little to no mobile coverage. That is something that club representatives and volunteer lifesavers have indicated to me and expressed their concern about. I visited them on the weekend for a community forum and spoke with a number of passionate local residents about their challenges and frustrations. I would like to thank each and every person who shared their stories on Saturday, not just for taking time out on the weekend but because community feedback in this process of delivering improved mobile coverage is actually important to delivering the best possible outcome, including for instance locations where the mobile tower could possibly be replaced and where some of the worst blackspots are.

Sam from Fraser Road in Killcare told me that his home does not have mobile coverage and that, as a small-business owner, he has to rely entirely on his landline. Colin, who lives on the same street, has a similar story. Nearby neighbours Jean and Peter have no mobile coverage in their home. After the severe storms in April last year, their family were left with no power or phone connection for at least four weeks. Cut off from mobile networks, it was nearly impossible to contact family, friends, insurance companies and contractors for repairs. Not only is this a safety issue, of course, but it prevents families from keeping up-to-date with smartphone technology and innovative technologies.

Michael, a resident of a nearby street in Killcare, shared a very similar story. He too is unable to access mobile coverage from his house. He also wanted to register his frustration at...
our community forum. Frances, Quentin and Caroline all shared very similar issues, telling me that in some parts of Patricia Place at Killcare coverage is so poor that not even emergency SOS calls can be made—and this to an area that would be considered to be fairly urban on the Central Coast.

Thanks to the advocacy of the Wagstaffe to Killcare Community Association, we know that this is a long-running experience that has, in some ways, united the community in their frustration. Ian Bull, the secretary of the association, has been in regular contact with me on this issue. Through the local newsletter, the Talking Turkey, he helps keep the community informed. The stories of Killcare residents are, of course, shared by many more communities, such as Spencer and Wendoree Park. Earlier this year, I hosted a forum in Spencer, with many residents coming from Spencer and other places such as Wendoree Park to share their concerns.

For remote communities on the Hawkesbury River, access to mobile coverage can be critically important in the event of a medical or other emergency. During the same storms that left Peter and Jean in Killcare without a phone, the Spencer wharf was damaged and the region was cut off, with no power or running water and no telecommunications. This is the situation that hardworking community leaders like Robyn Downham, from the Spencer & Districts Progress Association, and Vic Bula, from the local fire brigade, describe as 'dire'. Belinda Repton, from the Wendoree Park Progress Association, has also told me stories about how poor mobile coverage has left locals in a life-or-death struggle sometimes because of a basic inability to connect.

This week, I was able to share these stories and many more with the Minister for Regional Communications to highlight the urgency of this situation and to ensure that we deliver the best possible outcome for these communities as soon as possible. We know that this is going to take a little bit of time because mobile network operators are an integral part of the process to ensure that the best solutions are found for this region. But this government has heard this message. We will work to deliver on our commitment to the residents of Killcare, Spencer and Wendoree Park for better mobile coverage services, which they desperately need.

Turnbull Government

Mr BANDT (Melbourne) (19:40): It has now been over three years since the member for Warringah, then Prime Minister Abbott, and the coalition formed government. Every sitting week, 226 elected representatives and hundreds more staff members turn up to parliament to deal with the coalition's agenda. For more than 50 sitting weeks since this government was first elected, we have rocked up in this place to represent our communities, charged with the responsibility to use this place and its power and our parliament to do what we can to help make people's lives easier and better, to help improve our community and our world.

But the government do not do that. They do not seem to take this responsibility seriously. Having formed government and been given the power and opportunity to change our politics and society for the better, the government squander it away. I would say it is a waste of resources, but it is much worse. It is their conscious decision to use their position to divide, to rule for the select few, that makes me angry.

Under their watch, the gap between the rich and everybody else is growing. The steps we have taken to grow a clean economy have been reversed. Opportunities to extend equality to
everyone have been turned into hurtful reminders that the members of the government actually do not believe that everyone is equal. Week after week, the government bring us here to dish up welfare cut after welfare cut, trying to slash support for people in the community who need it most while they hand out billions in tax cuts to the wealthiest few and the big banks and attempt to spend $50 billion in tax cuts to big business. Instead of using the power of parliament to crack down on large or multinational tax avoiders or those parliamentarians who are doing the wrong thing, they call special sittings of parliament and a double-dissolution election in an attack on unions, the very organisations that are fighting to protect and support working Australians.

They have turned Australia from being a world leader on strong climate action to an embarrassing laggard. Instead of making big polluters pay the public for the dirty pollution they pump out, they have now started making the public pay the big polluters. And, when the government are asked about the climate damage that the science says our homes, businesses and infrastructure will all suffer, they laugh—they literally laugh.

When they have the opportunity to legislate for meaningful marriage equality, they kick change down the road by coming up with a plan for a wasteful, hateful, non-binding opinion poll. They try to cut paid parental leave for new mums and dads and fall over themselves to suck up to the misogynist race-baiter Donald Trump. Instead of leading every Australian, regardless of their race or faith, they deliberately seek to exclude and divide. They lock up indefinitely in island prisons the people who have come to this country seeking our help.

Under this government, you get your universal and inalienable human rights only if you are a straight white man. Never was this clearer than in this place yesterday, when, during question time, the Minister for Immigration and Border Protection, the member for Dickson, singled out a section of our community, saying it was a mistake to allow their grandparents and their parents to become part of our community over the last 50 years. When we thought he could not go any lower, the member for Dickson said in parliament:

The reality is Malcolm Fraser did make mistakes in bringing some people in the 1970s and we're seeing that today …

He then went on to single out people with a Lebanese Muslim background and said:

Where I see extremism, I will call it out.

Well, Minister, where I see racism, I will call it out, and this is pure, blatant, disgusting racism. You talk about extremism, Minister, but what you are talking about smacks of white extremism. Here we have a minister being deliberately divisive and inflammatory for purely political purposes. Here we have an elected representative using his platform to stoke hatred and fear in our community.

The SPEAKER: I caution the member for Melbourne. He needs to be well aware that he cannot reflect on members of parliament.

Mr BANDT: I am referring to what the minister has said in this parliament and how he has used this parliament.

The SPEAKER: I have cautioned the member for Melbourne on his language.

Mr BANDT: In their attempt to chase the One Nation vote, this government is becoming One Nation. And when it comes to multiculturalism it is worth remembering that we are where we are today in part because of the brave leadership of former prime minister Malcolm
Fraser. When it came to multiculturalism, he was a giant. Unfortunately, in this place today, we have the likes of the member for Dickson. When you reflect on what he said, he is a very small man willing to use race to win votes. And we have a Prime Minister who refuses to call out this race-baiting. Shame on both of them! The standard that you walk past is the standard you accept, Prime Minister; and I cannot wait until the day we see the backs of all of this front bench.

**O'Connor Electorate: 2015 Bushfires**

**Mr RICK WILSON (O'Connor) (19:46):** I rise today to offer my condolences to the people of Esperance, on the south coast of WA in my electorate of O'Connor, and also to commend them for the extraordinary resilience they have always shown in difficult times. Last week, the town held a service to acknowledge that 12 months have passed since a devastating bushfire claimed the lives of four people. Many will recall the absolutely horrific television footage captured in the town and its surrounding areas. The communities of Esperance, Salmon Gums, Grass Patch, Merivale and Scaddan became the focal point of the nation. Right across the country, Australians mourned for the displaced families, the embattled farmers and the children who witnessed one of the worst natural disasters in WA's recent history.

Inevitably, however, the country moved on. As the days passed and the fires began to subside, the intense focus on the Esperance region dissipated. But, for the people living in those communities, moving on was a task easier said than done. Rural towns are unique in their extreme sense of camaraderie and solidarity. When lives are lost the pain is felt by all. It would be impossible to walk down the street and find a person who did not have a friend or a relative affected by the fires. Much of the enduring pain and suffering is invisible to the outside world. People see the land heal and the community rebuild; but, under the surface, the scars of tragedy still linger. Esperance Shire President Victoria Brown described this sentiment in a recent newspaper column. She said:

We are a pretty resilient lot so you could be forgiven for thinking that it’s all done and dusted and that apart from those who lost loved ones, friends or family, we’ve moved on. The fact is that recovery doesn’t quite work that way. It hits people differently and there is no such thing as a timeline for when grieving or trauma ends.

The community, led by the shire, have shown remarkable resolve. It would be remiss to say people have moved on; but they have shown unity, compassion and generosity to one another. The road to recovery is not one of solitude, and I commend these people for their strength in the face of adversity.

Since the Esperance fires and another devastating blaze that destroyed the south-west town of Yarloop, there has been plenty of discussion regarding WA's bushfire management strategies. It is incumbent on all of us—politicians, community leaders and the public—to do everything we can to prevent a repeat of the devastation we saw in Esperance. The Commonwealth government acknowledged its responsibilities in limiting the impact of natural disasters when we announced a $15 million bushfire mitigation program in WA with the support of the state government. More than $250,000 of that money will support projects in O'Connor, several of which are in the Esperance district.

But Euan Ferguson's inquiry into bushfire management, which followed the destruction in Yarloop, was a stark warning that we must undertake real reform; we owe it to the
communities of Esperance, Yarloop and Northcliffe, another rural town in my electorate that has suffered from the bushfires. One of the most significant changes to the way we fight bushfires in WA will be the establishment of a dedicated rural fire service. The Western Australian Premier, Colin Barnett, has promised that the state government will create a standalone bushfire service for country WA. This was one of the key recommendations of the Ferguson inquiry.

For many years, I have been a member of the Carrolup Volunteer Bush Fire Brigade, a team of local farmers who supply their own equipment and have vast experience in fighting local bushfires large and small. Drawing on local expertise is a critical part of effectively fighting bushfires. I can attest to the knowledge these brigades have of the land and weather patterns in their areas. In September, I arranged a meeting between Premier Colin Barnett; John Iffla and Merv Austic, from the Emergency Services Volunteer Association; and my great friend Tom Brown, who coordinated the bushfire effort in Esperance last year.

When the government announced it would adopt all of the Ferguson inquiry's recommendations, it also acknowledged a rural fire service required a regionally based management structure. I believe this approach will be a positive reform in Western Australia and help reaffirm the importance of local expertise in emergency situations. When we consider the plight of communities like Esperance, the importance of the job at hand in Western Australia cannot be overstated.

Prast, Mr David

Mr HAMMOND (Perth) (19:50): I rise at a time where almost to the minute five years ago, we lost a great Australian and I must say one of the most inspirational people I have ever met, who I am very proud to call a friend. His name was David Prast. He was 46 years of age.

David was a quadriplegic but David was so much more than that. I cannot help but reflect that wherever David might be now, he would be perhaps chortling in some grim irony that I rise to speak on an adjournment debate because, as we saw him transition from this life, I know that wherever he is, he is continuing his great work.

David's story is in some ways unique but shared by so many Australians across this country. On 25 February 1995, David was 29 years of age. He literally—and he would not have minded me saying this—had the world at his feet. It was a balmy Perth afternoon with not a breath of wind and he decided to go down to Cottesloe beach with his then girlfriend, Michelle Lynley. About six pm, just as dusk was setting he thought, 'What a great time for a swim.' The water was calm. After about half an hour in the water, he decided it was time to get out and commence whatever plans they had—they were off to have dinner in Subiaco that night where he lived. He caught the last wave in. David was six-foot seven, a tall man, but a very experienced swimmer. Through the strangest quirk of fate, an accident occurred that was to forever change his life—and in some ways it not only changed his but mine and many others as well. He was unfortunate enough to land on his head and suffer a catastrophic injury. By the age of 29, he was rendered a complete quadriplegic.

From that time, David took himself to a place that I cannot say I have ever really seen to the extent that he lived a life from then until he died that transcended his disability. David became a champion advocate for those who suffered permanent impairment and disability in a way that seemed as if by a curious twist of fate his physical impairment almost unleashed him from, I guess, the constraints of conventional thinking in the way in which he chose to go
about tackling traditional paradigms about how we see and, more importantly, how we treat Australians with a disability.

To name but a few of David's achievements during the very short time that he was on this earth, he was able to advocate effectively in Western Australia to create one of the first state government neuro trauma research centres in a way that just made sense. He argued quite persuasively that we should be extracting in Western Australia the proceeds garnered by the state revenue coffers from motor vehicle fines and the like and put them directly into neuro trauma research in order to give us a better understanding of those with spinal cord injuries in a way in which we might be able to make their lives just little bit easier post accident.

He was also a pioneer of stem cell research and was convinced that it held the key to unlock paralysis in a way that it could be cured, to the extent that the Royal Australian College of Physicians named a fellowship after David and that work continues whilst he is no longer on this earth. David also lead the charge in relation to a wonderful program called, funnily enough, Walk On that is now championed by the Spinal Cord Injury Association of Australia—that is to locate at the time of the traumatic accident certain intensive physical therapies in order to maximise the prospect of those with spinal cord injuries of getting better as quickly as possible and ensuring that they have the best quality of life they could possibly have.

This country will be lucky to find someone who will be such a fierce advocate and able to challenge conventional paradigms in relation to unleashing the potential of those with disability. To finish, I will quote English poet Christopher Logue, whose words David championed:

Come to the edge.
We might fall.
Come to the edge.
It's too high!
COME TO THE EDGE!
And they came,
And he pushed,
And they flew.
Vale David Prast.

**Goldstein Electorate: Disability Services**

Mr TIM WILSON (Goldstein) (19:55): Today I would like to acknowledge the fantastic work of three disability organisations based within the Goldstein community: Marriott Support Services, Bayley House and MOIRA Disability and Youth Services. These institutions play an enormously important role in supporting those most vulnerable in the community. By engaging with individuals in a community-focused and care-giving manner, these organisations ensure that those with disabilities are given the best chance to reach their full potential and enjoy the benefits of their freedom.

Marriott Support Services has been offering disabled people choice and opportunity since the 1970s. By focussing on ability, Marriott's guiding principles enable people to do what they can rather than what they cannot. Marriott's employment opportunities include packaging and
light assembly tasks. Each job is approached with the same work ethic and dedication to success that would be expected of any type of social enterprise. Jobseekers with a disability are also given support with resume preparation, coaching, interview skill tips and career development. Under the measured leadership of the CEO, Dan Romanis, and Virginia Rogers, a former director and now chair of the organisation, Marriott Support Services remains a first-rate example of goodwill and outcomes in the Goldstein community.

Exactly the same thing can be said about Bayley House, which has been part of the Brighton community since 1951. Originally established as the Helping Hand Association, Bayley House provides support for people with an intellectual disability and, most importantly, also their families. More than 40 people live in one of Bayley House’s residential colleges, and over 100 people access their respite services each year. Many of these services are made possible through the support of many businesses within the community, including The Good Guys, Brighton, Officeworks, Highton, and the Brighton Medical Clinic. I would also like to pay tribute to Bayley House chief executive, Bruce Salvin, and president, Rhonda Whitfield, as well as Faye Barrow and the wonderful Bayley Birds, who raise money through community efforts and charitable giving every year.

Last week I had the pleasure of attending the annual stakeholder meeting for MOIRA Disability and Youth Services. MOIRA joins Marriott Support Services and Bayley House in empowering people to live independently and fulfil their own lives regardless of their ability or their circumstance. Last year saw MOIRA expand its service models in residential housing. With the introduction of the National Disability Insurance Scheme, MOIRA is now offering additional support services for people from all walks of life. Their presence in the north-east of Melbourne is growing, enabling new NDIS clients to access therapy support, disability recreation and youth services, among other programs. MOIRA works closely and constructively with state and Commonwealth government departments, local councils and our other service providers. That is why we give thanks to their leadership team, in particular the CEO, Warwick Cavanagh, president, John Enright, and treasurer, John Wheller.

We, as a just society, always have an obligation to make sure nobody is left behind due to circumstances beyond their control. Services are always best designed and delivered closest to the people that they serve. That is what these organisations do. They come together collectively to ensure that those who need our support are able to get it from within their own community. They keep people in their own community so that they get not just close support but the maximum amount of support and so that we come together to support people as much as we can. I acknowledge and thank all our local heroes who lead these efforts of social inclusiveness and opportunity so that everybody can reach their full potential in the Goldstein community, because that is what makes the Goldstein community so special. It is people coming together to form family, community and part of our great country.

House adjourned at 20:00

NOTICES

The following notices were given:

Mr Keenan: to present a Bill for an Act to amend legislation relating to the criminal law, law enforcement and background checking, and for other purposes.
Ms O’Dwyer: to present a Bill for an Act to amend the law relating to financial services, and for related purposes.

Ms L. M. Chesters: to move:

That this House:

(1) notes that:

(a) the Australian construction industry has one of the highest rates of injury and death with 23 construction workers having been tragically killed since the beginning of 2016 (as at 8 November 2016);

(b) the re-introduction of the Australian Building and Construction Commission (ABCC) will reduce the rights of employee representatives to advocate for safe worksites in the construction industry; and

(c) in 2005, the year the ABCC was introduced, the fatality rate in the construction industry was 3.51 fatalities per 100,000 workers and in 2006 the fatality rate increased to 4.70 and again to 4.73 in 2007, exceeding the 2005 rate every year until 2012 when the ABCC was abolished;

(2) condemns the Government’s disregard for the safety of construction workers and continued attack on workplace safety representatives for raising safety issues; and

(3) calls on the Government to:

(a) stop attacking workers through its attempts to re-establish anti-worker and anti-workplace safety legislation such as the ABCC; and

(b) strengthen workplace health and safety laws to ensure Australian construction workers are encouraged to Stand up. Speak up. Come home.

Ms Husar: to move:

That this House:

(1) acknowledges that:

(a) Saturday 3 December 2016 is International Day of People with Disability (IDPwD);

(b) the United Nations proclaimed IDPwD for the first time in 1992 as a way of promoting better understanding of disability issues and as a sign of support for the dignity, rights and wellbeing of people with disabilities; and

(c) each year, the United Nations chooses a theme for IDPwD and this year’s theme is 'Achieving 17 Goals for the Future We Want', which draws attention to the 17 Sustainable Development Goals and how these goals can create a more inclusive and equitable world for people with disabilities;

(2) encourages all Members of Parliament to support IDPwD in their electorates; and

(3) reaffirms its commitment to:

(a) ensuring Australians with a disability get the support they need; and

(b) an adequately funded and resourced National Disability Insurance Scheme.

Mr Wilkie: to present a Bill for an Act to amend the Australian Meat and Live-stock Industry Act 1997, and for related purposes.

Mr Bandt: to present a Bill for an Act to amend the law in relation to workplace relations, and for related purposes.

Mr Bandt: to present a Bill for an Act to amend the law in relation to air services, and for related purposes.

Mr Shorten: to present a Bill for an Act to amend the law relating to 457 visas, and for related purposes.
Mr Champion: to move:
That this House:
(1) acknowledges and thanks all those workers and volunteers who will give up time with family and friends over the Christmas and New Year holidays to provide important services to our community while everyone else is taking a break, including those in:
(a) emergency services;
(b) the health and aged care sector;
(c) the retail and hospitality sector;
(d) the travel industry;
(e) the local government services sector; and
(f) the utilities sector;
(2) recognises the importance of penalty rates for those working during the holidays; and
(3) congratulates the South Australian Government for recognising the importance of Christmas Eve and New Year's Eve for recreation, by declaring them part day public holidays, which will ensure workers are appropriately compensated.

Mr J. H. Wilson: to move:
That this House:
(1) notes that in 2012, following a comprehensive and rigorous process, the then Labor Government declared 40 marine parks in Commonwealth waters, creating the world's first and largest comprehensive national network of marine parks;
(2) notes with concern that there is increasing pressure on Australia's marine environment, as indicated by frequent and severe bleaching of coral reefs across Australia's northern waters, extensive and unprecedented dieback of mangroves, and the loss of large areas of kelp forests in southern Australian waters;
(3) notes that Australia's marine environment is the most biologically diverse in the world according to the 2010 Census of Marine Life, with our oceans spanning tropical, temperate and sub-Antarctic waters, and where at least 33,000 marine species have been identified (many of which are found nowhere else on earth);
(4) notes that Australia is a signatory to the United Nations Convention on the Law of the Sea and as such is required to both conserve as well as sustainably utilise its Exclusive Economic Zone (EEZ);
(5) notes the economic opportunity that marine parks bring regional communities as evidenced by long standing marine parks in Australia, including the Great Barrier Reef Marine Park which is worth over $6 billion to the Queensland economy, and others including Ningaloo Marine Park, the Great Australian Bight, Lord Howe Island, Solitary Islands Marine Park and Maria Island National Park;
(6) notes the clear evidence that marine parks play an important economic role in accelerating the recovery of depleted fisheries, and that the long term net effect on fisheries of increased resilience and sustainability from highly protected marine reserves is positive;
(7) notes that in the 1990s the then Coalition Government put in place a systematic approach for declaring a comprehensive, adequate, and representative network of marine parks in Australia's EEZ, and proceeded to declare 22 marine parks in Commonwealth waters;
(8) notes with concern that:
(a) in December 2013 the incoming Coalition Government suspended Labor's marine parks from operation by re-declaring the parks in order to set aside their management arrangements and commencement date, pending the conduct of a politically motivated and unnecessary review; and
(b) after almost 3 years, these 40 marine parks have not been implemented, existing in statute only—leaving 5 of Australia’s 6 marine regions with little to no protection at a time when the threats to Australia’s valuable and important marine environment are increasing;

(9) notes that in the May 2016 budget the Coalition Government committed to completing the re-development of the management plans for the new parks within 12 months;

(10) notes that in the recent consultation by Parks Australia, over 50,000 submissions were received from around Australia, including from more than 5,000 recreational fishers, calling for the reinstatement of the marine parks and their high level marine national park zoning, without further delay or loss of protection;

(11) notes that the Expert Science Panel of the Coalition Government’s own review recognises both the extensive science that went into the development of the marine parks developed by the Labor Government and the scientifically proven benefits of marine national parks;

(12) notes the Bioregional Advisory Panel of the Coalition Government’s own review recognised the extensive consultation that has occurred in developing the marine reserves developed by the Labor Government, stating that there was in fact a considerable amount of ‘consultation fatigue’ expressed by many stakeholders;

(13) notes the increasing move by other countries to put in place large and highly protected marine parks in their EEZs, including action taken by the United States, Palau, Chile, New Zealand, the United Kingdom, and, most recently, the declaration in October 2016 by 24 nations, including Australia, of the Ross Sea marine park in the Antarctic high seas; and

(14) calls on the Coalition Government to bring the Commonwealth network of marine parks that were declared in 2012 into operation without further delay, and with no loss of marine national park protection.

Mr Hastie: to move:
That this House:
(1) notes that:
   (a) from 21 to 28 of October the Minister for Veterans’ Affairs undertook a veterans mission to Korea; and
   (b) eight veterans joined the Minister to tour battlefields and attend commemorations, including Mr Gordon Hughes DSM, Mr Graham Connor, Mr Les Hall, Mr Jack Lang, Mr John Murphy, Lieutenant Commander Les Powell RAN (Retd.), Colonel Peter Scott DSO (Retd.), and Mr Ray Seaver;

(2) acknowledges that:
   (a) this year marks the 65th anniversaries of the Battle of Maryang San and the Battle of Kapyong;
   (b) the Battle of Maryang San took place on 3 October when the 3rd Battalion, The Royal Australian Regiment, as part of the 28th British Commonwealth Infantry Brigade, took part in Operation Commando, which included the capture of Hill 317, where 20 Australians were killed and 89 wounded—noted as the most significant Australian action of the Korean War;
   (c) in the Battle of Kapyong on 22 to 25 April 1951, the 27th British Commonwealth Infantry Brigade, including the 3rd Battalion, The Royal Australian Regiment, was instrumental in stalling the Chinese advance on Seoul, with 32 Australians being killed, 59 wounded and 3 taken prisoner;
   (d) more than 17,000 Australians served in the Korean War and the post armistice period, with more than 1,200 wounded; and
   (e) the names of 356 Australians killed in Korea are listed on the Australian War Memorial Roll of Honour; and

(3) notes:
(a) that although it has been called the 'forgotten war' in Australia, Korea and its people are still grateful for the significant contribution the Australian forces made in the defence of a free Republic of Korea; and
(b) the service and sacrifice of those who fought in the Korean War.

Ms M. L. Landry: to move:

That this House:

(1) notes that the Government has committed $700 million to improve roads in Northern Australia including $100 million through the Northern Australia Beef Roads Program (BRP) to improve roads essential to cattle transportation and to help producers to transport cattle to market more safely and efficiently;
(2) upgrades under the BRP will be delivered to many areas including the:
   (a) City of Rockhampton (upgrading between Gracemere saleyards and the Rockhampton abattoirs to provide access for Type 1 Road Trains), as well as upgrades to the Hann Highway, Barkly Highway, Flinders Highway, Capricorn Highway and Clermont to Alpha Road in Queensland;
   (b) Great Northern Highway and Marble Bar Road in Western Australia; and
   (c) Outback Way, Arnhem Highway and Keep River Road in the Northern Territory;
(3) under the BRP the Government recently committed to further upgrades including to the:
   (a) Peak Downs Highway (Clermont-Nebo, Logan Creek to Nine Mile Creek), Port Alma Access Road near Rockhampton, Bowen Developmental Road and Landsborough Highway (Longreach-Winton) in Queensland;
   (b) Tablelands Highway, Barkly Stock Route and Buntine Highway in the Northern Territory; and
   (c) Cape Leveque Road and Great Northern Highway in Western Australia; and
(4) commends the Government for recognising the potential of Northern Australia and investing in these key transport links.

Ms Flint: to move:

That this House:

(1) urges all Australians to drive safely and with consideration for fellow road users over the upcoming summer holidays;
(2) notes the Government has made significant investments in road safety including:
   (a) $500 million from 2014-15 to 2018-19 in the Black Spot Program (BSP);
   (b) an additional $200 million from 2015-16 that makes an important contribution to reducing the national road toll under the National Road Safety Strategy and Action Plan; and
   (c) completing 977 projects under the BSP which has saved an estimated 116 lives and prevented 5,959 injuries from crashes over 10 years;
(3) encourages all state and territory governments to address the over-representation of men in road fatalities through improved driver information and education; and
(4) calls on all Australians to drive carefully over the summer period.

Ms McGowan: to move:

That this House:

(1) notes that:
   (a) the nbn™ Fair Use Policy is unfair for rural and regional Australia;
(b) rural nbn™ users have restricted data speeds, limits on capacity and have to pay more for a poorer service;
(c) under the nbn™ Interim Satellite Service, rural users had 'off peak' data from 11pm to 2pm;
(d) on the new nbn™ Sky Muster™ Satellite Service, the 'off peak' data has now changed to between 1am and 7am; and
(e) the consequence of the nbn™ Fair Use Policy is that businesses, students, home workers and farmers have reduced Internet access and pay comparatively more; and
(2) calls on the Government to:
(a) implement the recommendations of the 2015 Regional Telecommunications Review and review the nbn™ Fair Use Policy in light of the impact on rural families and businesses;
(b) maximise the amount of data available under the satellite service; and
(c) revert the off-peak period in the nbn™ Fair Use Policy to 11pm to 2pm, to accommodate the realities of rural life.

Ms McGowan: to present a Bill for an Act to amend the *Charter of Budget Honesty Act 1998*, and for related purposes.
Tuesday, 22 November 2016

The DEPUTY SPEAKER (Mrs Wicks) took the chair at 16:00.

CONSTITUENCY STATEMENTS

Fowler Electorate: Turkish Community

Mr HAYES (Fowler—Chief Opposition Whip) (16:00): There are more than 60,000 Australians who can boast of having Turkish heritage, many of whom live in my electorate. On 29 October we saw major celebrations in the Australian Turkish community. On that day 93 years ago, Turkey proclaimed itself a democratic republic. The relationship between Turkey and Australia is one to envy, beginning with angst in the turmoil of war but which, through mutual respect, has developed into a warm and lasting friendship.

While being at the forefront of the global war on terror and experiencing its own conflicts—ranging from that with Daesh, attacks by the PKK and, more recently, an attempted coup—Turkey is still home to 2.5 million Syrian refugees. Despite all its challenges, Turkey remains determined to provide humanitarian aid and a safe haven, particularly at a time when other countries are closing their doors. The Republic of Turkey is a strong ally of Australia in the global efforts against terrorism in Iraq, Syria and Afghanistan. The friendship between Australia and Turkey has come a long way since the shores of Gallipoli in 1915.

Next year, the Australian Turkish community will be celebrating the 50th anniversary of the assisted immigration agreement between Australia and Turkey. This agreement was the cornerstone for the development of Australia's multiculturalism. The arrival of Turkish immigrants of the Muslim faith was one of the key principles that brought an end to the White Australia policy. The Australian Turkish community, like many of our multicultural groups, has contributed positively to our cultural diversity and social fabric, enriching the life and outlook of our community. Their colour, vibrancy and heritage, as well as the tremendous contributions the Turkish have made to Australian cuisine, give us all much to be proud of. I commend all Australians of Turkish heritage for their positive contribution to our community. I extend my sympathies to them, as well as to the people of Turkey, for the terrible losses that they have sustained due to terrorism in recent months.

The Turkish community is very proud of its heritage and is determined to make a contribution in this country. Since their arrival, its members have shown that they are model citizens and ones that I think most of us can look up to. Long may the practice continue of accepting people of overseas origins, who make a contribution to this country and make our country better. I think this is a great Australian tradition.

Murray-Darling Basin

Mr BROAD (Mallee) (16:03): Australia is an example to the world on water management. Many people from other countries come here and have a look at what we are doing, particularly at how with four different states involved we have been able to find an outcome, the Murray-Darling Basin Plan. I was involved with the Murray-Darling Basin plan as an interested farmer, also as a representative of farmer groups, long before I came into this parliament. What I saw was clear minded people who were not necessarily articulate in their words presenting great ideas that were sometimes ignored because they were not well
articulated. I talked about this in my maiden speech. I think there are lessons we can learn on water management.

The retrospective decision makers came up with a decision to find 2,750 gigalitres of water to be returned to the Murray-Darling system. That worked very well, except, sadly, Minister Burke, who was the federal environment minister at the time for the Gillard government, stitched up at the last minute a deal to deliver an extra 450 gigalitres of water to South Australia, although it was only delivered on the condition that it could be done without detrimental impact to the economy of the Murray-Darling and without social detriment. It is very clear that when you take one megalitre of water out of production, you lose three jobs, plus the multiplier effect, and so it is pleasing to me that Minister Barnaby Joyce has read the plan very thoroughly and has enacted the part of the plan which says that there is no way we are going to be able to return 450 gigalitres of water to South Australia.

This does not mean we are walking away from the health of the river. If you look at what is being done in my patch with environmental watering such as in Hattah Lakes, it is quite extraordinary what can be done by putting infrastructure around the delivery of environmental works. It is something I hope to look at as chair of the House environment committee later next year.

I just want to commend the minister for opening up the discussion. The way we achieve good water management is having confidence in the community so that people can invest, so that the farmer can put tap-and-drip irrigation in, so that the community knows that there is a long-term future to invest. Investment ultimately delivers better water savings.

Barnaby Joyce is on the right track. We look forward to a mature and cooperative approach from those four states as we deliver a Murray-Darling Basin Plan that restores good health, good economic activity and good social outcomes for the people who live and breathe and enjoy the Murray-Darling.

Dobell Electorate: St Cecilia's Catholic Primary School

Ms McBRIDE (Dobell) (16:06): This year, 2016, marks the centenary of education at St Cecilia's Catholic Primary School in Wyong. As a former St Cecilia's student, having attended the school in 1986 and 1987 for years 5 and 6, I have very fond memories of my school days, and look forward to joining the school community and my favourite teacher, Mr Brinley, for celebrations to be held on Saturday.

In 1916 the first class was taught at the Catholic church in Byron Street, Wyong, with 15 primary and secondary students. Today there are around 350 students at the school, and countless former students—like myself and my brothers and sister.

The school was named after Cecilia Woodbury, whose fundraising efforts were integral to building the Byron Street church, and who was widely known for her musical talents. Saint Cecilia, the patron saint of music, seemed a fitting name to the Josephite sisters who founded the school a hundred years ago.

The school launched their yearlong centenary celebrations in March with presentations from former students and the establishment of a time line in the school hall, where each month an historical event significant to the school has been added, including floods and natural disasters, visits by the bishop, and sporting achievements of past students, such as Ken Wallace's bronze and gold medals in kayaking at the Beijing Olympic Games.
Students like my friend Bailey Lavin in 5 Gold enjoyed a Back to Old School day where they dressed in old-fashioned clothes. This was a technology-free day, with chalk and boards replacing screens and notebooks. At the Grandparents Day, students took part in traditional schoolyard games like quoits, skipping and hopscotch, as well as an art exhibition using past styles and techniques.

On Saturday the time capsule buried at the school 25 years ago by my brother Eddie McBride and Kristy Guise, the school captains of 1991, will be unearthed and opened, providing a snapshot of life at St Cecilia's in the early 1990s. Items to be included in this year's time capsule will be collected, including a USB with images of the school and celebration events, a current school uniform and other items of interest from the year 2016, including money, stamps and a newspaper.

It gives me great pride to inform the House that a copy of this speech, as it is recorded in the parliament's Hansard, will also be included in the capsule. So, for the benefit of those reading this in 25, 50 or another hundred years, 2016 has seen: a federal election at which I became the member for Dobell, 10 Central Coast residents join the Australian team at the Olympic Games in Rio, and radio host and community campaigner Sarah King, whose Give Me 5 For Kids initiative has raised more than $1.7 million for children's care at Wyong and Gosford hospitals, become the Wyong Citizen of the Year. Congratulations to the staff, students and the St Cecilia's school community on your first 100 years.

**Employment**

Ms LANDRY (Capricornia—Deputy Nationals Whip) (16:09): It is about one month away from Christmas, and today I urge coal giant Anglo American not to destroy the town of Middlemount by sacking 83 workers. I understand that 83 people will soon be told to take a forced redundancy from its permanent workforce at German Creek mine. This would further devastate the dwindling town. Last week I met with some of the people who lived at Middlemount and worked at the German Creek mine. Following that meeting I personally called the company bosses to express my concern on behalf of the town of Middlemount.

Middlemount has taken a battering with the closure of its only bank, the closure of small businesses and the loss of many schoolteachers as the town goes backwards from the mining slump. Given every worker with a spouse and two children, it could mean as many as 300 to 400 people could be forced to leave Middlemount. Because the company owns many of the houses, families fear they may face uncertainty just one month out from Christmas about where they are going to live if they lose their jobs.

Our small Central Queensland coal town faces a double whammy with the potential loss of permanent workers on one hand and an increase in casual contracts on the other. Casualisation of the coal workforce is a further issue leading to the demise of country towns in Central Queensland. As a result, there is much uncertainty in many small towns in Capricornia's western coal belt. It is a two-edged sword. People without permanency have no stability in their life. As a result, banks will not lend people money, many businesses are closing and schools and health services are dwindling, because the population is shrinking.

Coal prices are starting to rise again, but there appears to be a push to put vast numbers of workers on casual contracts where they have no holiday leave, sick leave or family leave. This means they have no pay packet to take home if they fall ill. I have already raised this...
issue in the Nationals party room, and today I make this pledge: casualisation is an issue that I will continue to raise here in Canberra with the Minister for Resources and Northern Australia and other senior leaders on behalf of Central Queenslanders. It is an issue that the Liberal-National coalition cannot afford to ignore.

**Last Man Stands**

Ms OWENS (Parramatta) (16:12): Last Wednesday a very special cricket team called Ocean 12 took out the Australian championships on the Gold Coast in the Last Man Stands 2020 cricket competition. Last Man Stands is an international, semiprofessional 2020 competition with about 90,000 players worldwide. There are over 50 teams in Parramatta alone and about 300 teams throughout Sydney, so Ocean 12 won in Parramatta, then beat the other winners in Sydney, then went to the Gold Coast and played 31 other teams for the national final.

Ocean 12, the new Australian champions, have not lost a game in 12 months, and all the players are Tamil refugees. The name of the team is a nod to the year most of them arrived and the fact that they came by boat. The men played their first cricket in Australia while in detention. After being released into the community, Noeline Nagle at the Blue Mountains Refugee Support Group had the brilliant idea of creating a team. It was Justin Isaacs, President of the Wenty Leagues Cricket Club, who gave the men the opportunity to play in the Last Man Stands competition. Their journey was supported by members of the community who donated equipment.

Apparently, they tell me, they were pretty hopeless when they started out. I find that hard to believe. But they learned to trust each other and support each other and they became well and truly unbeatable. The experience has helped them to meet Australians and to learn English. It has helped them to take their minds off the trauma they have experienced, their families far away and their uncertain visa situation.

Ocean 12 has been invited to represent Australia in the world championships in Cape Town in 2017. Unfortunately, because the men are still on bridging visas, they do not have the right to travel and will be unable to attend.

I would like to congratulate the captain, Suthakar; Donald; Ratnavadivel; Sutharsan; Prasanthkumar; Jegathee; Chanthuru; Purusothaman, who was player of the tournament; Satheesh, who was player of the final; and Sivarasa, the team manager. Congratulations to all of you in Ocean 12 for your wonderful work and for overcoming all you have been through to become the Australian champions.

Asher, Hon. Louise

Thompson, Mr Murray

Mr TIM WILSON (Goldstein) (16:14): I would like to honour two significant retiring contributors to the parliament of the great state of Victoria who have also been of service to the people of Goldstein: Louise Asher MLA, the state member for Brighton, and Murray Thompson, the state member for Sandringham. They have both announced that they will be retiring at the next Victorian state election.

Murray Thompson has been the state member for Sandringham since 1992. Much loved by his constituents, Murray has a keen eye and a sharp memory when it comes to local issues. He
has even taught me a thing or two. I was proud to stand with Murray to make sure our 24-hour service at Sandringham Hospital continued. Many times before he has stood up for the preservation of the Sandringham Hospital when there were efforts to close it in the 1990s.

Murray is the local state MP who is always happy to take note of any issues whether they are big or small. He has served many roles in state parliament. He was the shadow minister for veterans affairs, Aboriginal affairs and housing, as well as cabinet secretary. Murray has served the Sandringham electorate with distinction for 24 years. I congratulate him on a most successful parliamentary career. Thank you so much, Murray, for the work that you did.

I also wish to thank Louise Asher, who has been the state member for Brighton since 1999. She was originally elected as the Victorian Legislative Council member for Monash Province—the now non-existent Monash Province, I might add. Louise was Deputy Leader of the Liberal Party for eight years, from 2006 until 2014. She also served as a minister in the Kennett government, playing a key role in bringing Formula 1 to Melbourne—a great achievement and legacy we most admire. Louise served on the frontbench for 18 years whilst a member of parliament—an extraordinary achievement.

Locally Louise worked hard to secure $10 million in capital works funding for the rebuilding of Brighton Secondary College and reopening the New Street gates, which may not seem like a big deal to people here but it made a big difference to the people of Brighton. They are an iconic part of the Brighton and Hampton community. It is a great honour to serve and to do so in such high office. On that front, the people of Brighton have been served by Louise Asher, the member for Brighton, with class and commitment for a long period of time.

We congratulate Louise and Murray on their service to the Brighton and Sandringham communities. We wish them all the best for their future endeavours. As someone who shares an electorate with them in Goldstein, I say thank you and best wishes for the future.

Francis, Mr Robert Neville 'Bob', OAM

Mr ZAPPIA (Makin) (16:17): Today I pay tribute to Adelaide radio and media identity Bob Francis, who unexpectedly passed away at home on 12 November 2016, aged 77. For over 50 years big Bob was a household name in South Australia—

A division having been called in the House of Representatives—

Sitting suspended from 16:18 to 16:30

Mr ZAPPIA: I will continue my remarks. In his later years, his talkback radio program—aired between 8 pm and midnight on 5AA—was rated the most popular talkback program. It was Bob's personality that made his program so popular. Even his critics would listen to it. Having spent his whole adult life in radio, he was deservedly inducted into Australia's Radio Hall of Fame in 2005 and also presented with a gold microphone after 20 years of service with 5AA. He went on to be 5AA's longest serving employee.

The achievement which perhaps made Bob most proud was his personal part in getting the Beatles to come to Adelaide when they visited Australia in 1964. The excitement created at the time and the extraordinary crowds that lined the streets of Adelaide to get a glimpse of the Beatles on their arrival into Adelaide—estimated at the time to be around 300,000 people—were never again replicated. Because of his efforts, Bob was given the honour of introducing the Beatles to a packed King William Street crowd from the town hall balcony.
Every media personality has their own style and appeal and that was certainly the case with Bob. Loved by some, loathed by others, Bob Francis was one of a kind. Bob was opinionated, outspoken and at times insulting, but always entertaining. If callers agreed with Bob's generally conservative views of the world, they would get a fair hearing. If they disagreed with him, they were very likely to cop a tirade of verbal abuse before he would abruptly cut them off. He would frequently get prank callers who would provoke him or try him on, but Bob always had the last say. Occasionally, he went too far and ended up in hot water, but he never backed away.

Yet, for all his tough public persona, I believe Bob was a very decent man who called things as he saw them. I would occasionally call in and have an on-air chat with him about politics or the current affairs of the day, much as I do now when I speak to Bob's then program producer, now host of his own evening 5AA talkback program, Andrew Reimer. I was generally on the opposite side of politics to Bob, yet he always made me feel welcome on his program. In his later years, Bob suffered some health setbacks, but he did not let that stop him. When he retired in 2013, aged 74, his absence from the evening radio talkback was widely felt, even by his detractors. It marked the end of an era.

To his wife, Anna, who was at home with Bob when he passed away; to his children, Mark and Bec; to all his family members; and to his radio colleagues: I extend my sincere condolences.

**Water**

Mr EVANS (Brisbane) (16:32): I have spoken previously in this chamber about my passion for the Brisbane River and Moreton Bay. These are the most significant local and environmental assets in South-East Queensland. Last week, I attended the launch of the annual Healthy Waterways and Catchments Report Card for 2016. These annual reports have been conducted for 16 years now, and each one gives us some further insight into the water quality, health and environmental status of the catchments in South-East Queensland. This year's report reiterated many things that we already know to be true. The Brisbane River, around my Brisbane electorate, scores a pass mark, but only barely, while parts of Moreton Bay receive good to excellent grades and parts of the inland catchment continue to fail, predominantly due to sedimentation.

The good news this year was that there was some overall improvement in the scores for the Brisbane River and Moreton Bay, but that needs to be counterbalanced by the fact that the improvement was mostly down to the weather, not direct intervention. Basically, lower rainfall meant lower sediment run-off and therefore better water quality. So, while the movement has been positive, the health of the Brisbane River and its catchment remains precarious.

My passion for the Brisbane River catchment and Moreton Bay originally came from my love of our native fauna and flora and my keen love of outdoor recreation. My work with the catchment, when I worked at Seqwater, taught me more about the economic and social value of our catchment and what is being done to improve it. The Healthy Waterways report card made consistent recommendations to help improve the river and catchment, such as implementing and improving erosion and sediment control, investing in stormwater management and other retrofitted infrastructure in key urban areas, and focusing on vegetation in and around urban and rural waterways.
It is no coincidence that these priorities are exactly what I am hoping to address when I deliver on some of the election commitments I made: $80,000 for water-smart street trees, rain gardens and other water sensitive urban design to reduce stormwater run-off and road run-off; $70,000 to tackle sediment run-off at local parks like Teneriffe Park; $360,000 for riparian planting and erosion control projects for tributaries into the Brisbane River, including the Enoggera Creek; Green Army projects to protect and improve habitat, replant with native species and rejuvenate the local environment through removal and control of invasive species; and $50,000 for the great waterways clean-up program, which directly removes litter from the Brisbane River.

These are precisely the sorts of projects and initiatives that are needed to protect and improve the quality of the Brisbane River, its catchment and Moreton Bay—Brisbane's most significant environmental assets. I would like to thank Healthy Waterways and Catchments for their great work. I would also like to pay a very special tribute to all of their partners and sponsors, who work tirelessly on the ground and throughout our community. I am proud to be making these commitments to our environment. I look forward to being an active and constructive partner to those who care about our environment, and I also look forward to working hard to make a difference in many important areas like this.

Imports

Mr SWAN (Lilley) (16:36): In the past decade, the issue of dumping in steel and aluminium markets, particularly by Chinese manufacturers, has had a profound effect on the Australian steel and aluminium industries, with thousands of workers losing their jobs. Dumping is a practice of exporting goods such as steel and aluminium at below market cost, often with the intention of weakening competitors. The Chinese government heavily subsidises their steel and aluminium industries. It allows them to export at prices well below what Australian producers can match in an open market. This has negative effects in both the short term and the long term.

In the short term, the flooding of the market with below price goods cripples local industry, costing thousands of jobs. We have seen this in Australia in recent years. In the long term, once local manufacturers have been driven out of business by predatory prices, foreign producers often raise their prices, as they now enjoy a market monopoly, thereby removing any benefits to consumers.

Dumping is a global problem, and the OECD has increasingly been calling out Chinese market behaviour in steel and aluminium. This behaviour is a key reason behind the refusal of major trading countries like the US, Canada and the EU to recognise China as a market economy, which Australia has done since 2004. Since 2006, there have been significant job losses in Australian aluminium, with employment in the industry falling by 44 per cent, and significant job losses in the Australian steel industry, including the closure of some capacity at Port Kembla, putting thousands of Australians out of work.

I am proud of the role that the Gillard government played to support the steel industry in Wollongong and protect thousands of jobs. We have not seen that same support from the government. In government, Labor took a range of measures to try to combat dumping, including establishing a new appeals process for Australian businesses, independent of the government, and also to review more complex antidumping decisions made by the CEO of Customs. We also enlisted the Productivity Commission to strengthen and streamline Australia's antidumping system. This led to the establishment of the International Trade
Remedies Forum, a body which the Abbott government sought to disband. Our reforms recognise that, when countries do not play by the international rules set out by bodies like the World Trade Organization and engage in market behaviour that damages their trading partners, strong action needs to be taken.

Despite these reforms under Labor, since 2013 it has become clear that much more needs to be done to stop dumping practices. The government has dragged its feet on this issue, while the Australian industry has suffered and jobs have been lost. The government needs to urgently take a range of measures, including ensuring that the Anti-Dumping Commission is well resourced, that the commission has the ability to impose interim duties when an investigation commences and that it has the authority to implement bans against companies that repeatedly circumvent Australian antidumping provisions. We cannot stand by and allow Australian steel and aluminium industries to be destroyed. (Time expired)

Dairy Industry

Mr DRUM (Murray) (16:39): I note that it has been nearly six months now since the dairy industry, certainly throughout the Goulburn Valley, where many of the suppliers are supplying Murray Goulburn and Fonterra, has had its farm gate price reduced significantly. I would like to announce that Senator Bridget McKenzie will have a series of round tables with the dairy industry at a range of locations, namely: Tangambilanga in the northeast of Victoria; Congupna, my hometown in the Goulburn Valley; Morwell in Gippsland; and Camperdown in the southwest of Victoria.

The purpose of these meetings is going to be to hear the views of the farmers regarding the delivery of assistance measures that are in place in relation to the coalition government's $579 million assistance package that has been in place since this crisis struck the dairy industry. Senator McKenzie is going to be able to assist with these packages, because there have been some issues in relation to people accessing these assistance packages. However, we now know that $45 million in dairy low-interest concessional loans has been approved for Victorian dairy farmers. We now know that there are 378 Victorian dairy farmers receiving the farm household allowance, which is an allowance of just under $1,000 per couple per fortnight. Under the coalition government, we now have more than 567 concessional loans that have been approved for over 1,000 farm businesses Australia wide. It certainly is an example of where the coalition is getting this assistance out the door, hitting the ground and helping those farmers that are in need.

We would also like to acknowledge that this is going to be an opportunity for people to talk to Centrelink about further accessing these opportunities, and to talk to the Rural Bank about accessing the low-interest concessional loans. It will be an opportunity to understand that some of our input costs in the dairy industry are going to be much more positive looking forward into this summer and next year. Water availability is going to be up and the cost of temporary water is going to be down. There is going to be a lot of feed around the regions and farmers will have their own feed. Grain prices are looking to be much lower than they were last year and there seems to be an overall steady increase in the world price of milk and milk products.

So, whilst there are many people still out there who are doing it incredibly tough, the Australian government is there with them every step of the way. This is why Senator McKenzie is holding these round tables: to make sure that people know about and get help
with the various assistance packages that are available. However, there is still a very positive light in the future of the dairy industry.

**Macquarie Electorate: Infrastructure**

*Ms TEMPLEMAN (Macquarie) (16:42):* Recently the New South Wales member for Hawkesbury discussed the importance of heritage. Here is what he said:

> Our heritage buildings and places tell the story of New South Wales and that is something that we have a responsibility to safeguard and maintained for generations to come. The Lysicrates Monument represents the rich cultural history and heritage that has shaped our city, our state and our nation. There is also vital work to be done maintaining and preserving heritage assets like the Pyrmont Bridge.

Great, I thought, here is someone who might actually help protect and preserve the oldest public square in the country, which is in his own electorate. But, no: he is happy to wax lyrical about heritage in the New South Wales parliament and invest millions in the CBD, but not one mention of Thompson Square on his Facebook page or in a media release.

Instead, he claims as an achievement the planned construction of a replacement, Windsor Bridge, which will run through Thompson Square and will irrevocably change it, wrecking its Georgian integrity. Mr Perrottet, who is the finance minister in New South Wales, had some choice words about me in parliament. But rather than respond to schoolboy insults, I think I would prefer to focus on content. Mr Perrottet claimed a number of achievements: Windsor Bridge, not built; a $3 million tourism investment, not delivered yet; the Pitt Town bypass, not built; and a new hospital at Rouse Hill, not in his electorate—I know he gets confused and does not live in the Hawkesbury, but it is not built. What he did not mention was the $20 million of federal Labor funding that was committed to improve North Richmond traffic that has been delivered and the $2.5 million for our Windsor Wolves stadium that was delivered years ago. High-speed NBN to the home was delivered in Windsor, Richmond, Hobartville and neighbouring suburbs. It was all delivered. I know the member is reported to have aspirations to the Senate, but until that happens his energies—

* A division having been called in the House of Representatives—

* Sitting suspended from 16:44 to 16:58*

*Ms TEMPLEMAN:* I know that the member for Hawkesbury is reported to have aspirations for the Senate, but until that happens, his energies might be better spent on the schools in his own electorate. Colo High School has a $2 million backlog of repairs. Richmond and Windsor high schools each need repairs of more than $1 million. Twenty-two schools have a backlog of repairs of between $100,000 and $700,000. All up, $12½ million of repairs are needed in his own electorate. It is time he remembered his own electorate and that he has history on his doorstep. He actually has the power not just to save things in the CBD; he has the power to save things in Windsor for future generations.

**Mohammed, Mr Abdul Aziz**

*Mr ENTSCH (Leichhardt) (16:59):* I rise to express my profound sadness and shock at the loss of a wonderful Australian, a man of faith who has made an outstanding contribution to our country and to our community. The imam of Cairns mosque, Abdul Aziz Mohammed, passed away last night after a long illness, surrounded by family. He was 84 years old. I have known the imam for longer than I have been in this parliament. He was a driver of community unity, a dear friend and somebody that I have always looked up to and respected.
His family is a key part of the multicultural fabric of Far North Queensland. His father, of Pakistani heritage, travelled to Cairns in 1900 to work in the cane fields before becoming a spiritual adviser to the small Muslim community in Cairns. The imam was born and raised in Cairns and counted himself as thoroughly Australian, even speaking with a very broad Australian twang. He represented the Cairns junior soccer team when he played as a youngster in 1948. He spent many years on various Cairns Show and farming committees and has been described as a stalwart of Rotary. He took over his father and brother's spiritual work and was instrumental in establishing Cairns's first mosque, which opened in 2010. There are 40 families or more, of more than 12 different nationalities, who regularly attend. He was always accepting and welcoming to those interested in his Islamic faith in the Far North, and for the vast majority of the community the interaction was very positive.

I recall an incident back in November 2013 when the mosque was vandalised with graffiti calling for worshippers to integrate or return to their homelands. It was certainly a laughable statement. When I visited the mosque after the incident to show my support, the imam, then 81, was puzzled. He said, 'How can we integrate more than I have done?' He was talking about how, for about five generations, he has contributed. In his very Australian voice, he then went on to ask, 'I would like to know what these people have done for their community,' compared with his own service. Fortunately, as he said at the time, 99.9 per cent of the district has always been very supportive and, like me, agrees that Muslims are part of our rich culture in the Far North.

He showed love and respect and, in return, was truly loved and respected. He had a great sense of humour, a great sense of responsibility and the courage to speak out against acts that were not in line with his faith. I know that the imam's good work and legacy will carry on, and I will continue to support the Muslim community however I can. I pass my sincerest condolences to his children, grandchildren and extended family. Rest well, my friend.

Murray-Darling Basin

Mr GEORGANAS (Hindmarsh) (17:02): I rise today on behalf of the constituents of Hindmarsh and South Australians who, just like me, are absolutely shocked, dismayed and just plain angry at the recent announcement by the Deputy Prime Minister to renege on the agreement to save the River Murray. South Australians fought long and hard for this plan to be implemented. The Fight for the Murray campaign commenced in 2012, and it was such a campaign in South Australia that it was even supported by News Corp's Adelaide Advertiser, which ran a campaign in its papers regularly asking for the Murray to be saved and for all MPs to fight for the Murray.

It came on the back of the drought that devastated South Australia and turned South Australians into committed water activists, and it resulted in the plan being agreed to by all the basin state ministers. It was legislated in late 2012 to return 3,200 gigalitres of water to the River Murray. This was the baseline volume of water needed to keep the system alive according to the best science available, including the evidence from the CSIRO. This water is needed to keep the Murray Mouth open, reduce salinity in the Coorong and Lower Lakes and increase flows to the Coorong. But this water does not only benefit South Australia. Importantly, it allows for an increase in flood plain watering across New South Wales, Victoria and South Australia, benefitting communities all along the river—and let's not forget
the river system. That means that, if one part of the river is neglected, the entire system will then suffer.

The Murray-Darling Basin Plan was agreed upon in its entirety, and it needs to be kept in its entirety. If you pick at the bits and pieces of the plan, the whole thing will unravel. Close enough is not good enough. The crucial last 450 gigalitres must be delivered as promised. The federal government cannot just cut and run on one of the nation's most important agreements. This was a bipartisan agreement to save the River Murray and, what is more, Australians were given reassurances that this was the case before the federal election, that the agreement would be delivered in full.

Why has the Deputy Prime Minister now backed down on that agreement? Could it be that the Turnbull government has its eye on the more than $1.7 billion set aside to fund projects to deliver this crucial last 450 gigalitres of water for the environment? Could it be that they want to use this for other projects? Whatever the reason, it is not about protecting the health of the River Murray. We do not know what the reason is. The Deputy Prime Minister should recommit to delivering the Murray-Darling Basin Plan on time and in full.

National Archives of Australia

Mrs PRENTICE (Ryan—Assistant Minister for Social Services and Disability Services) (17:05): I wish to place on record my appreciation to the parliament for giving me the privilege of serving as their House of Representatives member on the National Archives Advisory Council. The National Archives of Australia can best be described as the memory of our nation. By preserving and collecting government records, this important institution reflects our Australian history and our identity. With a collection tracing the events and decisions that have shaped the nation and the lives of Australians, the Archives also play a key role in helping to ensure the Australian government and its departments are effective and accountable to the people.

I would like to start by congratulating Mr David Fricker for his well-deserved reappointment as Director-General for the National Archives of Australia. David continues to provide strong leadership to the Archives, and has overseen the achievement of some great successes in this past year. Under the direction of Mr Fricker, the Archives have again achieved high scores against their key performance indicators. In the past financial year, we saw the launch of the Archives Digital Continuity 2020 Policy. This policy builds upon the success of the Digital Transition Policy, supporting the integration of digital information management into all government business practices.

I am also pleased to report that the Archives achieved a 98 per cent user satisfaction rating for their variety of online and face-to-face forums. While we are on the topic of numbers, here are a few facts about Archives storage. As at the end of June 2016, there were 353.6 shelf kilometres of paper and analogue records held, along with more than 700 terabytes of digital records. To put 700 terabytes into perspective, if the average high-definition movie is approximately five gigabytes then the Archives digital records would equate to 140,000 high-definition movies. During this time, the Archives website received nearly 4.7 million visits and more than 36.1 million page views.

Once again this year, the annual release of cabinet records was a significant event for the Archives. On 1 January 2016, key cabinet records from the 1990 and 1991 Hawke
government were released for public access. The Archives continue to maintain significant standing in the international archival community. Senior conservators from the Archives provided their expertise to the archival communities in Fiji and Cuba this last year, assisting with the conservation of photographic prints, with training, and even with the preservation of iron gall ink documents dating back to the 1500s. Looking forward to the year ahead, the Archives look to redefine their role as a leader in shaping the digital future. A highlight of the year ahead will undoubtedly be the opening of the National Archives Preservation Facility in Canberra, now in the final stages of construction. I sincerely thank all of the hardworking and dedicated team at the National Archives of Australia.

**Murray-Darling Basin**

*Ms SHARKIE (Mayo) (17:08):* What short memories some parliamentarians have! A decade ago we were in the midst of the millennium drought, the Murray-Darling Basin was in crisis and the Lower Lakes and the heritage-listed Ramsar wetlands in my electorate of Mayo were facing an environmental and economic disaster. Back then, the states were able to put aside their self-interest and to draft reforms to protect a river system for all users, upstream and down. Now that the water is flowing, there are murmurs about back-pedalling on these historic reforms. The Murray-Darling Basin Authority is considering amending the plan in order to cut 70 billion litres from the original target. The authority wants to do this by cutting the water recovery target in the north of the basin. Apparently this strikes a sensible balance between economics and the environment, and will save 200 jobs.

We in the Nick Xenophon Team are about sensible balance, so let me tell you something about the southern end of the basin, where we have not yet fully recovered from the effects of the drought of the century. Local business leaders tell me that economic activity, particularly tourism, is only about 60 per cent of what it was before the drought. The Goolwa marina has 16 full-time equivalent staff now. They used to employ 36. Three hundred boats left the marina at the height of the drought and only 80 have returned. That is just one enterprise. This story is echoed by many businesses across the region.

Only last month a group of business leaders sought a meeting with me because they feared northern irrigators would start clawing back water. We need equity across the basin, but any changes are seen by my southern constituents to be another nail in the coffin for the Coorong and the Lower Murray, for farming, for the environment and for local businesses. Significant media attention around the proposed amendment of less water flowing to the Murray mouth is enough to put doubt in the minds of investors and visitors.

If you want to talk about equity, let us keep in mind that most of the money promised for the recovery of the basin for infrastructure has gone north. The Goolwa barrages were built in the 1940s and there is no plan to replace this old infrastructure. The Nick Xenophon team want balance. We want all basin communities to survive in the future. We do not want South Australia to be sold down the river. I am more than happy to sit down with my parliamentary colleagues and have a mature conversation about the Basin Plan—as long as the government keeps its word that it will be based on science.

Public hysteria generated by this debate is extremely damaging to my community. Jobs down south are just as important as jobs up north. I want to finish by saying that the Lower Lakes and Murray mouth are looking beautiful and are open for business. I am going to be fighting for those areas to remain so.
Broadband

Mr CIOBO (Moncrieff—Minister for Trade, Tourism and Investment) (17:11): One of the issues that people in my electorate raise with me on an ongoing basis is their desire for high-speed quality broadband. That is part of the reason why I have been so pleased that the coalition government has been able to make available to constituents in my electorate of Moncrieff on the Gold Coast good quality high-speed broadband so much sooner than otherwise would have been the case.

We know that the Labor Party outlined their vision for the NBN, a vision that was going to cost $30 billion more and would not have seen the Gold Coast connected to the NBN until 2024. Under the coalition we have been able to save more than $30 billion of taxpayers' money, plus, more importantly for residents in my electorate, the NBN will be rolled out across my electorate six years earlier than otherwise would have been the case if the Labor Party had stayed in government. Rolling it out six years earlier means that we will see the Gold Coast fitted with NBN basically in full by the end of 2018 across my electorate of Moncrieff. As it stands today, we have seen NBN construction commence in a number of key suburbs in my electorate: Ashmore, Benowa, parts of Bundall, Broadbeach Waters and Mermaid Waters. Over the coming months these key areas will have access to fast, affordable broadband thanks to the coalition.

The Gold Coast is Australia's innovation city. I want to make sure that we are delivering government policy that is respectful of taxpayers' money and that delivers a technological solution providing speeds of up to 100 megabits per second and indeed in future years even higher speeds. We know that the vast bulk of customers who sign up to the NBN sign up to 25 megabits per second. Gold Coasters in my electorate will have access to that speed as it is progressively rolled out across the seat of Moncrieff. For those who have access inside the next few months that is fantastic news. The balance of the electorate will then see the rollout of the NBN, as I said, so essentially the whole electorate will be done by 2018, with some exceptions where there are greater technological challenges to be overcome.

In summary, as we continue to build and prepare for the 2018 Commonwealth Games and as we see NBN working cooperatively and constructively with GOLDOC, the Commonwealth Games organising committee, we will make sure international tourists have a high-quality experience when they visit the Gold Coast by making sure that Gold Coast businesses are ready to embrace new technology that will deliver them incredible access to the internet and of course global markets as well as domestic markets through high-speed broadband. Importantly, local Gold Coast residents in my electorate will have the NBN quicker, faster, sooner and much more cheaply under the coalition than would otherwise have been the case if Labor were still in power.

Taxation

Solomon Electorate: MV Rushcutter

Mr GOSLING (Solomon) (17:14): I just want to take the opportunity, while the Minister for Trade and Tourism is here, to directly appeal to him to start talking to his colleague Barnaby Joyce and get a sensible competitive rate for the backpacker tax, because Territory tourism businesses are hurting and horticultural businesses are hurting, and it is his responsibility. On the weekend I spent time with mango exporters, and they were saying
directly to you and to Barnaby, ‘Give us a sensible rate that is going to attract backpackers back.’ You are not doing your job, Minister, and it would be good if you pulled your finger out and supported the tourism industry.

But I digress. I wanted to talk about the MV Rushcutter. The MV Rushcutter was used in the Second World War to take our Australian special forces behind enemy lines, and it had a marvellous career in that capacity. It sank in Darwin Harbour almost a month ago now. With a friend, I dove on it and saw that it was in good shape, and that it was going to be good to bring to the surface. I want to thank the Darwin Port and Bhagwan Marine, who helped us to bring that World War II vessel to the surface. We are in position now, thankfully, with the support of the Paspaley Pearl Group, as they have offered some hard-standing space for us to put the boat on to restore it to its former glory.

I would like to thank Paspaley Pearl Group, and I would like to thank the group of volunteers, such as Vicki McLeod and Jeff Dunne, and people like Rex Mitchell and Bro Palmer. Ambrose Palmer is the son of the wartime captain of the MV Rushcutter, which was at that time known as HDML 1321. Currently, the Rushcutter is in the intertidal zone, and with the cyclone season coming up I am making a direct appeal to companies, industry and people of good conscience that have an interest in World War II history, military history, maritime history or special forces history. There is no other ship like this, except perhaps for the Krait, which was part of that famous raid on Singapore Harbour.

The Rushcutter represents an age where we have our veterans leaving us. What we want to do is to restore the Rushcutter and have it on display up at the Darwin Military Museum. I really hope that we have some benefactors out there who can join with us and make sure that the Darwin Military Museum can acknowledge this and so we can salute the service of our men and women who in World War II put everything on the line for the development of our great country.

DISTINGUISHED VISITORS

The DEPUTY SPEAKER (Mr Buchholz) (17:17): Before I call the next member, if I could just indulge the House. In the chamber, over to the left here, is Mrs Heather Henderson, the daughter of the late Sir Robert Menzies. We welcome you to the chamber, this being your first visit.

Honourable members: Hear, hear!

CONSTITUENCY STATEMENTS

Boothby Electorate: Flinders University

Ms FLINT (Boothby) (17:17): This year marks the 50th anniversary of the establishment of Flinders University, which is in the heart of my electorate of Boothby. Sir Robert Menzies was the person who contributed to the establishment of so many new universities, and I would not be standing here today were it not for the wonderful education I received. I acknowledge Mrs Henderson, who is here in the chamber with us.

I am a very proud Flinders University graduate, and I am very proud to say—to borrow one of the Prime Minister's favourite phrases—there has never been a more exciting time to be a student at Flinders University. The new plaza and student hub have been open for more than a year and have transformed the student experience on the main campus at Bedford Park. At the
impressive $120 million Tonsley campus, students can study computer science, engineering and maths alongside the Flinders Medical Device Research Institute, and the Centre for NanoScale Science and Technology.

The work Flinders is doing could not be more relevant to the Turnbull government's plan for science, innovation and jobs for the future, and I cannot wait to see the results in terms of employment and academic and business collaboration for South Australia, and also for the nation. I am particularly proud that I worked for and secured the Flinders rail link project during my election campaign. I am grateful to the Prime Minister and the Minister for Urban Infrastructure for visiting Flinders University with me during my campaign and announcing our $43 million investment to extend the rail line from Tonsley to Flinders Medical Centre. This will deliver greatly improved public transport for students and staff, and link them with the CBD. It will also deliver greatly improved public transport for patients, their families and staff at Flinders Medical Centre. It will also provide new public transport options for local residents in Bedford Park. Crucially, the project will also create desperately needed local jobs for Boothby in South Australia—74 jobs during the build and, with an additional investment by Flinders University of around $800 million, an extra 2,000 or so jobs complementing the work on the Darlington upgrade.

I wish to congratulate Flinders in this, its 50th birthday year. My university has grown from 400 students and 90 staff in 1966 to close to 25,000 students and over 2,000 staff today. I acknowledge my colleagues in this place and the other place who are my fellow Flinders graduates: the members for Barker, Kingston and Mayo; Senator Kakoschke-Moore; former member for Boothby, Dr Andrew Southcott; and former Liberal leader, the honourable Dr Brendan Nelson. As Dr Nelson remarked at a recent Flinders book launch, it was his education that formed the basis of his career; so too it has been for mine.

Brand Electorate: Safety Bay Senior High School

Ms MADELEINE KING (Brand) (17:20): Last Wednesday I attended the graduation ceremony for one of the local schools in the electorate of Brand. This was a special invitation for me as it was my old school, Safety Bay Senior High School. I have many fond memories of my school. There were many challenges, many adventures and much fun to be had from year 8 through to year 12. From my leaving year, I would remind any schoolmates that might tune into parliament of our little legend, the great Greta McGoo. It was an absolute honour, 26 years after my own graduation, to be invited to speak to the graduating class of 2016, and as the local federal member of parliament it was particularly unbelievable. It was my first opportunity to do so in this role, and I hope it will not be my last. Safety Bay Senior High helped shape me into the person I am today, and it was there I received a first-class education. It was there I formed lifelong friendships, and I am very thankful that I still see many of the people I met at Safety Bay when I started 30 years ago. Our friendships go on, even though our school days are at an end, sadly, so long ago.

As I stood that evening on the stage in the auditorium of the Mandurah Performing Arts Centre and looked at the confident faces of the school-leavers gathered to celebrate the end of their years at school, I had a number of thoughts. One was how times have changed from my own graduation, which took place one afternoon in the school gym back in 1990. Another was how, even though 26 years have passed, some things stay the same. Decades have passed. The venue certainly had changed, and the uniforms most definitely have. They are now quite
different to the brown, fawn and green tree-mimicking uniforms we unhappily endured. I can also admit that I am nearly over the trauma of that uniform, as you can see by the forest-like jacket I accidently wore today. Like the class of 1990, each and every one of the students graduating from Safety Bay High in 2016 was excited and proud to be there with their friends, family, classmates and teachers. It is to the credit of the teaching and support staff at Safety Bay that their hard work and dedication to the young people in their care has turned out the confident and proud graduates that I met with last Wednesday.

Another thing I reflected on whilst there is that the pathway to a university education is still not a well worn one in the community which I represent. It is a situation that has not much changed in the last 26 years, and is a matter that troubles me deeply. While university is not for everyone, it should be equally as accessible to every high-school student living in the cities of Rockingham and Kwinana and throughout the suburbs of Baldivis, Safety Bay, Warnbro, Orelia, Medina, Secret Harbour, Parmelia and the many others in Brand as it is to those living in other places across the state of WA. We should be looking at ways to pull down the barriers which stand in the way of aspiring young people, to afford them the opportunities that might otherwise be denied to them despite their merits, hopes and dreams. I want to wish every student in Brand finishing high school the very best in the future, and I hope they are given every opportunity to make the future the best that they can. Good luck to you all.

Henderson, Mr Peter, AC

Mr LEESER (Berowra) (17:24): I rise today to pay tribute to Peter Henderson AC, who passed away on 25 September this year. Peter was a dedicated public servant. He took to heart the dictum of his headmaster, Sir James Darling, that those who were lucky enough to be born into reasonably well-off families and to have a strong education should consider doing something for their community by way of public service. He was, in his own words, 'a professional, non-political public servant.'

Peter joined the then Department of External Affairs in 1951. He served overseas in Washington, Jakarta, Geneva and London, culminating in his appointment as Ambassador to the Philippines. Peter reached the apex of Australia's foreign service when he was appointed as Secretary of the Department of Foreign Affairs in 1979, a position he held for five years. At that time, it was said of him that he brought to his task a capacity for hard work, considerable experience of in-house administration and a warm, sensitive, even democratic personality. He was of that generation of public servants who helped build Australia in the postwar period. His service to his country was recognised in 1985 when he was made a Companion of the Order of Australia.

In 1955, he married Heather, daughter of Sir Robert Menzies, in the Church of St Andrews here in Canberra. And I am honoured by Heather's presence in the chamber today. Peter and Heather had four daughters, who in turn gave them 11 grandchildren and three great-grandchildren. Their relationship was extraordinarily strong—a marriage of minds and a true partnership.

I met Peter and Heather through my time as Executive Director of the Menzies Research Centre. In recent years, as Heather became a noted chronicler of her life with her parents and a speaker in demand, Peter's public role became that of a support to her. In her book Letters to my daughter, Heather thanked Peter not only for his 'brainwork' in transforming the text of the
book but for his 'slaving over menial tasks', giving her time to feed them 'properly'. There is one story I want to recount. About six years ago, I invited Heather to come to the Hornsby RSL to speak about Letters to my daughter. I asked a friend of mine who was working for a member of the New South Wales Legislative Council to drive Peter and Heather from the city. When they reached the RSL, my friend said to me you: 'You've got an amazing speaker here tonight. He had such a wonderful career.' My friend had spent the whole trip talking to Peter about his foreign service career and was embarrassed when he found out the guest of honour was in fact Heather. But the comment reflects the fact that both of them have made and, in Heather's case continues to make, a great contribution to our country.

To my mind, Peter was the consummate public servant. He was courteous and considered in the wise counsel he gave. It is a mark of his humility that, despite his depth of foreign policy knowledge and expertise, particularly in matters Indonesian, he never sought to impose his views on current debates. He was witty, sharp and a stickler for detail. My own prose over the years benefited from his keen eye and ear.

My thoughts are with Heather and Peter's family at this time. May his memory be a blessing to them and may his example of public service continue to inspire others.

**The DEPUTY SPEAKER (Mr Buchholz):** In accordance with standing order 193, the time for constituency statements has now expired.

**COMMITTEES**

**Economics Committee**

**Report**

Consideration resumed of the motion:

That the House take note of the report.

**Mr EVANS (Brisbane) (17:27):** It gives me great pleasure to speak on the House Standing Committee on Economics' review of the Australian Prudential Regulation Authority annual report 2015. I note the report and I also note the two reports which will follow this order of the day, being the committee's reviews of the 2015 annual reports of the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission.

As a former economist and having previously worked for one of these regulators, I have very much enjoyed my time on the Economics Committee so far, and I look forward to continuing to work hard and to make a contribution here. So far in this 45th Parliament, the work of the committee has included working with these regulators to explore issues relating to Australia's banking sector. ASIC has its role to play in the regulation of our banks, and it was one of the many regulators we heard from, alongside the hearings we conducted with the CEOs of the four major banks.

The task of the committee with respect to the bank hearings is an important one. Our banking and financial industries weathered the recent global financial crisis relatively well compared to those in other countries. So, without in any way undermining the stability and the security of our banking system, one of our tasks has been to focus on consumer issues and address what is viewed as a pattern of conduct where the big banks have let their customers down. Quite separately, to the dozen or so other steps being taken by this government with
respect to the regulation of our banking and financial sectors, these hearings have been very important and have already produced results. In fact, the committee is due to release its first report and its recommendations in coming days.

In my view, one of the most beneficial aspects of the bank hearings is the good discipline it has been instilling as the CEOs of the big banks prepare for their hearings. It is good practice for the bank CEOs to spend what I suspect were many hours, if not many days, considering what the public might wish to have them asked, speaking to their middle managers about the details of past scandals and other issues and reflecting broadly on what they might wish to better communicate to the public.

Also very important is the prospect that regular oversight will force cultural change at the most senior levels in the banks, and that will occur if we can bring about greater accountability. Greater accountability is warranted when you consider how poorly Australians believe that banks are explaining themselves when it comes to their conduct, various scandals or even just the decisions around passing on—or not—the interest rate decisions of the Reserve Bank of Australia. I am a strong believer in the disinfecting power of transparency, and confidence is one of the most important elements of what a banking system provides to our economy. We want to foster confidence because, ultimately, the growth of our nation depends on it.

I believe it is good discipline for the banks to start preparing for this type of scrutiny because, hopefully, the government intends to have them called back frequently for these hearings. While it was certainly somewhat expected to hear the banks say things like, ‘Sorry,’ and to acknowledge that they ‘Have more work to do,’ the committee’s focus on the internal processes and compliance systems of the banks suggests that answers like that will quickly wear thin in future hearings. Certainly, the type of regular accountability I am describing would force faster responses to any new or emerging scandals from our banking sector compared with the years of delay we heard about in some instances. And I just want to make the additional point, in passing, that most of the terrible stories and scandals we have heard about in these hearings originated quite some years ago, when Labor was last in government and the responsible minister at the time was the now opposition leader, Bill Shorten.

It was also very worthwhile to have the banks consider and comment on some areas where the government is considering further reforms. On the topic of competition, which is very close to my heart, I was very interested to ask the big banks some questions about their own views and thoughts on the state of competition in their own industry. I note that Australia’s biggest four banks collectively hold about $3 trillion of Australian resident assets, which is approximately twice Australia’s GDP. I note that they collectively hold over $1 trillion in mortgages, which I understand is over 80 per cent of the market, and that they hold collectively over half a trillion dollars in business loans, which is about three-quarters of that market.

Coming from the retail sector, I was also very interested to hear the banks admitting to losing touch with their customers. In most other sectors, and especially in small business and in retail, losing touch with your customers would mean going out of business. But these companies have not gone out of business; most advised me that they had increased their market share in recent times in many major product markets. For that reason, I was also very interested to explore giving customers more power over their own data and making it easier to
take their accounts with them if they switch banks. I was interested to learn how other comparable economies are enhancing consumer confidence in the sector, such as reforms in data sharing happening in the United Kingdom.

As a member of the committee, I also took up the good opportunity to ask the bank CEOs some of the questions my local constituents have been raising with me. Since these hearings will occur in the future I encourage all Australians with their own stories or concerns about the banks to contact their own MPs so that the government and the committee can continue to apply this accountability.

On the topic of customer complaints, an area of reform already mooted is the establishment of a one-stop-shop tribunal to replace the various existing dispute mechanisms and resolution schemes. Indeed, while many of the CEOs of the banks were open to establishing such a tribunal, Mr Rod Sims, the chairman of the ACCC, stated his support in favour of such a move. To help address many of the consumer groups’ concerns we should be considering how a one-stop tribunal for hearing complaints can help Australian banking customers to get their issues resolved, as the Prime Minister himself has proposed. We should be thinking about how such a tribunal can be as easy as possible to access and as cheap and efficient as possible in achieving outcomes, while avoiding any overly legalistic approach.

Finally, I was also very interested to hear about the bank’s approach to lending in the small business sector. Coming from a small business family and background, I must say that some of the evidence provided was somewhat unsatisfying and in my view has the potential to become a more significant issue in the future. I want to make the point very strongly that the entrepreneurship, the risk taking and the sheer hard work of our small business community right now is generating the jobs and the opportunities that our country needs so critically. We must support our rising entrepreneurs and our hardworking small business owners as they help our nation to grow, improve and advance. I will always welcome any steps the government can take to support our small businesses which are, after all, the backbone of our economy.

On that note, I welcome the appointment of the Australian Small Business and Family Enterprise Ombudsman, Kate Carnell, who I know very well from our days fighting for the interests of small business when she was with the Australian Chamber of Commerce and Industry. I look forward to her separate review into the lending practices of the banks when it comes to small business and to the recommendations she will make.

I just want to say, as I said in my first speech to this parliament, that I believe the more powerful you are that the more responsibility you have to wield your power in a way that is true to your origins and that benefits and protects those coming from the same place as where you started. That means being fair to small businesses so that they can become bigger businesses employing our friends and our family members and generating wealth that can be distributed around our continent and our society.

As I come from small business and am a former regulator and an economist, I am naturally suspicious of concentrated power, whether that is found in the clumsy power of concentrated and central government, the institutional influence of big unions or the market power of big businesses. Some of those in Australia’s biggest businesses have acted as if it is possible to skirt the public contests about the regulations they comply with, to shirk the national debates that actually impact how many Australians they employ or how much wealth they generate.
for their shareholders and Australia's retirees. Those who shirk the national debate or have not communicated well, honestly or forthrightly with Australians about their own interests should not be at all surprised when they are targeted by public suspicion or, indeed, reforms. That is one of the reasons I was so happy to participate in the bank hearings and that is why I support holding these bank hearings into the future in the interests of transparency and to allow the banks themselves to consider their efforts to communicate more honestly and forthrightly with the public and with government.

I am looking forward to the release of the committee's recommendations in coming days and likewise I am keenly awaiting the next opportunity to continue our ongoing dialogue with our financial regulators such as the Australian Securities and Investments Commission, the ACCC and APRA. I note the review of the APRA annual report and I commend it to honourable members.

Mr THISTLETHWAITE (Kingsford Smith) (17:36): I wish to make a few comments regarding the House of Representatives Standing Committee on Economics review of the Australian Prudential Regulation Authority, the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission and their annual reports, but I must make some comments regarding the previous speaker's description of the banking inquiry.

Let's face it: the economics inquiry into the banks is nothing more than a diversion tactic from this government. It is Malcolm Turnbull, the member for Wentworth, doing all he can to avoid a royal commission into the banks. The banking executives came here to Canberra for a two-hour cup of tea. They spent the first hour of their evidence apologising to the Australian public for all of the scandals in wealth creation, in insurance arms, in their banking and deposit schemes, in their credit card arms, in respect of their mortgage practices and for the fact that they do not pass on interest rate cuts when the RBA passes a rate cut. To say that they were inquired into, that there was a thorough investigation and that there will be meaningful recommendations coming out of the House of Representatives committee report into the banks is nothing but laughable. Nonetheless, the committee will report tomorrow, and I will make further comments regarding that in the coming days.

At the public hearings regarding APRA, ASIC and the ACCC, the committee examined the current policy settings and regulatory framework for enforcement of prudential standards and practices by APRA. Issues canvassed included competition in the banking sector, recent stress testing of authorised deposit-making institutions that APRA conducted, increased margins in small business lending, increased supervision of investor lending in the property market, rate tracker mortgages, executive accountability in APRA regulated institutions, reviews into the life insurance industry and related party arrangements, and fees and superannuation.

In his opening statement to the committee the Chairman of APRA, Wayne Byres, updated the committee on key areas of APRA's work and regulatory agenda through the course of the year since the previous hearing with the committee in March 2016. The chairman reiterated APRA's view:

… that a strong, stable and competitive financial sector is essential for the ongoing prosperity of the Australian community. Importantly, we do not see enhanced safety as necessarily requiring a trade-off with competition. Rather, the two are complementary since only sound financial institutions will be able to support their customers – both existing and new – through good times and bad.
The committee also examined the current policy settings in corporate, market and financial system regulation, focusing on ASIC's surveillance and enforcement activities, the powers and recent activities of the ACCC, resourcing of the organisation, sectors of concern and priority areas for the ACCC.

Competition in the banking sector was also discussed as were other matters, including petrol pricing, food and grocery code of conduct, and the motor vehicle aftermarket. I expressed some concerns regarding the motor vehicle aftermarket, particularly regarding the fact that there had been claims that the big companies that lease vehicles, the big sellers of vehicles and the big manufacturers of vehicles in Australia—or those that used to manufacture in Australia but no longer do—were withholding information from smaller vehicle repairers and smash repairers. That information relates to the computer codes and computer systems that operate in every car these days. There has been an inquiry announced. The government did promise prior to the last election to undertake an inquiry. They have not done that but we found out through this questioning of the ACCC that the government will adopt the ACCC's inquiry and their findings, so that is something that we will be keen to see in the coming months.

In the week preceding, the committee had been asking questions of the CEOs of the big four banks. Unfortunately, the same issues that plagued those sessions with the banks—namely the lack of adequate time for effective questioning—also affected the committee's ability to properly and sufficiently scrutinise the regulatory institutions. When we talk about the gamut of issues that had been covered, which I mentioned earlier, we really only got two or three questions for each of the regulators regarding the operations of the banks.

Nonetheless, in every respect, the regulators were quite scathing and there was the occasional revelation, such as the admission by the head of the Australian Securities and Investments Commission, Greg Medcraft, himself a former banker, that the major determinate of mortgage rates set by the banks is the RBA cash rate. This statement was directly contrary to the evidence that was given to the committee by the representatives of the four major banks when they claimed that the cost of capital and how they sell and set their mortgage rates was not majority determined by the RBA cash rate but by the price of that capital on international markets. So there is an interesting contrast between the evidence that was given by the chairman of ASIC and the evidence given by the CEOs of the four major banks.

This was a startling revelation that proved further that a royal commission into the banking industry is the only way to get to the bottom of the practices that banks utilise, often to the detriment of ordinary Australians. Over the course of the hearings and in recent years, Australians have become used to reading in the newspapers and watching on their newsreels at night stories about the banks ripping off Aussie customers. Every Australian uses a bank, but too many Australians are being used by their bank. It is time the government did the right thing and established a royal commission to shine a light on the toxic banking culture and put an end to the rip-offs and shonky dealings once and for all. Only when we have that thorough investigation over a long period of time with an independent arbiter will we be able to get to the bottom of what is really going on in the banking industry and change the culture, because everyone, including some of those CEOs, admitted that there does need to be a change in the banking industry in Australia.
The DEPUTY SPEAKER (Mr Buchholz): To assist the House, unless the member for Perth particularly needs to speak—I will allow latitude, the same as what we had from the former speaker. I need to get through three committee reports. The first is the one from ASIC. If there are no further speakers on the ASIC report, I would like to move to the Australian Competition and Consumer Commission report. I will give you as much latitude as you want, because they are all economics based. That being the case and there being no further speakers, the debate is adjourned and the resumption will be made an order of the day for the next sitting.

Report

Consideration resumed of the motion:
That the House take note of the report.

Mr CRAIG KELLY (Hughes) (17:44): I rise to make a few comments on the hearings we had with the ACCC and the chairman's comments, during those hearings, on section 46 of the Competition and Consumer Act 2010, formerly the Trade Practices Act. I would like to start off at the point where our trade practices act actually originated. It is the greatest honour to have Heather Henderson, the daughter of Sir Robert Menzies, here in the chamber, because it is with Sir Robert's speech 'The Forgotten People' that I would like to start. It is the genesis of our trade practices act. The speech is from 1942, in the middle of the Second World War. He talked about the type of people that he represented in parliament. Sir Robert Menzies said:
… the kind of people I myself represent in Parliament—salary earners, shopkeepers, skilled artisans, professional men and women, farmers, and so on. These are, in the political and economic sense, the middle class. They are for the most part unorganized and unselconscious. They are envied by those whose social benefits are largely obtained by taxing them. They are not rich enough to have individual power. They are taken for granted by each political party in turn. They are not sufficiently lacking in individualism to be organised for what in these days we call 'pressure politics'. And yet, as I have said, they are the backbone of the nation.

He finished that most famous speech with the following words:
… what really happens to us will depend on how many people we have who are of the great and sober and dynamic middle-class—the strivers, the planners, the ambitious ones. We shall destroy them at our peril.

Twenty years later, on 12 November 1963, Sir Robert gave another speech. He talked about the formation of what would be called a restrictive trade practices act or trade practices act. He said:

It is of the essence of competitive enterprise that … the road to advancement in any business should be open to all. This system we wish to protect. Privately imposed restraints which are against the public interest or submit the small trader to oppressive limitations should be eliminated.

He went on to talk about setting up a trade practices act after the election. This was the genesis of our trade practices act. It was to provide equality of competitive opportunity to the small trader. Sir Robert Menzies understood the importance of that. Yet for decades we have had a trade practices act that has failed to do so.

The ACCC chairman, in his opening statement, said of section 46:
The current law in itself is badly crafted, but further it has been interpreted by the courts as largely unworkable. So having an effective misuse-of-market-power test rather than an ineffective one can only be pro competition and I think pro innovation, in a way I will illustrate.
He continued:

… whatever other way you want to look at it, the key provision we would want to use if the major banks were to seek to remove important new competitors is section 46.

This is where I take a different view to the chairman. He went on:

But, with all that is going on that we hope will occur in banking with new technology, the change to section 46 cannot come too soon, because at the moment we could not deal with that form of exclusionary behaviour. But, with the new Harper 46, we can.

With the greatest respect to the Chairman of the ACCC, I disagree with his summary. The current provisions of section 46 of the trade practices act have three hurdles. The first is that there must be a substantial degree of market power. You must show that the company had a substantial degree of market power. Second, they must have taken advantage of that market power. Third, it must have been done for the purpose of damaging a competitor.

The problem with the structure of that law is that it has been extremely difficult to show that a company has a substantial degree of market power. It goes back to 1986, over 30 years ago. This parliament tried to fix that. The 1986 amendments to the Trade Practices Act, 30 years ago, changed it from substantial control of a market to a substantial degree of market power, because they thought the test was too high. That change 30 years ago did nothing, and we are stuck where we are today.

This has been a bit of a false debate. Many people have argued that in section 46 we should change the word 'purpose' of damaging a competitor to 'effect' of damaging a competitor. That overlooks the fact that section 46(7) of the act has a specific provision that says you can infer the purpose from the conduct. You do not need a smoking gun or some type of document that shows a company went out to deliberately damage its competitors; it can be inferred from the conduct. So the idea over these years about simply changing the word 'purpose' to 'effect' has been, I think, a funny debate.

This change is being described as an effects test, but what it is proposed to add on to the law is the effect not of damaging a competitor but of substantially lessening competition, and that is a completely different test. We have that test currently in the mergers provision. So, when the ACCC analyses a merger, the test is that that merger will be blocked if it substantially lessens competition. But we have seen how little that is used, because in most of the mergers that go through in this country there is not a substantial lessening of competition, so therefore the merger goes ahead. So in fact what we are doing is putting another hurdle into this act which will actually make it harder to prove that a small business has been damaged by anticompetitive conduct. We are not making it easier with this provision.

One of the other issues that we have is that the first provision is that, for there to be a breach of section 46, you must show that the firm has a substantial degree of market power. The ACCC were at the hearing basically saying that they thought this act would help them to take action against anticompetitive conduct in the banking industry, but the problem is that, if you are going to use this act, you have to show that one of the banks has a substantial degree of market power in some market. I specifically put it to the ACCC—the chairman and the other ACCC board members that were there—and not one of them could identify any market where any bank had a substantial degree of market power, because the test that the courts have held to show that a firm has a substantial degree of market power is that they have to be able to raise prices without losing business to their competitors. Where you have at least four
competitors in the banking sector, in a theoretical market, if I am with the ANZ and the ANZ put their price up, I can simply move to Westpac, the Commonwealth or the NAB. So therefore I am at a loss to see how, even though the banks are so powerful—probably the most powerful organisations in our country—they are going to meet the threshold of having a substantial degree of market power. If you cannot get over that hurdle, the entire section 46 is completely and utterly useless as far as the banks go.

The other issue is that firms can engage in anticompetitive conduct to damage the competitive process without a substantial degree of market power, and that was noted in the Boral case some years ago, where Justice McHugh said:

Conduct that is predatory in economic terms and anti-competitive may not be captured by s 46 simply because the predator does not have substantial market power when it sets out on its course to deter or injure competitors … Section 46 is ill drawn to deal with claims of predatory pricing under these conditions.

We are doing nothing. The Birdsville amendment is there to deal with this exact thing that Justice McHugh spoke about, and the proposal is to get rid of it. I cannot agree with the amendments that have been proposed, and I think the hearing with the ACCC shows the weakness of it.

Mr HAMMOND (Perth) (17:54): I rise to address this place on the recent review of the Australian Competition and Consumer Commission annual report 2015—the second report—by the Standing Committee on Economics. Before addressing the substance of that report, I would also like to join other honourable members in acknowledging Mrs Henderson in relation to her presence in this place. I pay my great respects to both her efforts and the efforts of her predecessors.

Before addressing this place in relation to the substance of the report produced by the ACCC and, more importantly, by the Standing Committee on Economics, it is also appropriate to thank those committee members who do all of that hard work, quite often unheralded, behind the scenes. It may go unnoticed by some. It certainly does not go unnoticed by all.

A division having been called in the House of Representatives—

Sitting suspended from 17:56 to 18:05

Mr HAMMOND: As they say in the classics, once more with feeling. Before I was interrupted I was acknowledging the very hard work undertaken by the economics committee in relation to its review of the Australian Competition and Consumer Commission's annual report. It is also appropriate to acknowledge the ACCC for the time they gave for the hearing and for the substantial preparation they did to provide such cogent and helpful information. Last but most certainly not least, the unsung heroes of this report are the committee secretariat, who did great work.

Before I go on to make some comments about the substance of the report I would like to touch on a couple of the comments made by the honourable member for Brisbane. Those on this side of the place might recall some substance of his comments as he was purportedly speaking to the review of the Australian Securities and Investments Commission annual report. However, any causal connection between his commentary and the substance of that
report was woefully lacking. In relation to those remarks, I hark back to another great popular culture song of our time and say that I still have not found what I am looking for.

The honourable member for Brisbane, however, did have a number of very telling things to say about what I must say was a very rosy and flattering assessment of the state of our banking industry. I will touch upon some of his comments before going to the substance of this report because, ironically, some of the remarks from the member for Brisbane are relevant apropos the report undertaken by the ACCC as far as the conduct of the big four banks is concerned. As a matter of fact, I took the liberty of making some notes while the honourable member for Brisbane was on his feet. I understand that in the past we have had GroceryWatch, Fuelwatch—

Honourable members interjecting—

Mr HAMMOND: What might be good for the goose is certainly good for the gander because I undertook a fabulous 'scandal watch' word count in relation to the member for Brisbane. What did I come up with? It was like malfeasance bingo. These are the words he uttered. He mentioned not once, not twice but three times the completely unsatisfactory delay by the big four banks insofar as mums and dads in the community go. So there was acknowledgement of the delay.

What was the other 'scandal watch' word? 'Misconduct'. The member for Brisbane was talking about how wonderful it was that the CEOs of the big four banks were able to commit such time in their jobs to sit down and review their evidence insofar as banking misconduct in their banks was concerned. The member for Brisbane was saying how wonderful it was in that it allowed those CEOs time to speak to middle management about the sorts of delays and misconduct that were occurring in those banks.

He then talked about the need for the wonderful disinfectant. The member for Brisbane said that the best disinfectant was transparency, inferring of course that there is a need for greater transparency in relation to the conduct of our big four banks. So then 'transparency' was the buzzword in the member for Brisbane's speech. And then it was 'scandals'—again, not one mention, but two mentions of scandals—in relation to the conduct of the big four banks. So let us go back through them again: we had conduct, we had delay, we had scandals and we had the need for transparency being the best disinfectant money could buy, so to speak. Put all that on one side, and what conclusion does that logically lead one to? If one accepts all of those things to be true, one would think a process to try to ensure that this culture was avoided in the future would be a thorough, forensic examination under oath with wide terms of reference in relation to systemic cultural issues of an incredibly tightly held, but fundamentally important aspect of the commercial banking sector in this country—and if not in this country, then all over the globe.

How do we address these deficiencies that the member for Brisbane was only too ready to acknowledge were there? We address them with a royal commission. If we are really serious about getting to the bottom of these issues and this conduct that the member for Brisbane said was there, in his capacity as a committee member, then let us do the job properly. Here is what one should not do in relation to acknowledged conduct that I have already described. Do you give corporations a reward for that sort of conduct? How about if we just give them some more money? Wouldn't that be a great idea? It is extraordinary to think that what we have here, proposed by the other side of this place, is that, in exchange for acknowledgement of
that conduct, we are going to put into place a multibillion dollar tax cut over the course of 10 years, costing $50 billion, of which $7 billion goes to the big four banks.

The member for Brisbane did talk about the need to shine a bit of a light on this. In doing so, he said a tribunal might be a good idea. When he talks about a tribunal, I am reminded of that process of poaching. You might not know this, but sometimes the way to catch a trout in a stream—when you want to get that fish from the stream to the riverbank—is to very slowly approach the riverbank, put your hand in the water underneath the trout and tickle the trout's belly. You tickle the trout's belly until it falls asleep, until it is lulled into this false sense of security. Then, when it is just so dreamy and content, it is flicked out onto the riverbank. The problem with that is that it just does not happen that way. The trout never lands on the riverbank; the trout just keeps on swimming. This is what is going to be achieved in the conduct of a tribunal. For the big four in the banking sector, those trouts will just keep on swimming—you mark my words. If you are very serious about catching these fish, you will use a hook and a line, which is what a royal commission is.

They are the issues that the report that I am here to discuss, which is the ACCC report, actually tackles. They acknowledge that this sector is not nearly as robust as it needs to be in relation to ensuring that the conduct of the big four banks is properly regulated. As a matter of fact, Mr Sims remarked, at paragraph 2.4 of the report, the substance of which I have been addressing:

There seems a lack of very robust competition in banking. The Australian banks are very profitable and there is nothing wrong with that. We like our Australian companies to be as profitable as possible …

But he goes on to say:

We are not seeing as much robust competition as we would like.

In the substance of the report, Mr Sims also remarked upon the lack of access to justice in relation to mums and dads, who are vulnerable and very much at the mercy of the decisions that these companies make at their discretion. Mr Sims said:

… ‘access to justice’ is complicated and gets tangled up with questions of legal aid and also issues about how it might be made easier …

There are two words to make it easier: ‘royal commission’.

Ms SWANSON (Paterson) (18:14): I rise to speak on the House economics committee review of the Australian Competition and Consumer Commission annual report 2015, tabled in parliament this week. I support the work of the ACCC in promoting competition, fair trade and regulation of national infrastructure for the benefit of all Australians. I also support and thank the House economics committee for its work in inquiring into the activities of the ACCC and focusing in their report on matters raised at public hearings. The matters raised at the hearings are as relevant to my electorate of Paterson as anywhere across the country. I think they really do focus in on what is on the minds of Australian people. They include competition in the banking sector, petrol pricing and the consumer experience of the rollout of the NBN.

I want to start with petrol pricing and note that the committee queried why there can be a significant variation in fuel prices at the pump between towns and regional centres that are geographically quite close. For example, driving across my electorate, it is not surprising to see petrol prices differ by 20c a litre in one day between service stations 20 kilometres or so
apart. For example, today at 11 am E10 petrol at the Metro in Kurri Kurri was 113.9c a litre whereas at the Coles Rutherford service station it was 134.7c, more than 20c in less than 20 kilometres—on a Tuesday at 11 am. Chairman Rod Sims told the committee that the ACCC’s regional study on petrol prices in Darwin and Launceston had revealed higher than normal profits at the retail level, but this transparency and exposure had had a big effect on bringing fuel prices down. He noted that two further studies on petrol prices are underway at the ACCC and, at the conclusion of these, there might be more transparency and exposure on the issue. I, and my constituents, very much look forward to that and do not look forward to a 20c difference in petrol prices in less than 20 kilometres.

I now turn to the banking sector. Chairman Rod Sims said that the role of the ACCC in the financial sector was no different to any other sector in the economy, but it is restricted to competition matters. The ACCC is not the consumer regulator for financial services, so their focus is on mergers, cartels and anything that involves a lessening of competition. Mr Sims did say, however, that the ACCC does have some general concerns in relation to banking, in particular, ‘There seems to be a lack of very robust competition in banking’—Rod Sims himself said that. The chairman said that the Productivity Commission was placed to conduct a review of competition in the banking sector. However, Labor firmly believe in a healthy and profitable financial services sector, but not one that takes advantage of its customers.

Confidence and trust in the fairness of the Australian financial services industry has taken a huge hit after a series of scandals and high-profile consumer rip-offs in recent years. Retirees have had their savings gutted, families have been rorted out of hundreds of thousands of dollars, small business owners have lost everything, life insurance policyholders have been denied justice and whistleblowers have suffered appalling treatment at the hands of their employers and the corporate regulator. Labor believe that the only way to improve the culture in our banks is through a royal commission. As a community, we need to understand how widespread instances of illegal and unethical behaviour are within Australia's financial services industry. We need to know how Australia's financial services institutions treat their duty of care to their customers. We need to know about the culture, the ethical standards and the business structures of Australian financial services institutions and the effect of their behaviour on other institutions, whether Australia's regulators are really equipped to identify and prevent illegal and unethical behaviour, and we need to know comparable international experience with similar financial service industry misconduct and best practice responses to these incidents. If banks have nothing to hide, if indeed they are beacons of financial fairness and organisational excellence then they should welcome a royal commission to showcase how well they do their job.

I would now like to turn to the NBN. The chairman of the ACCC said that telecommunications had been a sector of concern given Telstra’s control of the copper wire network. The committee sought advice from the ACCC on issues around National Broadband Network access and speed and the potential packaging of offers. The chairman said that the ACCC is looking at a number of matters in relation to the NBN but that speed and access were two different issues. He said that the ACCC was looking at speed claims made by internet service providers and whether, indeed, those claims could be delivered.

The ACCC said in its annual report that it wanted to see consumers provided with better information about broadband speeds to improve competition and consumer outcomes in the
retail broadband market. It completed a three-month broadband performance monitoring and reporting pilot program this year, and next year it will invite comment from the industry and consumers' views on broadband speed and performance information. This is welcome. Labor can certainly provide plenty of feedback on consumer broadband speed and performance. Our offices are inundated with complaints. Some relate to services provided by the ISPs, but many relate to the rollout of this second-rate National Broadband Network itself.

Then, there is the buck passing that occurs between the two. On the issue of service providers, my office has been helping a resident of Vikki Avenue, Rutherford, who had connected to the NBN via a $90-a-month Telstra plan which has a capacity for 25 megabits per second download speed. She is not, however, receiving that speed and complained to Telstra. When she could not understand their response, she came to us. In a nutshell, Telstra said the service was advertised as being 'up to' 25 megabits per second, and that it did not, according to the service agreement, guarantee the top speed at all times—read the fine print. Another Rutherford resident who complained to Telstra about slow speeds was told that this was an NBN congestion issue because the exchange and lines were not set up to cope with such high speed.

On the issue of NBN Co, in the past week we have heard from residents of Bairds Close, Rutherford, which is clearly shown on the rollout map as being service ready. However, the entire street is unable to access the service. NBN Co is yet to give a reason for this, except to say, 'We're working on it.' All neighbouring streets are able to connect, but not Bairds Close. We have also heard from a number of residents of Cedar Wattle Close, Aberglasslyn, who have told us they are also listed as service ready but are unable to connect. Neighbouring streets are able to connect, but not Cedar Wattle Close. They are working on it.

We also heard from residents in Gillieston Heights, where more than 100 people were told by NBN Co they were able to connect, that ISPs were refusing them service, saying they were not able to connect. My staff members have spoken with NBN Co and Telstra and uncovered that, in the NBN system, the properties had been referred to as 'units', whereas, in the Telstra system, the properties were referred to as 'villas', meaning the systems were not matching up. It was a simple problem, really, but it was only solved because one of my staff spent considerable time trying to get to the bottom of it. If there had been consistency to begin with, these residents of Gillieston Heights would have been able to connect to the NBN months ago.

Also in Gillieston Heights, we have heard from several households in Saddlers Drive who are without service despite the NBN website saying they are service ready. The explanation is unclear, but it looks like they were not connected at all. They will need to wait for NBN Co to get back out there and finish the job. Surrounding houses and streets are all able to connect, but those few in Saddlers Drive are not.

It is a noble set of goals for the ACCC to want to see consumers provided with better information about broadband speeds, to provide competition and consumer outcomes in the retail broadband market. However, their work is cut out for them, given the second-rate NBN that ISPs have to work with—a result of the abject failure of the Turnbull government to deliver the broadband service the community both demands and deserves.

The DEPUTY SPEAKER (Mr Hastie): There being no further speakers, the debate is adjourned, and resumption of the debate will be made an order of the day for the next sitting.
Consideration resumed of the motion:
That the House take note of the report.

Mr CRAIG KELLY (Hughes) (18:24): I would like to make a few comments on the argument between a tribunal and a royal commission. Today we have heard several speakers from the Labor Party talk up the royal commission. In the few minutes left, I would like to illustrate how flawed that thinking is and how it is actually against the interests of those who think they have been hard done by by the banks. As the Chairman of the ACCC, Mr Sims, has said, one of the great problems with the banking system we have is that there is a lack of access to justice. Someone who feels as though the banks have done the wrong thing by them—whether the banks have engaged in unconscionable conduct, whether they have breached a contractual provision or whether they have engaged in misleading or deceptive conduct—simply does not have the ability, especially as a small business person, to take their case, once it is above the threshold, to the Financial Ombudsman Service. The only option they have at the moment is to take their case through the Supreme Court. The cost for a small business person or an individual consumer to take their case to the Supreme Court tilts the playing field too much against them and in favour of the banks.

That is where a tribunal can actually overcome those provisions. A tribunal can do everything that a royal commission does and more. A tribunal will be able to award compensation. Someone who feels that the banks have engaged in unconscionable conduct that has caused them a loss will be able to have their case heard before a tribunal at a low cost and have that case determined. If the banks have in fact engaged in unconscionable conduct, in breach of the statutory provisions that we have, that tribunal can award compensation. That is something that a royal commission cannot do.

The only people who will win from a royal commission are the lawyers. It will simply become a gravy train for the lawyers that will go on and on for years. What will happen once it is finished? It may then recommend that there should be a tribunal. But the problem for all those people who have had things done wrong by them is that, by the time they get through all those years and pay all those millions of dollars to the lawyers, the statute of limitations for unconscionable conduct or misleading and deceptive conduct, which is only six years, will have expired. Those people will have been timed out.

We ask that the Labor Party, rather than following their flawed way of thinking—this tunnel vision of just going down the one track—come on board with us on the tribunal. Let's get together and work out how that tribunal should work. Give it every single power of a royal commission: the ability to subpoena documents and the ability to make awards of compensation. Let us allow those.

Honourable members interjecting—

Mr CRAIG KELLY: Exactly right! Allow those who have had the wrong thing done by them to get justice. That is what we should be about here—not grandstanding through a royal commission, not running up millions and millions of dollars in costs for lawyers. I would call on the opposition to try and put aside their partisan hats, take off their blinkers and let us try and do the right thing by people who have had the wrong thing done to them by the banks.
Give them the opportunity to actually get access to justice, because that is what this should all be about.

Ultimately, if you are talking about changing the culture, a tribunal is what will change the culture. If the banks are sitting down to negotiations in a commercial dispute with a small business person or a consumer and they know that they do not have the fallback position of, 'Well, sue us. Take us to the Supreme Court. You can't afford the costs, so you can't win,' but they can be taken before a tribunal and have their documents subpoenaed, that levels the playing field. That changes the culture. Let's get together on this. Let's work together as parliamentarians in the best interests of the consumer and the small business people of this country.

The DEPUTY SPEAKER (Mr Hastie): It being just short of 6.30, the debate is interrupted. The debate is adjourned and resumption of the debate will be made an order of the day for the next sitting. The member for Hughes will have leave to continue his remarks, if there are any further remarks.

**GRIEVANCE DEBATE**

Consideration resumed of the motion:
That grievances be noted.

**Health Care**

Mr CONROY (Shortland) (18:29): Today I am, regrettably, updating the House on the impacts the Turnbull government's attacks on Medicare and our health system are having in my community. These attacks are fundamentally undermining the universality of our health system that is so important to who we are as Australians.

Government members interjecting—

Mr CONROY: I note that the Liberal members in the chamber right now laughed when I talked about the impact the Medicare and health cuts are having. They should stay, listen and understand the impact that their unrelenting attacks on Medicare and the health system are having on communities like mine.

I do not normally agree with British Conservatives, but Margaret Thatcher's chancellor once observed—

Ms Henderson: Mr Deputy Speaker, I rise on a point of order. I would like the member to withdraw that comment. Reflecting on a member is not within the standing orders. He made a comment that reflects on me and my colleague which was wrong. The laughing was because of the claims that Labor made in relation to Medicare that were lies. Could he please withdraw that?

The DEPUTY SPEAKER (Mr Hastie): Would the member for Shortland assist the chamber by withdrawing the remark so we can continue?

Mr CONROY: I will withdraw, but I will make the point that I did not impugn anything other than the government's attacks on Medicare. It shows the sensitivity of the member for Corangamite that, instead of letting me have 10 minutes to highlight the community impacts, she chose to get up and waste my time and the time of this chamber in a spurious interruption of proceedings.
The key issue for millions of Australians is Medicare. Medicare is the most trusted federal institution in this country. It is something that consistently in opinion polls has the highest trust of the Australian community, and those on the other side do not understand that when they attack it. The Prime Minister and his cohort either do not know the impacts of their changes on ordinary Australians or they just do not care.

In their first budget, the government showed their ideological priorities. One of the harshest cuts was a $30 billion cut to health. The government has cut funding to public hospitals, prolonged the Medicare rebate freeze and made it more expensive for Australians to access pathology and medical imaging services. These acts are appalling. They make life harder financially for Australians and they will impact on the health of our nation as so many Australians will not be able to attend a GP, because they cannot afford to.

Three days after the election, the Prime Minister declared that he would 'do more to reaffirm the faith of the Australian people in our commitment'—that is, his commitment—to health and Medicare.' This is hollow and misleading rhetoric. He has not reversed any of the massive cuts to health and Medicare introduced before the election. Indeed, the Liberals will be pursuing more cuts from 1 January next year.

Twenty-six per cent of my community are over the age of 60, and there are also many young families—both groups that rely on Medicare and are bearing the brunt of the Liberal cuts. I recently received a letter from a pensioner that included a notice from his local medical practice. Referring to the rebate freeze, the notice from the medical centre advises patients, 'It is now necessary for us, regrettably, to implement an out-of-pocket expense to most of our patients who have previously been bulk-billed only.' The letter I received states: 'This is how Mr Turnbull's Medicare changes are affecting people from our area. Pensioners will be out of pocket $20 each visit. How can they afford that out of their pension? This is wrong.' I could not agree more.

Because of the government's determination to abolish universal health care in Australia, vulnerable Australians—pensioners, those on fixed incomes and young families—are now faced with a terrible situation of deciding whether they can afford to see their GP. This is wrong. We are not America, and Australia should not have to be faced with the situation of choosing between eating and seeing a doctor. The Prime Minister and the Minister for Health and Aged Care regularly and arrogantly downplay the impacts of their actions. Well, these letters are proof positive of the real impacts, and the government cannot continue to ignore them.

I have just given a local example of the end of bulk-billing as a result of the government's actions, and the national figures confirm this worrying trend. Let's remember these are the government's own statistics. National bulk-billing is already down half a per cent since the election, and in my home state the figure is similar. A half-per-cent national reduction might not sound like much, but what this means is over 167,000 fewer GP visits that were bulk-billed last quarter. A day before the election, the Prime Minister solemnly promised that no Australian would pay more to visit the doctor as a result of the Liberals' cuts. That was mendacious. It was clearly wrong, and the letter from my constituent has proven that. The Liberals have lied. They have lied about the impact of their changes to the healthcare system, just like the member for Warringah did before the 2013 election. The Prime Minister has misled the Australian people about the impacts of his nasty and callous agenda.
On another matter, radiology costs, in his first mini budget the Prime Minister cut $650 million from Medicare payments for important tests and scans. He indicated very early on that he was intent on carrying on the member for Warringah's attacks on Medicare. An elderly constituent of mine contacted me recently in a very distressed state about the costs her sick daughter had incurred in accessing radiology services. This constituent is in her eighties. The fact that she was so upset and distressed about the cost of her daughter's treatment—let alone the actual medical difficulties her daughter is dealing with—that she felt it necessary to contact her federal member is just dreadful. Senior Australians should not be paying more for basic health services at the same time that this government is providing $50 billion of tax cuts to their corporate friends. The government's cuts to radiology services are hurting sick Australians. Again, in a prosperous, generous social democracy like ours, this is just plain wrong.

The final issue I bring to the attention of the House is the worrying amount of constituent inquiries that my office is receiving regarding delays in the processing of Medicare claims. Just yesterday, my office received a call from a pensioner whose wife had recently consulted a specialist. They are considerably out of pocket while they wait for their claim to be processed. This constituent was very distressed not only about his wife's medical condition but also because of the significant up-front cost they had to incur. This issue relates to not only the government's cuts to the health budget but also their slashing and burning of the public service in the Department of Human Services. The Department of Human Services is struggling to process all kinds of Centrelink and Medicare claims as a direct result of the government's ideological attack on public servants.

In contrast, Labor is the only party committed to Medicare and public health. If we had been elected in July, we would have unfrozen the Medicare Benefit Schedule from 1 January next year and reversed the Prime Minister's cuts to pathology and diagnostic imaging. We had committed $100 million to develop and roll out new models of primary care. This approach is so important in taking pressure off the public health system and is in stark contrast to the outcomes we are seeing from the Liberals' approach, which is resulting in fewer people attending the GP because of these costs. The government are actually incompetent in carrying out these costs. We had testimony from a former secretary of the Department of Health that, if just one in 50 of those who avoided visits to the GP because they could not afford it then present to the hospital, these savings are wiped out. That is because the general practitioner, the GP system, is the cheapest part of our health system, unlike the hospitals, which are obviously much more intensive and much more expensive to run. So let me repeat: if just two per cent of people who avoid going to a GP because they cannot afford it then present to the hospital, these savings are wiped out. So the government's approach subjects millions of Australians to misery and does not actually save money.

Only this government could be incompetent on both fronts. They have got form on this. Let's not forget that political party, the Liberal political party, abolished Medibank after they came to power in 1975. All through the seventies and eighties, up until, I think from memory, the 1990 election, their policy was to abolish Medicare. Their commitment to Medicare is skin deep. But I will say this about Prime Minister Howard and to a lesser extent Prime Ministers Abbott and Turnbull: they have got smarter. Instead of just saying they are going to
abolish Medicare, they are going to kill it by a thousand cuts, making it more expensive and undermining universality: undermining the principle that is the foundation of Medicare—bulk-billing. Bulk-billing is not a safety net for low-income families to access. The entire Medicare system was built on bulk-billing being accessible to everyone—and you can ask any of the architects of the original Medicare system.

I am proud of Labor's approach to health. I am proud that we will reinvest in a healthcare system. I am proud that we will call out the lies of the Liberal Party when they attack Medicare and the healthcare system. I am proud that we will stand up and oppose the $30 billion of cuts to the healthcare system, because we know that one of the fundamental foundations of our society is universal access to health care, and the Labor Party will always defend that access.

Workplace Relations

Ms HENDERSON (Corangamite) (18:39): It is my great pleasure to rise on this grievance debate on a very significant day here in Canberra. Today, with great pride, the Turnbull government has passed the Fair Work (Registered Organisations) Amendment Bill 2014. This reform is incredibly significant. It delivers on a key election commitment to improve the accountability and transparency of registered organisations. It does a whole range of things. It establishes a new Registered Organisations Commission to oversee unions and employer groups, with strong powers to enforce the law. It means that officials from registered organisations will be subject to standards similar to those of company directors under the Corporations Law, including more thorough reporting and disclosure. There will be more significant penalties for those who break the law. The Registered Organisations Commission will help to ensure higher standards are reached and maintained in registered organisations across Australia. It will mean stronger laws to prevent honest members—honest men and women, including those who are members of unions—being ripped off. It will prevent a recurrence of the numerous scandals that we have seen from various registered organisations in recent years, including the Health Services Union, the Australian Workers Union and the National Union of Workers.

There are 47 unions and 63 employer groups in Australia, with annual revenue of $1.5 billion and assets worth $2.5 billion. They represent more than two million members who deserve to know that their organisation is acting in the best interests. Very regrettably, we have seen today and we saw last night in the Senate that Labor, including the member for Corio, who represents part of Geelong, has opposed this reform every step of the way. This is despite the undeniable evidence that the laws governing registered organisations were desperately in need of reform. Astonishingly, we have seen that Labor has even voted against enhanced whistleblower protections to protect union members who are the subject of mistreatment, who want to speak out, who want to call-out union officials in relation to fraudulent conduct and who want to say, 'If we are going to make a contribution,'—whether it is to our employer organisation or our union—we expect those running these organisations to treat members' money with respect, not to engage in corruption and not to engage in fraud.' We have seen from Bill Shorten and Labor, once again, that they would rather defend union rorters than protect union members, the hardworking men and women across Australia who are members of unions.
We have seen in recent years, and this was highlighted in the trade union royal commission, many examples of some terrible rip-offs, which demonstrate why action was required. In 2015 the former Health Services Union national secretary, Craig Thomson, was found guilty of misusing $300,000 for his campaign to enter parliament and for various personal indulgences, which I will not detail because they are quite disgusting. His colleague Kathy Jackson fleeced more than $1 million through cash withdrawals and spending on holidays, artwork and other luxuries. Where did this money come from? It came from some the lowest paid workers in our community. It came from hardworking nurses, hardworking hospital cleaners, those who work in aged care and disability and other health workers. They pay annual fees to be represented, but instead they were robbed. Members opposite are smirking about this, but it is a very, very serious matter.

Mr Conroy: A point of order: the speaker has impugned members, including myself, and I ask that she withdraw.

Ms Henderson: No, I am not going to withdraw.

The Deputy Speaker (Mr Hastie): Order! I ask the member for Corangamite to withdraw, as the member for Shortland did, in order to assist with the proceedings in this chamber.

Ms Henderson: Well, it was a matter of fact that they were smirking, but to assist you, Mr Deputy Speaker, and for the good functioning of this House I will withdraw.

The Deputy Speaker: I thank both members for their cooperation.

Ms Henderson: Through the recent royal commission we have learned of other terrible rip-offs. Let me stress again that these are coming from some of the most vulnerable and hardest-working workers in Australia. The litany of rip-offs, of fraud, of disgraceful corruption, which Labor was not prepared to stand up to, is really outrageous. We have had the Transport Workers Union officials who bought $150,000 American utes for their own use; the National Union of Workers officials who spent members' money on holidays, concert tickets and a dating website; CFMEU officials receiving kickbacks from underworld figures and raiding redundancy funds to pay workers unlawfully striking at a children's hospital; a deal between the Australian Workers' Union and the cleaning company, Cleanevent, where Cleanevent agreed to pay the union $25,000 per year for three years in return for the names of their workers and a deal that stripped the workers of their penalty rates—millions and millions of dollars that were rightfully owed to Cleanevent workers, who were robbed by this deal; the Australian Workers' Union practice of using false invoices to companies to cover union memberships of workers in order to boost the union's power within; and, when he was the AWU national secretary, Mr Shorten's union acceptance of a secret donation of $40,000 from a company to fund his campaign for parliament—a fact he only disclosed when he was about to be exposed by the royal commission. In every case it was honest workers who were the victims. Clearly the laws were inadequate, and action was required.

The action that we have taken in instituting this absolutely vital reform has been supported by many leading Labor figures. Former AWU secretary Paul Howes said:

I can't see any reason why anyone in the [union] movement would fear having the same penalties that apply to company directors. If you're a crook, you're a crook.

The former ACTU president, Martin Ferguson, said:
There is an absolute obligation on the union movement to clean up its house. There is an obligation on the unions to put their house in order.

Former ACTU secretary Bill Kelty said:

I was always on that side of the debate which said that unions are public bodies so they are accountable to members for their management…

The former ALP Attorney-General, Robert McClelland, said there is 'unquestionably a case for further legislative reform.' These are leading Labor figures—men and also women—who have spoken out in favour of these reforms, because they believe it is not right to tolerate fraud and corruption and dodgy deals by union bosses like those I have described today.

We are very proud that we have taken action. In this 45th Parliament—nor in the 44th Parliament—we are not seeing the Labor Party of old. We are not seeing the sort of action that Bob Hawke and Paul Keating were prepared to take to make sure that the Australian worker came first. This Labor Party is not putting the Australian worker first. Bill Shorten, in bed with the CFMEU, in receipt of $11 million of donations, has said that the unions come first—

Mr Conroy: Mr Deputy Speaker, on a point of order: I ask that the member refer to members by their correct titles.

The DEPUTY SPEAKER: I understand this is a robust debate, so everyone relax. We will continue forward. Please refer to people by their correct titles.

Ms Henderson: What a great opportunity it is for me to again say: the Leader of the Opposition, in bed with the CFMEU, is not prepared to stand up against corruption and fraud. It is an absolute disgrace, and I am very proud of these reforms.

Mr Conroy: Mr Deputy Speaker, on a point of order: the member has impugned another member of this place, and I ask that she withdraw those last statements about that particular member.

Ms Henderson: Mr Deputy Speaker, I will not withdraw. The Leader of the Opposition has been in bed with the CFMEU in accepting $11 million in donations, and I absolutely will not withdraw. There are no grounds for the member to seek my withdrawal of that comment. If he cannot tolerate robust debate then he should not be in the House. (Time expired)

The DEPUTY SPEAKER: I accept that you were using a metaphor of being in bed.

Mr Conroy: Mr Deputy Speaker, on that point: I am referring to the second part of that sentence, not the first part.

The DEPUTY SPEAKER: Order! The member's time has expired.

Broadband

Ms McBride (Dobell) (18:49): I stand here as a health worker and a proud union member, but today I will be speaking about the NBN. The Central Coast is at the front line of the National Broadband Network rollout and the results are in. The Telecommunications Industry Ombudsman annual report reveals that the most complaints across Australia are in my region. The Central Coast was a priority area under Labor. Fibre to the home was successfully rolled out across suburbs like Berkeley Vale, Killarney Vale, Bateau Bay, Long Jetty and Shelly Beach. Industry experts recognise that Labor's fibre to the home is the
technology of choice, and it is the technology of choice for my community. However, the rollout on the Central Coast now includes the Abbott-Turnbull government’s fibre-to-the-node technology. In our region there is now fibre to the premises, fibre to the node, fibre to the basement, fixed wireless and satellite technology. There are too many problems to ignore caused by this mixed bag of technologies. The TIO results are alarming, as are the hundreds of complaints I have received from residents who are fed up with the problems they face trying to connect to or use an NBN service.

I support the NBN and the opportunities this critical infrastructure presents for people, families and businesses on the Central Coast. It is essential infrastructure and the potential impact for our region is significant. In a region where one in four people travel between two and four hours to work each day, the NBN will make a difference. The failure of the rollout is a daily reminder to commuters and a harsh reality preventing thousands of Central Coast residents from being able to work closer to home and spend more time with their friends and families. In a community where youth unemployment is stubbornly high and sits well above the national average at 17 per cent, a properly functioning NBN could change lives.

If, as a region, we are to have any chance of realising the economic potential that reliable, affordable, high-speed broadband can provide, we must make the NBN work. Our early rollout status on the Central Coast should put us at an advantage, but instead we are leading the league table of complaints and misadventure. As the Telecommunications Industry Ombudsman 2016 annual report shows, four of the top 10 postcodes for complaints about the NBN from across the country are on the Central Coast of New South Wales. The data backs up complaints I have heard about slow speeds, unusable internet and landlines, new connection delays and dropouts.

Of course, not every person with poor service takes it up with the ombudsman. My office has been inundated with complaints about the NBN, but that is only a fraction of those affected in my community. There is simply nowhere for some customers to go with complaints about delays or provider behaviour. This government cannot continue to ignore these problems, blame-shift or avoid responsibility. The government and the NBN must acknowledge the problems on the Central Coast, accept responsibility and work to fix them. More importantly, they must learn from our experience.

The minister came to the Gorokan Telstra exchange a little over 12 months ago spruiking ‘the wave of superfast broadband connections’ imminent as homes in suburbs such as Hamlyn Terrace, Warnervale, Woongarrah, Charmhaven, Toukley, Noraville and Gorokan had work on their fibre-to-the-node connections completed. But if the minister came back now he would see a reality far removed from his words. He would see residents of Wyreema Road in Warnervale who are still waiting to be connected to the NBN despite the switch-on over 12 months ago. To make matters worse, there is no alternative available, such as ADSL, leaving residents without any access to the internet. He would meet Elizabeth, whose teenage son Ryan just finished the HSC. Ryan spent most of his time studying at the library so he could download coursework because at home he struggled to make do with a wireless mobile connection that is slow and expensive.

The minister would meet residents of Matcham and Holgate, who were promised a ready-for-service date of August but are now unlikely to be able to connect to the NBN until next year. He could speak with Michael, who like many people in the Matcham and Holgate area is
currently connected to a satellite service that is to be switched off in February. Michael tells me he is worried about not having an internet service over summer—bushfire season—in an area where flooding has in the past cut access roads and isolated his home. In areas like this, where mobile phone coverage is virtually non-existent, the internet plays a vital role in monitoring emergency situations. Public safety could be at risk.

Should the minister come to Dobell I would take him to meet Belinda, whose small business in Tumbi Umbi was without a landline and EFTPOS facility for almost four weeks after she attempted to switch to the NBN. This was part of a chain of events that saw her place 10 separate orders and endure six technician appointments when nobody arrived, and where 17 case managers and three complaints managers were assigned to her by the NBN and her service provider. For a business which relies on phone sales, this outage is not just frustrating, it has a significant financial impact.

Should the minister come to Dobell I would take him to Gorokan, where he made the announcement at the Telstra exchange, to meet Dawn, who discovered six months after installing an expensive home security alarm that it was not NBN compatible, despite the suburb being live for months before she bought it. I would take him to meet residents of Berkeley Vale retirement village, who switched to the NBN to keep their landlines, accepting the offer to have a new modem installed by a technician, only to discover when the bill arrived that the service had cost them $240. And just this afternoon I received a complaint from Mark, who operates a business in Lake Haven. Since August, Mark has logged 10 fault calls and had eight technicians visit in eight weeks. Mark was required to be available between 8 am and 7 pm for a technician appointment. However, the technicians failed to attend their appointment. This not only causes financial distress but also puts his clients at risk when the service crashes and emergency phones do not work.

There are many more complaints. It is not good enough to continue to shift the blame, to say these issues are not the government's or NBN's fault. Obviously, the organisation is tasked with a wholesale supply of NBN services and network maintenance, but this is public infrastructure, and the government must act. For older people, for people with chronic medical conditions, for people who are socially isolated, losing their telephone line is distressing and causes anxiety. For businesses it affects the bottom line. We must work to stop people and businesses losing telephone lines while they switch to the NBN. For those seeking to rectify an intermittent or inadequate NBN service with a provider, I am told consistently of long hold times, excessive troubleshooting, ill trained call centre staff, conflicting information and missed technician appointments. I hear of technicians who attend a home only to advise they cannot fix the problem because of the complex contracting arrangements between Telstra and NBN. We must work to see these arrangements function in a simple and effective way. There is more to be done to inform customers that some medical and back-to-base security alarm systems may not be compatible with the NBN. Many homes are fast approaching the date of decommission for copper based phone lines. I fear the consequences if we get this wrong.

For customers new to NBN there must be clarity on fees and charges for service provision. For pensioners and those on a fixed income, any unexpected out-of-pocket expense has a big impact. They need to know up-front what a service call means, what options are available and what it will cost. For those waiting to be connected, at the very least communication about the
rollout must be improved—knowing what technology they will get, when they are likely to get it and what will happen in between. Many people tell me they are disappointed and let down by a government that has failed to deliver on a promise to deliver a faster rollout and a higher quality service. The experience of the people of the Central Coast must be heard. They deserve to know their federal representatives are listening and acting. To those who have contacted me and shared their stories with me: I am listening. Labor is listening. There is much to be learned from the Central Coast experience of the NBN rollout. Whilst fibre to the node is not our policy, and in many cases is the underlying cause of the problems, I will stand up for our community. I will stand up for the Central Coast. I will stand up for those students, for those retired people and for those businesses.

The Central Coast deserves access to quality, reliable and affordable broadband. It is reasonable to expect the government will make the same commitment to my community. We must rectify these problems, and work together to address the systematic failures of the NBN and make sure other regions are not affected in the way we have been. We must make this work.

Hinkler Electorate

Mr Pitt (Hinkler—Assistant Minister for Trade, Tourism and Investment) (19:00): I rise to speak about a number of fantastic things that are happening in my electorate of Hinkler because this government is delivering. Last Friday I launched my annual shop local campaign, calling on local residents to support local businesses this Christmas. The #bundybayandbush campaign promotes the benefits of shopping locally. Buying and spending locally starts a cycle that will benefit everyone in the Hinkler electorate. Supporting our local businesses and being tourists in our own backyards injects money and confidence into the local economy. This then helps businesses create jobs and opportunities for current and future generations.

For anyone who might be listening, on the off-chance they are near a radio or online, who does not know much about the electorate, let me tell you what a wonderful place it is. Hinkler is home to some of Queensland's best natural holiday destinations. Known as the 'gateway to the Great Barrier Reef', the Bundaberg region is Australia's premier location for observing nesting sea turtles. It is turtle season right now at Mon Repos beach, where the largest concentration of marine turtles nest on the eastern Australian mainland. It also has the most significant loggerhead turtle nesting population in the South Pacific region. You can go out with the rangers from the Mon Repos Turtle Centre and you can see these majestic creatures laying their clutches. Early in the new year you could be lucky enough to see the hatchlings emerge and make their journeys to the ocean.

Hervey Bay, at the southern end of the electorate, is regarded as one of the best places in the world to watch humpback whales. The safe, sheltered waters provided by Lady Elliot Island, Lady Musgrave Island and Fraser Island make the Hinkler area a launching pad to an aquatic paradise year-round for scuba diving, for sailing, for water sports and for fishing.

Some of the other great tourism opportunities in my electorate include the Bundaberg rum distillery, which also includes their new visitor experience, and the Bundaberg Brewed Drinks factory, the home of the world famous Bundaberg ginger beer. This Christmas I want to encourage my constituents to get out and check out these tourist hotspots for themselves, and to tell as many people as possible so that they may also want to come and visit.
As members of parliament, we can be great advocates and great ambassadors for our regions. But so can our constituents. For the launch of my shop local campaign I had the fantastic support of well-known Bundaberg business owner Dale Rethamel. Dale knows firsthand the importance of community supporting local business. He has owned his business for a decade—10 years—and is building a new facility using local contractors. He can see the potential for growth in our region, and he is literally putting his money where his mouth is. Dale knows that if people spend locally, then businesses can invest, they can expand, they can hire more staff, they can support sporting and community groups and, in his words, 'the wheels will keep spinning'. So Dale himself shops locally; he encourages his staff to do the same. I would like to take this opportunity to thank Dale, as well as Kay McCotter, Linda Carsley, Larry Burch, Craig Van Rooyen and Brian and Jill Perry for their continued support of the shop local campaign.

Small and medium businesses are the engine room of our nation. Many are family run—run by mums and dads, by aunts and uncles and siblings—and they contribute some $340 billion to the economy, including to regional economies right across this country. There are an estimated 8,541 small businesses within the Hinkler electorate, and across Australia small businesses employ more than four million people. They need our support, and I hope that my constituents do so during this festive season.

Over the past few weeks and months I have had the opportunity to see firsthand how the coalition government continues to deliver for communities like mine. The Stronger Communities Program has been a great success in my region. The program allocates each federal electorate $150,000 over two years, with eligible community groups applying for grants of between $5,000 and $20,000 for small capital projects. All applications need to commit at least matching funding or in kind contributions, and it has been a great success. In my electorate, the successful recipients have used those funds for a wide variety of projects—from barbecue trailers to kitchen upgrades and the replacement of vital equipment. The Stronger Communities Program has been a real boost to community groups and organisations that would otherwise struggle to generate the funding for this type of program. Mr Deputy Speaker, I know that you have done a lot of fundraising yourself. That is a lot of sausage sizzles and a lot of lamingtons to raise up to $5,000 or $20,000.

On Saturday in Bundaberg I saw the Australian Sugar Cane Railway's new tamping machine, purchased with their Stronger Communities funding, in action. The two-kilometre rail track has flooded twice, costing the not-for-profit group considerable time and money to repair. The tamping machine will dramatically reduce the time and backbreaking work in replacing sleepers and any repairs required. It is a bit like coming home when you go to a group like this, made up of retired tradespeople, engineers and operators. The Sugar Cane Railway is a wonderful tourist attraction in our region. It has carried more than 540,000 passengers—half a million—since it began in 1988, and this new equipment will see the railway well into the future. The new machine, which packs the underside of the sleepers, has made a huge difference in maintenance of the track. Previously it took some three days for a gang of up to eight men or women to replace 80 sleepers. The machine can pack approximately 100 in an hour with just two people operating the machine. I saw a demonstration on the weekend. It is a big difference to use a tamping machine compared to the 15-kilo jackhammers that they have used previously. It is a long way from a pickaxe,
which they used to use quite regularly. The concrete sleepers—which are made at another local business, the Isis Central Sugar Mill, in their sleeper-manufacturing plant—have a much longer life span than the timber ones.

Last week I also met with Creative Regions, a local arts organisation which hosts community events and has developed a range of major arts and cultural projects designed to engage communities. They purchase low-cost equipment to host pop-up events in the Bundaberg region. Each kit includes portable sound, lighting, furniture and marquees, and reduces the cost of hosting pop-up events. They will be made available to community groups. I have had the opportunity to tour the facilities of Creative Regions, including their pop-up shop, the artist in residence department, workshop space and a meeting room for community use.

I have also met with the Hervey Bay Amateur Fishing Club to check out their new purpose-built barbecue trailer. All of these have been supported and helped to be funded through the Stronger Communities grants. The trailer will allow the club to run sausage sizzles to raise more funds so it can host community fishing education clinics to promote best practice techniques in fishing for all ages from juniors to grandparents. The club will also lend the trailer to other community groups for use by them for other fundraising activities. The club has had success in encouraging mature-age people, as well as families with young children, to go out, go fishing and enjoy an improved, more active and healthier lifestyle in the outdoors. The Hervey Bay Amateur Fishing Club was incorporated in 1975 and currently has over 107 financial members. The members have up to 30 years experience of local fishing, and they actively promote recreational fishing within the Fraser Coast.

While we are in Hervey Bay, the Hervey Bay Surf Life Saving Club was able to upgrade its kitchen facilities and provide a shaded outdoor area thanks to its Stronger Communities grants. The upgrade means the clubhouse can be hired out for functions, which will provide increased revenue to support the club's lifesaving activities such as the purchase of emergency first aid and rescue equipment. As is the case in many regional areas—as I know you are aware, Mr Deputy Speaker—the local surf club is a hub for local and surrounding communities, with the facilities being accessed extensively for functions, education programs and social gatherings. The Hervey Bay Surf Life Saving Clubhouse is used three days a week to provide a social outing for Indigenous elders, including a meal prepared in the kitchen, and the upgrade that has been provided will allow this to continue.

The shaded outdoor area is also a priority for the club, as it will host the 2017 junior state championships, which will bring an influx of people to the region. When I say 'an influx', I mean thousands. The junior state championships in Queensland for surf lifesaving are an enormous event. The new shaded area will protect nippers from the sun during training, and it will feature activities and provide an additional space from which to watch surf events.

Last, but definitely not least, I want to speak about the great job that Global Care Bundaberg is doing in providing for the less fortunate in our community. It will use its Stronger Communities grant to purchase a coldroom so it can give fresh fruit and vegetables in its food parcels, which it has provided for the last nine years. The organisation provides food hampers to about 30 families a week and low-cost groceries to approximately 100 families, but demand, unfortunately, is growing at about 10 per cent a week.
The common thread that ties all of these projects together is that they benefit the community in one way or another, and these groups and organisations are using their funds to purchase equipment locally and are hiring local contractors, showing their support for local businesses.

It is this coalition government that is putting communities first, through funding provided through the Stronger Communities Program and by the actions we are taking as a government. We are delivering for communities. We are enabling positive change. Mr Deputy Speaker, I know you are a strong supporter of the communities grants program. I look forward, if there is any capacity, to continuing it in its current form. I think that would be greatly appreciated. I know you, as have others, have spoken to the shareholding minister, Senator Nash. This is a great program. I would like to see it extended into the future, if possible. It is a lot of sausages. The capacity to actually provide these funds in the short term is of great advantage to them, and I thank you.

Ethiopia: Oromo People

Mr WILKIE (Denison) (19:10): I take this opportunity to discuss the plight of the Oromo people. This is an issue very close to home, as Tasmania has a sizeable Oromo community and the vast majority of them live in the electorate of Denison. Indeed, I had the pleasure of attending an event just last week in Glenorchy that was organised by Oromo leaders in Denison, where I spoke to members of the community from right across the state. I was touched by their kindness and hospitality, but I was horrified to hear some of their stories.

Ethiopia is home to a diverse range of ethnic groups, and the Oromo are the single largest ethnic group, making up around 35 per cent of the population as of the 2007 census. In fact, it is thought that there are around 25 million Oromo in Ethiopia, as well as around 230,000 in northern Kenya. These people have a proud history. By some accounts, they have lived in the region for over 1,000 years and their language is one of the most widely spoken in Africa. In addition to their presence in Africa, the Oromo have formed tight-knit communities around the world, including in Canada, the United Kingdom and, of course, here in Australia.

Regrettably, though, the situation on the ground for the Oromo in Ethiopia is dire because Oromians are suffering horrendous violence and human rights abuses at the hands of the Ethiopian government. Indeed, according to a 2014 Amnesty International report, the governing party—the Ethiopian People's Revolutionary Democratic Front—arrested at least 5,000 Oromos between 2000 and 2014 for actual or suspected opposition to the government. According to this Amnesty report, opposition political parties, student groups, peaceful protesters, people promoting Oromo culture and people in positions the government believes could have influence on their communities are all treated with hostility and violence.

These acts by the Ethiopian government have been condemned by human rights organisations right around the world. The United Nations High Commissioner for Human Rights has been especially critical, expressed strong concern with the situation and urged the Ethiopian government to promptly release those detained for exercising their right to protest. She has also called on the government to ensure that the rights to freedom of peaceful assembly and expression are protected.

More broadly, organisations including Amnesty International, Human Rights Watch, Reporters Without Borders, World Organisation Against Torture, Front Line Defenders and
the Foundation for Human Rights Initiative have all signed an open letter condemning the dreadful situation. They note that at least 500 demonstrators have been killed and hundreds have suffered bullet wounds and beatings at the hands of the police and the military. There have been thousands of arbitrary arrests throughout the Oromia and Amhara regions, the open letter says, and many of those who have been released report that they were tortured while in detention.

The Ethiopian government has been in power since 1991, and these human rights violations have obviously been occurring for a long time. It is by no means a new situation, but it does appear that the situation is escalating. A Human Rights Watch report just this year details a recent event where security forces shot into crowds, killed people during mass round-ups and tortured detained protesters. Because primary and secondary students were among the protesters, the report says, many of those arrested or killed were children. Human rights organisations also say that they are expecting an increase in the already high number of Ethiopian refugees as a direct result of the government's actions.

The rights to freely express oneself and associate with others are cornerstones of democratic society, and we often take them for granted in Australia. They are set out in nearly every human rights instrument or treaty there is. For example, the European Convention on Human Rights' article 10 provides the right to freedom of expression and article 11 provides the right to freedom of assembly and association. The International Covenant on Civil and Political Rights, to which Ethiopia is a signatory, enshrines the right to freedom of expression in article 19 and freedom of association in articles 21 and 22. Article 27 provides the right for ethnic or religious groups to enjoy their own culture and religion. And let us not forget the most core of human rights, the right to life, which is violated every time a citizen dies at the hands of their government.

Sometimes it is easy for us to become blase about these situations overseas because we hear about them so frequently or because they are happening a long way away. We live in a lucky country and sometimes we tune out when we read the newspapers or watch the TV news and hear stories about atrocities overseas, but these are real human beings that we are talking about. At the community meeting I attended last week, the stories I heard were intensely personal. The Oromians from my electorate told me truly horrific stories. They told me about family members being killed, raped and tortured. This included babies and young children. They were deeply affected by what has happened at home and what continues to happen.

You might ask why I am raising these issues in the Australian parliament when all of this is happening so far away in Ethiopia. The Australian government has a role to play here. For a start, we can pressure the Ethiopian government to halt these atrocities. If the Ethiopian government will not do so, then we should at least pressure them to allow organisations providing humanitarian assistance to enter their country to assist the people in need. The United Nations High Commissioner for Human Rights and the African Commission on Human and Peoples' Rights have also both called for an impartial investigation into the situation, led by regional and international human rights bodies. Until now, the Ethiopian government has insisted it will investigate itself. But clearly this is not satisfactory and, whatever the situation, Australia cannot and should not turn a blind eye.
I have written this week to the Minister for Foreign Affairs, passing on the concerns that the Oromo in my electorate brought to me, and I urged her to pressure the Ethiopian government to end the violence and torture. This would not only help the Oromo people who are the victims of these acts, but it would also help to stabilise the region—otherwise we may be heading toward another civil war, which would be another tragedy. I have also written this week to the Minister for Immigration and Border Protection and urged him to be mindful of the plight of the Oromo when considering Australia's humanitarian intake. I am of course an advocate for a much more generous humanitarian intake overall and I have long been an advocate for a fairer approach to helping those who come to Australia fleeing persecution, but in this case I have urged the minister to be particularly mindful of the Oromo people and to offer them whatever assistance is possible.

Clearly there is a great need to help these people because their situation is so dire. Despite this, there are very worrying reports that Oromo refugees are being sent back to Ethiopia from other countries, as well as reports of other countries refusing to take them or taking very low numbers. For example, the United Oromo Refugees Association recently staged a sit-in at the UNHCR office in Egypt to protest that country's low rate of asylum granted to Oromians. I also know that there is a very tight-knit Oromo community in Australia, and particularly in Tasmania, and I am in no doubt that they would be very willing to welcome and support future Oromo refugees.

As I have said before in this place, Australia is a rich and fortunate country. We can afford to be the best international citizen; we can afford to be more generous in our assistance to countries and peoples less fortunate than ourselves; and we can afford to be much more active diplomatically when the situation calls for it. In situations like this, Australia should lead by example and step in to offer every assistance possible. We are, after all, a very successful multicultural society, despite the ugly claims of some in this parliament. We can leverage off this to become a real force for good among the community of nations.

The Oromo community who I met with want their voices to be heard, and hopefully they have been heard in the Australian parliament tonight. They want people to understand what they and their families have been through and they want the horrific atrocities that have been committed to stop. That is what I am calling for today and I hope our government will listen.

**Howard Government Retrospective: 1996**

Mr ANDREWS (Menzies) (19:20): Last week I had the privilege to participate in The Howard Government Retrospective: 1996, which is the first of a series of retrospectives looking back on the Howard government, the first one of course concentrating on 1996, marking the 20th anniversary of the election of that government. Others will follow over the coming years. At the outset I commend Professor Tom Frame and Andrew Blyth at the Australian Centre for the Study of Armed Conflict and Society and Nick Cater at the Menzies Research Centre for sponsoring these conferences. It was a well-attended event at the Australian Defence Force Academy and included many presentations involving former colleagues David Kemp, Andrew Robb, John Anderson, Brendan Nelson, Gary Nairn, Jo Gash and Margaret Reid along with the leading journalist and modern historian of the Australian polity, Paul Kelly, and me. It involved some concluding reflections by former Prime Minister Howard himself.
Three issues dominated the parliamentary agenda in 1996: budget repair, industrial relations reforms and the partial sale of Telstra. Indeed, the budgetary situation that faced the new government on coming to office in 1996 was much worse than had been anticipated or expected, and the initial departmental advice to the government urged labour market, shipping and waterfront reform along with the sale of Telstra. Indeed, these issues became the focal point of the then new government's program.

As Paul Kelly observed in his book *The March of Patriots: The Struggle for Modern Australia*, the 1996 budget 'launched the political strategy that defined Howard's social vision and kept him in office'. What I concentrated on in my presentation was what I might regard as the characteristics of leadership. I noted that temperament is a critical element in good leadership. It was clear from the outset that Prime Minister Howard, along with various deputy leaders over that period of time from the National Party, presided over a very effective cabinet. He built a spirit of collegiality both in the cabinet and in the party room by balancing the ability to provide direction with carefully listening to his colleagues. Indeed, Mr Howard's colleagues, from senior cabinet ministers to new backbenchers, were his political antennae, and that was very important to the longevity of that government.

He may not have agreed with every contribution that was made in the party room—and my friend the member for New England verifies this, as he and I were in that party room for many years, and indeed that was the case. There were some that were much better than others, as my friend will recollect. But he was always listening, observing trends and mindful that often it is the small things that can derail a government. Successful governments need longevity, but longevity will only happen if leaders are attuned to the whims of public concerns. It was through that party room and those keen antennae that Prime Minister Howard was mindful of what were the public concerns of the time.

I was the rapporteur of the party room for about 10 years, and my notes of party room meetings are replete with two expressions. The first was that the Liberal Party represented a broad church embracing both classic liberalism and conservatism. The Prime Minister's ability to balance the tensions along this political spectrum were a major factor in the government's success. He understood, for example, that liberal economic reform or an expanded immigration program could only be successful if the government acknowledged and appreciated the innate conservatism of the Australian people. The second constant was John Howard's regular warning against hubris. I suspect it was a reminder to him as much as a reminder to all his colleagues, but he was correct. When leaders and governments appear arrogant, deaf to community concerns and out of touch, the electorate will respond negatively.

A critical element of listening involved a direct conversation with the Australian people, often via talkback radio. In a recent lecture on public leadership, I observed the following.

In my participation in public life for more than a quarter of a century, and my close observation of political leaders, including seven Prime Ministers, I have concluded that it is not the grand rhetorical gestures, the proclamation of aspirations, or even the implementation of proposals and policies that mark the true measure of a leader, but the response to the unexpected, the unwanted, and the unanticipated events that arise. In other words, it is the management of crises, not the projection of aspirations, which is the true mark of leadership.

To finish my quote from my earlier observations: nothing illustrated this point in 1996 more than the Port Arthur massacre, which elicited an immediate and strong response. While
endeavouring to accommodate the need, for example, for farmers to have guns—and I came from a rural farming background myself—the Prime Minister held his nerve on the central issue. There was also a clear direction about the government's objectives. The Prime Minister and the Party knew that advancing legislation, even in the face of an intransigent Senate, underscores the importance attached to the measures and the willingness of the government to fight for them. This was to become more apparent in subsequent years on issues like industrial relations reform.

I recall, for example, that the unfair dismissals proposals which the Howard government put forward were rejected on more than 40 occasions by the Senate. Nonetheless, the government, not just over a number of years but indeed over a number of terms of parliament, continued to maintain the principle that these reforms were necessary for flexibility, productivity and, therefore, job growth and rising standards of living within the Australian economy. Despite rejections time and time again, the government continued to advocate those reforms. In the end, the reforms were adopted after a couple of parliamentary terms, but it was important that that indeed had occurred.

This is not to say that there were not mistakes during the first year of the government. The ministerial code, as all acknowledge now, was too narrowly drawn. The image of a Prime Minister wearing a bullet-proof vest at a rally in Sale, where I went to secondary school, was regrettable. Although Prime Minister Howard may disagree, I wonder whether the turnover of departmental secretaries in that first year was premature, at least in some cases, and contributed to the spate of budget leaks prior to the first Costello budget in August 1996. The division of core and non-core promises created a weapon with which that government was attacked for many years by the opposition.

The year 1996 was actually a very busy year in the parliament. The government introduced 201 bills—156 in this House, the House of Representatives, and 45 in the Senate—and of them 84 passed in 1996, 77 in the following year and three in 1998. For me, two areas were of personal interest: the family tax measures, which were introduced in 1996; and the new schools legislation, which was actually an abolition of Labor's effectively 'no new schools' policy, which precluded non-government schools being set up in regional areas such as your own, Mr Deputy Speaker Coulton, and in the outer suburbs of the major cities of Australia. So it was an important year, as Paul Kelly observed. It was the year that set up the government. It established the basis of that government in terms of both its economic management and its social vision for the rest of what was a long term.

As I said at the end of my contributions, it is the character of leadership which is so important. In her portrait of the great American president, Abraham Lincoln, the author Doris Kearns Goodwin described how Lincoln led an ambitious team of rivals, as she described it, who worked together for the common good of the United States. Given the events since the Howard era, a better understanding of the leadership traits of one of our most successful Prime Ministers is obviously worthy of ongoing study, and that will be something which the Menzies Research Centre will carry out over the coming years.

Finally, may I say it was great to be there for the handover of two important historical items of furniture: the Menzies desk, which Prime Minister Howard used during his term in government, and the chesterfield suite, which attracted from time to time some adverse comment and media attention. I was particularly interested in that because, in the 2008, I
became the custodian of Prime Minister Howard's chesterfield suite. In fact, I had it for almost as long as he did. I was glad for it to find a permanent home in the Menzies Library at ADFA for years to come into the future.

Debate interrupted.

Federation Chamber adjourned 19:30
Gosnells Community Legal Centre - Emergency Relief Grant Funding
(Question No. 34)

Mr Keogh asked the Minister for Social Services on 11 October 2016:

In respect of the Gosnells Community Legal Centre (GCLC) recently losing its Emergency Relief grant funding to the Australian Red Cross, (a) on what basis was (i) GCLC’s application for grant funding declined, and (ii) the Australian Red Cross’ (ARC’s) application to provide Emergency Relief in the Armadale region accepted, (b) is the Minister aware that the ARC is operating its Emergency Relief service for the Armadale region out of the GCLC premises, and (c) when funding was allocated to the ARC, was his department aware that the ARC did not have a premises in the Armadale region from which to provide Emergency Relief; if so, was this a factor in allocating this grant funding; if not, can he indicate whether this information would have altered the outcome of the application process.

Mr Porter: The answer to the honourable member’s question is as follows:

(a) (i) In 2014, the Department of Social Services conducted an open competitive funding round for the delivery of Emergency Relief services.

Providers were selected through a rigorous, consistent and audited process and selections were based on ensuring high quality services to the community and value for money.

The Australian Red Cross was deemed successful and approved to provide Emergency Relief services in the SA4 south west region which includes Armadale.

Further information about the 2014 funding round and features of highly rated applications can be found at https://www.dss.gov.au/grants/emergency-relief.

(b) The physical location of the provider is operational in nature and is a business decision for the provider.

The Australian Red Cross is a respected and large community service provider with a significant footprint across Australia, including the Armadale region. This means they are well suited to provide services across a large service area like the SA4 south west region.

The Australian Red Cross, as well as other Emergency Relief providers is encouraged to work collaboratively with other organisations to ensure there is a ‘joined up’ or integrated service system response to the needs of their community.

(c) As applications for funding are commercial in confidence, I am not able to provide advice about individual applications.


Australian Submarine Corporation
(Question No. 38)

Mr Champion asked the Minister representing the Minister for Finance on 17 October 2016:

At any stage since September 2013 has the Minister's department (a) investigated any options to privatise the Australian Submarine Corporation (ASC), if so, what was the outcome, (b) provided advice to the Government regarding the possible privatisation of the ASC, and (c) considered the impact of a possible privatisation of the ASC on its employees.

Mr Morrison: The Minister for Finance has supplied the following answer to the honourable member's question:
The Government has no plans to privatise ASC and has not asked for, nor has it ever considered any proposal to privatise ASC since its election in September 2013.

Also, as provided in the response to Question Number 40, the Department of Finance (Finance) conducted a strategic review of ASC Pty Ltd (ASC) to consider future options for ASC to best meet the Government's shipbuilding requirements.

The strategic review was conducted as part of the normal course of the Minister's shareholder oversight role to ensure that the assets Finance manages on behalf of all Australians continue to support broader Government policy objectives. This is consistent with the Commonwealth Government Business Enterprise Governance and Oversight Guidelines.

On 11 October 2016, the Government announced the way forward for ASC informed by the recommendations of the Strategic Review.

Australian Submarine Corporation
(Question No. 40)

Mr Champion asked the Minister representing the Minister for Finance on 17 October 2016:

At any stage since September 2013 has the Minister's department (a) investigated a possible restructure of the Australian Submarine Corporation (ASC), if so, what was the outcome, (b) provided advice to the Government on a possible restructure of the ASC, and (c) considered the impact of a possible restructure of the ASC on its employees.

Mr Morrison: The Minister for Finance has supplied the following answer to the honourable member's question:

The Government commissioned a strategic review of ASC Pty Ltd (ASC) in mid-2015. The strategic review considered future options for ASC, its mandate, corporate and capital structures as well as its governance arrangements. The strategic review was conducted by the Department of Finance and its external business, accounting and legal advisers, in consultation with the Department of Defence. ASC also provided assistance and valuable input into the strategic review.

On 11 October 2016, informed by the recommendations of the strategic review, the Government announced that it will structurally separate ASC into three individual Government-owned companies to deliver a more flexible approach to managing the investment required in shipbuilding infrastructure.

The impact of a restructure of ASC on its employees was considered as part of the strategic review. Employees’ terms and conditions will not be directly affected by the structural changes to ASC.

Cre8ive Australasia Contract
(Question No. 64)

Mr Keogh asked the Minister for Social Services, on 7 November 2016:

In respect of the $19,052 contract to Cre8ive Australasia (CN3381965) for promotions: (a) what service was provided, or material produced, under this contract? (b) what policy area did this relate to?

Mr Porter: The answer to the honourable member's question is as follows:

(a) The contract related to the procurement of graphic design, production, printing and videography services for the National Centre for Longitudinal Data (NCLD) and its longitudinal data conference. The material produced included NCLD pull-up banners, an NCLD overview flyer, longitudinal study fact sheets and videography and photography services.

(b) The NCLD is part of my Department's Policy Office. The NCLD funds and manages four national longitudinal studies: The Household, Income and Labour Dynamics in Australia (HILDA)
Survey; the Longitudinal Study of Australian Children; the Longitudinal Study of Indigenous Children; and the Longitudinal Study of Humanitarian Migrants.