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SITTING DAYS—2002

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>12, 13, 14</td>
</tr>
<tr>
<td>March</td>
<td>11, 12, 13, 14, 19, 20, 21</td>
</tr>
<tr>
<td>May</td>
<td>14, 15, 16</td>
</tr>
<tr>
<td>June</td>
<td>17, 18, 19, 20, 24, 25, 26, 27</td>
</tr>
<tr>
<td>August</td>
<td>19, 20, 21, 22, 26, 27, 28, 29</td>
</tr>
<tr>
<td>September</td>
<td>16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>October</td>
<td>14, 15, 16, 17, 21, 22, 23, 24</td>
</tr>
<tr>
<td>November</td>
<td>11, 12, 13, 14, 18, 19, 20, 21</td>
</tr>
<tr>
<td>December</td>
<td>2, 3, 4, 5, 9, 10, 11, 12</td>
</tr>
</tbody>
</table>

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- HOBART 729 AM
- DARWIN 102.5 FM
SENATE CONTENTS

TUESDAY, 20 AUGUST

Questions Without Notice—
Foreign Affairs: Iraq ................................................................. 3299
Health: Meningococcal Disease ...................................................... 3299

Distinguished Visitors .................................................................... 3301

Questions Without Notice—
Defence: Guided Missile Frigates ................................................. 3301
Customs: Illicit Drugs .................................................................... 3302
Taxation: Family Payments .......................................................... 3303
Health: Tobacco ............................................................................ 3304
Taxation: Family Payments .......................................................... 3305
Health: Alzheimer’s Disease ......................................................... 3306
Business: Corporate Governance ................................................ 3307
Economy: North West Shelf .......................................................... 3308
Business: Corporate Governance ................................................ 3309
East Timor: International Criminal Tribunal .................................. 3311

Questions Without Notice: Additional Answers—
Health: Tobacco ............................................................................ 3311
Taxation: Bankruptcy Investigations .............................................. 3311

Questions Without Notice: Take Note of Answers—
Business: Corporate Governance ................................................ 3312
Personal Explanations .................................................................. 3319

Questions Without Notice: Take Note of Answers—
Health: Tobacco ............................................................................ 3319

Petitions—
Science: Stem Cell Research ....................................................... 3320

Notices—
Presentation .................................................................................. 3321

Committees—
Legal and Constitutional References Committee—Meeting ............ 3323

Notices—
Postponement ................................................................................ 3323

Trade: Live Cattle Exports .............................................................. 3324

Business—
Rearrangement ............................................................................. 3324

Committees—
Scrutiny of Bills Committee—Meeting .......................................... 3324
A Certain Maritime Incident Committee—Extension of Time ........... 3324
Australian Commonwealth Games Team ...................................... 3324
NAIDOC Week ................................................................................ 3325

Committees—
Economics Legislation Committee—Extension of Time ................. 3325
Drug Action Week .......................................................................... 3326
National Aboriginal And Islander Children Day ............................... 3326

Business—
Withdrawal .................................................................................... 3327

Committees—
Employment, Workplace Relations and Education Legislation Committee—Extension of Time ...................................................... 3327

Ministerial Statements—
Building and Construction Industry: Royal Commission ............... 3327

Documents—
Australian Meat and Livestock Industry ........................................ 3327
SENATE CONTENTS—continued

Committees—
Superannuation Committee—Membership.................................................. 3329
Proceeds of Crime Bill 2002,
Proceeds of Crime (Consequential Amendments and Transitional Provisions)
Bill 2002,
Workplace Relations Amendment (Genuine Bargaining) Bill 2002,
Jurisdiction of Courts Legislation Amendment Bill 2002 and
Family Law Amendment (Child Protection Convention) Bill 2002—
First Reading ................................................................. 3329
Second Reading ........................................................................ 3329
Committees—
Membership.................................................................................. 3336
Motor Vehicle Standards Amendment Regulations 2001 (No. 1)—
Motion for Disallowance................................................................. 3336
First Speech............................................................................... 3345
Motor Vehicle Standards Amendment Regulations 2001 (No. 1)—
Motion for Disallowance................................................................. 3352
Workplace Relations Amendment (Prohibition of Compulsory Union Fees)
Bill 2002—
Second Reading ........................................................................ 3354
Documents—
Commonwealth Grants Commission................................................. 3364
Office of the Renewable Energy Regulator........................................ 3365
Documents—
Tabling........................................................................................ 3366
Tabling......................................................................................... 3366
Unproclaimed Legislation................................................................. 3367
Questions on Notice—
Roads: Funding—(Question No. 138).............................................. 3368
Telstra: Rural and Remote Areas—(Question No. 350)...................... 3368
Environment: Rabbits—(Question No. 371)..................................... 3370
Environment: Maralinga Facility Licence—(Question No. 378)........... 3370
Industry: R&D Start Program—(Question No. 379)......................... 3371
Environment: Uranium Mining—(Question No. 383)....................... 3373
World Summit on Sustainable Development—(Question No. 386).... 3374
Defence: Chemical Weapons Testing—(Question No. 396)............. 3374
Telstra: Services—(Question No. 415)............................................ 3376
Aviation: F111s—(Question No. 417)............................................. 3376
Defence: Air Warfare Destroyer Project—(Question No. 418)......... 3378
Wide Bay Electorate: Program Funding—(Question No. 423)......... 3378
Wide Bay Electorate: Program Funding—(Question No. 426)......... 3379
Wide Bay Electorate: Program Funding—(Question No. 427)......... 3382
Wide Bay Electorate: Program Funding—(Question No. 429 and 445) 3382
Wide Bay Electorate: Program Funding—(Question No. 435 and 442) 3397
Wide Bay Electorate: Program Funding—(Question Nos 436 and 448) 3404
Wide Bay Electorate: Program Funding—(Question No. 441)......... 3406
Australian Quarantine and Inspection Service: Meat Exporters—(Question No. 453) ................................................................................... 3407
Defence: Campbell Park Offices—(Question No. 438).................... 3408
The PRESIDENT (Senator the Hon. Paul Calvert) took the chair at 2.00 p.m., and read prayers.

QUESTIONS WITHOUT NOTICE

Foreign Affairs: Iraq

Senator CHRIS EVANS (2.01 p.m.)—My question is directed to the Minister for Defence. Does the minister recall saying in response to a question on our ability to deploy an armoured brigade overseas, 'I think we'd be capable'? Minister, isn't it a fact that our tanks, which entered service in the mid-1970s, would be vulnerable in any high-intensity conflict? Didn't the government delay the installation of night fighting equipment on these tanks, which means they currently cannot operate effectively at night? Hasn't a shortage of ammunition left the unit with virtually no ability to conduct live firing over the last 12 months, drastically impacting on their readiness? Given these facts, is the minister seriously considering the deployment of our armoured brigade in the event of a military commitment to Iraq?

Senator HILL—The questioner, if he wanted to be a little more honest, would have added the fact that in that interview I said that I cannot imagine circumstances in which we would be invited to contribute 1 Brigade. Minister, isn't it a fact that our tanks, which entered service in the mid-1970s, would be vulnerable in any high-intensity conflict? Didn't the government delay the installation of night fighting equipment on these tanks, which means they currently cannot operate effectively at night? Hasn't a shortage of ammunition left the unit with virtually no ability to conduct live firing over the last 12 months, drastically impacting on their readiness? Given these facts, is the minister seriously considering the deployment of our armoured brigade in the event of a military commitment to Iraq?

Senator HILL—The questioner, if he wanted to be a little more honest, would have added the fact that in that interview I said that I cannot imagine circumstances in which we would be invited to contribute 1 Brigade. But, having mentioned that background to help complete the picture, the brigade, in my view, is highly capable. Whilst the honourable senator might not respect my view, he would have also noted that that was the view recently expressed by General Cosgrove as Chief of the Defence Force. So, rather than talk down our capability, I would suggest to Senator Evans and to the opposition that they might take an interest in exactly what is the composition of that particular force, what it is able to contribute to Australia's national interests, if and when required by the government. And perhaps I would suggest to the honourable senator that, if he has not had the chance yet, he might visit the brigade and listen to their briefings first-hand in terms of their capability, because, as I also said in the interview to which he is referring, I recently visited the brigade and commanders spoke extremely highly of their capabilities and particularly of the tanks.

Senator HILL—I am pleased to hear that Senator Evans has in fact visited the brigade. He would therefore be able to confirm what I said in relation to its capability. Of course, again he misrepresents the position: we did not contribute to ISAF, not because we did not have the capability but because we believed we were making a sufficient effort to the war against terrorism. We were contributing at the combat end, the sharp end, and we decided in those circumstances that it was not necessary for us to also contribute to ISAF. It logically follows from what I have just said that in fact our capability is at the combat end rather than, necessarily, at the peace support end. As it happens, we were able to contribute in both areas, as we have demonstrated so ably both in the war against terrorism at the sharp end and in such places as East Timor in peacekeeping and peace making. (Time expired)

Health: Meningococcal Disease

Senator KNOWLES (2.05 p.m.)—My question without notice is to the Minister for Health and Ageing, Senator Patterson. Would the minister please inform the Senate as to what action the Howard government is taking to protect Australians who are most at risk of meningococcal?

Senator PATTERSON—I thank Senator Knowles for her question. I know that she has a longstanding interest in health and she is obviously interested in this particular issue. I just announced that the government
will fund a national meningococcal C vaccination program from 2003 at an initial cost of $41 million in the first year. Our decision follows advice from the Australian Technical Advisory Group on Immunisation, an independent committee of experts. It is responsible, timely and proactive and it is an approach that I am sure will be welcomed by the community in tackling meningococcal disease.

Initially, free vaccine will be made available to key age groups affected by meningococcal disease. This will, in time, have a significant impact on the number of cases of meningococcal disease in Australia and will save lives. At first, the program will target 12-month-old children and 15-year-old adolescents as part of the routine vaccination schedule and will include a catch-up dose for 16- and 17-year-olds in the first year of the program. Over one million Australians will be vaccinated. Importantly, as soon as more supply of the vaccine becomes available, we will vaccinate all Australian children up to and including 19-year-olds. This morning I issued a press release which demonstrated the roll-out given the current availability of vaccine. But, if vaccine is able to be supplied faster and as it becomes available, we will vaccinate all Australian children up to and including 19-year-olds.

The Australian Technical Advisory Group on Immunisation—ATAGI—identified 12-month-olds and 15-year-olds as the key at-risk age cohorts for an ongoing vaccination program. The 12-month dose of the meningococcal vaccine will be given at the same visit as other recommended vaccines for this age group, while the program for the 15-year-olds and the 16- and 17-year-olds in the first year will principally be delivered through school based vaccination programs. Importantly, those not covered by school programs will be able to access the vaccine through general practitioners. In addition, the government has acted on expert advice to fund a catch-up program for 16- and 17-year-olds in the first year of the program. The successful implementation of this program will rely on the support of the community, in particular state and territory governments, general practitioners and other immunisation providers. I will be working closely with each of these groups to ensure that our children and adolescents are protected from this tragic disease.

Unfortunately, there is at present an inadequate supply of meningococcal C vaccine to enable any form of public program in 2002, but we are working hard to access more. There is currently only one registered supplier of the new meningococcal vaccine in Australia, and this supplier has experienced a worldwide shortage of the vaccine. Two new suppliers are shortly expected to be able to supply the new meningococcal vaccines in Australia, and they are currently going through the registration process with the Therapeutic Goods Administration. Importantly, this process is being fast-tracked. This will ensure there are three suppliers of this vaccine in Australia, and I have been advised that more doses of the meningococcal vaccine are expected in this country over the coming months.

We will continue to talk with the industry to ensure that there is an adequate supply for the program to commence next year, prior to the peak seasonal incidence in winter and spring. Group C disease, against which the new vaccine program will provide protection, causes 60 per cent of meningococcal deaths. However, there is no vaccine available for group B disease, so it is imperative that parents and clinicians remain vigilant.

There have been some comparisons with New Zealand. Some of these comparisons are misguided and unwise, and some of the information has been less than correct. In New Zealand, 90 per cent of cases are group B disease and of a B substrain for which there is no vaccine available. Also, the incidence of meningococcal disease is 10 times higher—which expired.

Senator KNOWLES—Mr President, I ask a supplementary question. Would Senator Patterson expand on the issues that have been raised in relation to New Zealand? I too heard those comments this morning, and I would like her to inform the Senate about what Australia is doing vis-a-vis New Zealand.
Senator PATTERSON—As I was saying, the incidence of meningococcal disease in New Zealand is 10 times higher, and up to 100 times higher in some Maori communities. The reality is that in terms of research or a potential vaccine, programs B and C must be considered independent of each other. I welcome Labor’s support for the government’s initiative but at the same time urge them against trying to turn what is a very serious issue into a political football. Evidence suggests that smoking is just one risk factor in contracting meningococcus.

However, any discussion about a spending exercise is premature and misses the point. Money is not the issue. We are focusing on vaccinating and protecting those Australian children most at risk. I point out that the Howard government has a tremendous record on both immunisation and smoking cessation—increasing the levels of childhood immunisation since 1996 from levels barely as high as many Third World countries to a First World level and overseeing a drop in the prevalence of smoking from almost one in four to one in five. We have a proud record of achievement in immunisation and will ensure that the Australians most at risk are protected from this disease. *(Time expired)*

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw the attention of honourable senators to the presence in the public gallery of a former distinguished senator from Western Australia, Jim McKiernan. Welcome back.

Honourable senators—Hear, hear!

QUESTIONS WITHOUT NOTICE

Defence: Guided Missile Frigates

Senator FAULKNER (2.11 p.m.)—My question is directed to Senator Hill, the Minister for Defence. Can the minister confirm that the $1 billion project to upgrade our six guided missile frigates is more than two years behind schedule, with the first ship not due to be completed before 2004? Is it true that Defence stated that, because of the limited nature of the frigate’s defences against anti-ship missiles, their continued presence in the Gulf would be reviewed should the environment change? Minister, hasn’t the delay to the guided missile frigate upgrade project raised serious doubts about our ability to maintain these ships in regions where they may face a threat from anti-ship missiles?

Senator HILL—The upgrade program of the FFGs is behind schedule; that is true. There is no secret in that; we have had discussions on that in estimates and the like—it is as a result of the complexity of the upgrade project. As Senator Faulkner would be aware, building new capability into older platforms is an extremely complex issue, particularly in the area of systems integration. It is something that the ADF has had trouble with in a number of other programs as well. There have also been some contract disputes, and there are major technical difficulties in relation to the proposed replacement combat system.

Having said that, the ships are performing extremely ably in their current form. One of the ships is currently in the Gulf and was visited by a number of our parliamentarians during the break—in fact, I think four parliamentarians stayed over on the ship for a few days, which was good. I have had the chance to speak to some of those parliamentarians, who expressed to me how impressed they were with the Navy personnel and their attitude, their professionalism and their capabilities. I am sure that if the government required the ship to undertake other tasks then the Navy would be able to perform those tasks as well.

Senator FAULKNER—Mr President, I ask a supplementary question. I thank the minister for that information. Can I point out to the minister that his answer to Senate question 324 includes these words: FFG’s capability to counter a range of anti-ship air defence threats and emerging submarine threats is limited, however, this is why Defence proceeded with the upgrade program. Minister, what steps will the government take to ensure the safety of the crew of HMAS *Melbourne*—which is the guided missile frigate currently stationed in the Gulf—should the situation there deteriorate?

Senator HILL—I do not quite know what Senator Faulkner means by ‘should the situation deteriorate’. I thought, until today, he was accusing others of talking up the po-
tential of war. He now seems to be engaging in that himself. The ship is now undertaking tasks there in enforcement of UN sanctions. That is not a secure environment in itself. It is subject to significant danger in doing so. It is doing it very ably, and it is doing it as part of a fleet which includes not only our ships but American ships and others. The fleet as a whole has a very capable air defence system to meet the sorts of threats that Senator Faulkner is talking about.

*Senator Faulkner interjecting—*

*Senator HILL—* Yes, I know. I have given hundreds of pages of answers to Senator Evans. I have tried to be as fulsome as possible, and I am glad that at least somebody is reading them, Senator Faulkner. But all of the ships, naturally enough, can be further upgraded in the future and that is exactly—*(Time expired)*

**Customs: Illicit Drugs**

*Senator McGAURAN (2.16 p.m.)—* My question is to the Minister for Justice and Customs, Senator Ellison. Will the minister advise the Senate on how the success of the government’s stronger border protection initiative is keeping illicit drugs away from our borders and off our streets?

*Senator ELLISON—* Mr President, this is the first chance I have had to address you as such. Congratulations on your appointment to that position. This is a very important question for all Australians. It was late this morning that I announced that we had seized the largest amount ever of ecstasy in Victoria.

*Senator Robert Ray interjecting—*

*Senator ELLISON—* It is Senator Ray’s home state. He might be interested to hear about this. It was the largest seizure ever of ecstasy in Victoria: 54 kilograms were seized by Customs and the Australian Federal Police—the equivalent of 216,000 tablets of ecstasy being stopped from reaching the streets of Melbourne and other streets in towns and cities of Australia. This demonstrates the very good work that Customs and the Australian Federal Police are doing. But, more importantly, it also demonstrates the excellent work that has been done in relation to border protection—the use of intelligence based information—and, in this instance, a seizure which is the equivalent of the fifth largest seizure of ecstasy in Australia. It is alleged that this consignment, with a street value of approximately $10.8 million, was discovered in a container which originated from the Netherlands. As a result of an intelligence assessment of the situation, a search was carried out and an operation conducted by the Australian Federal Police and the Australian Customs Service, which resulted in this seizure.

This is particularly important when you bear in mind the figures which show that young Australians are increasing their uptake of the use of amphetamines, especially ecstasy. That is what makes this seizure all the more important. It demonstrates that what we are doing is working. This seizure follows on other major seizures not only in Melbourne but especially in Sydney last year. We now have in place high technology such as ion scans and X-ray equipment. In fact, at Melbourne port, in a couple of months time, we will be opening a container X-ray facility which will increase 20 times the ability of Customs to X-ray containers coming into the port of Melbourne. This will be duplicated at Sydney later in the year, at Brisbane early next year and at Fremantle later next year. This was a commitment that the Howard government gave at the last election, and it is a commitment that we are meeting.

It is not only drugs that are a menace to us; there is also the question of other prohibited imports such as illegal weapons. We have ramped up inspection rates of air cargo to 70 per cent. In relation to Australia Post, we now have 100 per cent inspection and X-ray of items of mail and parcels coming into this country. That is essential if we are to keep illegal guns and other prohibited imports out of Australia. It is also essential for quarantine. We still have the present threat of foot-and-mouth disease from overseas, and we have to keep Australia’s environment pristine and pure. We know only too well the damage that disease could cause to Australia if it were to get into this country.

This is in stark contrast, of course, to state ministers who said that our border control is
a joke. It really flies in the face of the unrealistic criticism and blame-shifting we get from the states which say that there is nothing being done in relation to Australia’s borders. What this demonstrates is that we have in place a Customs Service and an Australian Federal Police service that is on the job keeping drugs and other prohibited imports out of Australia. We are doing it on risk assessment, using the highest technology. We have also used very successfully our own drug detector dog program, which is something that is world’s best practice. This is a commitment of the Howard government. It is something that we have resourced at record levels; it is something which has never been done before in Australia. We intend to continue protecting Australia’s borders from these threats which pose such a menace to our society, especially to young Australians.

Taxation: Family Payments

Senator MARK BISHOP (2.20 p.m.)—My question is to the Minister for Family and Community Services, Senator Vanstone. Can the minister provide the Senate with an explanation for the government’s decision to strip family tax refunds to recover family tax benefit debts? Didn’t this decision reverse a pre-election promise not to strip tax refunds to recover family payment debts? Given the Secretary to the Department of Family and Community Services told a Senate estimates hearing on 21 February this year that no decision had been taken to recover family payment debts by stripping people’s tax refunds, when did the government change its mind and why weren’t Centrelink or families warned?

Senator VANSTONE—Mr President, I too take the opportunity to congratulate you on your position. I thank the senator for the question. The family tax benefit is just that: a tax benefit. Families have the option of taking it fortnightly or taking it at the end of the year. It is quite understandable that lots of families choose to take it during the year. It is, after all, an extremely substantial benefit, far more substantial than any benefit any previous government has paid on a per child basis. It is understandable that lots of families will say, ‘I want to have it during the year.’ It was a part of the legislation passed in this place—and, as I understand it, agreed to by people on your side, Senator Bishop—whereby any tax benefit would be reconciled at the end of the year, just like normal tax payments. If you are one of the lucky ones you get a tax refund. If there are other circumstances that have changed your tax liability, the tax man asks you for more.

The family tax benefit was always intended to be reconciled in that way for people going through the tax system. In the first year of operation, this government made some very generous concessions because it was a new system. For example, people were not used to the situation where, if they overestimated their income and got an underpayment, they would get a top-up. Under the previous Labor government, if that happened, you never got your entitlement. Your government virtually said, ‘Har-dee-ha-ha!’ You made a mistake; we’ll keep the money. We had a problem educating Australians that this government would top them up if they made a mistake. In the first year we made some special circumstances: a thousand dollar waiver and not using the tax refund offset in that year. But that was for that year only, and we are past that. We are now in the next year—in other words, we are back to the normal circumstances envisaged in the legislation passed in 1999.

Senator Bishop, I was there when you asked Mr Sullivan that question, and I believe he gave you a truthful answer at the time. The decision was made subsequent to that, and I will have to get you the date. I do not think it is correct to say that Centrelink or customers were not warned. More customers have received the TaxPack than have ever received a press release put out last year. More customers have got information from Centrelink than have ever looked at a press release last year that related to that special circumstance. So I would say that the information that went out from Centrelink and from the Australian Taxation Office did make this clear to those who chose to read it. As I say, the decision was made not to turn off the tax reconciliation after that estimates committee hearing. I will get the exact date and get back to you.
Senator MARK BISHOP—Mr President, I ask a supplementary question. Can the minister explain to the Fletcher family of Emerald why their $3,000 tax refund was stripped without notice? Given that the Fletcher family are trying to juggle work and family commitments by sharing the care of their children and pay off the costs of a visit to Brisbane to obtain specialist medical treatment, and given that they advised the government at all times of changes in their income during the financial year, how can the minister justify stripping their tax refund without warning?

Senator VANSTONE—I think I have answered the question about warning. The material provided since 1999, except for the exception we made, has always made it clear that this would be reconciled through the tax system. As you know, I am very reluctant to comment on individual cases. I would prefer you did not put individual cases in the ring without coming to me first because you require me to now go back and clear up that matter and, possibly, put further things in the public arena with respect to this family that they may have chosen not to have done. Time and time again I hear this story—and it may not be the case with respect to the Fletchers—‘We always told Centrelink about our income changes.’ Frequently, for example, Centrelink have been told in March that someone who has had no income all year suddenly has a $30,000 income. Do you know what that means? It means that they have landed a $120,000 a year job for the last three months of the year. That is the only way you can earn a $30,000 income in three months. I will check the situation with the Fletchers and get back to you. (Time expired)

Health: Tobacco

Senator ALLISON (2.26 p.m.)—My question is to the Minister for Health and Ageing, and I refer to the minister’s answer to an earlier question. Is it not the case that the children of smokers have a tenfold increased risk of contracting meningococcal disease? Is the minister aware that studies show that environmental tobacco smoke also affects the cognitive development of children and adolescents? Would it not be more effective to invest some of this money in smoking prevention?

Senator PATTERSON—When I have been talking about meningococcus, I have raised the issue that there is evidence to show that there is a higher incidence of meningococcus in young people and children whose families smoke. One study shows an increase of five per cent when the mother smokes; four per cent when the father smokes; and I think it is something like 10 per cent when both parents smoke. Adolescents and young adults are three times more likely to present with meningococcus if they come from a family that has smokers, if they smoke themselves or if they work in a smoke-filled environment.

A correlation does not necessarily mean causation. You would know, Senator Allison, that there is deemed to be a relationship. I think there have been three studies—the latest one in the Lancet in August 2000 indicated that relationship. We have had the National Tobacco Strategy, which has been incredibly successful. We have now lowered our smoking rates in Australia to below 20 per cent. That is the lowest smoking rate in the world. But it is still not good enough, and we are continuing to do more work. I have just launched a $1 million anti-smoking program for Indigenous communities. This is a program developed by NACCHO to address that issue, because we have large numbers of Indigenous people who smoke. The number is something like 80 per cent, and we still have a lot of work to do there.

Whatever I do as health minister and however I spend the money, someone will always tell me that I could have spent it somewhere else and got a better effect. We have a very proud record on immunisation. When we came to government in 1996, 53 per cent of our children were vaccinated against life-threatening diseases such as whooping cough and the other diseases for which we immunise children in infancy. We have now brought that number up to over 90 per cent, back to First World standards, from a Labor record that was appalling. We now have a disease that has a high mortality rate when a child or adolescent catches it. If they do not die, many of them are seriously
maimed. Some of you may have seen the program that showed young people seriously maimed as a result of meningococcus.

We have a complicated situation in Australia, unlike other countries. Two-thirds of our cases are meningococcus B and one-third of our cases are meningococcus C, for which there is a vaccine and for which I have just announced a program to vaccinate children to protect them for approximately 30 years of their life. If you would like to tell me, Senator Allison, which group I will not vaccinate in order to run your smoking campaign, you organise that for me, but I think the Australian public would want me to vaccinate as many children as possible who are in that high risk group.

Senator ALLISON (2.30 p.m.)—Mr President, I ask a supplementary question. I ask the Minister for Health and Ageing whether she accepts that mass media anti-smoking campaigns are effective in stopping children from smoking. Is she aware that there are still a quarter of a million Australian school students aged between 12 and 17 who are smoking? Does she not agree that the $2 million which is provided by the Commonwealth for smoking prevention is not enough to conduct a mass campaign such as ‘Every cigarette is doing you damage’ and therefore will not reduce this rate further? Can the minister also confirm that working in a smoky environment trebles the risk of meningococcal disease? Instead of trying to target some groups with immunisation, would it not be less expensive and more effective—particularly for 18-year-olds—to ensure that all workplaces, pubs and clubs are made smoke free?

Senator PATTERSON—A lot of young Australians travel. Tragically, during the recent break a young Australian died in I think it was Italy of meningococcal disease. I cannot create smoke-free environments in Italy, but what we can do through this program is vaccinate children and young people. We know that it will cover them for 30 years. It will cover them for their late adolescence and young adulthood.

Senator Allison needs to understand—and I think she does—that young Australians travel overseas and they are going to be in smoky environments. We cannot protect them from that when they are overseas. We have a national tobacco strategy which has reduced cigarette smoking in the last six years from one in four to one in five. That is an enormous outcome for public health. We still need to do more and we are continuing to work on it, but we have other obligations. One of those other obligations is to ensure that our young people are vaccinated against meningococcal C. (Time expired)

Taxation: Family Payments

Senator LUNGY (2.32 p.m.)—My question is to the Minister for Family and Community Services. Can the minister explain why the Davey family of Canberra have received a bill for a family payment debt from Centrelink of $4,000 and have been given one month to pay up when they played by the rules and provided a new estimate of income when Mrs Davey returned to work in February this year? Didn’t the minister herself say, two days before the election on 8 November last year, ‘Families who underestimated income last year can and are adjusting their estimates for this year to ensure they aren’t overpaid’? Given that this family have done the right thing by following the minister’s advice and revised their estimate to ensure that they were not overpaid, why then is the government slamming them with a $4,000 debt?

Senator Abetz—Mr President, I raise a point of order. Standing order 73(1)(a) says that questions shall not contain ‘names of persons unless they are strictly necessary to render the question intelligible and can be authenticated’.

Honourable senators interjecting—

Senator Abetz—I accept the interjections from this side—the chances are that nothing could render the question intelligible—but, as I understand it, there has been a ruling in the other place today on a similar standing order in relation to the use of names in questions. I would invite you to have a look at that for future questions.

The PRESIDENT—I rule at this time that there is no point of order, but I will certainly look at what has happened in the other chamber.
Senator LUNDY—I am looking for an answer from the minister. Would the minister like me to repeat the question?

Senator VANSTONE—I thank the senator for her question. Yet again we have the situation where only part of an individual family’s circumstance is being brought into the public arena and not the whole circumstance. This puts the government in a position of needing to go back through that person’s file. I would rather that individual circumstances be raised in this place when the senator opposite has at least had the courtesy to check the file to make sure that she is not putting circumstances into the public arena where she does not know the full details and later regrets what she has done.

Senator Conroy interjecting—

The PRESIDENT—Order! Senator Conroy.

Senator VANSTONE—Let me go first to the question of why people have to pay back overpayments. The answer is very simple. Under our system, a family that has the same income as another family and the same number of children of the same age will get the same amount of money. If they received an overpayment because they gave us incorrect estimates, they will of course have to pay it back. We want a family earning the same amount of money with the same children to be in the same circumstances. A family that gets an overpayment of $4,000 will have to pay it back. We can ask ourselves how generous this system is when you can have an overpayment of $4,000.

If you give me the details for the Davey family of the ACT, Senator, I will be very happy to look at the circumstances. I hope they are not like the families that I signed letters about this morning. One family was complaining about having a $1,200 debt when it had a $100,000 income. Another family had an $85,000 income. In both of these cases these incomes were way above what they had estimated and they were complaining about having to pay a bit of money back. I am sorry, but this government is about giving tax benefits and welfare payments to the needy. If people get overpaid, then they will have to pay the money back.

Senator LUNDY—Mr President, I ask a supplementary question. I look forward to the Minister for Family and Community Services investigating and resolving this issue for this family. But, given that this family have done the right thing and revised their estimate, isn’t the real problem that the Howard government’s family payment system is punishing families where a mother returns to work midyear? Why should struggling families incur immediate debts without any warning at all in circumstances where they have properly informed Centrelink, especially when the government allows corporate executives to strip million dollar salaries out of Australian companies? Where is the consistency, Minister?

Senator VANSTONE—I have heard time and time again of families who allege they have done the right thing and told Centrelink about their income changes. I have to tell you it has been extremely rare when they have done that at the time of the income change. Usually it is in March or April or later in the year. I am not saying that is the case with the Davey family. I am very happy to have a look at any of these instances, but the plain facts are that we have shifted to a system that is like the tax system—that is, there is a reconciliation at the end of the year. This is a tax benefit and, just like the tax man sends you a bill for more money if you owe more or gives you a refund if you are one of the lucky ones, so it is with family tax benefits. Either you will get a top-up—which the previous government did not give—or you will have to pay back. That is the system that we have moved to. We are not penalising people who return to work. There is a benefit that is there—

Senator Lundy—That’s how it looks.

Senator VANSTONE—I am sorry, Senator. If you know the answer, I do not know why you bother to ask the question. I will sit down. (Time expired)

Health: Alzheimer’s Disease

Senator HARRADINE (2.38 p.m.)—My question is to Senator Vanstone, the Minister for Family and Community Services. I refer to the fact that there has been a substantial increase in the number of persons with Alz-
heimer’s disease and that in 14 years time it is estimated that Alzheimer’s will be the biggest disease burden in women. I ask whether the minister agrees with the statement by Premier Carr:

There is a reasonable likelihood that embryonic stem cells will lead to some treatment sooner, particularly for disorders of the brain such as Alzheimer’s ...

Wouldn’t it be better for that money to go to research into the cure of the disease and substantial increases in support for carers of persons with Alzheimer’s, particularly for those who—(Time expired)

**Senator VANSTONE**—Senator Harradine, I feel a bit uncomfortable answering your question, because I think you are giving me a free kick for my position on what essentially will be a conscience vote. Your question does not relate to my portfolio. It invites me to make an assessment about what I would do in relation to stem cell research. My views are very clear and I do not think it is fair that I take the opportunity if you are addressing the question to me in another context—

**Senator Harradine**—I asked about funding.

**Senator VANSTONE**—It was not clear to me what part of your question relates to my portfolio. Believe me, I would love a free kick for my views, but I just do not think that is fair to my colleagues.

**Senator Harradine**—Mr President, I have a point of explanation. I am saying: wouldn’t it be better for that money which is supported to go to embryonic stem cell research to be used to give substantial increases in support for persons who are caring for husbands or wives or family with Alzheimer’s?

**Senator VANSTONE**—Senator, if you have a magic wand and you can provide more money to any minister for their portfolio, they will say yes. More money for carers of any person with a disability would be like a dream. I only wish that we did have a situation where money grew on trees, but it does not. Let me steer clear of the sensitive issue of stem cells because, as I say, I do not think it is my right or privilege to have an individual kick on that. But I will say this: if you give me the choice between repairing the damage and finding a cure, I will go for the cure every time.

**Senator HARRADINE**—Mr President, I ask a supplementary question. Just to enlighten the minister, I ask whether she has seen the statement by Professor Peter Rathjen, who is involved in embryonic stem cells, who states:

It is ... nonsense that stem cells might be able to cure Alzheimer’s. We do not even know what causes it.

I come back to the point: what is the government going to do and what is your portfolio going to do about the increased number of persons with Alzheimer’s and carers of people with Alzheimer’s? What action are you proposing this year over and above the meagre amount last year to deal with that very, very serious situation?

**Senator VANSTONE**—I have not seen the research you refer to, which goes back to stem cells. All I would say in response to that is that I think very few people, before they do research, know what the answers are, otherwise they would not need to do the research. It is a bit like saying to a kid, ‘You can’t get into the pool till you learn how to swim.’ The kid says, ‘How in heaven’s name can I learn to swim if you won’t let me in the pool?’ My general preference is to let science find what it can. I do not think science is good or bad. Parliaments are in control of what you do with the science and parliaments need to take charge of that. As to the question of people with Alzheimer’s, we have what I think is internationally regarded as a very fair system for carers. We would always like it to be more generous. I do not put carers of people with Alzheimer’s in any higher priority than carers of people, for example, with an intellectually disabled kid or a physically disabled kid. If you are a carer, you need our assistance all the time. (Time expired)

**Business: Corporate Governance**

**Senator CONROY** (2.44 p.m.)—My question is to Senator Minchin, representing the Treasurer. Is the minister aware that the Treasurer claimed last night that the law re-
quired listed companies to disclose the value of options provided to executives? Isn’t it the case that, in March 2000, the chairman of ASIC told a parliamentary committee that ASIC could not enforce the law requiring companies to disclose details of executive remuneration? Further, wasn’t the reason given by ASIC that they were waiting upon clarification from the government, and are still waiting? When is the Howard government going to stop pretending that it is concerned about ordinary investors and instead stand up to the greedy executives at the big end of town?

Senator MINCHIN—For the information of Senator Conroy, questions relating to that aspect of the Treasurer’s portfolio are handled in this place by Senator Coonan on behalf of the parliamentary secretary, Senator Ian Campbell. If Senator Conroy wishes to direct specific questions relating to corporate governance, he should have in mind who is the responsible minister in this chamber. Nevertheless, it is extraordinary how the party of the trade union movement seeks to bash—

Senator Conroy—Typical! Just wash your hands—

The PRESIDENT—Order! Senator Conroy, you asked a question; I think you have a right to hear an answer. You will not if you keep interjecting.

Senator MINCHIN—I will take the opportunity to point out to the Senate that the Labor Party seems to be engaged in a diversionary tactic from its own extraordinary internal troubles over the question of its relationship with the trade union movement—the power of which will be augmented by the Hawke-Wran report should it be fully adopted. Its diversionary tactic is to seek to bash up Australia’s business community. As the Treasurer made clear last night, we are in a much better position than the United States in relation to the behaviour and general governance of our corporations, and we are well ahead of the United States in relation to our management and accounting standards. The fact is that we generally and typically have independent chairmen—chairmen who are not also the managing directors—independent boards, much higher standards and a much better approach to accountancy standards.

Where there are corporate failures, of course they should be investigated. Where there is fraud or other illegal activity, that should be prosecuted. As the Treasurer pointed out, that is one of the responsibilities of ASIC, which has been very generously funded by this government—contrary to the policies of the opposition leading up to the last election. We will ensure that ASIC does pursue all illegal activity engaged in by anybody in the corporate sector. It is very unfair for the corporate sector of Australia to be subject to this sort of bashing by the Labor Party, which is simply seeking to divert attention from its own enormous internal difficulties.

Senator CONROY—Mr President, I have a supplementary question. Can the minister advise how many companies have been prosecuted for not complying with the requirement to disclose the value of options granted to executives? Isn’t it the case that not one company has been prosecuted for this breach of the law, yet the government has acted very quickly to force hundreds of families to repay their family debt even when they had complied with your rules?

Senator MINCHIN—It is the general view of the government, certainly, that provision for options should be disclosed and that indeed they should be expensed in companies’ accounts. I think that would be the general view, but I will certainly seek to obtain the information sought by Senator Conroy.

Economy: North West Shelf

The PRESIDENT—I call Senator Johnston.

Honourable senators—Hear, hear!

Senator JOHNSTON—Thank you, Mr President. I congratulate you on your election as President, and I will seek to expand upon those remarks a little later today, if I may. My question is to Senator Minchin, the Minister representing the Minister for Industry, Tourism and Resources. Will the minister inform the Senate of the benefits for my home state of Western Australia, and for Australia generally, of the
North West Shelf gas deal with China? What opportunities does this deal present for Australia in terms of industrial growth and the strengthening of the economy?

Senator MINCHIN—I congratulate Senator Johnston on his maiden question in this place. I thank him for the question. I also acknowledge his great interest in regional and rural Western Australia and his acknowledgment and deep understanding of the benefits for his state and the nation of this extraordinary deal. It would be impossible to overstate the benefits to Western Australia and to Australia generally of this extremely valuable decision by China to source gas from the North West Shelf.

We won this contract against very tough international competition—this was no lay down misere whatsoever. The contract, as I think you understand, provides up to $1 billion of export income every year for the next 25 years. It is the single biggest deal ever done by Australia on the export front. It will have very significant flow-on benefits for the whole Australian economy: we estimate some 2,000 extra jobs on the Burrup Peninsula will be required to build what is likely to be a fifth LNG train. A $1.6 billion fourth train is already in production. For the Commonwealth, yes, it will mean additional revenue in the form of royalties, increased company tax and other income tax receipts. And, of course, it will mean extra income for the state of Western Australia.

But it really is very significant in terms of the China-Australia relationship. It will cement China’s place as a major trading partner for Australia—it is our fourth largest export market and our third largest trading partner. Very importantly, it says to all businesses, tourists and others in China that Australia is a place that you can trust and do business with, as it does for Australians wanting to engage with China. It also shows, contrary to the claims of many of our critics, that this is a government and this is a Prime Minister who can deal successfully with our biggest Asian neighbours. Indeed, the Prime Minister’s visit to China in May was critical to the success of this extraordinarily important contract for Australia. That visit, and its success, came on top of five years of concerted work, a great team effort on the part of all Australians—our diplomats, our business community and the government itself, and all the ministers who visited China over that period.

There are three people in particular whose work has not been properly acknowledged in all of this. On behalf of the government, I want to record credit to former Western Australian Premier Richard Court, former Northern Territory Chief Minister Shane Stone and former Chairman of Shell Australia Roland Williams. They are the ones who made the big breakthrough by their visit in 1997 to Zhu Rongji. After a very successful visit, they convinced him and the Chinese government that LNG should be part of China’s future energy mix. That breakthrough was absolutely critical to this deal being able to be done. Also critical to the industry in Australia and to this success was the government’s LNG industry action agenda, announced two years ago, where we gave this great Australian industry the commitments it needed to ensure that it could invest with confidence the billions upon billions of dollars required to ensure that this industry has a very great future. This is an outstanding success for Australia. It means an enormous amount not only to Senator Johnston’s state of Western Australia but to the nation as a whole.

Business: Corporate Governance

Senator CONROY (2.52 p.m.)—My question is to Senator Coonan, Minister representing the Treasurer. Is the minister aware that in the Supreme Court of Victoria yesterday it was revealed that the financial controller had warned the directors of WaterWheel, including Mr John Elliott, the former Federal President of the Liberal Party, that the company was trading while insolvent? Isn’t it the case that if a recommendation of the Labor members of the Joint Parliamentary Committee on Corporations and Securities made in 1999—that officers of a company be required to report any improper conduct to the auditor—had been accepted by the government, such information would have been passed on to ASIC by the auditor? Why did the government not accept the Labor members’ recommendation then and why
only now, after a series of high profile corporate collapses, is the government calling for greater whistleblowing protection on corporate misconduct? When will the government stop protecting its mates?

Opposition senators interjecting—

The PRESIDENT—Order! Senators on my left will come to order. Senator Conroy has asked a question, and I believe it is up to his colleagues to remain silent while he hears an answer.

Senator COONAN—Mr President, may I congratulate you on your election. My answer to Senator Conroy is, first of all, that I will not be making any comment in respect of any particular case, because it is obviously inappropriate if a matter is before the court. But, more specifically, in terms of corporate governance and the rather pathetic attempt of the Labor Party to play catch-up on corporate governance—

Senator Conroy—It was a 1999 recommendation.

The PRESIDENT—Order! Senator Conroy, you have been particularly rowdy during question time. I ask you to come to order.

Senator COONAN—That is revealed by the leader of the Labor Party, Mr Crean, who has made suggestions on many fronts—one of which was that the executive option should be expensed. Obviously we are in a position where we can say that we are about to release a discussion paper on expensing options. We can also say that the Corporations Law already provides that executive options must be disclosed, and we are—in 2005—about to adopt the international audit and accounting standards, which I must say is a far cry from the Labor Party’s attempt to interfere in the political process. That is exactly what happened in the United Kingdom and in the United States. It is exactly the problem that came with corporate governance in the United States, whereas the process that is now—

Senator Cook interjecting—

The PRESIDENT—Order! Senator Cook, come to order.

Senator COONAN—I was about to say that the government will shortly be releasing a proposal paper—in about two weeks—as part of its Corporate Law Economic Reform Program. CLERP 9 is about quality disclosure to shareholders, and it will also deal with circumstances in which matters need to be reported to ASIC. It will also address the recommendations of the Ramsay report on auditor independence, as well as broader corporate disclosure issues. It is the latest instalment in a comprehensive program of reform of our Corporations Law that this government began in 1996. Past reforms have included accounting standard setting, fundraising, directors’ duties, takeovers and financial markets and investment product regulation. The reforms have been applauded and, in some cases, even emulated overseas. They have put Australia at the forefront of world’s best practice in a number of key areas, and it ill behoves the opposition to be suggesting that at this point they are to play catch-up and have anything like a sensible or a comprehensive governance disclosure procedure.

Opposition senators interjecting—

Senator CONROY—Mr President, I ask a supplementary question.

The PRESIDENT—Senator Conroy, when your colleagues remain silent I might listen.

Senator CONROY—Is the minister aware that the Prime Minister said yesterday that a disclosure of the details of executive remuneration was already required by law? How do you explain the various studies which show a low level of compliance with the law? Why hasn’t the government acted at all to rein in the excess of the corporate sector, and why is this government so soft on the big end of town while punishing struggling Australian families who do the right thing with regard to their family benefit payments?

Senator COONAN—I do not really think that arose out of the previous question, but in any event there are benefits that seem to have entirely escaped the Labor Party in achieving a consistent and well-thought-out response to recent corporate governance problems. This government has in fact done more than any other government around the
Tuesday, 20 August 2002

SENATE

3311

world. It has been out in front on governance issues—

Opposition senators interjecting—

The PRESIDENT—Order! Senators on my left will come to order.

Senator COONAN—Mr President, I was in the course of saying that this government has a well-thought-out and comprehensive response to the governance problems that have been experienced in this country. That is not to say that there cannot be improvements, and that is precisely what is being undertaken with the CLERP 9 process. But a knee-jerk reaction and changing the policy environment on an ad hoc or some sort of frequent basis that is not thought out and part of a broad plan is unhealthy for both companies and investors. (Time expired)

East Timor: International Criminal Tribunal

Senator RIDGEWAY (2.59 p.m.)—My question is to Senator Hill, Minister for Defence and Minister representing the Minister for Foreign Affairs, Mr Downer. Following the recent acquittal of six members of Indonesia’s security forces on charges arising from the massacre of three East Timorese priests and scores of civilians in 1999, does the government support the call for the establishment of an international criminal tribunal for East Timor to investigate alleged crimes against humanity? Isn’t it true that Australia supported the establishment of this type of court to deal with human rights violations in Rwanda and the former Yugoslavia? If Australia is not prepared to add its voice to the call for a similar tribunal, are we guilty of running the risk of turning a blind eye to gross injustices in human rights abuses in our own region?

Senator HILL—That is a good question. The attitude of the Australian government was that we were prepared to observe the trials that were being undertaken under the Indonesian legal system, the Indonesians having given international assurance that they would be effective in responding to the allegations of human rights abuses. In one instance, in relation to the former governor, a conviction has been recorded; in other instances, there have been acquittals. There has been widespread press coverage concluding that that demonstrates the system has been ineffective. I think it is a touch premature to reach that conclusion. There needs to be a more sophisticated analysis of the trials that have taken place and the outcomes of those trials before any firm conclusion is reached.

Senator RIDGEWAY—I ask a supplementary question, Mr President. In view of the international consensus that gross violations of human rights occurred in East Timor in 1999, both prior to and after the UN sponsored referendum, and the real possibility that the Indonesian military were amongst the perpetrators of the violence, is the Australian government reviewing the amount of financial and strategic military assistance that we provide to the Indonesian forces?

Senator HILL—We are supporting Indonesia through a relatively modest defence cooperation program. We are also trying to rebuild a defence relationship, because we believe that that can contribute to regional stability. There is a respect within Indonesia for the ADF and we believe that to walk away from that opportunity is not in Australia’s national interests. The short answer to the question is: no, we are not reviewing that relationship; at the moment we are actually seeking to build upon it. Mr President, I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Health: Tobacco

Senator PATTERSON (3.02 p.m.)—I seek to clarify an answer I gave to Senator Allison. I have just been sitting here thinking about it, and I think I said, with respect to the incidence of meningococcal disease in children whose families smoke, that it is four times higher if the mother smokes, five times higher if the father smokes and nine to 10 times higher if both parents smoke. I may have said ‘per cent higher’ rather than ‘times higher’—that is, I may have underestimated it. If I did make that error, I meant to say ‘times’ rather than ‘per cent’.

Taxation: Bankruptcy Investigations

Senator COONAN (New South Wales—Minister for Revenue and Assistant Treas-
On Thursday, 27 June, Senator Ludwig asked me some questions, and I now have some answers which I seek leave to have incorporated in Hansard.

Leave granted.

The document read as follows—

On Thursday 27 June 2002, (Official Hansard page: 2838) Senator Ludwig asked:

(1) Is the minister aware that Insolvency and Trustee Services Australia’s bankruptcy regulation branch is currently investigating eight Part X bankruptcy arrangements and that the ATO has alerted ITSA to a further four Part X bankruptcy arrangements which may warrant further investigation?

(2) Is the ATO itself investigating those Part X bankruptcy arrangements?

(3) How much tax revenue has been lost, or is under threat, because amounts owed to the ATO had been artificially reduced under fraudulent or false Part X arrangements?

Senator Coonan—The answer to the honourable senator’s question is as follows:

(1) I am advised that the ATO has alerted the Insolvency Trustee Service Australia (ITSA) to several cases that are of concern in relation to actions by persons involved in insolvencies. These are cases where the ATO is concerned about the actions of the trustee.

(2) I am advised that the ATO has investigated or reviewed three bankruptcy arrangements. Action in each case is being or has been taken in the courts to set aside the arrangements.

(3) The value of the taxation debts in the three cases is approximately $440,000. If these arrangements are set aside, the ATO anticipates a higher dividend than would otherwise be paid under the arrangements. Irrespective of the outcome in each case, a significant component of the debt must be written off.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Business Corporate Governance

Senator CONROY (Victoria) (3.03 p.m.)—Mr President, I also offer you my congratulations. I move:

That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) and the Minister for Revenue and Assistant Treasurer (Senator Coonan) to questions without notice asked by Senator Conroy today relating to corporate governance.

Senator Mark Bishop—And Senator Vanstone’s?

Senator CONROY—And Senator Vanstone’s—if you want to toss that one in as well, thank you, Senator Bishop. What we have seen today is the handpass to Senator Coonan, who wants to handpass this to another inquiry. This is a government that, 12 months ago, was dragged screaming and kicking to request Professor Ian Ramsay to conduct an inquiry. What we have seen since then is just inquiry after inquiry. Professor Ramsay consulted extensively; he produced a report. In March, the government called for comment on Professor Ramsey’s report. Today, they have delayed it further. ‘It is CLERP 9,’ they say, ‘We will just release another discussion paper; we will call for comment.’ Anything to stop doing something serious about dealing with the corporate crooks in this country.

This is a government that, before the election, told people not to worry about their family payments debt. They wrote to everybody and said, ‘Don’t you worry about that.’ But, after the election, what did they say? They said, ‘Pay up,’ and did not tell people what they were going to do—that is, strip them of their tax refund. Before the election, the government said they would make directors pay back their bonuses when a company subsequently collapsed. After the election, we have another vague promise that we might see legislation sometime this year if we are lucky, or possibly next year. This is a government that will do anything to avoid tackling one of the biggest problems in this country, a problem which is eking away at investor confidence—that is, the shenanigans of the corporate sector.

This is a government that just will not act on the big end of town. Huge salaries and extravagant option packages have been paid to executives—and the Prime Minister, as long ago as 1999 in the face of this greed, just requested some restraint. The first time was in 1999. He said, ‘We have to ask the corporate sector to just be a bit better behaved.’ It is 2002 now, and what has he got to say? He says, ‘If the big end of town don’t
start taking notice of community sentiment, I might have to act.’ Do not hold your breath, Australia. Do not hold your breath in the hope that this Prime Minister will actually grasp the nettle and do something. The law requiring disclosure of the details of remuneration packages has been flouted, and what has the government done? Nothing. I just heard the Treasurer say in the other place, ‘If you have any evidence of the law being flouted, give it to ASIC.’ But it is just not that simple.

Labor, with the help of the Democrats, amended the Corporations Act to require the disclosure of such details. Senator Ian Campbell, who had the duty and carriage of the bill in the chamber, said in the debate on the amendments:

We will not be supporting the Labor amendment. That is straight out of Hansard, Senator Campbell. Only begrudgingly did he decide not to oppose the amendment, because the majority in the chamber supported it. Senator Campbell’s preference was to hold a review on the issue. The government is showing a real talent for holding reviews on matters concerning management accountability, but more on that later—anything rather than act!

ASIC knows that the provision is not being complied with and says that it will not act until the government follows up on the recommendations of the joint parliamentary committee to clarify the provision. When asked why it would not enforce the provisions, ASIC said, in March 2000:

The committee has since published its report and the government will presumably deal with that and tidy the provisions that need to be tidied. When that is done, serious enforcement becomes an option.

That is not good enough. The minister has the power to direct ASIC to investigate and should do so. Further, the government accepted the recommendations of the committee in February 2001 but has done nothing since, knowing that ASIC and shareholders are waiting for it to act. I fear ASIC and others—the shareholders who put their faith in this government that it would actually do the job and force the companies to comply with the law—have presumed too much. We are not even asking for something new—this is a law from 1998. All we are asking this government to do is get its act together and start enforcing this and make its mates cough up to investors what they have been getting away with. No doubt the preference of this government would be to hold another review, and I am sure we will hear more about that shortly. That has been the response on the important issue of auditor independence, as I have already mentioned—an issue this government only acted on after the collapse of HIH. *(Time expired)*

**Senator IAN CAMPBELL** (Western Australia—Parliamentary Secretary to the Treasurer) *(3.09 p.m.)*—Congratulations, Mr Deputy President, on your election to that most important office in the Senate.

**Senator Conroy interjecting—**

**Senator IAN CAMPBELL**—It never ceases to amaze me how many times Senator Conroy can make speeches about corporate regulatory issues and never come up with a ‘single seminal original idea’—

**Senator Conroy**—Your idea is to hold a review!

**The DEPUTY PRESIDENT**—Senator Conroy!

**Senator IAN CAMPBELL**—to quote the words of Professor John Nash from that wonderful movie *A Beautiful Mind*—not a ‘single seminal original idea’ in all of that work. We waited for his leader, Mr Crean, to come forward with the detailed policy we were promised on Sunday. All I can say, having read Senator Conroy’s contribution to banking policy last year, when he had a private briefing from the Australian Bankers Association on a code of conduct, is that Senator Conroy came out with a banking policy stolen and plagiarised in large chunks from the ABA’s policy statement and passed off as his own work.

**Senator Conroy**—You said the union wrote it for me.

**The DEPUTY PRESIDENT**—Senator Conroy!

**Senator IAN CAMPBELL**—What did we get yesterday? Senator Conroy was obviously called up by Mr Crean, who said, ‘Look, we need something on this corporate
governance stuff. I’m having trouble governing the Labor Party, so let’s go and pick on someone else.’ Senator Conroy responds, ‘Look, I think I can put something together for you.’ He goes to the IFSA web site, pulls up my speech from Brisbane and pulls out all the chunks of the government’s policy. He says, ‘We’re going to bring in a rule about options.’ That is government policy already. He says, ‘We’re going to implement the Ramsay recommendations.’ Good idea, Senator Conroy! The government announced its recommendation of that years ago.

I ask anyone to compare Mr Crean’s speech yesterday with my speech. Poor old Senator Conroy obviously got a call on Sunday afternoon from Mr Crean, who said, ‘Look, I promised to get tough on corporate governance. I’ve got to make a speech tomorrow, Steve. Can you whack together some words for me?’ So he goes to the IFSA web site, pulls out all the chunks of my speech in Brisbane and says, ‘Look, Simon, this is good stuff. We’ll crack down on corporate people.’ The sad thing is that, if someone then goes to Mark Latham’s web site, they find that Mark Latham is actually saying that we should not get so tough on corporate crooks if they are sort of related to the Labor Party. Poor old Mark Latham is saying that ASIC is unfair to corporate crooks if they are friends of Labor, but Simon Crean and Stephen Conroy have discovered corporate governance in the last five minutes.

The sad thing for Labor is that the government, as is recognised not only within Australia, not only by shareholders but also by stakeholders broadly, has been working on ensuring that Australia’s corporate regulatory system is one of the best in the world—if not the best in the world. Labor have had six years to come up with alternative policies and have not done so. The biggest difference between Labor and the coalition on this is that Labor continue, as they did in government, to respond to crises on a crisis-by-crisis, knee-jerk reaction basis. I say that you do not create good policy in that environment. What you have got to do is start with a sound set of principles, and the government’s principles on this are based on one sound principle, and that is that you need to improve and enhance the quality of disclosure.

Senator Sherry interjecting—

Senator Conroy interjecting—

Senator IAN CAMPBELL.—Labor’s principle is to make as much noise as they can—and you see from Senator Conroy’s behaviour in the chamber here that he has a severe case of verbal diarrhoea and would make Woodside Petroleum jealous of the amount of gas he produces out of his mouth. All he does is talk, but every now and again I pick up what Senator Conroy says about corporate governance and I find no new idea. We have actually asked him. His great idea about how to regulate the financial system, in relation to the financial sector reform act, with its new system of regulation to improve the quality of disclosure to people, is to actually get rid of the regulations altogether. That is his idea. We have said to Senator Conroy, ‘Come forward with an alternative regulatory system for super and managed funds.’ You have got Senator Sherry over here saying we need more disclosure and Senator Conroy saying we need less—in fact, Senator Conroy saying we do not need any at all. Senator Conroy needs to go away and do some hard work—not just copy other people’s policies, not copy other people’s ideas. He has got to give up his plagiaristic ways and actually do some hard work. It is hard work. (Time expired)

Senator SHERRY (Tasmania) (3.14 p.m.)—The principle on which the Liberal government of this country operates is that it is soft on the big end of town but it is too tough on families and small business. That is its operational principle. The other operational principle that Senator Ian Campbell and the Liberal government operate on is that they talk tough when the heat comes on—when there are constant complaints and constant examples. We have had HIH and One.Tel—just a few examples. They talk tough when the heat comes on but then, when the heat comes on from the corporate sector not to do anything, they do not do anything.
I heard Senator Campbell on the John Laws show just over a week ago, the day after my discussion with John Laws about getting tough on some of the malpractice in the superannuation industry. This government rolls out the pat old solution of ‘improved disclosure’. Just improve disclosure, improve information and improve education—that is its magic wand for minimising the sorts of abuses we are seeing in the corporate sector in Australia. We only have to look at the comments made by the Treasurer, Mr Costello, last night. Last night he claimed that the current law required listed companies to disclose the value of options provided to executives, yet we know—and my colleague Senator Conroy asked this of the Minister for Finance and Administration, Senator Minchin—that in March 2000 the chairman of ASIC told the Joint Committee on Corporations and Securities that ASIC could not enforce the current law requiring companies to disclose the details of executive remuneration.

The government knows that the current law is ineffective. Has it done anything? In fact, ASIC has asked the government to clarify the current law in respect of disclosure of the value of options. Has the government done anything? No, it has not. It talks tough when the heat comes on from the general public and people who are concerned about some of the abuses that are occurring, and then the heat comes back on from the corporate sector—or some elements of it—and it does nothing. It tries to ride out the wave and the rightful public concern when these sorts of problems occur. It tries to ride it out, talk tough, placate the public and move on in the hope that the public will forget. Today Senator Coonan referred to yet another inquiry into issues of corporate governance. It is actually a discussion paper on top of an already completed inquiry. That, again, is typical of this government’s approach: when you get into trouble, talk tough and announce an inquiry and then people will hopefully forget about the problems that are occurring in the corporate sector. Time will pass and the government will do nothing, which is its record.

We have the inquiry held by Professor Ramsay—the so-called Ramsay report that was given to the government in October 2001 on measures to improve auditor independence—but this government has not implemented one single recommendation of the Ramsay inquiry. Not one has been recommended. It has had 12 months. It heard ASIC in January this year make further comments about the Ramsay inquiry, yet it has done nothing. This government is lax on enforcing rigorous accounting and disclosure requirements on big business in this country. As I said, the government rides out the heat of the moment—the criticism—and then, when the heat from the top end of town comes back on it, it does nothing. All it can rely on is so-called increased disclosure and education—‘Let’s educate the public.’

This is in marked contrast to the response to the questions posed by my colleague Senator Lundy to Senator Vanstone regarding social security. We know that there is a massive crackdown, via their tax return, on families who have been overpaid their family tax benefit. The families who have been inadvertently overpaid, families who have struggled to do their best in meeting the requirements of the law, had not been informed that any moneys outstanding would be taken from their tax refunds—except, of course, in the year leading up to the election. We know what happened in the year leading up to the election: the government announced a waiver of certain debts in this particular area. (Time expired)

Senator BARNETT (Tasmania) (3.19 p.m.)—Mr Deputy President, congratulations on your new role. I wish you the best in that important role. We have heard Senator Conroy’s sort of Shakespearian monologue with crocodile tears flowing in honour of the so-called small businesses and families that he stands to support. That is all they really are—they are nothing more than crocodile tears. It is rhetoric and political shenanigans. The record speaks for itself. I, for one, stand here in support of small business and am aware of the pain and suffering that small business endured in the Hawke-Keating years, under the Labor government, when we had record high interest rates and record high
debts in this country. That caused all sorts of
pain and suffering for small business. That is
the first thing I would like to put on the rec-
ord. We now have record low interest rates—
amongst the lowest interest rates for 30 years
for small business. That is what they want,
and they want government off the back of
business. So for Senator Sherry and Senator
Conroy to suggest that they are standing up
for small business is like the pot calling the
kettle black. In regard to corporate crime, I
am very pleased to reiterate what the federal
Treasurer said last night at the Australian
Industry Group annual conference.

Senator Sherry—He’s wrong. He’s got it
quite wrong.

Senator BARNETT—Let me make it
clear what the facts are. I thought it was an
excellent presentation. Were you there,
Senator Sherry?

Senator Sherry—I was in here doing
some work, unlike you.

Senator BARNETT—You should have
been at that dinner listening to a very good
presentation. Some of your colleagues were
there. I noticed that your colleague Craig
Emerson was there—I was on the same table
as he—and I hope he has passed on some of
the information to you so that a little educa-
tion session can take place with those people
across the chamber. In regard to corporate
crime, we have a record second to none. I put
the facts to you: 69 jailings in the last three
years, amounting to 229 years in total.
Where is the record on that? We stand with
our heads high. At the last election you were
promising $1.5 million per annum in in-
creased funding for ASIC. Our promised
increase, which will be implemented, is $23
million, so there is simply no comparison
that can be made.

Let us move back to small business for a
minute and exactly what the government is
doing to support them. You have talked
about the reviews. One of those is the Daw-
son review of the Trade Practices Act. A
number of submissions have been made to
that. I would like to highlight in particular
the one from the ACCC. I congratulate them
on the work they have been doing. We need
to have a tough corporate watchdog in their
role, and they play an important role.

The ACCC have called for the introdud-
cion of criminal penalties for breaches of
certain provisions including, in part IV of the
act, price fixing for hard-core cartel activity.
That has received support from a number of
quarters, including the Business Council of
Australia. The ACCC have also advocated
significant increases in pecuniary penalties
with regard to the relevant regime. The re-
view is scheduled to report in November this
year, and I am looking forward to that, as is
small business around this country.

Senator Sherry—This is another inquiry.
What are you going to do about it?

Senator BARNETT—we have got the
runs on the board in terms of corporate
crime. We are out there doing the job and
working hard. We are not just nitpicking
from the sideshow. There is a little sideshow
alley over there on the other side of the
chamber: look at the facts and see the runs
on the board. That review that was an-
ounced on 9 May looks at the anticompeti-
tive behaviour of business around the coun-
try—

Senator Mackay interjecting—

Senator BARNETT—Don’t you talk
about the big end of town. During your 13
years of government, you had a Labor troika:
big business, big government and big unions.
As I said earlier, it is like the pot calling the
kettle black. The honourable senators on the
other side need to take that into account
when they are putting forward their proposi-
tions. (Time expired)

Senator MARK BISHOP (Western Aus-
tralia) (3.24 p.m.)—Mr Deputy President, let
me also offer my congratulations on your
election to your current post. It seems that
we have two standards running together to-
day in public life: firstly, our treatment of
corporate regulation as it applies to major
companies via the packages paid to execu-
tives and senior management and, secondly,
our treatment of families, particularly low-
income families and welfare recipients who
qualify to receive the family tax benefit
payment. They are two different approaches.
Looking firstly at the issue of corporate regulation, corporate governance and executive rewards, whether they are wages, superannuation, shares or share options, it is clear that the government is more than satisfied with the status quo. There is no great intent to have any radical shift or change in its policy approach. The government’s approach is clear, and we understand it. It involves inattention, lack of regulation, lack of accountability, refusal to enforce the law, refusal to properly fund regulatory agencies like ASIC and no enforceable rules for the big end of town but, opposed to all of that, tough and enforceable rules for families and welfare recipients.

Look at what the government has done. It has stood by and watched executives repeatedly reward themselves ridiculously high reward packages, even when the company’s performance has declined at the first instance and continued to decline over time. Further, the government has not insisted that such packages be fully disclosed to shareholders in accordance with the law. Not one company director has been prosecuted for their failure to comply with this requirement under the law.

To make matters worse, the government has continued, and still continues, to starve ASIC, Australia’s corporate regulator, of funds so that it is unable to fulfil its function. So much so—so bad is the funding, so reduced is the funding—that in ASIC’s annual report in 1998-99 it stated:

But we may now have too few staff on the ground to achieve the outcomes we and the government want.

Even though insufficient funding was brought to the government’s attention in the annual report, no remedial action was taken at all. Compare that with the family tax benefit package, the subject of a couple of questions to Senator Vanstone. In this one particular area concerning the introduction of this benefit some two years ago, the government has repeatedly failed families.

When the bill was brought in, the government repeatedly said that changes made to the system were going to mean more money for families and greater simplicity for families in understanding the system. Underneath those purported benefits, the design of the system was such that it included an automatic clawback mechanism. The design of the system ensured that the government got back a share of increased payments meant to compensate for the GST. Because parents are required to estimate their income a year in advance, those who work harder, who work overtime or irregular hours, who move in and out of the work force to care for a child or who simply change jobs within the service sector of the economy accumulate debts ranging into thousands of dollars. Today we heard of two instances from two different areas: in Queensland, there was a $3,000 debt; in the ACT, a $4,000 debt. If estimates from last February are correct, the debts keep rising and keep building up.

One flaw in the system ensures that, even when families do, as they are supposed to do, report changes to their incomes, the flawed family payment system does not adjust their payments correctly, leaving them with massive debts at the end of each year. Cleverly, the government has also made sure that it gets access to these debts through the tax system. So a lot of struggling families will be shocked, and are constantly being shocked: when they do their tax returns and expect to receive a modest return of somewhere between $500 and $1,000, they get advice that their tax refunds have been stripped by the government’s clawback without any notice at all. The Howard government has refused to alter the unfair rules governing family payments, even though last year 650,000 Australian families—one in three families receiving payments—finished the year with an average debt of $850. Last time round, of course, the government found a magic $1,000 for each of these families to cover their debts. (Time expired)

Senator CHAPMAN (South Australia) (3.29 p.m.)—Mr Deputy President, I join with other senators in offering my congratulations to you on your elevation to the important office of Deputy President yesterday. In this debate this afternoon it seems that, in accusing the government of being soft on the big end of town but hard on families and small businesses, Labor simply cannot get over its us and them mentality. Throughout
its history, Labor has operated on the basis of an us and them mentality—management and labour, capital and labour—and now we have the big end of town versus families and small business. Labor is always trying to set up a scenario of divide and try to rule. We know what a dismal failure it has been in that regard, because modern Australia does not involve an us and them situation; it does not involve an us and them mentality. All Australians have shared interests, and those families and small businesses that Labor has referred to in today’s debate are also part of the big end of town, because it is those families and small businesses that—either directly or through their superannuation fund accounts—own the big end of town. Australians have shared interests and it is time the Labor Party recognised that.

The Labor Party accuses the government of doing nothing with regard to enforcing corporate governance. I remind Labor senators that, in response to the 1998 Australian Securities and Investments Commission annual report, Labor promised an additional $1.5 million in funds for ASIC to assist it in its enforcement and administration of corporate governance—$1.5 million is what it promised. What has this government delivered? Over the next four years, there will be $23 million per year in additional funding for the Australian Securities and Investments Commission. There is the record for all to see as to who has the stronger commitment to ensuring that appropriate corporate governance is enforced.

Senator Conroy accused the government of not being sufficiently speedy with regard to enforcing corporate governance. I remind Labor senators that, in response to the 1998 Australian Securities and Investments Commission annual report, Labor promised an additional $1.5 million in funds for ASIC to assist it in its enforcement and administration of corporate governance—$1.5 million is what it promised. What has this government delivered? Over the next four years, there will be $23 million per year in additional funding for the Australian Securities and Investments Commission. There is the record for all to see as to who has the stronger commitment to ensuring that appropriate corporate governance is enforced.

Senator Conroy accused the government of not being sufficiently speedy with regard to corporate law reform. Senator Conroy knows only too well the process that is followed with regard to corporate law reform that has applied throughout the term of office of this government with its Corporate Law Economic Reform Program. There is a process whereby a CLERP issues paper is issued. That is then considered, and input is received from the community. We then have draft legislation issued which is considered both by the Parliamentary Joint Committee on Corporations and Financial Services—which I chair and of which Senator Conroy himself is a member—and by the broader community. Following consideration of that, we then have final legislation introduced into parliament which is further considered by that committee and by the community.

**Senator Ian Campbell**—Three months consultation is required by the law they passed.

**Senator Chapman**—Indeed. Three months consultation is required because we have a national scheme of corporate regulation and consultation with state governments and state Labor ministers. That process is well known to Senator Conroy, and that is the process that this government pursues to ensure that we get our corporate law absolutely right. It is important that our corporate law is right, because if you make an error in that you have to go through the whole process again, which involves further delay. It is important that our corporate law is absolutely spot on, not only for the individual businesses subject to regulation by that law but indeed because of the important place that Corporations Law and corporate regulation have in the entire Australian economy.

If Senator Conroy is complaining about the government delaying corporate law reform, what is he doing with regard to the Financial Services Reform Act? That legislation was passed some months ago, the regulations have been announced, and it is Senator Conroy with his disallowance motion who is delaying the implementation of those regulations. Notwithstanding the fact that the whole financial services community in this country want those regulations to come into operation, it is Senator Conroy’s motion for disallowance that is delaying their implementation. So it is the Labor opposition, not this government, that is the source of any delay with regard to corporate governance. The simple fact is that, through that process of corporate law economic reform, this government over the last six years has ensured that Australia has leading edge Corporations Law. We are streets ahead of the United States, and that is why, notwithstanding one or two corporate collapses in this country, compared with the United States our situation with corporate collapses is far superior. *(Time expired)*

Question agreed to.
PERSONAL EXPLANATIONS

Senator REID (Australian Capital Territory) (3.34 p.m.)—Mr Deputy President, I congratulate you on your election and I seek leave of the Senate to make a brief personal explanation pursuant to standing order 190.

Leave granted.

Senator REID—I refer to an article on page 4 of today’s Age newspaper—and I understand that a similar piece of information is published otherwise, but I have not seen it. It says:

If, as is overwhelmingly suspected, the abstention was registered by Senator Reid ...

And then it goes on to complete the sentence, referring to the ballot which took place yesterday in the Liberal Party for the election of the candidate for President of the Senate. It discloses the number of votes which were cast for each of the two candidates and refers to the fact that there was one abstention. I did not cast the blank vote. I voted in the ballot, and one of my colleagues may have put in a blank paper, but it was not me. Unfortunately, nobody consulted me about this, and I do not know how it came to be that it is ‘overwhelmingly suspected’ that I did it. It is certainly not my style to treat a ballot in that fashion.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Health: Tobacco

Senator ALLISON (Victoria) (3.35 p.m.)—I wish to take note of the answer—

The DEPUTY PRESIDENT—Senator Allison, the time has expired for motions to take note of answers. Thirty minutes is allocated. There were three speakers from Labor and three from the government side.

Senator ALLISON—It is my understanding, Mr Deputy President, that the Democrats have an opportunity to take note on Tuesdays.

The DEPUTY PRESIDENT—Yes, that is when the space is vacated by the final government speaker.

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.36 p.m.)—by leave—Senator Chapman was expecting the Democrats to seek the call. He was in reserve. The Deputy President did look to you, Senator Allison. I looked to you, thinking you would get the call. You did look up but did not seek the call. It may well have been a mistake, but it was at that stage that the Deputy President cast his eyes to the government side of the Senate, and Senator Chapman sought the call, waiting for you to seek the call. He was courteously, and according to all practices, waiting for you to seek the call, Senator Allison. We very naturally presumed that you decided not to seek the call at that time.

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (3.37 p.m.)—by leave—Mr Deputy President, I would be very surprised if anyone would suggest that you would not be courteous at all times. But my suggestion here, just for the good order of the chamber, is that, if Senator Allison were to seek leave to speak on a matter raised in question time for five minutes, as far as the opposition is concerned, leave would be granted so that we can get on with the business of the chamber. I think that would be a sensible way of dealing with things. It really then becomes the gift of the government and other senators as to whether that is an acceptable way of proceeding.

Senator ALLISON (Victoria) (3.38 p.m.)—Thank you, Mr Deputy President, and I thank Senator Faulkner and the Manager of Government Business in the Senate as well. Just by way of an explanation, it is customary for us to not take note of the main debate and to wait until the motion is put—

The DEPUTY PRESIDENT—I understand that, Senator Allison. Senator Allison, by way of explanation from the chair, I actually had your name on my list, and when you did not stand to get the call I was very surprised indeed.

Senator ALLISON—by leave—I move:

That the Senate take note of the answer given by the Minister for Health and Ageing (Senator Patterson) to a question without notice asked by Senator Allison today relating to tobacco.

The minister has indeed announced a program of $300 million to fund over 14 years an immunisation program for meningococcal
We do not want to turn this into any sort of political football—as the minister was suggesting in her earlier answer to the question—and we do want to end meningococcal disease, but this decision, I think, has been taken in haste. It is a quick fix. It is an expensive solution and it does not tackle a key factor which is implicated in the disease—that is, smoking. So I would urge the government to use some of this money on a smoking prevention program—that very successful mass media campaign has clearly worked. If we are to reduce the incidence of smoking to lower than 20 per cent, then steps of that sort must be taken to do so. They have proven to be highly successful elsewhere, as I said.

In fact, to provide some more statistics, if the group of 269,000 students who were smokers in 1999 continued to smoke, we could expect 134,000 of them to die prematurely. That is an enormous number of people. So there is every reason to spend money on smoking prevention campaigns. There are health reasons, there is obviously the human dimension of people who unnecessarily become ill and who die at an early age. The other point to make is that cigarettes sold to underage people, children, still amount to around $100 million worth a year. Whilst the states are doing well in reducing children’s access to cigarettes, still $100 million worth is going into their hands and doing them harm.

Question agreed to.

PETITIONS

The Clerk—A petition has been lodged for presentation as follows:

Science: Stem Cell Research

To the Honourable the President and members of the Senate assembled in Parliament:

The petition of certain citizens of Australia draws to the attention of the House that we are concerned at the destruction of human embryos by scientists extracting embryonic stem cells and concerned at proposals by scientists to clone human embryos for the purpose of extracting embryonic stem cells.

Your petitioners therefore pray that the Senate will:
(1) Oppose the creation of embryos for the purpose of extracting stem cells and any other scientific purpose (therapeutic cloning);

(2) Oppose the use of already existing embryos for the purpose of extracting stem cells and any other scientific purpose;

(3) Support, encourage and fund scientific research using adult stem cells from all sources including umbilical cord blood.

by Senator Heffernan (from 447 citizens)

Petition received.

NOTICES

Presentation

Senator Sherry to move on the next day of sitting:

That there be laid on the table, on the next day of sitting, the advice by the Australian Prudential Regulation Authority, to the Assistant Treasurer, under section 230A of the Superannuation Industry (Supervision) Act 1993 in relation to applications for financial assistance for superannuation funds where Commercial Nominees of Australia Ltd was trustee.

Senator Sherry to move on the next day of sitting:

That there be laid on the table, on the next day of sitting, the report presented to the Government by the Superannuation Working Group on 28 March 2002.

Senator Tierney to move on the next day of sitting:

That the Employment, Workplace Relations and Education Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 August 2002, from 3.30 pm to 5 pm, to take evidence for the committee’s inquiry into the Workplace Relations Amendment (Paid Maternity Leave) Bill 2002.

Senator Carr to move on the next day of sitting:

That—

(1) There be laid on the table, not later than the conclusion of question time on Monday, 26 August 2002, the documents described in paragraph (2), relating to financial information and forward financial projections and actuals, routinely prepared by the Department of Education, Science and Training pursuant to ministerial determination under section 14 of the Higher Education Funding Act 1988, for the higher education institutions listed on Table A, section four, of the Act (as amended);

(2) The documents to be provided must include those containing information on the financial health of the Commonwealth-funded university system, in the form of charts and text, presenting details as follows:

(a) the 4-page report showing the summary position, including graphs, sent by the department to each university pursuant to section 14 of the Act to assist in the discussion of the agenda item ‘Resource management’ in the profile discussions of late 2001;

(b) in the case of each university, a copy of the formal minutes of the 2001 profile discussions;

(c) the summary report prepared by the department, pursuant to section 14 of the Act, in advance of the visit to each university as part of the profiles process relating to funding under the Act; in particular, a sector overview of the financial performance and financial position of the institutions for 2000, including total and non-government revenue, revenue analysis by source, total and non-government revenue including projections to 2004, operating result, cash and investments and external debt, current ratio, debt-equity ratio, net capital expenditure, capital funding, comparative position of groups (categories) of institutions, comparative enrolment profile, comparative research performance (share of research performance measures), and a commentary on the financial standing of the sector as a whole including forward projections to 2004;

(d) the operating result of all listed institutions for 2000;

(e) changes in the year 2000 operating result from the average for the previous 4-year average of all institutions; and

(f) for each listed institution, separately, as prepared pursuant to section 14 of the Act, a revenue analysis by source for 2000, total and non-government
revenue including projections to 2004, operating margin, cash and investments and external debt, current ratio, debt-equity ratio, net capital expenditure, capital funding, comparative enrolment profile, research performance including research income (compared to sector average and relevant group average), research load and completions (compared to sector average and relevant group average) and a commentary on the financial standing of the institution including forward projections to 2004.

Senator Bolkus to move on the next day of sitting:

That the Legal and Constitutional References Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 22 August 2002, from 3.30 pm till 4.45 pm, to take evidence for the committee’s inquiry into the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002 and related issues.

Senator Bartlett to move on the next day of sitting:

(1) That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report:

All matters related to a possible military attack against Iraq by the United States of America, with particular emphasis on Australia’s potential role.

(2) That the committee call for public submissions and hold public hearings as promptly as possible, with the aim of ensuring as much information as possible is made available to the Australian public to ensure the most comprehensive and informed public debate on the matter can occur.

(3) That the committee report to the Senate at a time, or times, and in a form it deems to be appropriate, taking into account any local or international developments, as long as a report is presented by 13 December 2002.

Senator Allison to move on the next day of sitting:

That the Senate—

(a) notes:

(i) that the clean up of the Maralinga atomic test site resulted in highly plutonium-contaminated debris being buried in shallow earth trenches and covered with just one to two metres of soil,

(ii) that large quantities of radioactive soil were blown away during the removal and relocation of that soil into the Taranaki burial trenches, so much so that the contaminated airborne dust caused the work to be stopped on many occasions and forward area facilities to be evacuated on at least one occasion, and

(iii) that americium and uranium waste products are proposed to be stored in an intermediate waste repository and that both these contaminants are buried in the Maralinga trenches;

(b) rejects the assertion by the Minister for Science (Mr McGauran) on 14 August 2002 that this solution to dealing with radioactive material exceeds world’s best practice;

(c) contrasts the Maralinga method of disposal of long-lived, highly radioactive material with the Government’s proposals to store low-level waste in purpose-built lined trenches 20 metres deep and to store intermediate waste in a deep geological facility;

(d) calls on the Government to acknowledge that long-lived radioactive material is not suitable for near surface disposal; and

(e) urges the Government to exhume the debris at Maralinga, sort it and use a safer, more long-lasting method of storing this material.

Senator Allison to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) wheelchair passengers currently experience an ongoing and unresolved issue in relation to carriage of wheelchairs on Qantas flights,

(ii) people who use wheelchairs are required to have their chairs loaded and stowed as general cargo on Qantas flights,

(iii) this frequently results in damage to wheelchairs, which cost thousands of
dollars, and the inability to use the
chair at the point of arrival, and
(iv) for persons who are dependent on
wheelchairs, the chair represents their
sole mobility and its safe transport,
free from damage, is essential for
travel; and
(b) urges Qantas to develop or acquire a
special container to provide safe and
secure transport of wheelchairs to ensure
peace of mind for travellers with
disabilities.

Senator Ian Campbell to move on the
next day of sitting:
That—
(a) the address-in-reply be presented to His
Excellency the Governor-General by the
President and such senators as may
desire to accompany him; and
(b) on Wednesday, 28 August 2002, the
Senate adjourn at 6.10 pm without any
question being put, for the purposes of
presenting the address-in-reply to the
Governor-General.

Senator Faulkner and Senator Stott
Despoja to move on the next day of sitting:
That the Senate calls upon the Government to
define the circumstances under which Australia
would consider diplomatic or military support for
a United States led attack on Iraq, in particular, to
outline the evidence linking Iraq to international
terrorism or evidence of a significant expansion
in the threat from Iraq’s nuclear, chemical or
biological weapons programs.

Senator O’Brien to move on the next day
of sitting:
That the Senate—
(a) notes that:
(i) 19 August to 25 August 2002 is
National Landcare Week,
(ii) Labor established Landcare in 1989,
(iii) Landcare is a program of community-
based land care projects directed by
landholders, community groups and
individuals who contribute to grass
roots conservation activity,
(iv) according to Landcare Australia, 43
per cent of Australian farmers are
now involved in Landcare initiatives
to help improve our environmental
health,
(v) Landcare has made an invaluable
contribution to tackling the decline in
Australia’s land and water quality, but
significant challenges remain, and
(vi) the 2002 National Landcare Awards
recognise organisations and
individuals making an outstanding
contribution to the protection and
rehabilitation of Australia’s land and
waterways, and
(b) congratulates finalists in the 2002
National Landcare Awards and thanks all
Landcare volunteers for their
magnificent contribution to our
environment.

COMMITTEES
Legal and Constitutional References
Committee
Meeting
Senator MACKAY (Tasmania) (3.46
p.m.)—by leave—Mr Deputy President, I
also congratulate you on your appointment. I
move:
That the Legal and Constitutional References
Committee be authorised to hold a public meeting
during the sitting of the Senate on 21 August
2002, from 10 am to 12.30 pm, to take evidence
for the committee’s inquiry into the Migration
Legislation Amendment (Further Border Protec-
tion Measures) Bill 2002 and related issues.
Question agreed to.

NOTICES
Postponement
Items of business were postponed as fol-
lows:
Business of the Senate notice of motion no. 1
standing in the name of Senator Bartlett for
21 August 2002, relating to the disallowance
of the Environment Protection and Biodiver-
sity Conservation Amendment Regulations
2001 (No. 2), postponed till 22 August 2002.
Business of the Senate notice of motion no. 2
standing in the name of Senator Conroy for
21 August 2002, relating to the disallowance
of certain Corporations Amendment Regula-
tions, postponed till 28 August 2002.
Business of the Senate notice of motion no. 1
standing in the name of Senator Bartlett for
22 August 2002, relating to the disallowance
of the Environment Protection and Biodiver-
sity Conservation Amendment Regulations
2001 (No. 3), postponed till 28 August 2002.
General business notice of motion no. 109
standing in the name of Senator Sherry for
today, relating to the reference of matters to the Select Committee on Superannuation, postponed till 21 August 2002.

General business notice of motion no. 110 standing in the name of the Leader of the Australian Democrats (Senator Stott Despoja) for today, relating to Australia’s involvement in any pre-emptive military action, postponed till 28 August 2002.

General business notice of motion no. 115 standing in the name of the Chair of the Standing Committee of Senators’ Interests (Senator Denman) for 21 August 2002, relating to amendments to the resolutions relating to senators’ interests, postponed till 19 September 2002.

General business notice of motion no. 125 standing in the names of Senators Brown and Nettle for today, relating to the establishment of a select committee on the possible support by Australia of a United States invasion of Iraq, postponed till 22 August 2002.

TRADE: LIVE CATTLE EXPORTS

Senator BARTLETT (Queensland) (3.48 p.m.)—I move:
That there be laid on the table, no later than 4 pm on Wednesday, 21 August 2002, the following documents:

(a) the Livestock Officer’s report on the voyage of the Maysora, a Jordanian flagged vessel, travelling from Australia on 28 February 2001 carrying live cattle; and

(b) the Master’s reports from the same voyage.

Question agreed to.

BUSINESS
Rearrangement

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.48 p.m.)—I move:

That consideration of the business before the Senate on the following days be interrupted, but not so as to interrupt a senator speaking, to enable senators to make their maiden speeches without any question before the chair, as follows:

(a) Tuesday, 20 August 2002 at 5 pm—Senators Johnston and Webber;

(b) Wednesday, 21 August 2002 at 10.30 am—Senator Nettle, and at 5 pm—Senators Wong and Marshall;

(c) Tuesday, 27 August 2002 at 5 pm—Senator Moore; and

(d) Wednesday, 28 August 2002 at 5 pm—Senators Stephens and Kirk.

Senator MACKAY (Tasmania) (3.49 p.m.)—by leave—In relation to line 3, I move:

Omit “maiden”, substitute “first”.

Question agreed to.

Original question, as amended, agreed to.

COMMITTEES

Scrutiny of Bills Committee
Meeting

Senator CROSSIN (Northern Territory) (3.50 p.m.)—Mr Deputy President, I also take this opportunity to congratulate you on your appointment. I move:

That so much of standing order 36 be suspended as would prevent the Scrutiny of Bills Committee holding a private deliberative meeting on 21 August 2002, from 8 am to 9.30 am, with members of the Regulation Review Committee of the New South Wales Parliament in attendance.

Question agreed to.

A Certain Maritime Incident Committee
Extension of Time

Senator COOK (Western Australia) (3.50 p.m.)—Mr Deputy President, I join with others in the chamber who have congratulated you on your election to the deputy presidency. I think it is a meritorious decision by the chamber. I think this is the last time I will ever have to do this with respect to this committee, and I move:

That the time for the presentation of the report of the Select Committee on a Certain Maritime Incident be extended to 25 September 2002.

Question agreed to.

AUSTRALIAN COMMONWEALTH GAMES TEAM

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.51 p.m.)—At the request of the Minister for the Arts and Sport, Senator Kemp, I move:

That the Senate—

(a) recognises the outstanding success of the Australian Commonwealth Games team competing at the 2002 Manchester Commonwealth Games;
(b) congratulates the Australian Commonwealth Games team for an exceptional effort in topping the medal table for the fourth consecutive Commonwealth Games and, in doing so, achieving the best ever result for an Australian team in these games;

(c) conveys, on behalf of all Australians, the nation’s pride and congratulations to all Australian athletes, particularly for the outstanding performances of our medal winners;

(d) expresses Australia’s thanks and gratitude to the Australian Commonwealth Games Association and the team support staff and others who have worked so hard to prepare Australia’s most successful Commonwealth Games teams to date; and

(e) notes the Commonwealth’s support for the preparation of Australian athletes, through the Australian Sports Commission and the Australian Institute of Sport.

Question agreed to.

NAIDOC WEEK

Senator RIDGEWAY (New South Wales—Deputy Leader of the Australian Democrats) (3.51 p.m.)—Mr Deputy President, I congratulate you as well. I move:

That the Senate—

(a) recognises NAIDOC Week 2002, from 7 July to 13 July 2002, and National Aboriginal and Torres Strait Islander Day of Celebration on 12 July 2002, as events of national importance to all Australians, and which celebrate the survival of Aboriginal and Torres Strait Islander cultures and the contribution they make to the national identity;

(b) recognises and congratulates the ‘silent achievers’ who received National NAIDOC Awards for the outstanding and inspiring contributions they have made to their communities and the nation:

(i) ATSIC Commissioner for the Western Zone, New South Wales, Mr Steve Gordon, Aboriginal and Torres Strait Islander Person of the Year,

(ii) Mr Lyall Munro Senior (New South Wales) and Mr Peter Coppin (Western Australia), Aboriginal and Torres Strait Islander Male Elders of the Year,

(iii) Ms Ida West (Tasmania), Aboriginal and Torres Strait Islander Female Elder of the Year,

(iv) Dr Shane Fernando, Outstanding Achievement Award,

(v) Ms Tracy Westerman (Western Australia), Aboriginal and Torres Strait Islander Scholar of the Year,

(vi) Mr Bruce ‘Borro’ Johnson McLean (Queensland), Aboriginal and Torres Strait Islander Youth of the Year,

(vii) Ms Michelle Tyhuis (Torres Strait), Aboriginal and Torres Strait Islander Male Elder of the Year, and

(viii) Ms Bo Delacruz (Northern Territory), Aboriginal and Torres Strait Islander Sportsperson of the Year;

(c) notes that the theme for NAIDOC Week 2002 was the ‘Three R’s: Recognition, Rights, Reform’, in keeping with the tradition that National Aboriginal and Islander Day of Celebration is an opportunity for the Indigenous community to bring to the attention of governments and all Australians the issues that are of concern to them; and

(d) reaffirms its commitment to the goal of true and lasting national reconciliation between Indigenous and non-Indigenous Australians.

Question agreed to.

COMMITTEES

Economics Legislation Committee

Extension of Time

Senator HERRON (Queensland) (3.52 p.m.)—Mr Deputy President, may I as a fellow Queenslander congratulate you on your initial appointment as Deputy President.

The DEPUTY PRESIDENT—Thank you.

Senator HERRON—At the request of the Chair of the Economics Legislation Committee, Senator Brandis, I move:

That the time for the presentation of the report of the Economics Legislation Committee on the Space Activities Amendment Bill 2002 be extended to 27 August 2002.

Question agreed to.
DRUG ACTION WEEK
Senator RIDGEWAY (New South Wales—Deputy Leader of the Australian Democrats) (3.52 p.m.)—I move:

That the Senate—
(a) notes that:
   (i) 24 June to 29 June 2002 was Drug Action Week, which was aimed at generating community awareness about drug and alcohol abuse and the solutions being used to tackle these issues,
   (ii) each day of Drug Action Week highlighted a different theme, with 27 June focusing on Indigenous issues,
   (iii) the misuse of alcohol and other drugs has long been linked to the deep levels of emotional and physical harm suffered by Indigenous communities since the colonisation of Australia,
   (iv) alcohol and tobacco consumption rates continue to remain high in the Indigenous population, against declining rates in the general population, and the increasing use of heroin in urban, regional and rural Indigenous communities is of particular concern,
   (v) substance misuse is probably the biggest challenge facing Indigenous communities today, as it affects almost everybody either directly or indirectly and is now the cause as well as the symptom of much grief and loss experienced by Indigenous communities, and
   (vi) the demand for the services of existing Indigenous-controlled drug and alcohol rehabilitation centres far exceeds the current level of supply;
(b) acknowledges the essential role of Indigenous community-controlled health services in providing long-term, culturally appropriate solutions for substance abuse; and
(c) calls on the Government to:
   (i) fund the national substance misuse strategy, developed by the National Aboriginal Community Controlled Health Organisation, which is designed to build the necessary capacity within the Indigenous health sector so communities can address their health and well-being needs in a holistic and culturally appropriate manner, and
   (ii) improve co-ordination between Commonwealth, state and territory and local governments on these issues and ensure this facilitates greater Indigenous control over the development and implementation of all health programs.

Question agreed to.

NATIONAL ABORIGINAL AND ISLANDER CHILDREN DAY
Senator RIDGEWAY (New South Wales—Deputy Leader of the Australian Democrats) (3.53 p.m.)—I move:

That the Senate—
(a) recognises 4 August 2002 as National Aboriginal and Islander Children’s Day, and a time when Indigenous communities focus on the need to provide a safe and nurturing family environment for their children;
(b) notes, with concern, the statistics on Indigenous family violence, child abuse and child neglect, which show that:
   (i) Aboriginal and Torres Strait Islander children represent nearly half of the Indigenous population, but experience higher rates of child abuse and child neglect than non-Indigenous children,
   (ii) Indigenous children are six times more likely to be removed from their families by welfare authorities than non-Indigenous children because of child abuse or neglect, and
   (iii) child neglect, often associated with poverty, poor housing and unemployment, is the major reason for Indigenous children being removed from their families, with twice as many Indigenous children being removed from their families because of child neglect than child abuse;
(c) congratulates the Secretariat for National Aboriginal Islander Child Care on its:
   (i) 20 years of advocacy and service to Indigenous communities and Indigenous children, and
   (ii) recent release of the report, Through Young Black Eyes: Indigenous Family Violence, Child Abuse and Child Neglect Prevention Resources, which aims to protect Indigenous children
from all forms of abuse and neglect by providing information and advice to community workers, community leaders and parents; and

(d) calls on:

(i) state and Commonwealth governments to allocate additional funding for Indigenous children’s services and family support mechanisms as advocated by SNAICC, including the development of a national Indigenous children’s and family resource centre to implement long-term child abuse prevention campaigns, and

(ii) all Indigenous leaders to exercise their responsibility to do all that they can to protect children from abuse and violence and to respond to children’s needs if they have been abused or harmed or are at risk of being abused or harmed.

Question agreed to.

BUSINESS

Withdrawal

Senator MACKAY (Tasmania) (3.53 p.m.)—Mr Deputy President, at the request of Senator Conroy, I withdraw general business notice of motion No. 56, standing in his name for today.

COMMITTEES

Employment, Workplace Relations and Education Legislation Committee

Extension of Time

Senator HERRON (Queensland) (3.53 p.m.)—At the request of the Chair of the Employment, Workplace Relations and Education Legislation Committee, Senator Tierney, I move:

That the time for the presentation of the report of the Employment, Workplace Relations and Education Legislation Committee on the provisions of the Higher Education Funding Amendment Bill 2002 be extended to 22 August 2002.

Question agreed to.

MINISTERIAL STATEMENTS

Building and Construction Industry: Royal Commission

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (3.54 p.m.)—I table the first report of the Royal Commission into the Building and Construction Industry, together with a statement about the report.

DOCUMENTS

Australian Meat and Livestock Industry

Senator O’BRIEN (Tasmania) (3.55 p.m.)—by leave—Mr Deputy President, I take this opportunity to congratulate you on taking on this very important position fundamental to the functioning of this chamber. I move:

That the Senate take note of the document tabled earlier today.

I refer to the Australian Meat and Livestock Industry Act Australian Meat and Livestock Industry Beef Export to the United States of America Order 2002. This document arises following a great many events, including consideration by the Rural and Regional Affairs and Transport Legislation Committee of the Senate prior to the Senate rising at the end of June. It was the subject of recommendations made unanimously by all members of that committee—that is, government, opposition and crossbench senators—which supported a recommendation designed to ameliorate proposals made by the Minister for Agriculture, Fisheries and Forestry in May to manage the quota, which so outraged sectors of the Australian beef industry and the farming community that we saw some of the most critical statements ever made about a minister for agriculture in this parliament. Perhaps there have been others more so, but it was certainly unusually so in the sense that this was a National Party minister being roundly criticised by a constituency that he would consider to be his own.

The recommendation of the committee was to give effect to the minister’s proposals but with a significant discretionary amount taken from the quota. I should say that Australia has a 378,000-odd tonne quota entitlement to the United States which attracts a 4.4 per cent tariff. Anything exceeding that attracts a tariff of 26.4 per cent, so clearly shipments within quota entitlement have a distinct advantage over outside of quota shipments. The committee heard evidence that various abattoirs would wind down and close and that there would be thousands of
job losses in regional Australia arising from the minister's proposals. So the Senate committee was minded to make recommendations to vary the minister's proposal to allow for some discretionary allocations to keep abattoirs operating, to keep jobs in regional Australia and to keep the beef industry as functional as possible.

Quite remarkably, in discussions leading up to the time that the minister made his statement on 15 May this year, he advised the industry that any shipments which had been dispatched prior to the promulgation of the order would not be considered to have been shipped outside of quota entitlement. But then when the order was initially advised following the rising of the Senate, in a way of course that was designed to make it impossible for a member of this Senate to move to disallow it—and it is being produced only today—the minister announced that shipments on the water after 15 May would not necessarily be considered to have been shipped within quota.

The result was that American beef importers, those who had purchased shipments from Australia on the understanding that those imports would fall within quota entitlement and would not attract a punitive tariff, were finding that they had paid for shipments once on board a ship only to find that they would be liable potentially for a 26.4 per cent tariff. Naturally, they were outraged and immediately sought to have that matter rectified.

I have been given to understand that the minister, who set up an advisory panel to deal with this discretionary quota allocation matter, used that body to overturn his original decision so that shipments which were on the water between 15 May and 1 July would not attract the punitive tariff and would be considered to have been shipped within quota. That was an important change, but it is just a measure of the incompetent way in which this minister has handled this matter and a further example of how he has lost touch with the needs of the industry in a way which, frankly, could well have prejudiced our trading arrangements in terms of those very important beef importers in the United States. It is a very important sector. In excess of 40 to 45 per cent of our beef exports go to the United States of America, so it is certainly a very important export market, and the way the minister has handled this is nothing short of atrocious.

Currently, the same Senate committee is considering the question of the appropriate means for managing the quota allocation next year and in the future, amongst other things. Last night this committee heard evidence from some very significant beef processing companies including the largest company, Australian Meatholdings. There was also evidence from the Cattle Council of Australia and a number of other producers. It is fair to say, without pre-empting the views of the committee, that a significant number of witnesses—and certainly some of the larger and, dare I say it, more influential members of the beef community, if I can put it that way—remain extremely critical of the quota management arrangements and are adamant that the arrangements need to change for next year.

I do not intend to canvass the options, because that is a matter properly before the committee and the committee will consider those arrangements when the evidence before it has properly been taken. But at last night's hearing I asked some questions of Mr Sutton from Agriculture, Fisheries and Forestry Australia, AFFA, with regard to the department's view on quota management for the future, given that the department has obviously been advising the minister about this issue for some time and has taken a fairly key role in the management of the quota until now. I asked Mr Sutton about one of the key issues for quota management—that is, which base year of trading history the department used, subject to the method they were using, of course, to determine the quota entitlement a particular exporter would have. I asked:

Is there a view within the department that the base year for the next year of quota management should be 2001?

This is an important issue. Mr Sutton replied:
We do not have a view. As you know, that is an issue for the panel—that is, the independent panel that the minister set up—and for the government to take a decision on report from the panel.

I asked again:

So the department does not have a view?

Mr Sutton replied:

We do not have a view that is relevant.

It seems to me that the department no longer have the confidence of the minister in terms of the advice that they may have given in relation to quota management. The minister appears, on Mr Sutton’s advice, to have charged an independent panel with providing advice to government and not the department on this very important issue. I hope that the minister will also listen to the views of the Senate committee, and I am hopeful that on this occasion as well the committee will come to a common view as to the appropriate system to manage the quota in the future. We cannot have the chaos which has been caused by this minister on this issue arising again next year. The industry is too important.

Question agreed to.

COMMITTEES
Superannuation Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—Order! The President has received a letter from a party leader seeking a variation to the membership of a committee.

Senator IAN CAMPBELL (Western Australia—Parliamentary Secretary to the Treasurer) (4.07 p.m.)—by leave—I move:

That Senator Allison be discharged from and Senator Cherry be appointed to the Select Committee on Superannuation.

Question agreed to.

PROCEEDS OF CRIME BILL 2002

PROCEEDS OF CRIME (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2002

WORKPLACE RELATIONS AMENDMENT (GENUINE BARGAINING) BILL 2002

JURISDICTION OF COURTS LEGISLATION AMENDMENT BILL 2002

FAMILY LAW AMENDMENT (CHILD PROTECTION CONVENTION) BILL 2002

First Reading

Bills received from the House of Representatives.

Senator COONAN (New South Wales—Minister for Revenue and Assistant Treasurer) (4.08 p.m.)—I indicate to the Senate that those bills which have just been announced are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have three of the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator COONAN (New South Wales—Minister for Revenue and Assistant Treasurer) (4.09 p.m.)—I table five revised explanatory memoranda relating to the bills and move:

That these bills be now read a second time.

I seek leave to have the second reading speeches incorporated in Hansard.

Leave granted.

The speeches read as follows—

PROCEEDS OF CRIME BILL 2002

The purpose of the Proceeds of Crime Bill 2002 is to greatly strengthen and improve Commonwealth laws for the confiscation of proceeds of crime. The bill achieves this by introducing a system of ‘civil-forfeiture’ and enhancing the existing conviction-based regime.
The bill also makes special provision for the confiscation of property used in, intended to be used in, or derived from terrorist offences which are a form of organised crime of particular focus since the tragic events in the United States on September 11.

The primary motive for organised crime is profit. Each year in Australia, drug trafficking, money laundering, fraud, people smuggling and other forms of serious crime generate billions of dollars.

This money is derived at the expense of the rest of the community. It is earned through the harm, suffering, and human misery of others. It is used to finance future criminal activity including terrorism. It is tax-free. Criminals have no legal or moral entitlement to the proceeds of their crimes.

The need for strong and effective laws for the confiscation of proceeds of crime is self-evident. The purpose of such laws is to discourage and deter crime by reducing profits; to prevent crime by diminishing the capacity of offenders to finance future criminal activities and to remedy the unjust enrichment of criminals who profit at society’s expense. The provisions of the bill relating to freezing and confiscating property associated with terrorism implement relevant parts of the International Convention for the Suppression of the Financing of Terrorism and United Nations Security Council Resolution 1373.

For a number of years, the Commonwealth and all States have had laws enabling proceeds of crime to be confiscated after a conviction has been obtained (”conviction-based laws”). However, these laws have not been fully effective. In particular they have failed to impact upon those at the pinnacle of criminal organisations. With advancements in technology and globalisation, such persons can distance themselves from the individual criminal acts, thereby evading conviction and placing their profits beyond the reach of conviction-based laws. In its 1999 report entitled Confiscation That Counts, the Australian Law Reform Commission concluded that Commonwealth conviction-based laws were inadequate, and recommended the introduction of a ‘civil-forfeiture’ regime.

Although all confiscation proceedings including those under the Proceeds of Crime Act 1987 are civil proceedings, the term “civil forfeiture” has become widely recognised as a term to describe forfeiture which does not require conviction of a criminal offence as a condition precedent.

The Proceeds of Crime Bill 2002 contains a comprehensive civil-forfeiture scheme, and represents a concrete demonstration of the Government’s tough stance against organised crime.

Under the bill, civil forfeiture can occur where a court is satisfied that it is more probable than not that a serious offence has been committed. Such a finding by a court does not constitute a conviction and no criminal consequences can flow from it. The provisions are all about accounting for unlawful enrichment in civil proceedings, not the imposition of criminal sanctions. The object or focus of the proceeding is the recovery of assets and profits, not putting people in gaol.

The introduction of civil-forfeiture at the Commonwealth level is an important step in the fight against crime, and is consistent with both national and international trends. Already successful in both New South Wales and Western Australia, civil-forfeiture legislation is also being considered in all other Australian states and territories at this time.

The Proceeds of Crime Bill will, if enacted eventually replace the Proceeds of Crime Act 1987 which will continue to apply to proceedings commenced under that Act. For this reason this bill deals not only with a new civil forfeiture regime broadly similar to that which has been operating in New South Wales since 1997, but includes improved provisions for conviction based confiscation.

A companion bill contains the consequential amendments flowing from this bill and sets out the arrangements for the phasing out of the existing Proceeds of Crime Act 1987.

The Proceeds of Crime Bill also proposes the introduction into Commonwealth legislation of a regime to prevent criminals exploiting their notoriety for commercial purposes. The bill includes provision for literary proceeds orders that can be made for example where criminals sell their stories to the media.

This bill represents a major overhaul of the Commonwealth’s confiscation regime and demonstrates the Government’s commitment to combating organised crime within Australia and deterring transnational criminals from using Australia as a staging post for their activities. This is particularly important in the Australian and international fight against terrorism.

The bill was considered by the Senate Legal and Constitutional Legislation Committee, and was amended in the House of Representatives to take into account recommendations stemming from that process.

The bill passed the House of Representatives with the full support of the Opposition, and I look for-
ward to the bill enjoying that support in the Senate.

A detailed explanation of the contents of the bill is contained in the Explanatory Memorandum.

PROCEEDS OF CRIME (CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL 2002

This is a companion bill to the Proceeds of Crime Bill 2002 and contains transitional and consequential provisions.

The bill will amend the Criminal Code to insert new money laundering offences replacing those in the Proceeds of Crime Act 1987 with updated provisions based on the recommendations of the Australian Law Reform Commission. The bill proposes a series of new offences graded according both to the level of knowledge required of the offender and the value of the property involved in the dealing constituting the laundering. These new offences will permit prosecutors to more accurately reflect the level of culpability of the offender in the charges they prefer and courts will be provided with a greater degree of guidance in their sentencing. The regime includes alternative verdict provisions so that where a court is satisfied that the person is not guilty of the offence charged but is guilty of another money laundering offence which carries a lesser penalty the person can be convicted of that lesser offence consistent with the rules of procedural fairness. The upper limit of the penalties will be increased from 20 to 25 years imprisonment. The scope of the offence has been expanded to include exports as well as imports of money and other property, money laundering in relation to some State and Territory offences which have relevance to the Commonwealth, and where the money or property may become an instrument of crime used to facilitate criminal activity, such as occurred in the lead up to the recent terrorist attacks.

The bill also amends the Mutual Assistance in Criminal Matters Act 1987 which provides the mechanism for international co-operation in criminal cases including in the tracing, freezing and confiscation of proceeds of crime. Currently, many of the provisions dealing with enforcement of foreign orders are scattered throughout the Proceeds of Crime Act 1987. This bill will place most of these provisions in the Mutual Assistance in Criminal Matters Act 1987 and in the course of doing so has brought them into line with the provisions of the Proceeds of Crime Bill applicable to Australian offences. The bill will also enable prescribed countries to enforce civil forfeiture orders in Australia. Only countries which have a sound justice system and whose civil forfeiture regime incorporates adequate safeguards for innocent third parties as well as persons suspected of engaging in criminal activities will be prescribed. This is also of importance in efforts to combat those who finance terrorism.

The Financial Transaction Reports Act 1988 is amended to incorporate the record retention requirements placed on financial institutions by the Proceeds of Crime Act 1987. The provisions relating to the transfer of records between authorised deposit-taking institutions are also relocated.

The bill amends the Bankruptcy Act as recommended by the Australian Law Reform Commission to ensure that bankruptcy is not used as a means of thwarting confiscation of the proceeds of crime by using them to satisfy creditors in a bankruptcy. Although this may be seen by some as restricting the funds available to satisfy creditors, the property in question is not derived from lawful activity and the bankrupt has no legal or moral entitlement to that property. It is therefore not appropriate that an offender be able to use proceeds of crime to settle debts. Legitimate creditors can continue to apply to a court to have property excluded from restraint to prevent hardship. The provisions will have no impact on child maintenance.

Similarly the bill amends the Family Law Act to ensure that property settlements and spousal maintenance cannot be used to defeat confiscation proceedings. The bill will require family law proceedings dealing with property affected by a restraining order to be stayed pending the outcome of confiscation proceedings. This is consistent with the current practice of the Family Court. Decisions can continue to seek release of property from restraint to prevent hardship. The provisions will have no impact on child maintenance.

Decisions of the DPP and an approved examiner in relation to compulsory examinations about the financial affairs of people under the proceeds of crime act have been included in Schedule 1 of the Administrative Decisions (Judicial Review) Act as decisions to which that Act does not apply. Decisions would still be reviewable under the prerogative writs and section 39B of the Judiciary Act 1903.

To ensure that there is no doubt that the AFP has the function of enforcing the Proceeds of Crime Act the Australian Federal Police Act 1979 is amended to specifically confer that function.

This bill will amend the Telecommunications (Interception) Act 1979 to enable telecommunications interception material which has been ob-
tained for the purposes of a criminal investigation, to be used in civil forfeiture proceedings to obtain a restraining order.

The bill will also amend the Telecommunications (Interception) Act 1979 to permit the NCA to communicate relevant intercepted information in connection with a proceeding for the confiscation or forfeiture of property. This amendment will bring the NCA's powers into line with those of the AFP and State Police services.

This will enhance the ability of law enforcement agencies to confiscate the proceeds of crime accumulated by the 'Mr Bigs' of organised and transnational crime.

The amendments to other legislation affected by this bill are consequential on the Proceeds of Crime Bill.

WORKPLACE RELATIONS AMENDMENT (GENUINE BARGAINING) BILL 2002

In reforming the workplace relations system, the Government has ensured that Australia has workplace relations arrangements that sustain and enhance our living standards, our jobs, our productivity and our international competitiveness. The Government has also promoted a more inclusive and cooperative workplace system where employers and employees are able to make agreements on wages, conditions and work and family responsibilities subject to a safety net of minimum standards.

Australia's system of genuine workplace or enterprise level bargaining has underpinned these achievements. The overwhelming majority of Australian employees in the federal workplace relations system are now employed under enterprise or workplace agreements—whether collective or individual.

Enterprise bargaining has produced benefits for both employees and employers. Employees have gained better wages, more relevant conditions, more jobs and greater workplace participation. At the same time, employers have gained higher productivity, increased competitiveness, and lower industrial dispute levels.

Significantly, the outcomes from this system have been far superior to those of the centrally controlled system that preceded it. Over the life of the Coalition Government, the lowest paid workers dependent on award rates of pay have received safety net adjustments of $64 a week, or a 9 per cent increase in real wages. This contrasts markedly with the 5 per cent decrease in real wages for low paid workers that occurred under the previous 13 years of Labor Government.

Workplace bargaining has attracted bipartisan political and industrial support at federal and state levels in every Australian jurisdiction. The previous Labor government and the ACTU both adopted enterprise bargaining as policy in their Accord Mark VI in 1990, and pursued it vigorously in industrial tribunals, legislatively and publicly.

For all of the deficiencies of the previous Labor government, for all of the inadequacies of the bargaining model implemented at that time, Labor knew what we all know—that workplace bargaining is a structural reform that benefits Australia.

Employers and employees have clearly embraced workplace bargaining in the past decade. More than 41,000 collective agreements have been formalised under the federal system alone, with thousands more under state bargaining systems. Over 1.3 million employees are covered by current federal wage agreements including those on any of the 222,000 individual agreements made since March 1997. Agreements made directly between employers and their employees, with limited third party involvement, are increasingly being used as a vehicle for better wages and flexible and innovative employment conditions and work practices.

This bill will ensure that enterprise bargaining continues to benefit employees with more jobs and better wages, and employers with higher productivity, increased competitiveness, and fewer strikes.

Bargaining Periods

Workplace bargaining helps the economy because wages and conditions are determined by genuine workplace negotiations by employees and employers with outcomes based on local knowledge and circumstances and mutual interests. However, elements within the union movement have attempted to orchestrate a return to industry level bargaining through the process known as pattern bargaining. Unions use pattern bargaining to conduct their negotiations across a range of employers or an industry and do not genuinely negotiate at an enterprise level.

Pattern bargaining ignores the needs of employees and employers at the workplace level. It represents an outdated, one-size-fits-all approach to workplace relations where union officials utilised the centralised system to dictate their agenda to both employers and employees. This discredited approach works against the goal of an inclusive and cooperative workplace relations system that sustains and enhances our living standards, our
jobs, our productivity and our international competitiveness.

This bill would not prevent unions from making the same claims over a number of employers. However, it does reinforce the Industrial Relations Commission’s ability to end protected strike action by suspending or terminating bargaining periods if unions are not genuinely bargaining about their claims at the workplace level.

The bill draws on the decision of the Commission in Australian Industry Group v Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union & Ors [Print T1982] where the Commission drew a distinction between unions making common claims across a number of employers and unions refusing to genuinely bargain at the workplace level.

The bill would insert a new subsection 170MW(2A) into the Workplace Relations Act 1996 which would list a number of factors that the Commission would have to consider when it is determining whether, for the purposes of paragraph 170MW(2)(b), a negotiating party is not genuinely trying to reach agreement with the other negotiating parties. These factors would not be exhaustive nor would they necessarily decide the issue on their own.

This bill would also insert a new section 170MWA, which would apply in circumstances where an earlier bargaining period has ended because the initiating party has given notice to withdraw the bargaining period, to deprive the Commission of jurisdiction to hear a case under section 170MW. It would empower the Commission to make orders to prevent the initiation of a new bargaining period or to order that conditions attach to any such bargaining period. Before issuing such an order, the Commission would have to give the former negotiating parties the opportunity to be heard and conclude that the making of an order is in the public interest.

The bill was amended in the House to:

- enable an application for suspension or termination of bargaining periods to simply identify the enterprise (or part of an enterprise) involved, without having to specify the bargaining periods involved; and
- allow the Commission to ban further bargaining periods during a suspension (at present the Commission can only impose a ban following termination of a bargaining period).

The first amendment will enable negotiating parties to make request for termination and suspension without having to produce the case numbers for each specific bargaining period. This will expedite the process when parties are seeking this form of relief. Identifying numerous case numbers is particularly a problem in instances of pattern bargaining. These amendments will enable parties seeking suspension or termination of a bargaining period to avoid delay in situations of pattern bargaining.

The effect of the second amendment is to close a loophole that would allow parties to notify new bargaining periods while a bargaining period has been suspended. The Commission can already ban further bargaining periods when it terminates a bargaining period; the amendment will allow the Commission to ban further bargaining periods for the period of a suspension.

**Cooling-off periods**

During protracted disputes, antagonisms can become entrenched and parties can often lose sight of their original objectives. Cooling-off periods allow negotiating parties to take a step back from industrial conflict and refocus them on reaching a resolution which works for the business in question.

Currently the Commission does not have the specific ability to order a cooling-off period in the case of a protracted dispute. The Commission has used the provisions of section 170MW to order de facto cooling-off periods, to provide a circuit breaker in particularly difficult bargaining disputes, but it is not able to do this in all situations where a cooling-off period may be warranted.

The Government believes that cooling-off periods should be given statutory recognition because of their potential to refocus negotiations. Accordingly, this bill would give the Commission discretion to suspend a bargaining period for a specified period, on application by a negotiating party. Proposed paragraph 170MWB(1)(c) would require the Commission to consider a number of factors to determine whether a suspension is appropriate, including:

- whether suspension of the bargaining period would assist the parties in resolving the issues between them; and
- whether suspending the bargaining period would be contrary to the public interest or inconsistent with the objects of the Act.

Proposed subsection 170MWB(2) would make it clear that the duration of a cooling-off period is a matter for the Commission’s discretion. In considering the application, the Commission would give the negotiating parties an opportunity to be heard.

The Commission would be able to extend the cooling-off period on the application of a negoti-
ating party, after hearing the other negotiating parties. In determining whether to extend a period of suspension, the Commission would consider:

- the factors required to be considered when first ordering a suspension; and
- whether the negotiating parties genuinely tried to reach an agreement during the period of the initial suspension.

Only one extension of the cooling-off period would be allowed, at the Commission’s discretion. There is no prescribed duration for a cooling-off period as the appropriate length of a suspension or extension will vary according to the nature of the dispute and the industry in which the dispute occurs.

If the Commission suspends the bargaining period (or extends the initial suspension), the Commission will have to inform the negotiating parties that they may choose to attend private mediation or ask the Commission to conciliate the dispute.

This bill reinforces the positive trends of more jobs, better wages, higher productivity, increased competitiveness, and fewer strikes. The Government’s workplace reform has brought these benefits to the Australian economy and the well-being of all Australians. We cannot afford to allow these gains to be neutralised or wound back for the benefit of radical elements within the union movement. The bill is a moderate but necessary reform to ensure this does not occur.

JURISDICTION OF COURTS LEGISLATION AMENDMENT BILL 2002

The Jurisdiction of Courts Legislation Amendment Bill 2002 is the same in substance as the Jurisdiction of Courts Legislation Amendment Bill 2001 which was introduced on 27 September 2001.

That bill lapsed when the parliament was prorogued.

This bill amends the Federal Court of Australia Act 1976 and the Judiciary Act 1903 to allow the Australian Capital Territory to establish an ACT Court of Appeal.

The bill also amends the Federal Court of Australia Act 1976 to abolish the redundant office of judicial registrar and to make some changes to the practices and procedures of the Federal Court.

Following self-government for the Australian Capital Territory, responsibility for the ACT Supreme Court was transferred to the Territory on 1 July 1992.

However, the Federal Court continued to exercise appellate jurisdiction for the ACT Supreme Court. It is now appropriate for the ACT to establish its own appeal court with the consequent removal of the appellate jurisdiction from the Federal Court.

The ACT Legislative Assembly has passed the Supreme Court Amendment Act 2001 which provides for an ACT Court of Appeal to hear appeals from the ACT Supreme Court.

The provisions in this bill complement the ACT legislation.

The ACT legislation provides that the ACT Court of Appeal comprises all the ACT Supreme Court judges, resident, additional and acting.

The legislation also provides for the appointment of a President of the Court of Appeal.

The ACT Government has announced the appointment of Justice Crispin as President of the Court of Appeal.

Since the establishment of the Federal Court in 1977 it has been the usual practice for a resident ACT Supreme Court judge to sit on the Full Federal Court in an appeal from the ACT Supreme Court.

Judges of the Federal Court have made a significant contribution to the appellate work from the ACT and that work has been of the highest quality.

It is expected that the current system of Federal Court judges being appointed as additional judges to the ACT Supreme Court will continue.

These judges will also be eligible to sit on the Court of Appeal.

There are transitional provisions in the bill which provide that where the substantive hearing in an appeal from the ACT Supreme Court has already commenced in the Federal Court, it will continue to be heard in the Federal Court.

The bill will make a number of other amendments to the Federal Court Act.

One amendment will provide for the abolition of the office of judicial registrar. There are no longer any judicial registrars appointed to the Federal Court.

With the establishment of the Federal Magistrates Service it is no longer necessary to retain the position of judicial registrar as the Federal Magistrates Service would now handle less complex work that previously was considered suitable for judicial registrars.

Other amendments to the Federal Court Act make some changes to the practices and procedures of the Federal Court.

These amendments are of a minor policy nature.
The bill amends the Federal Court Act to allow the Registrar to appoint as a Marshal a person who is not engaged under the Public Service Act 1999.

The Court has experienced difficulty when a person who is not engaged under the Public Service Act needs to be appointed as a Marshal. This can arise in a remote area where there are no staff of the Federal Court or other appropriate Commonwealth employees.

This amendment would allow a person not engaged under the Public Service Act to be appointed as a Marshal. The bill will also allow the Chief Justice to refer part of a matter to the Full Court. This amendment makes it clear that the Court has jurisdiction to refer part of a matter, as well as a whole matter, to the Full Court. The bill will amend the Federal Court’s interlocutory jurisdiction where a matter is referred by a tribunal or authority.

Subsection 20(2) of the Act provides for the Full Court to exercise jurisdiction in a matter from a tribunal or authority constituted by a judge. The amendments provide that certain interlocutory matters may be heard or determined by a judge or a Full Court.

Section 25 of the Act provides for the exercise of appellate jurisdiction. The bill will amend section 25 to allow a single judge in an appeal to order that an appeal be dismissed for want of prosecution or failure to comply with a direction of the Court.

Another amendment will allow locally engaged diplomatic staff in Australian embassies to witness affidavits. This amendment will bring the provisions of the Federal Court Act into line with amendments made to various other Acts regarding the witnessing of documents, by allowing locally engaged staff at Australian consular offices to undertake such tasks.

Importantly the amendments will provide clearer provision for the use of video and audio links in Federal Court proceedings. Section 47 of the Act currently provides some guidance for the use of video and audio links. The Court requested that the Act be amended to provide detailed provisions for the use of video or audio links or other appropriate means.

The new provisions are based on those in the Federal Magistrates Act 1999.

In order to facilitate the processing of matters electronically, the bill amends the Act to allow a writ, commission or process to be signed by affixing an electronic signature. Although these amendments do not represent major policy changes, they will improve the efficiency of the Federal Court and its delivery of services to the community.

FAMILY LAW AMENDMENT (CHILD PROTECTION CONVENTION) BILL 2002


Enactment of the bill will enable Australia to ratify the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children 1996.

The bill was first introduced on 20 September last year and reintroduced in the House in March this year and passed by that House in June. The bill has since been considered by the Senate Legal and Constitutional Legislation Committee. In May this year the Committee recommended the bill be passed.

Ratification of the Convention will be of significant benefit to Australian families, and in particular to children who are the subject of international family law or child protection litigation.

While the consistent theme in the Government’s reform agenda in family law has been to shift the focus away from litigation as the most appropriate choice for the resolution of family law disputes, it remains a fact that litigation is the final resort for a minority of parents.

In these cases, jurisdictional certainty and finality of court orders are important and will be aided by Australia becoming a party to the Convention.

Existing family law litigation across international boundaries is subject to uncertainty as to jurisdiction and unpredictability in relation to the enforcement of orders abroad. The Convention attempts to overcome these uncertainties by providing clear jurisdictional rules and by encouraging co-operation between authorities in different countries to protect the best interests of children affected by disputes over parental responsibility.

The complexity of international litigation necessarily leads to complex conflicts of law rules. In examining the provisions of the bill, it is important to keep in mind that Australian courts and authorities already apply highly technical conflict
of law rules, most of which have been developed piecemeal over time by the courts as part of the common law.

The Convention is largely consistent with those existing rules but has the advantage of codifying the rules in a form which is expected to be adopted in many countries.

Conflict in jurisdiction between Australian courts and overseas courts in children’s matters has been a longstanding area of difficulty.

Australian and overseas courts sometimes make conflicting parenting orders in relation to the same children.

The jurisdictional rules laid down in the Child Protection Convention are designed to remove uncertainty for parents and the courts in determining the appropriate forum to hear disputes as to parental responsibility.

The Family Law Act provides that each of the parents of a child has parental responsibility in relation to the child.

However in other countries, like New Zealand and the United Kingdom, a father who is not married to the child’s mother has no rights of custody by operation of law.

Under the Convention, the parental responsibility of an unmarried Australian father will be automatically recognised in those countries.

Under the Convention a parent will be able to send a parenting order made by an Australian court to another Convention country for enforcement.

For the purpose of protecting the best interests of children, the Convention also includes a range of procedures to encourage co-operation between courts and child protection authorities in different countries.

Another major objective of the Convention is to address the problem of international cases involving protection of children from abuse and neglect.

It is in the best interests of children that there be internationally agreed rules determining which child protection authorities have jurisdiction in relation to a child.

Commonwealth and State officials have been cooperating in the development of an appropriate legislative scheme to implement the Convention in Australia. This bill gives effect to Commonwealth aspects of the scheme.

As I have noted, the Senate Legal and Constitutional Legislation Committee has recommended that the bill should be passed.

In accordance with reforms to the treaty-making process introduced by this Government the Convention has been subject to scrutiny by the Joint Standing Committee on Treaties.

That Committee recommended in June that Australia ratify the Convention.

I commend the bill to the Senate.

Debate (on motion by Senator Mackay) adjourned.

Ordered that the Proceeds of Crime Bill 2002 and the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002 be listed on the Notice Paper as one order of the day and the remaining bills be listed on the Notice Paper as separate orders of the day.

COMMITTEES

Membership

Messages received from the House of Representatives notifying the Senate of the appointment of Mr Randall to the Joint Standing Committee on Migration in place of Mr Schultz, and the appointment of Mr Melham to the Joint Standing Committee on Electoral Matters in place of Ms Hall.

MOTOR VEHICLE STANDARDS AMENDMENT REGULATIONS 2001 (No. 1)

Motion for Disallowance

Senator HARRIS (Queensland) (4.11 p.m.)—I move:


In rising to move the disallowance motion, I bring to the chamber’s attention some of the following issues and the reasons for taking this action. Within six months of enacting regulations pertaining to the Motor Vehicles Standards Act 2001, some 400 small businesses have either closed or are in the process of closing. Most are family owned and run. Between 4,000 and 6,000 jobs will potentially be lost. Sixty-thousand Australians who currently own imported used vehicles will have their vehicles greatly reduced in value and pay higher insurance premiums—when and if they can get them. It is not only the businesses directly involved with low volume imports that are being affected by
these regulations; there are knock-on effects for support industries as well. As small businesses close, car owners and enthusiasts will find it increasingly difficult to service and maintain their vehicles. The motorist who wants to buy these vehicles because they are unique or they suit their own specific needs will no longer have the freedom of choice. The only vehicles that are now allowed to be imported are those that the Department of Transport and Regional Services deem as ‘specialist and enthusiast’ vehicles.

The act, and these regulations, are the result of a 14-year campaign by the Federal Chamber of Automotive Industries—the FCAI—to stop, or all but stop, the import of used vehicles. The act and regulations are also the culmination of a five-year campaign of selective information that has been provided by the department of transport to ministers and opposition members.

Before I go any further, let me read a quote from a discussion paper written by the chief engineer of the certification approvals section in the federal department of transport, dated 20 September 1990:

The intent of the low volume scheme is to make available to the public vehicles which may otherwise not be marketed… Yet we are repeatedly told by the FCAI and the Minister for Transport and Regional Services that the original intent was for the supply of specialist and enthusiast vehicles. This is just one of many examples of misinformation coming from the FCAI and the minister for transport.

Upon reading the explanatory memorandum provided by the minister for transport it could be concluded that the Motor Vehicles Standards Amendment Act 2001 and these regulations will provide the small businesses, used vehicle importers and the new vehicle industry with a viable industry. A reading of the EM indicates that the Australian motor vehicle consumer will be a winner. Nothing could be further from the truth. Page 9 of the 2000 annual report of the Federal Chamber of Automotive Industries states:

Numerous consultations have occurred with Ministers for Industry and Transport and senior officers on the used vehicle import section of the MVSA Review, seeking a package of measures which represents a fair and balanced outcome for our members. They have been provided with the FCAI’s detailed recommendations on revised policy arrangements covering the establishment of specialist vehicle criteria for all vehicle types and transition arrangements for used vehicle imports. These same criteria were put to the MVSA review and the committee stated:

The Task Force considers to ensure only Specialist and Enthusiast vehicles are eligible would have an adverse impact on the viability of small business and would reduce consumer choice. The Task Force does not see any positive benefits for restricting the vehicles to enthusiast vehicles. For these reasons, Option 1 is not considered appropriate.

Yet that is what we have: an inappropriate scheme which has been found to severely restrict small businesses. It is a scheme which has never been recommended by any independent or parliamentary inquiry. Why was this incorrect information therefore included in the explanatory memorandum to the bill?

In the explanatory memorandum provided by the minister for transport, the statement of problems is summarised as follows:

- The growth in used import numbers may undermine the uniformity objectives of the MVSA.
- The growth in used import numbers may undermine the passenger vehicles ‘plan’.
- There is horizontal inequity between the two avenues of supply to the market if the LVS growth continues.

The three stated problems simply do not exist. Each of the three points implies that growth is the problem, so where is that growth? Statistics over the last two years for the importation of used vehicles indicate a stability of imports. For the year 2000, there were 16,825 vehicles. In 2001, there were 16,391 vehicles. That is no growth. The lengthy document which was presented in 2001 refers to 50,000 used imported vehicles entering the country in 2002. For the first six months of this year, 10,161 vehicles entered and that is nothing like the projected 50,000 vehicles. These numbers are also distorted
because there was a rush for plates before the cancelling of the licences on 7 May. In fact, the figures for April and May this year have doubled the monthly averages, but that is due to people having to rush in to get these licences or plates before the licences cease to exist.

With regard to the first dot point, surely the objectives of the MVSA are to provide uniformity of safety of vehicles to the Australian consumer. Where is the evidence that these vehicles do not adhere to the same safety requirements of full volume imports? What is the plan for passenger motor vehicles? According to a joint media release on 8 May 2002 from the National Party leader, Mr John Anderson, and Senator Minchin:

The Government has been keen to provide a framework whereby the automotive industry has confidence to invest.

Yet we have numerous media releases from the former Minister for Industry, Science and Resources stating that there is very strong growth, increased sales and expanding exports of Australian produced motor vehicles. Doesn’t this indicate good reason for investment? Senator Forshaw from the ALP in New South Wales said that he ‘was not entirely convinced about the threat to Australian car makers if the scheme continued unchecked’. How can 16,800 used vehicles, with a model age of between seven and nine years, affect 808,685 new car sales?

The third dot point in the explanatory memorandum to the Motor Vehicle Standards Amendment Bill 2001 is totally incorrect. We have already dismissed the stated sky-is-the-limit growth and there is no argument regarding horizontal inequities. I believe this is related to the supply of evidence and testing. Which vehicles imported new into Australia in full volume have testing conducted in Australia?

If all three dot points in the statement of problems are incorrect or misleading, is there a problem at all? If not, why were the amendments to the Motor Vehicle Standards Act 1989 and these regulations introduced in the first place? How can such misleading statements, even within the document called the explanatory memorandum relating to the tabling of the bill, be accepted? Members of parliament from all sides have allowed a bill to be enacted on a possibly false premise. These regulations do not do what was promised. They strangle a small but viable Australian small business industry, putting thousands of people out of work.

The small business side of this debate has been cloaked in secrecy. I refer to a heated debate in the coalition party room as reported in the press, which led to a separate inquiry and a report by the small business section of the Department of Employment and Workplace Relations. The report was to evaluate the effects that these regulations would have on small business. We will never know what was in the report as it is now classified cabinet-in-confidence. We can only assume that, as the cabinet buried the report, it confirmed that the small business sector are being forced out of business to allow the multinationals to control the used as well as the new vehicle industry. In that case, it would also confirm that possibly two senior cabinet ministers have misled cabinet in the House of Representatives and in the Senate. If this is the case, a very serious breach—

Senator Boswell—Mr Acting Deputy President, I raise a point of order. The One Nation senator has been critical and said that ministers in both the lower house and the upper house misled parliament. That is not correct under standing orders and I would ask you to ask the senator to withdraw those allegations. Misrepresentation is very serious.

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—Senator Harris, that is unparliamentary and I am sure you are standing up there to withdraw that comment with respect to misleading parliament.

Senator Harris—On Senator Boswell’s point of order, my statement was: in that case it could also confirm that possibly—

The ACTING DEPUTY PRESIDENT—This is not a point of order, Senator Harris.

Senator Harris—I am speaking to Senator Boswell’s point of order.
The ACTING DEPUTY PRESIDENT—Are you seeking leave to make an explanation?

Senator HARRIS—I seek leave to make an explanation.

Leave granted.

Senator HARRIS—I clearly said that it was possible that two senior ministers may have misled cabinet, the House and the Senate. I did not say that they had. I clearly said it was possible that they had. That is my explanation.

The ACTING DEPUTY PRESIDENT—if you said in your initial contribution that it was possible that they may have misled parliament, then I assume that is not unparliamentary and you should proceed. But no doubt we will check Hansard as to what is correct with regard to those statements.

Senator HARRIS—Thank you, Mr Acting Deputy President. I think with absolute surety that you will find that it was ‘possible’. In continuing, there have been two reports by the Senate Rural and Regional Affairs and Transport Committee. The first report recommended drastic changes to the regulation. After repeated representations to the minister for transport there does not seem to be much difference. The important sections, which have given these people a decent livelihood, have not been changed. Having read the most recent report, I must say I was very disappointed with its inaccuracies. I will only address the inaccuracies and the statements in chapter 4 of the report. They are as follows:

(a) Contrary to the government’s claims, the increase in used vehicles is less than the growth in new car sales.

(b) There is no threat to the Full Volume industry, used imports are not viable until they are around 7 years old. Misinformation has been supplied to lead people to believe that most used imports are new or nearly new.

(c) The intent of the low volume scheme has always been “to make available vehicles not sold under full volume”. The Specialist and Enthusiast idea came in 1995 for passenger cars only to “protect the Australian industry”. To carry it over all vehicle types is an about face of the original intent.

(d) When the LVS was being developed it was recognised very few diesels were available to the motorist so the eligibility criteria was changed to allow “diesel engines to be classified as a new model if no diesel engine variant is available in Australia”. It was not lax administration as claimed by the FCAI and Toyota. It was one of the set objectives of the scheme.

You only have to be in a rural area to realise that there is a substantive difference between a vehicle that is propelled by petrol and one that has a diesel motor, not only in the vehicle itself but also in where and how you can travel with them in relation to getting fuel for the vehicle. It goes on:

(e) Regarding concerns about safety, even the Task Force stated that there was not a safety issue.

So they are the inaccuracies that have come through.

What are the emerging problems? One problem was that the FCAI kept lobbying to shut down the industry and the government listened to them and not to small businesses. The other problem was that the Department of Transport and Regional Services refused to allow the industry to introduce accredited workshops at one-third of the cost of the Registered Automotive Workshop Scheme. This would have cleaned up the industry with a more effective scheme for the benefit of all. With the banning of the family car in 1995, the numbers were capped at around 15,000 to 18,000 vehicles. The FCAI know this is their last chance to close the industry, as they have lost the battle in all other countries. Even England and North America now allow imported used vehicles. SEVS was put to the government by the Chief Engineer of the FCAI to close small businesses in the industry. While SEVS and RAWS remain, that will be the outcome.

The committee was right: thousands of jobs will be lost, families will break up and some will even lose their homes. As you would know, most small businesses mortgage their homes as finance or security for their businesses, as banks want bricks and mortar as security. The only thing that will stop this is a motion of disallowance enabling a fresh start. I think the MTAA made it quite clear where they stand when, in their
submission to the task force, they called for each compliance plate approval holder to import only one vehicle per year as opposed to 25 vehicles per year. The scheme originally was for new cars only and was introduced as certification costs would deprive the Australian public of the full range of vehicles which they would normally expect to be available. Those regulations are going to have exactly the opposite effect, in contrast to the original intent of the Low Volume Scheme. By the time the government reviews the criteria, jobs will be lost, businesses closed, homes lost and families destroyed. Action is needed now and we do not need another whitewash.

In consultation with the department of transport, the low volume industry developed an industry accredited workshop scheme. Yet with a change of staff in 1999, it was no longer acceptable and the RAWS developed at three times the cost to industry. If the government’s objectives are to ‘ensure that only safe vehicles are supplied to the consumer within an appropriate regulatory environment’, then fundamental amendments are required as the present scheme will ensure there will be very few vehicles available to the consumer and they will be no safer than the current vehicles. As the fundamental purpose of the SEVS, as submitted by the FCAI, was to close the small business participation in the used vehicle industry, the recommendations of the committee will have little or no effect on the final outcomes. The outcomes will be the closure or near closure of the industry with thousands of jobs lost, allowing the multinationals to control both the new and used vehicle industry. What it comes down to is this: the government has gone against the recommendations of the MVSA task force and has gone against its stated policy on free trade as espoused by the Prime Minister on his overseas trips to the USA and Europe. The government has gone against many of its own backbenchers and sacrificed many Australian jobs, all to keep big business and the multinationals onside.

In my right of reply I will highlight some further issues and inaccuracies including a most concerning issue relating to not only the possible but the probable closure of the Australian side of this industry and these Australian jobs being exported to New Zealand. I have several documents that I have been obtaining over the last two days directly from New Zealand that show extreme inconsistencies in the information that is actually being provided not only to the members of this chamber but also to the minister. The information is totally inconsistent with the actual statistics that are being put out by the New Zealand export sector of the car industry.

Senator BUCKLAND (South Australia) (4.32 p.m.)—Labor will not be supporting the motion to disallow the Motor Vehicle Standards Amendment Regulations 2001 (No. 1). The opposition is aware of the concerns that remain in parts of the industry, including those who exercised their right to demonstrate at the One Nation rally in Canberra yesterday. I did not see that but I believe there was an organised demonstration. If this motion did succeed, the new scheme in total would just fall over. This would totally undermine the intent of the legislation that was passed in this chamber on 27 September 2001 and came into effect in April this year. In short, this necessary scheme that is designed to regulate the importation of second-hand vehicles would simply fall apart. In my view, it is not open to this chamber or to the other House to amend regulations, so this disallowance motion, if successful, would knock over the whole process and the scheme that is largely in operation.

That has actually been the objective of some of the industry, and that is not Labor’s position. We in the opposition laid out our reasons for supporting the reform of this industry when the bill passed through this place last year. The opposition will not support a rearguard action by some in the industry and in the One Nation Party to undermine that reform and undo the changes that are in place. The rhetoric about Labor’s motives and the allegations and comments made by Senator Harris today—that we are beholden to a different part of the industry—are unfounded and are, quite frankly, typical of One Nation’s hysterical approach to policy.

I would also say for the record that the level of residual dissatisfaction with those
reforms is minuscule. In my case—and I was on the committee that looked at the industry and inquired into it—I have had one inquiry, and I am advised by the shadow minister that he has had fewer than 10 letters from the campaign supported by One Nation to disallow these regulations. In my view, that in itself is testimony that the reforms are not as devastating to the industry as the scaremongers and doomsayers would have us all believe. Those who have ideas and suggestions on how to improve the operation of the new regulatory regime for imported second-hand vehicles must work now with the administration of the scheme and put constructive suggestions forward. The opposition does not believe that an ISO regulatory regime alone is enough. That position is not accepted. Similarly, the opposition is satisfied that the appropriate review panels and mechanisms are in place to ensure that aggrieved parties have redress. To date the mechanisms have not been tested, although the scheme has been in place for some time. Over time the rigour and effectiveness of those mechanisms will become clear, but at this point the opposition is not moved to adopt that concern and is not moved to support the motion by One Nation.

Senator RIDGEWAY (New South Wales—Deputy Leader of the Australian Democrats) (4.36 p.m.)—I rise on behalf of the Australian Democrats and as a Rural and Regional Affairs and Transport Committee member to support the motion to disallow the regulations introduced in December last year relating to the Motor Vehicle Standards Act. I want to make a number of comments in relation to that. I was certainly on the same committee as Senator Buckland and, from an evidence point of view, there was no clear delineation one way or the other that what was being put forward established without doubt that the original intent of specialist and enthusiast vehicles had been satisfied or that what we were seeing coming out of the process was in the best interests of this particular sector within the automotive industry of this country.

I think that the introduction of the regulations last year was, to put it mildly, not the best day for a group of small business owners in a number of places in Australia but, more particularly, in regional areas within Queensland, South Australia and Western Australia. What I fear—and this is something that perhaps the government needs to take on board and to consider, given that no evidence was brought forward one way or the other—are the likely consequences in relation to the loss of jobs and the loss of small businesses, and whether, in fact, there will be a shift of jobs, as Senator Harris says, in relation to offshore places, particularly New Zealand. I think the crucial issue is about diversity in the automotive industry in this country and the loss of choice for road users in this country. The crucial thing in thinking about this particular issue is that, despite the fact that we are talking about one committee, we need to keep in mind that there were two reports prior to that—one from a government committee and the other from an interdepartmental task force—and all of them have raised exactly the same issues.

It is not a question of parties picking up particular issues that suit their ends. These issues have been on the table for quite some time and they have certainly been brought to the attention of the government. The government, of course, has chosen a different option to the ones recommended by departmental officers and ones recommended by the government’s own committee that looked at the issues some years ago. I refer to the Rural and Regional Affairs and Transport Legislation Committee—the government committee—where they had said, in relation to the new regulations being offered, that they had concerns that the impact of the Registered Automotive Workshop Scheme and the specialist and enthusiast vehicles scheme in their current form will ensure the demise of an entire sector of the industry, with the potential for some thousands of job losses. I think the government needs to keep that in mind. It is the government’s own committee that stated that the new regulations will have disastrous effects on employment within the industry, yet it fails to take any action, particular in terms of looking at the impact of the regulations. It is not a question of the Australian Democrats or the One Nation Party defending themselves; it is a question of the government addressing
possible consequences and issues that need to be resolved. Certainly, the regulations do not go anywhere near what needs to be satisfied.

It is also interesting to note that the committee recognised that it was inappropriate for the government, through the department of vehicle safety standards, to pursue what appeared to be broader industry policy through the use of safety standards themselves. It seems to me that, if you want to fix the industry, do not look at regulations and safety standards as the means of trying to bring about that change. Deal with it head-on. That is the only advice I can offer. Something that has been put forward is the Registered Automotive Workshop Scheme requiring ISO9000 accreditation to obtain registration. It seems to me that the Australian Democrats are the first to recognise the benefits of the series of accreditation in this case in respect of procedural quality, but it seems that effective accreditation requires the implementation of the appropriate standard development systems for the end product. I think we also have to say that, at the same time, it must not be abused as a tool to complicate and provide further unnecessary paperwork, and nor should it be the vehicle to drive an alternative policy agenda, which appears to be the case.

The proposal that has been put forward through the alteration of the regulations for low-volume vehicle importers is disjointed and, in parts, impractical and unnecessary. A part of the new regulation is the requirement for imported vehicles, normally six to eight years of age, to meet new car standards. This applies to car lighting especially. Ordinary resellers of motor vehicles are not required to meet such stringent, and I believe excessive, rules. And, while we are not about to support a compromise on the safety of vehicles used on Australian roads, the Democrats believe that standards should be applied equally across an entire industry, not to certain parts of it in an ad hoc way. Certainly, that has been shown in this case. If the requirement is that imported used vehicles must pass some new standard test, then that test must apply to all used vehicles. Alternatively, a base standard could be set up, which all vehicles on the road must pass.

If the department were serious about this issue, particularly on safety standards, then there would be agreements with other countries on what are acceptable levels and there would also be a set of standards to apply to all vehicles on Australian roads. These regulations appear to simply protect the interests of other industry players in this country at the expense of small operators. I do not see a conflict here in not having the space to cater for Low Volume Scheme importers. It is, in my view, a spurious claim to say that it is about one or the other, when the evidence certainly does not justify that. It is difficult to see the negative effects on the original equipment manufacturers from the activity of this sector—the evidence simply is not there. When you consider what is there, the small- or low-volume importers represent a fraction of the number of vehicles that are sold in the Australian market each year, and they are generally vehicles that are sold when they are six to eight years of age.

Having said all that, we are not blind to the fact that there needs to be reform in the industry. There will always be those out there who are not doing the right thing. We accept that without question. Consequently, we think it would have been more appropriate for the government—as it has done in the case of the automotive industry, the petroleum industry, and so on—to suggest the establishment of an industry code for the motor vehicle industry regarding vehicle imports. Such a code would see the development of an industry accreditation body, which would write the safety and conversion requirements for imported vehicles and would also administer education and qualification attainment for workers and owners within the industry. It seems to me that this body alone would include representatives from the industry, the department and the industry’s peak body. This issue has seen two Senate inquiries and an independent task force report, which have all returned recommendations on the need for reform in the industry as a whole, but not in the highly restrictive manner that is being proposed by this government. The only question that re-
mains after having considered that is the question of space in the market. There is room within the Australian car market to sustain both a viable new car sector and a viable used car sector.

Senator Boswell—Who said that? Where did you get the evidence of that from?

Senator RIDGEWAY—Certainly, from the evidence that has been put forward, those are the conclusions that can be drawn. In my view, consumers should be offered the largest practical choice and the government should take the needs of small business into consideration when determining policy for the country on this particular issue. Whilst I recognise the numbers at the end of the day on this particular issue, we do support the motion to disallow the regulations. We believe that there were better ways to go about this. We think that, given the number of reports that have been put forward—particularly by departments, departmental officers and the relevant committees—the evidence simply is not there to justify this move. In saying that, and recognising again the numbers, I have to say that whilst we support the motion to disallow we will not be supporting the call for a division.

Senator BOSWELL (Queensland—Leader of the National Party of Australia in the Senate and Parliamentary Secretary to the Minister for Transport and Regional Services) (4.45 p.m.)—I think we had better cut to the chase on this. I am absolutely surprised by both Senator Harris and Senator Ridgeway, because they belong to parties that continually call for tariff protection. Senator Harris’ leader wanted to build a tariff fence right around Australia and said it would provide more jobs. Here we have a situation in Japan where, at the end of four years of a car’s life, it becomes more expensive to register that car than to buy a new car. The price of a Japanese car is lowered by artificial means, in other words. If the government said, ‘We are bringing in a Japanese car, and we are going to subsidise that car by $4,000,’ there would be screams and shouts. Senator Ridgeway would be crying foul and so would the One Nation senator. But that is exactly what is happening here. At the end of four years, the car is worthless because it is cheaper to go and buy a new car. So they can throw it in the dump, they can turn it into scrap metal or they can pull the tyres off it—but they cannot put it on the road. Senator Harris wants good old Australia to take the dumped cars from Japan and make them compete against our car industry. That is what it is all about. You did not say one word about that. I do not know whether whoever wrote that speech understood it, but you certainly did not understand it.

We have a great car industry. Ten years ago, this car industry exported one car—and I think that car happened to belong to one of the embassies. We exported one Commodore. Now our car industry exports are $5 billion. They want them in the Middle East; they want them everywhere. We did not get there by wrecking the car industry. I remember we had a vote about this five or six years ago. I was on the other side of that debate at that time and, quite frankly, I was embarrassed to be there. Finally, I am on the right side in this debate.

Senator Harris says, ‘They weren’t doing any harm; there wasn’t any increase.’ Senator Harris, in 1995, 1,700 cars came in; in 1996, 2,873; and, in 1999, 13,741. Then the panic button was pushed, and 16,410 cars came in. I understand that you will not understand this, Senator Harris, but I would have thought that Senator Ridgeway would have understood it. Those cars have to be sold on the market. Say you go in with your 1999 Holden and you want to buy a 2003 Holden. The dealer who sells you the car sets a trade-in. That trade-in then has to compete with these imports.

Senator Ridgeway—What about support for competition?

Senator BOSWELL—I am all for choice, but you do not import injury. You do not import subsidies. That is why we have anti-dumping laws, and your party is all for it. The other thing that surprises me about the Democrats is that all this industry—or 90 per cent of this industry—is in your leader’s electorate. Ninety per cent of this huge, terrific car industry is in your leader’s electorate.

The ACTING DEPUTY PRESIDENT (Senator Lightfoot)—Did you mean my
leader’s electorate, Senator Boswell? Or did you mean that of Senator Ridgeway’s leader?

Senator BOSWELL—It was in the electorate of Senator Ridgeway’s leader. By gee! If you think you are on three per cent today, just wait until tomorrow. You will be groveling down at the bottom end of the market. Senator Ridgeway has always appeared to me to be a very intelligent sort of person. How he ever got sucked into this one I will never understand!

But let us talk about small business. Yes, there are 48,000 employers in the manufacturing industry. That is big business; that is the big end of town. I have had to take them on over their dangerous advertisements, and we got them to a position that I think is reasonable. But let us talk about the little dealer in Mareeba. He has a showroom. Probably he and his wife own it. He has a couple of mechanics and a couple of salesmen. He is a small business person. You are going to knock him out of the game. You are going to knock the used car dealers out, as well as automotive employment through the Holden franchisee or the Ford franchisee. There are thousands of them in country towns around Australia. They underpin the prosperity of those towns. They are the first people to put in a couple of hundred bucks for the local race meeting or for whatever is going around the village. They support it; they are part of the town—and those are the people you are going to affect.

Do not come in here crying crocodile tears for small business, because it is the small business people who run all these franchises around rural Australia. They trade a 1985 Holden for a 2002 Holden, and then they have to sell the trade-in against a Japanese car which has been imported because it has absolutely no value in Japan—you could turn it into scrap metal. They are selling a trade-in against a dumped car, and they cannot get the margin. What do they do? If they were smart, they would start importing cars too. You would have your franchisees importing second-hand cars. If that happened, we would not have a car industry. We would have a car industry like they have in New Zealand—a screwdriver industry. They do not manufacture cars in New Zealand. They do not have a car industry in New Zealand. If you do not want a car industry in South Australia, support the disallowance motion, because that is what you are going to end up with.

I have agonised over this. I have taken a lot of weight on this. I get no joy when people come to me and say, ‘My business is in jeopardy.’ I understand that. I have tried to be honest with them. I have tried to be sympathetic with them. But, in the end, you have to hurt someone. Either you are going to hurt these importers or you are going to hurt the little franchisee at Mareeba, Roma or any of those places. We can dillydally around with the figures and do all these sorts of things but, in the end, it amounts to importing injury to the car industry—and it is a car industry that, quite frankly, I think we all should be proud of. We took the tariffs off the industry and told it to compete, and it did. I think the cars that we drive at the moment—I have a Commodore—are equal to anything in the world. They have certainly improved.

The workers—apart from a few odd, stray people who do not play the game in the parts industry—have met their obligations. They have pulled their socks up and met the competition, and you guys want to pull the rug out from under them. I cannot understand you, Senator Ridgeway. I cannot understand it. If it were a matter of competition against the Japanese, I would say that there is no problem—that is competition. But you want to import a car that has been devalued to zero to compete with Australian manufacturers. This is totally opposed to anything the Democrats have ever said. I suggest the Democrats get Senator Andrew Murray back and they might get a bit of intellectual capacity back. I know he is on strike on the backbench, but get him back and get him to raise these issues in the party room and he will explain them to you.

We have a choice. We can have an imported car industry and have 6,000 people employed, but gradually it will whittle our car industry down because our automotive franchisees will not be able to compete. They will then have to bring in these dumped cars, and so it will grow. New Zealand had a car industry. It has not got one anymore. We ac-
Eventually export a lot of cars to New Zealand and overseas. We brought in a scheme and told people that they could bring in 25 cars. Then they registered mum and the kids and had multiple companies, and the cars just flooded in. They went around the system. That is fair enough. We tightened the system. They went around the system. We tightened it until we could not tighten it any more and we had to get away from it. But every company in Australia just cannot go out and do what they want. I am sympathetic towards them. I have had them in my office. I am sorry for them. But when you are in government you have to take the position that is going to inflict the least hurt on the most people. That is what we have done, because there are 48,000 people employed in the manufacturing industry and 50,000 people employed in small business. Weigh that up against the 6,000 people involved in this, and you would make the same decision. It hurts the other side; I concede that. But why put an industry at risk? I hope that your disallowance motion does not get up.

You have spoken to me about imports from New Zealand. I have made inquiries on that. To the best of my knowledge, 300 cars a year come in from New Zealand. They are brought in by people immigrating to Australia and bringing their car with them. Of course, you can bring in SEVS under the new regime we have put in. If they are specialised, vintage or muscle cars—cars that are not manufactured in Australia—people can bring in up to 25 of them. We have kept out any cars that compete and are manufactured in Australia or are imported from Japan, because they are dumped. We have done that in order to protect this great industry and to protect the employment of all the small business people, not only in the cities—and there are many there—but all over Australia. There are very few small towns or regional centres that have not got a Toyota dealership, a Holden dealership or some type of dealership. You are putting all that at risk.

I hope that with the few words that I have given you, Senator Ridgeway, you will have a conversion: the scales will fall from your eyes and you will not support the motion. Senator Harris, you are certainly on the wrong track on this, like most things One Nation get on. They fall into conspiracy theories, listen to rubbish and nonsense—it has happened—and you bring it down here and import it. But when you are down here, you are not talking to just any people; you are talking to people who have a few ideas and who can go and research what you are saying. You cannot peddle nonsense down here, because you are tested. You are tested in the Senate, you are tested by senators having access to information and you are tested by various things such as debate. How can you get up and say that you are not putting the automotive industry at risk? You are and you know you are, but you are doing it because a few people have wound you up. People do that but sometimes you just have to walk away and say, ‘No, that is not right.’ The government will not be supporting this disallowance motion, the Labor Party will not be supporting this disallowance motion and I hope no-one else in the Senate will, other than Senator Harris.

Debate interrupted.

FIRST SPEECH

The PRESIDENT—Order! Before I call Senator Johnston, I remind honourable members that this is his first speech. I therefore ask that the usual courtesies be extended to him.

Senator JOHNSTON (Western Australia) (5.01 p.m.)—I rise to speak for the first time in this place, and in so doing I note that all senators in their first speeches express their sense of pride and honour at reaching this pinnacle of their political and community service. I too express those sentiments, firstly as a Western Australian and then as a member of my state’s Liberal Party. Mr President, I commence my remarks by sincerely congratulating you upon your election. I note with great interest that you were, in a past life, the Warden of Clarence in Tasmania at the time of the Tasman Bridge disaster. As a lawyer on the Eastern Goldfields of Western Australia, I practised in the Warden’s Court. I came to know and understand the broad and quite considerable summary powers of a warden. With this respect and experience, I assure you of my loyalty, obedience and adherence to your rulings.
I also extend my congratulations to all senators elected at the last general election but I particularly congratulate new senators sitting for the first time, as I am. So, to Senator Webber from my home state of Western Australia, to Senators Kirk and Wong from South Australia, to Senators Stephens and Nettle from New South Wales, Senator Marshall from Victoria and Senator Moore from Queensland, I offer my very best wishes for your future service and my respect and admiration on your achievement in joining this parliament.

I feel obliged to acknowledge that a relatively small number of Western Australians voted for David Johnston and so express my deepest thanks and appreciation to my party in Western Australia, particularly my state council, for the faith, trust and high expectation that they vested in me in placing me at No. 2 on our ticket. In the election, 41 per cent of Western Australians chose the Liberal Party, sufficient for us to fill half of the vacancies, and so I thank those electors for their faith in my party to deliver good government, a faith I intend to do my utmost to live up to. In acknowledging the Liberal Party of Australia, I particularly record my gratitude towards and my admiration of my parliamentary leader, the Prime Minister; his deputy, the Treasurer; the party’s federal president, Shane Stone QC; and our federal director, Lynton Crosby. Their success in this last campaign was a success for me and has provided me with the privilege that I enjoy today in this place.

I note that a new senator, some many years ago, in making his first speech called the commencement of parliamentary life an ‘honourable adventure’. I confess that I was most taken with this description, particularly whilst climbing over HMAS Warramunga at Stirling Naval Base last week with Senator Hogg on his defence references committee, of which I am a member. I sincerely congratulate Senator Hogg on his election as Deputy President of the Senate.

I was the president of my party in Western Australia for four years and, without doubt, it was the most expensive yet rewarding hobby I have ever undertaken—rewarding because I had the opportunity to work with hundreds of devoted members of the Liberal Party who work behind the scenes, year in and year out, expecting no reward except the reward of being part of our great party’s success. I have enjoyed the love and support of my family in all of my political endeavours—which commenced back in 1974 with the University of Western Australia Liberal Club—through all of the thick and thin, the rough and smooth, which is part and parcel of this vocation as most senators will know and understand too well. I take this opportunity to say that, through it all, I have appreciated very greatly my family’s devotion and loyalty to me in my political endeavours.

There are legions of people who, during my time as a senior Liberal in Western Australia, have provided wise counsel and direct assistance to me. I cannot mention them all but must acknowledge just a few. The member for Canning, Don Randall, has been both counsellor and a loyal and trusted friend to me, as have Bob Cronin and Nigel Hallett. My party state president, Kim Keogh, and particularly the state director, Peter Wells, have extended to me the benefit of their skill and guidance over four years whilst I was my party’s state president. I also acknowledge with thanks the support and assistance of all Western Australian senators over the years—now dating back almost 20 years.

As a Western Australian Liberal, I cannot talk of my side of politics without mentioning one person who, with a quiet determination and bearing, set a unique standard for a conservative young Western Australian in the 1960s and 1970s and bequeathed to all Western Australians a legacy of good government, employment and economic growth. He was a man who took my state of Western Australia from the mendicant state that it was to the cutting edge engine room and productive powerhouse that it is today. Of course, that person is Sir Charles Court. As a university student I admired him and enjoyed the fruits of his foresight and courage, for he was the father, the great promoter and facilitator of North West Shelf Gas. He was the man who signed the take-or-pay contract that got the ball rolling—and what a magnificent ball that still is, as we witness the latest contract. As our whole nation celebrates our recent
export success, I revel in my good fortune to have known him, to have been—and continue to be—influenced by him, to have been a Western Australian during his premiership and to be a member of his Liberal Party in Western Australia.

May I say, Mr President, that the immeasurable benefits to Australia of a strong and viable mining and oil and gas industry in so many related fields are only just beginning to be visible. I point to the amazing capacity of our engineering industry in Western Australia and our shipbuilding industry in Western Australia, and to our capacity to take those industry skills and apply them directly to the national good, particularly in the provision of defence support and equipment manufacture. Nearly all of this corporate and commercial skill has its genesis in the mining or oil and gas industries.

My experience in Western Australia has brought home to me that the decisions and the commitments which we as senators and members make today and tomorrow can have generational impacts. Knowing as I do that the decisions made by a state premier in Western Australia in the 1970s significantly contributed to the commencement of the North West Shelf gas project, I pause to say a special thank you to Sir Charles Court for his work at that time.

In mentioning this project, I have great concern that we may not see the like of such a project or, for that matter, a project like the Ord River scheme again. I say this for any number of reasons relating to our capacity to raise capital and for other reasons, and more recently having read the adjudication of the High Court on native title in Mirluwing Gajerrong. As a former Aboriginal Legal Service solicitor in Kalgoorlie in the early eighties, as a legal consultant to the mining industry for almost 20 years, having had an involvement in the pastoral industry and having practised law in the area of native title, I have some knowledge and understanding of this subject, such that I am alarmed at the direction that this process is currently taking.

No doubt some senators will entertain a degree of scepticism and cynicism on the subject of native title being raised by a Western Australian Liberal, but I will be brief on the subject and commence by saying that not everything you hear from a Western Australian Liberal on the subject of native title is poison or partisan. I believe that the Native Title Act 1993 was enacted for very noble and valid reasons: firstly, to provide an acknowledgment to Aboriginal people that they do have a special and unique relationship with particular land and to grant title thereto; and, secondly, to clarify the law and to provide some certain basis for land administration in Australia—in short, as a response to Mabo.

This chamber was pivotal in the formulation of that response and the legislative framework that followed. I bring this issue not as an advocate for the miners, the pastoralists or local government in Western Australia, although I am close to all of them, and they are certainly very, very unhappy with this present native title regime. I raise the issue solely from the perspective of the claimant groups standing behind 589 active native title applications in Australia. In 10 years we have seen 33 native title determinations, 23 of which were consent determinations and 10 of which were therefore litigated decisions. At this rate, given the number of claims and the cost of the litigation to date, we will be seeking to determine—and I use that word precisely—native title claims into the year 2150 and beyond. That is in about 150 years. The cost is likely to be millions, if not billions, of dollars.

Mr President, we in the west know about the practical working of this law. It is not working to anyone’s benefit—certainly not anyone it was intended to benefit. The fact is that ‘native title’ is a statutory definition requiring evidence of rights and interests held in relation to or in connection with land or waters under traditional laws or customs in each application. I pause to say the word again: evidence. In almost every instance, for there to be a determination leading to a grant, evidence must be given. This is a significant problem for Aboriginal people.

Those Indigenous people who might be capable of meeting the evidentiary threshold have a life expectancy well short of the time frame for the determination of their claims. It
is a problem which is exacerbated by the fact that adherence to traditional laws and customs is rapidly and obviously diminishing in almost all Aboriginal groups and communities. Some advocates of the present regime say that the solution to this may lie in the resolution of claims by and through agreement under the act. The history of the practical working of the Native Title Act does not, however, support this, and state governments of whatever political persuasion—and we all know that there are no coalition governments left out there—disclose no determination or vigour to resolve or grant native title under the present legislative framework.

This regime is not working and the intended beneficiaries are, in fact, the most obvious of victims. I am not the only one saying this. I talk to the claimants—and there are many of them in Western Australia—and Indigenous commentators such as Noel Pearson, and parliamentarians. As recently as last week the member for Fremantle voiced her concern. Aboriginal people are coming to understand that native title is a false dawn. The good intent that I want to believe was the driving force behind this legislation runs the very real risk of being viewed by history and the effluxion of time as nothing more than justice delayed, which we all know is justice denied. This would be nothing more or less than another historical tragedy for these people—ever much more so as the witnesses pass away and the traditions and customs fade through the ‘tide of history’, in the words of most learned Federal Court judge Howard Olney, from Western Australia, when he ruled on the Yorta Yorta case. And all relating to a people and culture that are fragile in so many ways, who desperately want to believe they can trust their governments and who are the most susceptible and sensitive to betrayal by those governments no matter how well intentioned.

As it now stands, this regime and framework have great potential to leave all stakeholders dissatisfied, frustrated, to be a betrayal of Indigenous Australians and to lead effectively to nowhere. I have some views on the solutions, but this is neither the time nor the place. The first step is about senators in particular having the will to re-build this regime. I wish to encourage that will at every opportunity and respectfully seek to make some contribution in that area during my time here.

In closing, I wish to acknowledge and applaud my diligent and conscientious staff who, in the very busy first month of work, have performed above and beyond the call of duty. I must also mention the hard work, the long hours and the years of toil by my parents, which provided to me a most privileged upbringing and life, a work ethic and a strong sense of compassion and concern for those less privileged than myself. My parents and my sister have travelled from Perth to hear me deliver my first speech in this place, and I have very much enjoyed their company on the commencement of my parliamentary adventure.

Finally, to my family, my wife and three children, may I say that their love and care have been my strength and inspiration in my political pursuits over the years, and I record my gratitude to them. I thank honourable senators and I thank you, Mr President.

**FIRST SPEECH**

The PRESIDENT—Before I call Senator Webber, I remind the honourable senators that this is her first speech. I therefore ask that the usual courtesies be extended to her.

Senator WEBBER (Western Australia) (5.16 p.m.)—Thank you, Mr President. I would like to thank the Senate for this opportunity to make my first speech in this place and to congratulate you, the Deputy President and my fellow members of the class of 2002 on your elections. The key theme of this speech is based upon the words of Edmund Burke. He said:

In history a great volume is unrolled for our instruction, drawing the materials of future wisdom from the past errors and infirmities of mankind. I intend to discuss a personal history in the context of my family, my party and the union movement to outline why the issues that confronted Australia in the past are mirrored in the present. I will also seek to address the belief, founded in that history, that demonstrates that the issues that confront us are best handled by a spirit of cooperation, focusing on the things that unite us rather than those that divide us.
To begin, I would like to extend my thanks to the many people and organisations that have supported my candidacy for the Senate. The Western Australian branch of the Australian Labor Party endorsed me as a candidate and I would like to thank the members of the party in WA for the incredible opportunity they have afforded me and the significant trust they have placed in me. The people of Western Australia saw fit to provide sufficient votes to enable the ALP to secure more than two quotas. I see my election to this place as a victory for my party, not a personal victory. Therefore, in the highly unlikely event that I find that I need to resign from the party, I will also resign from this place.

Secondly, I would like to thank the members of EMILY’s List for their assistance and support. I stand before you today as the first new woman member of the Senate from Western Australia for many years. Indeed, Labor has not had a female senator from WA since 1993. I am confident that the mentoring and support provided by organisations like EMILY’s List will go a long way towards redressing this. The other organisation I would like to thank is the AMWU for their support and encouragement to take up this Senate position—a position that became vacant when former senator Jim McKiernan chose to retire and not to contest the election last year.

Jim McKiernan is a remarkable example of all that is good about the labour movement. Having left school before his 14th birthday, he commenced his first full-time job nine days after that birthday in his native country of Ireland. He emigrated to Australia in the early sixties and built a new life. Eventually that led him through the ranks of his trade union—incidentally, the AMWU. He was then elected to the Senate in 1984. He took up his term on 1 December 1984 and served until 30 June this year. During that time he served on numerous Senate committees. He was a staunch advocate for the processes of this place, and if in my time here I make them relevant to half the number of people and organisations that he did I will feel that I have worked very hard indeed.

Jim is also remembered by the people of Western Australia for the unrelenting support provided personally and by his staff with immigration matters. His work over almost 18 years assisted numerous people in their immigration to this country. I suspect that his own experiences as an immigrant played no small part in his support for others going through the same processes. He was a constant and strong supporter of trade unions. I would like to place on record here today that I intend to mark my time in the Senate as a person who will maintain that support.

My family, many of whom are here today, represent four generations of Labor tradition. Although it was always part of the culture of my family to be a member of the Labor Party and support the Labor Party and working people, it was not until my grandfather Paul Green began working for the Australian Workers Union that true activism came to the fore. He went on to become president of the Victorian branch of the union and my being here today is due in no small part to the deep set of principles and commitment he instilled in all of us. Unfortunately, he died whilst still working for the union but, to my grandmother, mother, father and other members of my family, I would like to convey my thanks for their constant support and encouragement.

The struggles that union officials and members like my grandfather undertook are not forgotten, nor will they ever be forgotten so long as working people lack the opportunities that are available to others within our society. The history of their struggles provides those of us who continue to espouse the rights of working people with the strength to continue that fight. Their victories and defeats provide us with a sense of commitment to ensure that their good work is not overturned and that we will build a future that is better for the next generation.

There seems to be a view promoted by those opposite that the Labor Party is struggling to find relevance in the 21st century. This view is usually espoused by conservative politicians and their supporters in the media who do not want any focus on the state of the coalition. The reality is quite different. Labor is not out of touch, nor is it
irrelevant, nor are the links to the trade union movement grounds for concern to most Australians. The only people who are concerned about the Labor Party’s links to the union movement are our opponents. They want to whip up another form of hysteria to rival the reds under the beds hysteria of the fifties and sixties.

Labor holds government in every state and territory in the Commonwealth. These fiscally responsible and progressive administrations are hard at work implementing policies that provide significant improvements in health, education and infrastructure that benefit all. As Australia’s oldest political party, Labor respects its history but is not locked into a blinkered view of it.

We understand that, as the only Australian progressive political party that existed prior to Federation, we must not be a captive of our past but use it as a springboard to continually re-engage the Australian people. As long as Labor have existed, we have had a vision of how Australia should develop and the benefits that should flow to our people. Our history allows us to renew our core principles and beliefs, to learn from the struggles and challenges of the past and to always focus on the future.

The strength of the ALP is such that we are able to undertake reviews of our policies, objectives and structures without pulling ourselves to pieces. The policy review currently being undertaken by our deputy leader has been about re-engagement with the concerns of everyday Australians so that new policies can be developed that reflect the needs, concerns and aspirations of all Australians. It is often said within the Labor movement that we are a broad church: our members represent many different viewpoints and opinions, we do not outlaw dissent at the local level and we trust the members of our party to hold rigorous and forthright debates about the issues of the day—debates that are internal to the movement, debates that accept that when we operate in parliaments around the country we do so in a united way. Open debate within party forums means that all views are heard.

For all members of the ALP, the term ‘light on the hill’ is not some glib cliche that is thrown around to talk about the future. It is a reality that we are always working towards. It is well to remember the full quote, and I take the opportunity to remind the Senate of the words of Ben Chifley:

I try to think of the Labour movement, not as putting an extra sixpence into somebody’s pocket, or making somebody Prime Minister or Premier, but as a movement bringing something better to the people, better standards of living, greater happiness to the mass of the people. We have a great objective—the light on the hill—which we aim to reach by working for the betterment of mankind not only here but anywhere we may give a helping hand.

That quote epitomises why I am a member of the Labor Party. I am interested in ensuring that the work we do here in this chamber is about making the lives of Australians better.

Many of the great challenges that confronted the ALP 50 years ago have been met. We have seen access to education, health and social security introduced and improved over time. However, these are all now under attack. We now see that access to education is increasingly moving back to the days of the past. When access to higher education is no longer universal but is accessible to the ‘thick rich’ or paying foreign students, this is not the light on the hill but the gradual dimming of it. Likewise with health: it is less than 20 years since the Hawke government introduced Medicare, but since then we have seen this access reduced, wound back and in some cases stopped altogether. The recent figures on the provision of bulk-billing indicate this. As John Curtin pointed out in the Daily News on 7 March 1933 when talking about the then Labor Premier of WA, Collier:

If it comes to a question of balancing the budget or feeding the people, feeding the people will have to come first.

I would like to reaffirm this commitment. Labor is concerned with ensuring that access to health, education, welfare, community services and other government services is determined by need and not by the depth of your financial pockets. To this end, I believe that the key focus of any Labor government is work—work for everyone that wants to work, work that is safe and healthy, work that is fairly paid, work that allows time for family and community, work that is reward-
ing and stimulating, and work for each according to their abilities.

The nature of work has changed; there is no use trying to pretend otherwise. However, throwing our hands up and saying that, because of globalisation, trade reform or technological change, the changes are so profound that we must be spectators in the process is just not good enough. Australians deserve better than no policy response. In fact, we may see the last six years as the time when Australians gave up full-time employment. Recent ABS data revealing that 98 per cent of new jobs created in the last three years pay less than average weekly earnings suggest that we are failing our people. What sort of Australia are we allowing to develop when people are working in temporary and casual jobs when they want to work full time? What right do we have to push unemployed Australians into pointless and demeaning Work for the Dole projects?

I believe that the current employment debate is ill-served by Australian conservative politicians. Let us examine some of the great ‘truisms’ of the unemployment debate. One: there are jobs if you are prepared to work or, as the minister would have you believe, Australians are job snobs. Simple maths tells us that, with 700,000 officially looking for work and the fact that there are not 700,000 job vacancies, this truism is false. Two: the unemployed are dole bludgers who will not work. There are too many Australians growing up in homes where no-one is working full time. There are too many older Australians being denied the opportunity to work full time because they have been thrown onto the scrap heap in their mid-40s. Simply put, there is not enough opportunity in Australia today for everyone to work. This must be the key concern for those of us who were chosen to represent our fellow Australians in parliament. Work and job security must be our key priority. It has always struck me as lazy thinking to expect that it is more cost-effective to spend money on supporting those Australians without work and yet not have policies that aim at job creation. Is it logical to pay someone to look for work that does not exist? It is a fundamental right, however, that while you look for work you will be supported.

The key response to a lack of work must be an environment where we are encouraging the development of new industries. Let us not fool ourselves that providing breaks to corporate Australia is the only way to achieve this. We need a policy mix that rewards innovation and research, that provides tax relief to new plants and factories and that encourages the development of fair trade with other countries that build on Australia’s strengths. It seems to be that in Australia if you suggest that we need to have an environment that encourages new industries then you are accused of providing government welfare to business. It is as if these people believe that it is better to have lower taxes than it is for all of us to work.

New industries lead to new jobs—not to low-paying, part-time jobs but to high-paying, full-time jobs. For example, aquaculture is a relatively new industry in this country—an industry that leads to increased jobs, especially in regional Australia. With a coastline of over 20,000 kilometres we have the natural setting to allow extensive aquaculture. Aquaculture is an industry that is renewable and not as climate dependent as wheat or livestock farming, for instance. Traditional farming has been the subject of technological change over the last 50 years that has seen most of the jobs disappear from it. Nowadays only four per cent of the working population are involved in farming. Prior to the Second World War it was 28 per cent. These jobs will not come back. Is it any wonder that country towns are in decline? Without jobs in the area, services and businesses decline. Surely the challenge before us is to create an environment where new opportunities can develop in these areas. Tourism in regional areas does not create full-time jobs.

How can we look our fellow citizens in the eye and talk about how governments are working on their behalf when so many of them are unemployed or underemployed? We are not bringing improvements to 6.5 per cent of our work force that is unemployed, nor are we providing any real hope of improvement when so many of the jobs being
created are below average weekly wages. It is not possible to raise living standards when there are so many working poor. We are not aiming at the betterment of our society when so many Australian children are growing up in houses where there is no-one in full-time work. We do not achieve anything by putting people into Work for the Dole projects where they receive little or no accredited training. We must address these issues as politicians and as a community. Work should be seen as our defining criterion for success. If we have an Australia where people want to work and are not able to, then we are failing. I intend to concern myself with that fundamental task.

We should at all times while we are in this place ensure that our approach is to help Australians, not by introducing policies and programs that are poorly administered and do not take into account the practical application of these programs in the lives of our fellow citizens. In finishing, I want to refer again to Ben Chifley’s ‘light on the hill’ quote. It is hard to see that our present system is contributing to better standards of living, greater happiness or the betterment of Australian families when we have such poorly administered programs as we are currently seeing. In closing, I would like to thank honourable senators for this opportunity to deliver my first speech to this chamber. I believe that I have a responsibility to work on behalf of Western Australians, indeed all Australians, to ensure that we deliver legislation that is all about better standards of living—in fact, to work always towards that light on the hill.

**MOTOR VEHICLE STANDARDS AMENDMENT REGULATIONS 2001 (No. 1)**

**Motion for Disallowance**

Debate resumed.

**Senator HARRIS** (Queensland) (5.35 p.m.)—I rise in my right of reply to the debate relating to my motion of disallowance. The motion of disallowance is not about exports and it is most certainly not about wrecking the Australian automotive industry. The regulations pertaining to the Motor Vehicles Standards Act 2001 have caused severe hardships for hundreds of people. There were previously around 1,500 compliance plate approved holders but today only 11 businesses have applied for registered automotive workshop approvals, a take-up of less than one per cent. I just want to emphasise that to the chamber. Prior to this regulation coming in, there were approximately 1,500 approved holders. When this regulation is finally decided today, if it is not disallowed, there will be 11 approved holders. We have to look at those numbers. The government has said that some of these people have been roisting the system, and I am not in any way, shape or form purporting to support them. The government has also said that the information we base our arguments on has no substance. I will return to that issue at a later date.

The regulations place excessive limits on the type, make and model of used motor vehicles that low volume industry is allowed to import. Requirements to operate under the new scheme involve expensive workshop set-ups, excessive government charges and a tangle of bureaucratic red tape. Because the regulation at its implementation and printing has effect at law, it is already working out there in the industry. It has caused marriage break-ups. This is not One Nation being wound up; this is the reality. It has caused undue financial hardships imposed by the regulations. Businesses have been affected without compensation. These people had a licence to import a certain number of vehicles and these regulations remove that right without any compensation whatsoever. One Queensland businessman has agreed to my using his own personal case as an example. He has lost more than $100,000 in his compliance equipment and parts and he is now searching for a job. He will not recoup the money that he has used to mortgage his house and could ultimately lose his home—all as a result of these regulations.

Another business owner has vehicles which were actually in the country under his actual import licences before the regulations came into force. The Department of Transport has refused to plate those vehicles due to unrealistic deadlines. A compliance plate approval holder has approval for American
vehicles for which production stopped in 1989. Many of his clients in Queensland have imported vehicles but cannot yet afford to have them converted and complied. These people will lose their vehicles because it is not worth his while to enter into this new system when the vehicles will not require compliance after 2004. Some people have been instructed to actually export the vehicles that they have legally brought into this country. They have been told to completely dismantle them or destroy the vehicles. If this occurs, the owners will lose up to $30,000 and this is totally unacceptable.

There are numerous other examples of how these regulations are harming the industry. There are many myths surrounding the industry and perhaps the biggest myth is that of spare parts. Let me put some real facts on the record. Full volume vehicles—that is those that are imported and sold on the market in Australia and also those that are manufactured in Australia—also have problems with spare parts. One shop repairer took three months to source a driver’s door for a Subaru vehicle, which is a full volume saleable vehicle in Australia. We have a low volume importer who has previously imported Chevrolets who can access, out of Hawaii, parts for those vehicles faster than a dealer in Queensland can access parts from Adelaide. Low volume vehicles are being serviced by mainstream dealers, and one Toyota dealer sponsored the low volume industry’s national conference. Nissan have put out a circular stating that they will supply any part for imported used vehicles. Toyota dealers are making good profits by supplying parts for these low volume vehicles. Owners are happy with them because they offer good value for money.

Senator Ridgeway raised an important issue relating to the difference in criteria that is being imposed upon people who import these low volume used vehicles, in that, if a person in Australia has on their lot a vehicle that is of the same age, they are not required to go through the criteria that one of these low volume importers is required to go through to put another vehicle of a comparable age on the market. That is a very important issue. Senator Boswell, in his opening comments, spoke about putting real issues in place. He spoke of my home town of Mareeba. I find it very interesting that I personally know both of the dealers in Mareeba and in the three years that I have been in this chamber neither of them have ever raised the issue that these low volume imports are a problem or any source of problem to them either selling their new vehicles or selling their used vehicles.

I would like to refer to some statistics. In an answer to a question that I put to the Hon. Chris Ellison, he has kindly provided me with some statistics based on motor vehicle imports by port of loading for the period January to June 2002. The report contains substantial inconsistencies. It states that 288 motor vehicles were imported from the port of Auckland into Australia in the period January to June 2002. However, a little further into the document we find that the entire number of vehicles accredited to New Zealand for the same period is 42. This document is either extremely flawed or the department is having extreme difficulty keeping in touch with the volume of vehicles coming from New Zealand.

That document is freely available to any senator who wishes to check it out. I now want to refer to a document from New Zealand. For the year ending in July 2001, the document shows that 1,556 vehicles came into Australia from New Zealand and these are purported to be personal imports. To comply with being a personal import, the person has to have owned that vehicle in New Zealand for 12 months, so it cannot be a new vehicle. In addition, that person can only bring over one vehicle for themselves.

I would like to draw Senator Boswell’s attention to a few issues. In February 2002, in one instance 11 vehicles were imported into Brisbane. At another undefined port of arrival, 17 vehicles were imported in one instance. In two instances there, 28 vehicles were imported but under the regulations only a single import is permitted if they come in under personal imports. Four vehicles were imported into Melbourne in February 2002. The description of a designated vehicle refers to the vehicle’s spark ignition, internal combustion, reciprocal piston engined cylin-
der capacity exceeding 1,500 cubic capacity but not exceeding 3,000 cubic capacity—a new motor car assembled. So in Melbourne in February 2002, four new vehicles came in under what is supposed to be a personal import.

In January, 14 used vehicles in one group, 10 in another group and 17 in another group were brought into Sydney and Brisbane. In February 2002, a total of 212 vehicles were brought into Adelaide, Melbourne and Sydney under personal imports. In March 2002, another six brand new vehicles were brought into Melbourne and two other undefined ports. My concern is that either the department is unaware that these vehicles are coming in—or are they illegal?

Mr Martin Ferguson asked the Minister for Transport and Regional Services a question on 5 March 2001. For clarification, the reference is to imports that were available to the low volume industry, so the figures I am going to quote now are through the Low Volume Scheme. According to the minister’s answer, 302 Toyota CXR series units and 1,322 Toyota Soarers were imported in 2000. For Toyota Supras—

Senator Boswell—What year is this?

Senator Harris—In the year 2000. There were 338 Supras and 3,483 Toyota Surfs. If you add those up, 5,445 units were brought into Australia under the low volume system and they are all Toyotas. If Toyota were to make an economic decision for those vehicles to be no longer available to the low volume Australian importers, and Toyota then decided to put those units through its defunct assembly line in New Zealand, is that how we have this anomaly between what the department is telling the chamber has come in and what New Zealand are saying they have exported? As I have clearly said from day one, this is my real concern. In respect of the regulation before us, the low volume industry has clearly said that the industry needs to be restructured. Until 1999, it worked with the department to achieve that. All of a sudden, there was a change in direction by the department and we have a totally different outcome in these regulations.

As all the honourable senators know, we only have two choices in this chamber with a regulation and they are to disallow it or to agree to it. I wish to disallow this regulation because it will and has perpetrated undue hardship on the existing low volume importers. This is a wake-up call for the government to get their act together, because if they defeat this disallowance motion and we then find that we have those 5,000-odd units coming back into Australia via New Zealand through Toyota it will be on their heads.

Question negatived.

Senator Harris—I would like the record to note that One Nation was the only party supporting the disallowance motion.

The ACTING DEPUTY PRESIDENT (Senator Bartlett)—I am sure the record will note your statement, Senator Harris.

WORKPLACE RELATIONS AMENDMENT (PROHIBITION OF COMPULSORY UNION FEES) BILL 2002

Second Reading

Debate resumed from 19 August, on motion by Senator Ian Campbell:

That this bill be now read a second time.

(Quorum formed)

Senator Ludwig (Queensland) (5.57 p.m.)—I rise to speak on the Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002. Once again this government is pursuing an industrial relations agenda that seems totally out of step with society. The idea behind this ill-conceived amendment is to amend the Workplace Relations Act to prevent the Australian Industrial Relations Commission from certifying or varying an agreement that contains a provision requiring the payment of a bargaining services fee. But, not content to prevent the Industrial Relations Commission from certifying or varying an agreement that may contain a provision requiring payment of a bargaining services fee, this bill goes on to comprehensively expunge the idea from the industrial relations system.
This is not the deregulated Workplace Relations Act that the coalition brought in in 1996 with so much fanfare. In fact, what it is now beginning to look like is an act that contains many provisions which attempt to ban, discipline, excise or regulate the conduct of unions and their members. It is a far cry from the apparently lofty objectives set out in the original 1996 act by the coalition government. Let me remind the Senate that the object of section 3 under the Workplace Relations Act 1996 was:

... to provide a framework for cooperative workplace relations ...

It goes on to say:

(b) ensuring that the primary responsibility for determining matters affecting the relationship between employers and employees rests with the employer and employees at the workplace or enterprise level ...

But, in relation to the Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002, we have a government that is intent on re-regulating everything it finds distasteful or difficult in its eyes—not in society’s eyes, not in an industrial relations sense, not with regard to what industrial relations needs or requires, but what it finds objectionable. It is quite wrong. It does not, apparently, refer back to the objects of the act and have a look at what it is supposed to do.

What it is supposed to do is provide a fair framework of industrial relations, to provide a system which allows employees and employers to regulate the conditions of employment by the means that they choose. It goes on to say at (e) in the objects of the Workplace Relations Act that it is about:

... providing a framework of rights and responsibilities for employers and employees ...

This government is intent on mouthing those things but not following through. What it does not want to do is allow a framework. What it wants to do—and it has been doing it for some time, and it seems intent on continuing—is provide quite proscriptive legislation—quite damning legislation when you start to read the full import of it. Not content simply to provide a framework to allow regulation and to allow employees and employers to get on with the business of being in business, the government wants to be able to ensure that all the things that it finds difficult to deal with—whatever troubles it—can be banned, regulated or excised. That seems to be its mantra when it comes to workplace relations.

Rather than letting workplace relations mostly govern itself, it seems to me that the government has abandoned many of the concepts that it set out in its 1996 legislation, given that the 1996 legislation in my view was not particularly fair to begin with. It has decided to intervene at every twist and turn where it has found something difficult, something it could not swallow and could not allow to go on. It is such an interventionist government, yet you hear from the government that it is not an interventionist government and that it does not put itself in the shoes of the fisherman and deal with matters. That is what it says, but in reality that is what it always seems to do.

The government, through Mr Tony Abbott in his second reading speech, has characterised this as trying to stop the bringing about of 'Clayton’s compulsory unionism'. He believes—or he at least says that it is in effect a compulsory union levy. Again, this is the strange mantra that this government throws up. It has strawman reasoning as its idol. It brings up something like a compulsory union levy and says, 'This is what it’s about,' but when you read the title—the Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002—you do not see that term mentioned. So the government promotes a myth and then tries to knock it down. There is no point in doing that. If it argued its points cogently and openly, we might be able to have a decent debate about bargaining services fees, rather than the strawman reasoning proposed by Mr Abbott.

In fact, my view is that he has missed the point again anyway. He often reminds me of the boy with the finger in the dike. Industrial relations is a model that is fluid, and you might be able to have a decent debate about bargaining services fees, rather than the strawman reasoning proposed by Mr Abbott.
since people decided to regulate work and in fact go to work and industrial relations will continue to develop notwithstanding Mr Abbott, and it is about time he understood that. It is not a case in point for him to be trying to find outlets and saying, ‘Look, I don’t really like that flow, so I’ll put my finger in and try to stop it.’ Regardless of the draconian legislation that he brought in in 1996 and the many attempts to amend it to make it even more draconian, Mr Abbott should really go back to the drawing board and have a good look at some of his issues that have floated up and been put forward. He should look at them and have a meaningful discussion with the shadow workplace relations spokesperson and try to move forward, rather than being antagonistic. I think that in truth he really misunderstands industrial relations. It is not really my place to say so, but perhaps I can suggest that it is really primarily about people’s behaviour at and in work. That is where Mr Abbott really fundamentally misunderstands industrial relations. He sees it as a contest. It is not a contest; it is about people’s work and life. Mr Abbott comments in his second reading speech:

... members opposite claim that these compulsory union fees are in fact some kind of an industrial version of the fee for service principle. Mr Abbott then descends to using a strange analogy about someone painting his house and later demanding a fee for the service. Whatever you want to make of the analogy, it seems Mr Abbott is either ignorant of industrial relations practices throughout the world or misinformed about the systems of industrial relations practised in many Western democracies. It seems to me that he draws a false analogy. It is not the appropriate analogy to draw, because in the analogy he described—where the painter painted his house without consultation—he left out consultation. In industrial relations to make a certified agreement—as Mr Abbott knows—there has to be consultation with the employer, the unions and the employees. That is the process, and he understands that better than most, I suspect. But he does not argue it, and that is the point I make. He does not want to argue from the facts of the case. He wants to argue from what he thinks the facts should be.

If he truly objects to a clause about compulsory union levies, then he should talk about it. But we are not even talking about that—that is long gone. That has long been a matter that has not been on the statute books. What we are talking about is a bargaining fee for service, but he does not want to argue about that, because he knows that union security clauses, the Rand clauses in Canada and the concept of bargaining service fees have been around for a very long time. Western democracies have picked them up, and they exist right across the Western world. But Mr Abbott does not want to talk about the principle and does not want to discuss how those things should be progressed. He simply wants to argue about a painter painting his house, which is really quite extraordinary in the sense that in any event it was probably a contractor and not an employee doing the painting, but we do not really need to go to that point. The point I am trying to make is that, if he wants to look at the way forward in industrial relations, he should really start from torts. He should start from the basis of understanding industrial relations concepts and then trying to progress his arguments legitimately without strawman reasoning and without fake analogies.

The free-rider concept has been picked up in the US and in Canada, and it basically allows for a fee-for-service arrangement. Mr Abbott touched on this himself but is far from ensuring that the industrial relations system has balance—in other words, far from ensuring that there is balance in the industrial relations system which provides for fair bargaining, good faith bargaining. Perhaps Mr Abbott could also have a look at that concept—one that he does not seem to agree with. If he looked at good faith bargaining himself, he might be able to at least come to the table and start talking about the truth of the concepts themselves—in other words, talk about the issues of free-rider and bargaining services fees rather than the spurious arguments that he puts up.

His agenda seems to create a lopsided system which favours employers to the detriment of workers. That appears to be his aim, but he does not want to state that either. Perhaps he should, if that is his purpose.
What may be relevant is whether the principles of freedom of association are trammeled in the issue of the bargaining services fee. Of course, they are not. The Employment, Workplace Relations and Education Legislation Committee had a look at this issue and there seems to be some argument from the Australian Industry Group that the bargaining fee clauses restrict an individual’s freedom of choice. The ACCI similarly argue that the bill is necessary for the proper functioning of the act. In short, they believe that there is some restriction on being able to at least argue about the principles of bargaining services fees because they are likely to be viewed as restricting the person’s freedom of association rights. Of course, rather than have that argument, Mr Abbott wants to waffle on in another direction.

Let us come back and look at those sorts of points. We already know that Canada has a bargaining services fee clause called a Rand clause; we already know that America has union security clauses. It has not been argued for many years that they somehow offend freedom of association. We could always have that debate if there were any substance to it, but I do not believe there is. On the other hand, in the report by the Senate that I mentioned earlier, the ACTU agreed that a bargaining fee was consistent with the user-pays concept. Clearly, it does not, in my view, offend the principle of freedom of association. It is distinct from that and quite separate.

In the report, Labor senators took issue with the practice of misnaming the government of misnaming bills. They said that this bill is not about compulsory union fees; this bill is about bargaining services fees. In industrial relations, this government always seems intent on misnaming the amendments. This is another example of that. It might want to take a look at truth in advertising and at least put proper names on its bills, because, in the Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002, we are talking about bargaining services fees; we are not talking about prohibition of compulsory union fees. But I can always hope that the government will at least try to strive for truth in advertising.

The government seem to recklessly adopt the practice of misnaming the bills, but, be that as it may, Labor senators also highlighted the premature nature of the bill. It seems to preempt a matter that is before the courts. The full court in Electrolux v. Australian Workers Union has now been heard and determined, and a judgment has been issued. I am not aware of whether or not that matter is on appeal to the High Court, but that is not particularly germane to the issue. The government tend to say, “We wish to progress our ideological position in workplace relations, irrespective of what might be currently before the courts.” They then say that bargaining fees in enterprise agreements are being forced on employers without their consent. That is not right. As I said earlier, certified agreements require a consultative process and the agreement of both employers and employees to come to the terms of the arrangement, and it has to be registered with the commission.

The report goes on to make the point that the government’s view is plainly wrong about that. It is not possible, the report says, under the present legal framework. It is summed up well on page 39—I will not necessarily take the Senate to that part tonight, but I recommend that it is particularly good to read the Labor senators’ minority report, particular paragraph 1.29. It is also worth noting that Senator Murray, who has been a great contributor in this area, also came to the conclusion—I think I can say this without misquoting him—that bargaining fees are an issue that can be debated here and represent a principle worth examining and considering. I am aware that he has also put amendments in the Senate, but I do not need to go to those—they can be dealt with in the committee stage.

I think it is worth saying that it is permissible to hear legislation while matters are before the courts, but it must be when there are demonstrably good reasons. None exist here; none exist for the urgency with which this government seems to pursue some of these things. Be that as it may, certainly in respect of this workplace relations bill, no good reasons have been articulated here which persuade me that there was any ur-
gency about it. The simple concept articulated, as I understand it, by unions for the claim—that is, a bargaining services fee—was supported by the ACTU June conference in 2000. It supported the policy of unions including clauses in certified agreements to require payment by nonmembers who are subject to the agreement. The rationale, as I understand it, was that this decision is a cost recovery for the time and resources expended by unions in negotiating agreements.

The proposition is that it is appropriate that all workers who benefit from the union negotiated agreement make some contribution to the cost of negotiating and certifying that agreement. The commission should not have its hands tied when dealing with these issues. The commission should be able to examine these issues both at first principle and upon the merits of the particular case. But the government, as I said, has taken a very interventionist approach which is at odds with its stated position.

An interesting article appeared in Workers Online in June 1999 by solicitor David Chin, who argued the case quite cogently for a bargaining services fee. He argued that the simple catchcry that it offends the principles of freedom of association is a familiar refrain used by opponents of all forms of union security or preference clauses. However, this appeal to a universally accepted principle to justify free-riding is, in his words, both superficial and simplistic. He goes on to argue:

Free-riding is not tolerated in the commercial sector. Similarly, there is no justification for making unions provide industrial services to non-unionists.

He goes on to say that the right to freedom of association as articulated in the ILO conventions is a distinct and separate matter. He argues:

In the context of an anti-union federal labour law system—
such as the present system—
the problem of non-members free-riding on the industrial gains of unionists very seriously threatens the ability of unions to pursue its aims. If non-members continue to be free to enjoy material gains won by unions without having to contribute in any way, the lack of incentive to join threatens to undermine the bargaining strength of unions. For collective bargaining to work, employees must be confident that enough others will cooperate and join with them in the union to make their contribution in union dues worthwhile. Therefore, what he effectively says is that it is fair to argue for a bargaining services fee.

Senator HUTCHINS (New South Wales) (6.17 p.m.)—I rise to speak in opposition to the so-called Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002. This bill is yet another part of this government’s ideological drive to destroy Australia’s industrial relations system. This system has delivered over time a minimal amount of industrial conflict between workers, their union representatives and their employers. In doing so, it has contributed immensely to developing a competitive economy that maintains the rights of working men and women.

This government’s sole aim since it was elected in 1996 has been to undermine and destroy this system. It has sought to do so in a number of ways. Firstly, it has tried to eliminate the role of the independent umpire in conciliating and arbitrating industrial disputes. Secondly, it has sought to remove trade unions from collectively representing the interests of their members in industrial bargaining. The government claims that this bill prohibits bargaining agent fee clauses from appearing in collective agreements in order to protect the rights of non-union workers, but the real reason this government opposes bargaining agent fee clauses is because they will assist trade unions.

This bill is just another step in the government’s campaign to undo Australia’s industrial relations system. In recent years, the role of the Australian Industrial Relations Commission has been extended to include making sure collectively negotiated agreements are fair and agreed to within the confines of the law. This bill directly attacks the commission’s role in this regard. It undermines the government’s own legislation that provides for the commission to approve certified agreements where they are objected to. This government will go to any lengths to destroy trade unions in this country. They will even undermine the provisions and prin-
principles that govern their own workplace relations legislation as they do so in this bill.

This bill is nothing but a knee-jerk reaction based on purely ideological objectives. The inclusion of bargaining fee clauses in certified agreements is consistent with industrial relations law and practice as it has developed in other countries. It is also consistent with international standards. Instead of putting forward a purely ideologically driven, knee-jerk reaction, the government should be encouraging a balanced and objective debate on this issue. They should be looking at it with an eye towards developing a system that fairly regulates and governs bargaining agent fees arrangements.

This bill is not about prohibiting compulsory union fees as its title would suggest; rather it aims to prohibit the inclusion in certified agreements of clauses allowing bargaining agent fees to be charged to non-union members. Such fees have emerged in other countries as recognised and legitimate features of collective agreements. The legality of their inclusion in collective agreements in Australia is still under consideration by both the industrial commission and the Australian court system, as is their right and proper role. In seeking to disallow such provisions, the government are seeking to second-guess the commission. They are also seeking to second-guess the employers who have agreed to such clauses. But, most appallingly, they are trying to second-guess the workers who have freely and democratically voted for such clauses.

The original version of this bill, as it was presented to the Senate more than a year ago, was contrived in reaction to a series of commission decisions. In 2000 some unions, as is their right under the Workplace Relations Act, began to negotiate for the inclusion of bargaining fee clauses into certified agreements. The Employment Advocate, as is his right under section 298Z of the Workplace Relations Act, then lodged an objection to such clauses in an agreement that had been negotiated in the electrical industry. The Employment Advocate argued that such clauses breached the freedom of association provisions of the Workplace Relations Act. The full bench of the commission rejected this assertion. In another case, in June this year, the full bench of the Federal Court endorsed the inclusion of bargaining agent fee clauses into certified agreements. In other words, once the courts and the commission finally settle this matter, it looks as though the government will be caught out by its own legislation. It should be noted, however, that the government has indicated that it will appeal this decision in the High Court. The whole issue of bargaining agent fees is then still a live issue before the courts.

Senator McGauran—Answer your mobile phone!

Senator HUTCHINS—It is Bill Kelty! What the government is trying to do with this bill is place arbitrary constraints on its own legislation to fit in with its ideological drive against the involvement and empowerment of trade unions. In doing so, the government is effectively undermining the provisions of its workplace relations legislation that guarantee democratic decision making in the workplace, unhindered bargaining between workers and employers and the independent review of such bargaining. Certified agreements containing bargaining agent fee clauses have not just been agreed to by employers but have also been democratically endorsed by a majority of workers who are bound by such agreements. Where an objection has been raised, the commission has independently decided that such clauses are legally allowable.

Bargaining fee clauses are thus no different from other clauses that can be contained in any certified agreement, such as working hours, pay or leave entitlements. They bind employees, whether those employees like them or not. If those employees believe such clauses are unlawful, they have the right to lodge an objection with the independent umpire. That is exactly the process that has taken place in the case of the various certified agreements that have included bargaining fee clauses. It is wrong then for the government to arbitrarily decide that it will legislate to exclude a certain type of clause regardless of the fact that such clauses have been freely negotiated by workers and their employer, democratically and freely voted on and endorsed by the workers, and independ-
ently reviewed and endorsed by the commission and the full bench of the Federal Court. The sole reason the government is putting forward this bill is that bargaining agent fee clauses will strengthen the unions that collectively represent the interests of the workers.

In many countries, such as the United States and Canada, governments and courts alike have recognised the merits of allowing bargaining agent fee clauses in collective agreements. And why shouldn’t they? Trade unions and their members expend significant resources in representing the interests of all workers in negotiating agreements with employers. It is unfair that every worker benefits when a union bargains on their behalf, even though not every worker makes a contribution. This is especially the case when you look at how well workers do when unions bargain on their behalf.

According to the independent Centre for Industrial Relations Research and Training, in 2001 union pay rises averaged 4.6 per cent, compared to only 2.2 per cent for workers on individual contracts. According to the ABS, union members are far more likely than non-union members to be entitled to annual leave, sick leave and long service leave. If an employer and a majority of workers agree, why should not non-union free riders be required to make some sort of contribution to the union that delivers them better wages and conditions? These sorts of practices are not entirely new for Australia. In 1998, the Australian reported that the Borbidge government in Queensland had legislated in favour of several farmers organisations affiliated to the National Farmers Federation to effectively rope farmers into being members in order to trade. The National Party has shown that, when in government in Queensland, it is willing to legislate for some sort of compulsory association requirements for farmers, but when it comes to workers and their unions it takes another tack.

The government has taken part in a great deal of scaremongering surrounding the issue of bargaining agent fees. The minister for workplace relations has, like his predecessor, expended considerable time arguing that such arrangements will result in backdoor closed shops. An examination of how non-union bargaining fee arrangements have developed in countries like the United States and Canada reveals how such arrangements need not result in de facto closed shop arrangements. Instead of reacting to the appearance of bargaining agent fee clauses in collective agreements with a knee-jerk prohibition, these countries have approached the issue rationally, developing a system that protects the freedom of association rights of non-union members. In the United States, bargaining fee clauses were first allowed under the provisions of the Taft-Hartley Act 1947. Since that time, in a series of Supreme Court cases, the regime governing so-called agency shop agreements has developed significantly. Similarly, Canada has a detailed regime governing such agreements. The so-called Rand formula has developed from a court decision in 1946. South Africa has a legislative regime dealing with such agreements, as contained in the South African Labour Relations Act 1995. These nations have sat down and developed sound guidelines or allowed the courts to develop the parameters for bargaining agent fee arrangements.

The governments and courts of the United States, Canada, South Africa and the other nations of the world that allow such arrangements have decided that they are fair. They rightly agree with the principle that all workers should make some sort of financial contribution towards the union that delivers them better pay and conditions. They have then either set up a legislative regime to govern bargaining agent fee arrangements or allowed independent umpires to define their parameters. With most governments approaching the issue in such a rational and constructive manner, it is little wonder that the International Labour Organisation has decreed that bargaining agent fees do not breach the principle of freedom of association. The government should be taking a similarly rational approach. If workers and employers want to insert bargaining fee clauses into democratically endorsed agreements and the government has concerns about the abuses of such clauses, then it should conduct a sensible debate about such clauses, rather than a knee-jerk prohibition,
and allow the courts and the commission to develop reasonable and lawful guidelines and parameters—especially considering the fact that this matter is still a live issue before the courts.

Labor are committed to such an approach. Unlike the government, Labor respect the right of workers and their unions to freely bargain with their employers. Labor support the right of unions to levy some sort of bargaining fee for the improved wages and conditions they deliver to non-union members in negotiating collective agreements on their behalf. We support that right if it has been democratically endorsed by a free vote of the majority of workers. We also support the right of the Australian Industrial Relations Commission to review agreements that allow such fees to be levied. Labor respect the commission’s right to arbitrate in such cases, in line with its overall role as an independent umpire in industrial disputes, agreements and disagreements.

If there are fears that bargaining fees could be abused, those fears should be expressed during a rational and sensible debate and not result in a blanket prohibition. This government’s reaction to this development in worker-employer relations should not be directed by a knee-jerk reaction driven by an ideological opposition to workers being represented collectively by trade unions. We believe Australia should be following international developments in this area and allowing bargaining fee clauses, as do numerous countries such as the United States, Canada and South Africa.

Finally, we should also allow the courts to develop their own response to these developments, as this is still a live legal issue before them. Australia’s government should respond with reason and sensibility to developments like this in the field of industrial relations. It should encourage a free and open debate and respect the principles contained in its own legislation, especially principles relating to the right of workers to collectively bargain with their employers with a minimum level of hindrance. This bill exposes the government for what it really is: a government whose only agenda is to destroy the right of workers to be collectively represented in their workplace by trade unions. It should be opposed.

Senator FORSHAW (New South Wales) (6.32 p.m.)—I rise to speak on the Workplace Relations Amendment (Prohibition of Compulsory Union Fees) Bill 2002. In doing so, I particularly want to congratulate preceding speakers, Senators Hutchins and Ludwig, on their excellent contributions to this debate. Both Senator Hutchins and Senator Ludwig have made specific reference to the fact that, through this legislation, this government is trying to outlaw a practice which is recognised in many other countries in the world as legal, a matter for employees and employee organisations to negotiate and enter into agreements about.

Further, as has already been pointed out, this legislation comes about because this government did not achieve all of its objectives when it introduced on earlier occasions its various pieces of legislation and amending legislation with respect to workplace relations. I will come back to that point in a moment. This government is attempting to legislate to prohibit an activity which courts in this country, both the Industrial Relations Commission and the Federal Court, have recognised as a procedure open to employees, employee organisations and employers to legitimately engage in. It is recognised as a legal procedure for trade unions and employee organisations to enter into agreements with employers for the payment of bargaining service fees and to enter into agreements with employees for that purpose as well.

This would otherwise be referred to by the conservatives in this country as fees for service or user-pays, something that is not only encouraged but supported through legislation at many levels of governments across this nation. It is an integral part of the philosophy of the Liberal Party and the National Party in this country to require user-pays systems, to require that persons who enjoy or access services and benefits provide some payment for those services. If you look at what has occurred right across the country—in many cases under conservative governments, whether it be at state, federal or local government level—you will have seen over recent years an increasing move to-
wards user-pays. To see this, you only have to go to local government areas. In years gone by, many services provided by local authorities were free to the public, to the members of that community. The members of that community paid their rates to the councils and in return were able to access services. But today we find lots of services that community groups and individual members of the community have to pay for.

I could go on at length about that but that is not the subject matter of this bill, although it is at the heart of the debate about what principles should apply here. On the one hand, the government constantly says that people who want to access services and receive the benefits of services should pay their fair share and pay the appropriate fee for such a service. On the other hand, when it comes to bargaining fees for trade union services, the government takes the completely opposite view. In fact, it introduced legislation into this parliament to effectively outlaw that practice, that legal right, and endeavoured to further prevent trade unions from carrying out their legitimate and legal activities.

Why does the government do that? We all know why it does that. It is because, as we constantly hear in the rhetoric from the government benches—whether in speeches, in interjections, or in newspaper articles written by Minister Abbott or by some other spokesperson or somebody who hopes to be a spokesperson for the government on industrial relations issues—it just does not like unions. It does not like the fact that the Labor Party has an association with the trade union movement.

Senator Boswell—That’s not completely right.

Senator FORSHAW—It is a fact, Senator Boswell, that you do not like trade unions and you do not like the association between the union movement and the Labor Party. You can see it throughout the history of this government since it came to office in 1996. It has consistently set about, and indeed in some cases achieved, the emasculation of industrial regulation in this country. It has set about dismantling the powers of the Industrial Relations Commission. The philosophy that was put forward to do that was that this government was about encouraging individual agreements between employers and employees. Of course we all know that, when it comes to trying to negotiate an individual agreement, for most employees in this country it is not a fair or equal negotiation. It is simply a case in which one organisation—the company—has much greater power than the individual employee. It is a credit to many employers in this country that, nevertheless, they are prepared to negotiate with their employees and to respect their rights. But this government wants them to take the opposite tack. It wants them to use their power—their economic power in particular—against employees and trade unions to punish them. We have seen that advocated by the minister himself in recent times. He has written articles and made speeches saying, ‘Employers are not tough enough on unions in this country. We have provided you with the laws whereby you can take unions, union officials or employees to court, and you should do so. You should fine them and you should seek to penalise them through the legal system that we have created.’

One of the key things that this government set out to do was to reduce the power of the Industrial Relations Commission and to wind back the range of matters that industrial awards could cover. We can recall that in the very first piece of legislation the list of matters that could be within an industrial award was limited to 20 or so items. One of the problems that the government has now found itself facing is that what it thought might be prevented through its legislation—namely, the ability of a union and an employer to enter into a bargaining service fee agreement—has not been prohibited. As the Federal Court found in the Electrolux case, which is currently the subject of appeal, that type of arrangement is not illegal. Therefore, the bill amends the legislation to make it mandatory for the Australian Industrial Relations Commission to refuse to certify an agreement which contains what is called an objectionable provision. An objectionable provision will now include the payment of a bargaining services fee. By this route, the government is seeking to restrict, or indeed prevent, the ability of trade unions to enter
into agreements to collect fees for bargaining services that are provided to the work force at large, particularly where such fees would be paid by certain employees who benefit from the outcome of such an agreement—that is, employees who are not members of the union.

The government regularly gets up on its high horse and says, ‘People have the right to belong to unions and they have the right not to belong to unions. They shouldn’t be forced to belong to unions and they should not be forced to pay union dues.’ They are not forced to belong to unions—as we know, the law does not allow that to happen—and they are not forced to pay union dues. But that should not mean that employees who are able to obtain the benefits of what the union negotiates should not be expected to pay for those benefits. At the moment they are getting a free ride. It is hard to find any other area of society where this government supports a free ride. It supports a free ride for workers who do not want to belong to unions but want to pick up the benefits by way of improved wages and conditions, improved superannuation benefits and so on. This government wants to support the free ride for workers who are not members of trade unions or employee organisations to get those benefits without having to put their hands in their pockets to help to pay for the fact that those services had to be negotiated by the trade union. But the government is happy to support the principle that there is no free ride in other areas.

Let us take a few examples. The first is health insurance. This government has made it abundantly clear that nobody in this country should get a free ride when it comes to health care. All of us have to pay the Medicare levy whether we use the services of the health system or not. If you are a taxpayer you pay the Medicare levy. Whether you go to the doctor 100 times a year or you never go to the doctor or use the hospital service during the year at all, you pay the minimum levy. Furthermore, this government—in order to assist the private health industry—has now made it effectively compulsory for people to take out private health insurance they can be hit with the private health insurance surcharge. This government says that there is no free ride when it comes to health cover.

The next example is in the area of education. There is no free ride for education. Increasingly, people across this country who have kids at school are having to pay fees, even in the so-called free public education system, because this government refuses to put the resources in that are required in that system. Let us take some private sector examples. Just about everybody who is of the legal age in this country obtains a licence to drive a motor vehicle. If your car breaks down on the road and you want some roadside assistance, inevitably you ring your local or state organisation, whether it be the NRMA in New South Wales and increasingly in the other states or the RACV. This is a service that is available to everybody in this country. There are thousands of members—probably millions of members—of these organisations. You have to pay a fee to access the service. If your car breaks down and you want some emergency assistance, you ring up the NRMA and they say, ‘If you’re a member you can get the service; if you’re not a member we’ll send the van or the tow truck out and you can sign up on the spot.’ So the principle of user pays, or paying for services that you access, is fundamentally ingrained in our society.

I could think of many other examples but time does not permit it. We could talk about the Law Society, because there are so many lawyers on the front bench of the government. Try practising law without being a member of the Bar Association or the Law Society! It is impossible to do it. Try practising law and refusing to pay the subscription to the lawyers fidelity fund!

Senator Mackay—Try doctors!

Senator FORSHAW—Yes, as Senator Mackay reminds me, try being a medical practitioner in this country and functioning in the health sector without being a member of either the AMA or a GP association, without taking out the relevant protective insurance and so on. In fact, as we know, doctors in this country are saying, ‘We are having trouble because of some of the problems as-
It all means that they depend upon the associations that represent their industry or their profession, and whether they have to access the service or not they obtain the overall benefits of it. Members of this government are prepared to support that. Indeed, as Senator Hutchins pointed out, it happens in the farming sector as well, as Senator Boswell knows. Yet when we come to the trade union movement they say, ‘Oh no, it shouldn’t be open to trade unions to expect workers who are going to receive the benefits of what those unions negotiate to pay their way in some small way in terms of a subscription fee for the benefits that they achieve.’

Senator McGauran—Muscle the workers.

Senator FORSHAW—Senator McGauran interjects. Senator McGauran, I am very interested in your interjections and the speeches you make, because I know you. I have followed your career in this parliament for a number of years.

Debate interrupted.

DOCUMENTS

Commonwealth Grants Commission

The ACTING DEPUTY PRESIDENT (Senator Knowles)—Order! It being 6.50 p.m., the Senate will now move to consideration of government documents.

Senator CROSSIN (Northern Territory) (6.50 p.m.)—I move:

That the Senate take note of the document.

I rise this evening to make a comment on the document relating to the government’s response to the Commonwealth Grants Commission report on Indigenous funding 2001. As one can only quickly skim these sorts of documents in the time we are given between tabling and this commentary in the Senate, there are a few things I want to say about this response. Firstly, I want to say that, knowing in great detail and depth the problems facing Indigenous people in this country, and in particular in the Northern Territory, in relation to the provision of services, health and education, this document and this response are very disappointing. The government uses the recommendations of the Commonwealth Grants Commission only to try to substantiate the programs that they have in place, whether or not those programs are efficient or effective.

From what I can see, it simply uses the recommendation of the Commonwealth Grants Commission to try to justify—with some licence in the use of the English language in some areas—what it is doing. Let me give you an example. In the area of school education, there is one suggestion in this document that the Commonwealth Grants Commission has identified seven methods where it considers further activity is needed in order to achieve better educational outcomes for Indigenous students. One of those is improving access for Indigenous students by involving parents in decision making processes concerning the management and delivery of schooling for Indigenous students.

The Commonwealth defends its record in this area by referring to the Commonwealth funded Aboriginal Student Support and Parent Awareness programs, commonly known in the area as ASSPA schemes. But they are also commonly known in the area as homework programs or tutorial facilities. By and large, these committees in schools set up facilities after hours to provide Indigenous students with additional tutorials. These are not programs that actually mentor, train, educate or provide assistance to Indigenous parents in communities, be they urban, rural or remote, to get involved in school councils or whatever the equivalent board may be that manages and delivers schooling to Indigenous students. Where the Commonwealth Grants Commission makes a suggestion that more Indigenous parents ought to be involved in the management and delivery of schooling, this government defends its record by pointing at its ASSPA programs, which are far from the mark of getting parents involved and knowing and understanding the management and delivery of schooling, and getting involved in the day-to-day decision making processes of that school.

The thing that really struck me when I first read this was the commentary about mainstream Commonwealth services. A line in this report says:
The government has taken a number of initiatives across all of its programs to improve the accessibility of mainstream services for Indigenous people.

It mentions many, but the one I want to focus on tonight is about providing better access to education, employment and income support services, with a number of initiatives under the Australians Working Together package. Let us have a look at what that means. This report does not say how they are going to do that. This report makes no reference to the fact that, in the last six months in the estimates process in relation to the provision of services through Centrelink, where the Australians Working Together package is targeted, we had officials admit to us that the provision of Centrelink service standards out bush was, in fact, a black and white issue. One thing I have to say about those public servants is that that is right. They were correct. That is, if you are black and you live in remote Australia you do get a very different service from that a non-Indigenous person gets in this country, particularly in the Territory. It seems to me that the provision of these services throughout the Territory is quite different and quite inequitable. This report just does not seem to actually grasp that difference and those difficulties. This is a report that seems to want to justify what this government is doing, without actually facing the problems and the inequities that exist in this area. I seek leave to continue my remarks later. (Time expired)

Leave granted; debate adjourned.

Office of the Renewable Energy Regulator

Senator BARTLETT (Queensland) (6.55 p.m.)—I move:

That the Senate take note of the document.

This report, which was tabled today, is the first annual report of the Office of the Renewable Energy Regulator, the body that is responsible for implementing the renewable energy credit scheme that was initiated under the Renewable Energy (Electricity) Act that began taking effect last year. The scheme is based on a simple concept—that those who are producing renewable energy receive certificates that they may sell on the open market to wholesale electricity producers. The object of the scheme is to increase Australia’s use of renewable energy to meet the two per cent renewable target set by the legislation to be achieved by 2010.

I should emphasise at the outset that the Democrats at the time the legislation was passed argued very strongly that that two per cent target was way too low, particularly over that time frame. It is already well below the level of renewable energy that is produced and consumed in many other countries, particularly in Europe. Given Australia’s innovative technology and scientific community as well as abundant opportunities for some renewable energy sources, we believe that it is still far too low. Nonetheless, that is what the Senate chose to do despite the Democrats’ objections.

It is important to recognise that such schemes are limited. They must operate within a broader policy framework relating to mandatory emission reduction targets and other economic instruments, such as a carbon levy, and funding for research and development. They are part and parcel of achieving the levels of emissions that Australia must achieve if we are to become part of the greenhouse solution rather than part of the greenhouse problem, and if we are to take advantage of the economic opportunities that climate change presents to Australia. The Democrats have recently produced a discussion paper on a carbon levy, and I do commend that discussion paper to the Senate and urge those many people in the community who recognise the urgency of action on climate change to read that document and to respond to it. There are many people in the community who are wanting to move forward with constructive proposals that will address the urgent environmental problem presented by climate change in a way that is economically beneficial as well. There are many ways that can be done, and there are many people who are willing to explore those ways, even in the face of intransigence and lack of interest on the part of the current government.

It is also important to recognise some specific concerns that the Democrats have repeatedly voiced regarding the two per cent renewable target. Some of those are highlighted in this report. First is the extent to
which wood from native forests can be used to achieve the two per cent target—a reason again that the Democrats objected to and opposed the original legislation implementing the scheme. It is unnecessarily destructive to include the destruction of native forests as a legitimate means of achieving a renewable energy target. There are plenty of viable renewable resources without using forests and without cheapening and undermining the entire concepts of renewables and waste. As this report details, of the initial 124 applications for accreditation of a power station or power sources, four relied on wood waste, and that is four too many.

As I stated, the two per cent target is simply not high enough and it is easy to forget, particularly when often the concept of being seen to meet our Kyoto target is seen as the final goal and all we need to aim for, that scientists predominantly agree that a 60 per cent reduction in greenhouse emissions will be needed in order to reverse climate change impacts. So Kyoto is just the first step in a very long but very important process that needs to be undertaken as quickly as possible. The fact the Australia is falling short even in that regard is a major problem and a major failing. We need to set ourselves ambitious targets. It is not only an intelligent approach to changing energy use patterns and behaviour; it is really the only approach if you are taking a long-term sensible view.

In the first year of the renewable energy credit scheme, the largest source of renewable energy was hydro. But it is not clear from this report how much of the hydro energy derives from existing infrastructure and how much of that infrastructure are inappropriate structures such as dams, which one would hope were no longer built in such profusion. The proposed Paradise Dam in Queensland is a major example. This is an incredibly environmentally damaging proposal being put forward and, if it is put forward and hydro power is produced from it, we would be making an energy smart use of a particularly stupid idea. So we need to look at, and get more detail about, where the hydro sources are coming from, particularly in terms of growth in this area. I hope that the regulator is able to get more detail in future reports. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

The ACTING DEPUTY PRESIDENT (Senator Knowles)—Consideration of government documents has now concluded.

Senate adjourned at 7.01 p.m.

DOCUMENTS

Tabling

The following government documents were tabled:

- Civil Aviation Safety Authority—Corporate plan 2002-03 to 2004-05.
- Department of Defence—Special purpose flights—Schedule for the period 1 July to 31 December 2001.
- Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General paid by the Department of the Prime Minister and Cabinet between 1 July and 31 December 2001.

Tabling

The following documents were tabled by the Clerk:

- Aboriginal and Torres Strait Islander Commission Act—
Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 4).
Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 5).
Aboriginal and Torres Strait Islander Commission (Regional Council Election) Amendment Rules 2002 (No. 6).
Cocos (Keeling) Islands Act—Utilities and Services Ordinance—
Water and Sewerage Services Fees Amendment Determination No. 1 of 2002.

Water and Sewerage Services Fees Amendment Determination No. 2 of 2002.
Disability Discrimination Act—

UNPROCLAIMED LEGISLATION
The following document was tabled pursuant to standing order 139(2):

Unproclaimed legislation—Document providing details of all provisions of Acts which come into effect on proclamation and which have not been proclaimed, including statements of reasons for their non-proclamation and information relating to the timetable for their operation, as at 1 July 2002.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Roads: Funding
(Question No. 138)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 25 February 2002:

(1) What was the value of road funding announced by the Government in the lead-up to the 2001 federal election.

(2) (a) How many road projects were announced in the lead-up to the 2001 federal election; (b) what is the level of funding allocated for each of these projects; and (c) what is the nature of the work to be carried out in each project.

(3) How much additional funding will be added to the roads budget as a result of road project announcements in the lead-up to the 2001 federal election.

(4) If there is additional funding required for the road budget as a result of spending announcements in the lead-up to the 2001 federal election, will that additional money go to the National Highway and Roads of National Importance; if not, where will the additional funding be allocated.

Senator Ian Macdonald—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) $177.90m.

(2) The following table lists the road projects announced in the lead-up to the 2001 federal election, the nature of the works and the level of funding allocated for each.

<table>
<thead>
<tr>
<th>Project</th>
<th>Funding Allocated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pakenham bypass</td>
<td>70.00</td>
</tr>
<tr>
<td>Townsville bypass</td>
<td>33.00</td>
</tr>
<tr>
<td>Bucketts Way (upgrading)</td>
<td>20.00</td>
</tr>
<tr>
<td>Sturt Highway overtaking lanes</td>
<td>18.00</td>
</tr>
<tr>
<td>Alstonville bypass</td>
<td>12.00</td>
</tr>
<tr>
<td>Lilydale – Scottsdale Road (upgrading)</td>
<td>10.00</td>
</tr>
<tr>
<td>Peninsula Development Road (upgrading)</td>
<td>5.00</td>
</tr>
<tr>
<td>Arthur Highway (safety improvements)</td>
<td>3.60</td>
</tr>
<tr>
<td>Mudgee – Orange Road (upgrade crossing of Macquarie River)</td>
<td>3.00</td>
</tr>
<tr>
<td>Queanbeyan bypass</td>
<td>2.00</td>
</tr>
<tr>
<td>Mt Morgan – Kabra Road (upgrading)</td>
<td>1.00</td>
</tr>
<tr>
<td>Grafton airport access (upgrading)</td>
<td>0.30</td>
</tr>
<tr>
<td>Total</td>
<td>177.90</td>
</tr>
</tbody>
</table>

(3) $137.60m

(4) All the additional funding of $137.60m will be provided for the National Highway and Roads of National Importance program.

Telstra: Rural and Remote Areas
(Question No. 350)

Senator Allison asked the Minister for Communications, Information Technology and the Arts, upon notice, on 29 May 2002:

(1) What is the length of telephone cabling in rural and remote areas that is currently supported by fence posts, hay shed, trees and objects other than poles.

(2) Can this data be provided on a state-by-state basis.

(3) What length of new wiring was rolled out: (a) in the 2000-2001 financial year; and (b) so far in the 2001-02 financial year, supported by fence posts etc.

(4) What length of such wiring supported as in (1) was replaced with pole-supported cable, underground cable or satellite in: (a) the 2000-01 financial year; and (b) so far in the 2001-02 financial year (please detail areas in which this took place).
(5) What program is in place for such replacement.
(6) What are Telstra’s priority areas for the 2002-2003 financial year.
(7) What is the budget for this program in the 2002-2003 financial year.
(8) What would be the total cost of ensuring that all telephone cabling is supported by poles or other appropriate means.
(9) How many telephone faults attended in: (a) the 2000-2001 financial year; and (b) so far in the 2001-02 financial year, were due to damage done to cabling supported as in (1).
(10) What is the cost of repairing these faults.

Senator Alston—The answer to the honourable senator’s question, based on advice from Telstra, is as follows:

(1) It is not current Telstra policy to have permanent cabling supported in this way. Such means are generally used as an option to restore service on a temporary basis, in order to respond quickly to customer needs. The database that records the instances of temporary cabling use does not have a field in which to separately record individual cable lengths.

(2) Given the data constraints outlined in (1), total lengths cannot be provided within reasonable resource requirements.

(3) The use of the term “new wiring” in the question needs to be clarified, as it suggests a permanent rollout. This is not the case, as these types of cables are used for temporary service restoration or fault remediation. The question has therefore been answered in terms of temporary cabling.

Given the data constraints outlined in (1), total lengths cannot be provided within reasonable resource requirements.

(4) Given the data constraints outlined in (1), total lengths cannot be provided within reasonable resource requirements.

(5) The use of temporary cabling enables Telstra to provide a timely response to the service needs of customers. Without the use of temporary cabling customers may experience interruptions to service or lengthy delays in the introduction of service while necessary plant and personnel are sourced. Telstra’s priority is providing continuous service to customers, and addressing faults that are impacting on customer service, within CSG timeframes or better. Replacement of temporary cabling is carried out within the overall program of infrastructure services where jobs are prioritised according to their impact on service performance.

(6) Telstra’s priority remains the maintenance of continuous service for customers within CSG timeframes or better. This can be best achieved by tackling infrastructure issues in instances of higher than average faults, creating a service and outcomes focus.

(7) Rehabilitation of the network is included in each annual program of work, however, the capital expenditure budget for this work in 2002/2003 is not yet publicly available.

(8) The use of temporary cabling is a valuable and effective means of rapidly restoring and ensuring customer service. Notwithstanding that, Telstra is exploring and using alternative means of provision of temporary service and aims to continue its program to eliminate as far as practical the volumes of such cable existing at any time.

An accurate estimate of the cost of replacing all temporary cabling cannot be supplied because it is contingent on a number of factors including, but not limited to: the location of each temporary cable in relation to others, the effect of truck-roll costs (associated labour, materials and incidentals); the ability to insert work into other programmed activity in the area; the accessibility of each site; the geographic factors affecting cable ploughing; the length and complexity of each cable replacement, and so on.

(9) Fault reports do not specifically identify faults attributable to the use of temporary cables. It is however noteworthy that given these cables are in place to bypass fault conditions, it is arguable that the net effect of their use is a reduction in fault levels.

(10) Given the answer to (9), no cost or saving can be estimated.
Environment: Rabbits
(Question No. 371)
Senator Brown asked the Minister representing the Minister for the Environment and Heritage, upon notice, on 13 June 2002:


3. Has the 2001 report been peer-reviewed; if so, by whom.

Senator Hill—The Minister representing the Minister for the Environment and Heritage has provided the following answer to the honourable senator’s question:

1. The report was prepared by professionally qualified staff in the Risk Assessment Section of the Commonwealth Environment Protection Agency.

2. The report was prepared by professionally qualified staff in the Biotechnology and Biologicals Section of my Department.

3. The 2001 report was reviewed by other professionally qualified officers within the Biotechnology and Biologicals Section. It was prepared for the National Registration Authority, which is the statutory regulator and decision maker.

Environment: Maralinga Facility Licence
(Question No. 378)
Senator Allison asked the Minister representing the Minister for Science, upon notice, on 17 June 2002:

1. Is Facility Licence No. FV0043 for the Maralinga Rehabilitation Program now with the department; if so, what is the status of this licence.

2. Has the department provided the report required in accordance with the special conditions outlined in Schedule 4 of the Facility Licence; if so, can a copy of the report be provided.

3. What surveys and assessments have been made of surface contamination following rehabilitation of the site and can copies be provided.

4. What were the dosimetric factors used in this assessment.

5. What assumptions were made to take account of factors such as the carry-over of soils and the shielding effect of that soil.

6. Has the department prepared proposals for monitoring ground contamination, checking the water table for radioactive contamination and monitoring the state of the burial trenches; if so, can copies of these proposals be provided.

7. What is the timeframe for the hand over of Maralinga to the traditional owners.

8. Has the Maralinga Rehabilitation Technical Advisory Committee report on assessment of dose estimates been completed; if not, when is it expected to be completed; if so, can a copy be provided.

Senator Alston—The Minister for Science has provided the following answer to the honourable senator’s question:

1. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) issued the Facility Licence for Maralinga (FV0043) on 30 October 2000. The licence is operative and will remain so until a handover of the site to South Australia.

2. The Department of Education, Science and Training has provided the following reports under Schedule 4 of the Maralinga Facility Licence:
   • Assessment of Human Intrusion and Climate Change for Disposal Structures at Maralinga, by AEA Technology, which describes an assessment of the radiological and toxicological consequences of human intrusion into the disposal structures at Maralinga (Attachment A);
Inhalation Dose Assessment for Remediated Land at Maralinga by ARP ANSA (Attachment B), which estimates the radiological hazard due to inhalation of artificial radionuclides. ARP ANSA found that possible radiation doses are well below those anticipated at the start of the project.

ARP ANSA surveyed the Maralinga Taranaki, TMs and Wewak sites after the completion of rehabilitation work. The results are contained in the reports Maralinga Rehabilitation Project – Radiological Field Monitoring at Taranaki and at other Miscellaneous Sites (Attachment C) and Maralinga Rehabilitation Project Radiological Field Monitoring at TMs and Wewak (Attachment D).

(4) The dosimetric factors used in this assessment are described and tabulated in Section 3, Dose Estimation and Input data, of the report Inhalation Dose Assessment for Remediated Land at Maralinga, and have been calculated using relevant data from the International Commission on Radiation Protection.

(5) The “carry-over of soils” is taken to mean the migration of soil from one location to another by the wind, surface flows of water, by adhesion to vehicles, or by any other means. It is most unlikely that significant movement of soil has occurred in the Taranaki, TMs, or Wewak areas that may be shielding underlying material. Erosion or deposition is not significant in these regions. In addition, the extreme narrowness of the residual plumes at Maralinga – less than 100m in places - after 40 years exposure to environmental factors, gives a strong indication that little migration of the contamination occurs. Studies have shown that there is no significant resuspension of contamination by the wind.

Aerial, vehicle-based and foot surveys with different spatial resolutions and sensitivities have been undertaken at Maralinga. The surveys have yielded consistent results and give confidence that Maralinga is unlikely to contain significant hidden contamination that is being shielded by surface material. Also, where areas have been ploughed or otherwise treated, soil samples have been taken at depth to ensure no buried layers of high levels of contamination have been hidden.

(6) A proposal for ground water monitoring has been prepared, and provided to ARP ANSA (Attachment E). Proposals for monitoring ground contamination and burial trenches are currently being prepared as part of the long-term management plan for the site.

(7) The Commonwealth is working with South Australia and the Maralinga Tjarutja traditional owners towards a handback of the Maralinga site for addition to the Maralinga Tjarutja freehold lands. An indicative timeframe for the handback is June 2003.

(8) The dose estimates for the site are reported in the ARP ANSA paper Inhalation Dose Assessment for Remediated Land at Maralinga (Attachment B). The report will be attached to the Maralinga Rehabilitation Technical Advisory Committee report.

ATTACHMENTS*

Attachment A—Assessment of Human Intrusion and Climate Change for Disposal Structures at Maralinga by AJ Baker, R Cummings, M Kelly and MJ Poole, AEA Technology.

Attachment B—Inhalation Dose Assessment for Remediated Land at Maralinga by Geoffrey A. Williams, Lindsay J. Martin and Stephen A. Long, Australian Radiation Protection and Nuclear Safety Agency.

Attachment C—Maralinga Rehabilitation Project – Radiological Field Monitoring at Taranaki and at other Miscellaneous Sites, by Lindsay J. Martin, Stephen A. Long, Justine E. Minchin, Jeffrey R. Fry, and Geoffrey A. Williams, Australian Radiation Protection and Nuclear Safety Agency.

Attachment D—Maralinga Rehabilitation Project Radiological Field Monitoring at TMs and And Wewak, by Justine E. Minchin, Lindsay J. Martin, Stephen A. Long, and Geoffrey A. Williams, Australian Radiation Protection and Nuclear Safety Agency.

Attachment E—Ground water monitoring program.

* Copies are available from the Table Office

Industry: R&D Start Program

(Question No. 379)

Senator Ridgeway asked the Minister representing the Minister for Industry, Tourism and Resources, upon notice, on 18 June 2002:
With reference to the administration of the R&D Start Program and the R&D Start Program Directions No. 2 of 2002, administered by AusIndustry through the department:

(1) Given that the program is the single most useful and successful program for small- to medium-sized enterprises seeking to undertake investment and commercialisation of new technologies within Australia and for export, why has the department ceased approving applications since April 2002.

(2) Have applications been received for projects seeking to commercialise such things as life-saving light aeroplane wind shear detection devices.

(3) Considering the success of the program, why has the Minister not come back to the Parliament seeking a further appropriation to ensure the continuation of this program.

(4) Is it a fact that AusIndustry has not approved a single new application in 2002.

(5) Is it the case that the department was not informing applicants that there were no monies available when applications were being lodged in November and December 2001.

(6) How will the Government reinstate credibility in the program with it now turning the tap on and off.

(7) What was the date of the lodgement of the application for the last funded project.

(8) What was the date of the approval and funding of the most recently funded project.

(9) At what date was the department aware of the fact that it was unable to fund any further applications.

(10) On what date was the Minister notified by the department that it did not have funding available for any further projects in the 2001-02 financial year.

(11) Did the department open new offices in 2002 which will promote the program.

(12) Did the department have a stall at the recent Australian Innovation Festival, held on 22 April 2002, where the program was promoted.

(13) Given that the R&D Start Program Directions No. 2 of 2002 state that the program will not deal with any new applications until further notice, is the Government looking to shut down the program and not approve any further applications; if not, when will the department begin approving applications again.

(14) Will the department begin dealing with applications at the start of the 2002-03 financial year; if not, why not.

(15) (a) Is it the case that the program is to be audited; (b) what are the terms of reference for this audit; and (c) when will the audit report be made available to the Parliament.

(16) Does the Minister support statements made by senior members of the department that they are not concerned if innovative products go overseas for development and manufacture.

(17) What was the basis for paragraph 7 of the R&D Start Program Directions No. 2 of 2002, which provides that all applications not granted prior to this direction are deemed to be refused.

**Senator Minchin**—The Minister for Industry, Tourism and Resources has provided the following answer to the honourable senator’s question:

(1) The suspension of new approvals in the R&D Start program was announced in April 2002, as all funds appropriated for 2001-02, plus an additional $40m brought forward from the program out years, were committed. There was a significant acceleration in spending by companies with R&D Start grants in early 2001-02, which resulted in AusIndustry’s cashflow model (which underpinned forward commitments) becoming invalid.

(2) Yes. Applications for R&D Start support cover a wide range of projects in the engineering, manufacturing, biotechnology and information/communication technologies sectors.

(3) Under the Backing Australia’s Ability Innovation Statement (January 2001) the Government provided $535m to the R&D Start program. All these funds will be spent on industry innovation programs. The temporary suspension of new applications relates only to the cash flow, not the quantum of funding. There are expected to be uncommitted R&D Start funds available in the later part of 2002-03, and in each of the following three years.

(4) No. Five R&D Start applications were approved in January 2002.
(5) Yes – because AusIndustry was not aware at that time that insufficient funds were available to support further approvals in 2001-02.

(6) Around 1000 companies have benefited from R&D Start support since the program commenced in 1996, with an independent evaluation in 2000 reporting a high impact on competitiveness and future R&D intentions. This track record will provide the basis for promoting the program to new applicants later in 2002-03.

(7) For grant applications - 20 December 2001. For loan applications - 21 November 2001. Note that applications for R&D Start support are lodged, assessed and decided continuously, with the time from lodgement to decision ranging from 2 weeks to 3 months, depending on the size and complexity of the application.

(8) The last approval date for grant applications was 14 January 2002, on which two applications were approved. One application received $100,000 and the other received $500,000. The last loan application was approved on 24 January 2002 and received $133,700.

(9) In mid January 2002 the Department became aware that further grant applications could not be funded.

(10) On 23 January 2002 the Minister was notified that there were insufficient funds to allow further grant approvals. Loan approvals were subsequently suspended pending the consideration of options for managing cashflow.

(11) AusIndustry opened 14 new one-person offices in regional Australia in late 2002, announced as part of the Government’s regional statement Stronger Regions, A Stronger Australia. These offices promote and support all AusIndustry programs (currently around 25), not just the R&D Start program.

(12) No. Neither the Department nor AusIndustry undertook such a promotion as part of the Australian Innovation Festival.

(13) No – the program is suspended, not closed. AusIndustry will commence processing new applications later in 2002-03, when uncommitted funds are available. I have stated publicly that I will announce the date of reopening before the end of calendar 2002.

(14) No. It is not appropriate to process applications until funds are available to support approved projects.

(15) The R&D Start Program is currently being reviewed (not audited) by KPMG. The purpose of the review is to make recommendations on improving financial management (particularly the management of cashflow and forward commitments) to ensure that there is no need to again suspend new approvals. The report will be provided to me, and will assist my consideration of arrangements for reopening the program.

(16) I am not familiar with the statements to which you refer. The goal in commercialising Australian innovation is to maximise the benefit to the Australian economy.

(17) The deeming provision was necessary to avoid the absurd situation of approving a R&D Start grant with a value of zero dollars. (In the absence of this provision, the IR&D Board may have been forced to make decisions along the lines that an application met the eligibility criteria, ranked highly on the merit criteria, but there are no funds available). The Direction also has the effect of cancelling the date of lodgement as the project commencement date for these applications.

Environment: Uranium Mining
(Question No. 383)

Senator Allison asked the Minister representing the Minister for the Environment and Heritage, upon notice, on 18 June 2002:

With reference to the answer to question on notice no. 192 (Senate Official Hansard, 14 May 2002, p.1501), can a copy be provided of the letter referred to from Mr Kevin Keeffe, Assistant Secretary, World Heritage Branch, Department of the Environment and Heritage to Mr Francesco Bandarin, Director of the World Heritage Centre, United Nations Educational Scientific and Cultural Organization.

Senator Hill—The Minister for the Environment and Heritage has provided the following answer to the honourable senator’s question:
The honourable senator has been provided with a copy of the correspondence, dated 6 March 2002, from Mr Kevin Keeffe, Assistant Secretary, World Heritage Branch, Department of the Environment and Heritage, to Mr Francesco Bandarin, Director of the World Heritage Centre, United Nations Educational Scientific and Cultural Organization. Further copies of this correspondence can be obtained from the Senate Table Office.

**World Summit on Sustainable Development**

*(Question No. 386)*

**Senator Brown** asked the Minister representing the Minister for the Environment and Heritage, upon notice, on 18 June 2002:

(1) Why was there no opportunity for public comment on Australia’s national assessment report for the World Summit on Sustainable Development.

(2) Why does the report not highlight Australia’s appalling loss of native vegetation, destruction of old growth and high conservation value forests, and rapidly rising rates of greenhouse gas emissions.

**Senator Hill**—The Minister for the Environment and Heritage has provided the following answer to the honourable senator’s question:

(1) The UN Secretariat was seeking a report by the Australian Government on progress towards sustainability over the last 10 years. This is the latest in a series of reports to the Commission on Sustainable Development on different aspects of sustainable development, prepared over the last ten years. As it was a report by the Government, public comment was not sought.

(2) The purpose of the report was to draw together and analyse some of Australia’s efforts over the last ten years to make our way of life more sustainable. The report selected some areas where Australia has taken action that might be of interest or use to others. It does, on all occasions relevant in the context of the report’s structure, mention Australia’s high rate of loss of both plant and animal species, and makes numerous references to the impacts of land clearing.

Australia’s greenhouse emissions are subject to a separate reporting process under the United Nations Framework Convention on Climate Change. Further details can be found at http://www.greenhouse.gov.au/international.html. The Australian Greenhouse Office is discussed in the context of Australia’s pioneering of cross-sectoral approaches to sustainability.

**Defence: Chemical Weapons Testing**

*(Question No. 396)*

**Senator Allison** asked the Minister for Defence, upon notice, on 25 June 2002:

With reference to the document recently released by the department, ‘Chemical Warfare Testing Sites (File No. A6456 R8216/10)’, written by a joint Australian/United States (US) survey team on suitable sites within Australia for chemical and biological weapons tests:

(1) Was this series of tests an extension of research on: (a) decontamination of water supplies containing nerve gas, carried out at Maralinga in 1959; (b) mustard gas tests, held on Brooks Island in 1944; and (c) malaria trials.

(2) (a) What other chemical and biological weapons have been tested in Australia; and (b) what are the details of these tests.

(3) Is it the case that Iron Range was the site of a ‘simulated’ nuclear test on 18 July 1963.

(4) Were chemical or biological weapons involved in Operation Blowdown.

(5) Were defoliating agents tested in Australia prior to their use in Vietnam.

(6) Have chemical weapons ever been stored in Australia; if so, where.

(7) Have there been any accidents involving chemical weapons in Australia; if so, what are the details of these accidents.

(8) Did any of these accidents involve sarin gas.

(9) Was sarin gas used by the Tropical Trials Unit.

(10) Can records from the Tropical Trials Unit be made available.

(11) What was or is the role of the Defence Standards Laboratories in Proserpine and Maribyrnong.
(12) Was Australia’s cooperation with the US Government in providing ‘tropical’ chemical, biological and nuclear weapons testing grounds seen as necessary for Australia’s entry into the then American/British/Canadian Tripartite Agreement as an equal fourth member.

(13) (a) What were the sea vulnerability trials, completed in 1963, and did they involve nuclear, chemical or biological weapons.

(14) Was it the view of the Department of Defence representative on the sea vulnerability trials at the time that Australia’s past acceptance of nuclear tests and the basing of U-2 aircraft on Australian territory, meant that biological warfare and chemical warfare testing was likely to be permitted.

Senator Hill—The answer to the honourable senator’s question is as follows:

(1) (a) No.
(b) No.
(c) No.

(2) (a) The activity referred to in the file was not a test but an inspection of two possible sites to assess their potential for use as test sites – tests which did not eventuate. There was a range of tests of chemical weapons in Australia during World War II. Since World War II, the Defence Science and Technology Organisation and its predecessor organisations have not conducted chemical or biological weapon tests.

(b) Details of the World War II tests are in the public domain and are well documented in sources such as Bridget Goodwin’s book, ‘Keen as Mustard’ published by the University of Queensland Press in 1998 and in ‘The Gillis Report – Australian Field Trials with Mustard Gas 1942-1945’ published by the Peace Research Centre at the Australian National University in 1985.

(3) Operation Blowdown took place in July 1963 in the Iron Range region of tropical North Queensland. Conventional high explosives were used to simulate, on a very small scale, the blast effects of nuclear explosion in a jungle environment. Fifty tons of TNT were used in a single explosion. The data collected allowed scientists to extrapolate what the effects on soldier mobility and patrol activity would be if a 10 kiloton tactical nuclear weapon had been used in the jungle.

(4) No.

(5) Yes. For example, a defence research project took place in June 1963 in the Wenlock Road area near Iron Range in tropical North Queensland. It tested the effectiveness of commercial herbicides to prevent secondary growth encroaching on Army installations in a jungle environment. Five commercial herbicides were used in the test. The data collected allowed scientists to study the utility of these herbicides in preventing secondary growth in tropical jungle. Information on this experiment was declassified in 1980. The total area treated was less than 800 square metres. It is very unlikely that there is a residual hazard almost 40 years after the experiment.

(6) Chemical weapons were stored in Australia during World War II at a wide range of locations. In his 1998 foreword to ‘Keen as Mustard’, Dr Peter Dunn, a DSTO scientist and world-recognised expert in this area, stated that “Immediately following World War II, all chemical weapons and bulk stocks of agents in Australia were destroyed. Since that time, no chemical weapons have been produced, stored or transported within this country.” Details of the World War II storage areas are in the public domain, for example at http://www.bicc.de/weapons/chemweap/asiapac/austra.html

(7) During World War II, there was one incident resulting from a leaking drum of mustard gas, which caused injuries to some dock workers. Since the elimination of chemical weapons within Australia following World War II, there does not appear to be any evidence of further incidents.

(8) No.

(9) The Tropical Trials Establishment was established in the 1960s. It and its various successors, up to and including what is now known as DSTO Innisfail, have not conducted chemical weapon trials, including with sarin.

(10) The records of the Tropical Trials Establishment are treated in the same manner as those of other defence units, according to established archive policies. Over 25 files are already listed in the records of the National Archives and more are expected to be added over time.

(11) The Munitions Supply Laboratory traces its origins to 1909. It was established under that name in 1922, becoming the Defence Research Laboratories in 1948 and the Defence Standards Laborato-
ries (DSL) in 1953. It continued under this name until it became the Materials Research Laboratories in 1974 and has had a range of names since then. Under the DSL title, its role gradually evolved from aiding defence industry, through routine testing, then development and testing and gradually towards a greater emphasis on self-generated research in defence-related science. This research included improving defence against chemical agents but not the offensive aspects of chemical warfare. No work on offensive or defensive biological warfare was undertaken.

The establishment at Proserpine, the Australian Field and Experimental Station, was used as a base for chemical warfare trials during World War II and appears to have been wound down or abandoned shortly after the War. There is no mention of it in DSTO’s post-War history.

(12) Australia did not provide tropical chemical, biological or nuclear weapon testing grounds in cooperation with the US Government. Australia joined the Tripartite Agreement in 1965, after all nuclear weapons testing had concluded. As previously stated, DSTO or its predecessors have not conducted chemical or biological warfare weapon testing in Australia since World War II.

(13) The file quoted in the question indicates clearly that these were US trials, perhaps with a very small number of Australian observers. The trials appear to have used simulants and tracer material to test the ventilation and defence systems of warships in adverse chemical warfare situations. The file indicates that no live agents were used. There is no mention of nuclear weapons tests.

(14) The file does not contain details of the views of Defence representatives at the ship vulnerability trials. It does indicate that the Defence representative at a meeting to consider the Australian approach to the site review expressed the view that Australian cooperation on nuclear weapon issues and U2 basing indicated that cooperation on biological and chemical warfare research could not be ruled out.

**Telstra: Services**

*(Question No. 415)*

**Senator Allison** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 8 July 2002:

(1) Can an explanation be provided for the delay in the connection of a telephone service to Mrs Shelia Draper at 1/6 Edgewood Place, Denham’s Beach, New South Wales in September 2001.

**Senator Alston**—The answer to the honourable senator’s question, based on advice from Telstra, is as follows:

(1) Telstra has advised that Mrs Draper applied for a telephone service at 1/6 Edgewood Place, Denham’s Beach on 23 August 2001. Mrs Draper was advised that she would be connected on 3 September 2001.

On 29 August, Mrs Draper was advised by Telstra that there would be a delay in connection as there was no spare cable available. A new connection date of 20 September was provided to her. This was Telstra’s Mandatory Completion Date for the service (20 working days).

To assist the customer, on 4 September, Telstra provided Mrs Draper with an interim GSM Mobile service. The GSM coverage however did not prove to be adequate and was replaced with an interim service using CDMA on 19 September. Again, the coverage proved to be unsatisfactory. The permanent service solution was provided to Mrs Draper on 24 September.

Mrs Draper received financial compensation from 20 September (the Mandatory Connection Date) to 24 September (two working days) under the Customer Service Guarantee.

**Aviation: F111s**

*(Question No. 417)*

**Senator Chris Evans** asked the Minister for Defence, upon notice, on 9 July 2002:

With reference to the four contracts related to the F-111s for avionics, weapons, engines and workshop:

(1) What are the start and end dates for each contract and any options for extension.
(2) What is the nature of the activity covered by each contract.
(3) What is the total value of each contract, where a contract has been signed.
(4) What is the total of payments made to date on each contract.
(5) What is the total of scheduled payments for the 2002-03 and 2003-04 financial years.
(6) (a) Are payments under the contracts contingent on the continued operation of the F-111 fleet; and
(b) if a decision was taken to replace the F-111s before the end of the contract, would the Government still be liable to pay out some or all of the remaining value of the contract; if so, how much would the Government be liable to pay each year even if the F-111s were no longer operating.

(7) (a) Are payments under the contracts contingent on a minimum level of activity across the F-111 fleet; and (b) if a decision was taken to wind down the activity of the fleet, in terms of the number of planes maintained in flying condition or total flying hours, would the Government still be liable to continue paying out the full value of the contract.

(8) Are payments under the contracts linked to the flying hours of the F-111 fleet.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) The start and end dates for each contract are listed at Table 1.

<table>
<thead>
<tr>
<th>Contract</th>
<th>Contractor</th>
<th>Start/End Dates</th>
<th>Extension Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avionics</td>
<td>Honeywell Australia</td>
<td>23 February 2001 - 22 February 2011</td>
<td>Two five year extensions up to a maximum contract period 20 years.</td>
</tr>
<tr>
<td>Weapon System</td>
<td>Boeing Australia</td>
<td>16 August 2001 - 15 August 2011</td>
<td>Two five year extensions up to a maximum contract period 20 years.</td>
</tr>
<tr>
<td>Engines</td>
<td>In House Option</td>
<td>Not Applicable - Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>Workshops: Tasman Aviation Enterprises</td>
<td>20 March 2000 - 19 March 2003</td>
<td>Options exist to extend the contract in up to five year increments to a maximum contract period of 20 years.</td>
</tr>
</tbody>
</table>

(2) A short summary of each of the business units follows.

**Avionics.** The Avionics Business Unit is responsible for integrated logistics support services (engineering, supply and maintenance) for a range of avionics components fitted to the F-111, Hercules and various other ADF aircraft.

**Weapon System.** The Weapon System Business Unit acts as the prime weapon system contractor for the F-111 providing engineering and logistic support for the equipment it maintains. Activities covered in the contract include deeper level maintenance of the F-111 aircraft and its associated airframe components. It also includes operation and support of the F-111 Software Support Facility and the F-111 Mission Simulator. The Weapon Systems Business Unit contractor is also responsible for the integration of new capabilities on to the F-111 aircraft.

**Engines.** The F-111 Engines Business Unit provides integrated logistics support services (engineering, supply and maintenance) for the TF-30 series of engines fitted to the F-111 aircraft. The Engines Business Unit is an in house option.

**Workshops.** The Workshops Business Unit provides electroplating services, general engineering and metal machining support for the F-111 and other ADF customers.

(3), (4) & (5) The information requested is consolidated in Table 2.

<table>
<thead>
<tr>
<th>Contract</th>
<th>Estimated Value ($m)</th>
<th>Payments to 29 Jul 02 ($m)</th>
<th>Estimated Expenditure FY 02/03 ($m)</th>
<th>Estimated Expenditure FY 03/04 ($m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avionics</td>
<td>233.8</td>
<td>14.6</td>
<td>19.9</td>
<td>18.0</td>
</tr>
<tr>
<td>Weapon System</td>
<td>569.8</td>
<td>38.2</td>
<td>58.0</td>
<td>66.0</td>
</tr>
<tr>
<td>Workshops</td>
<td>14.1</td>
<td>11.6</td>
<td>6.2</td>
<td>7.2</td>
</tr>
</tbody>
</table>

Notes.
1. The value of the contracts is estimated as they include fixed and variable elements.
2. The initial Workshops Business Unit contract is for three years. Expenditure in FY02/03 and FY03/04 is dependent on the contract being extended.

(6) (a) Yes, payments are based on the continued operation of the F-111 fleet. Provision exists to change payments based on variations to activity levels, both upward and downwards. How-
ever, while the F-111 fleet remains in service, the contractors will be paid to maintain infrastructure and staff supporting the F-111 even if flying activity was temporarily suspended.

(b) In the event the contracts were "Terminated for Convenience", the Commonwealth would be liable to pay all reasonable costs associated with termination (eg. redundancies) and would also be liable to meet costs associated with any contractual commitments the contractors have made in fulfilling their obligations under the contract. The Contractor is required to mitigate its losses to the maximum extent under all contracts. There is a specific provision in the Weapon System Business Unit Contract wherein the Commonwealth is not liable for any loss of profit or other income. The actual termination costs will be subject to negotiation and will depend on the lead time provided to allow the Contractors to mitigate the impact of termination.

(7) (a) Payments are based on an estimated level of activity that stems from the approved flying rate of effort for the fleet. All Contracts have provisions for adjusting the price of the contract if a reduced rate of effort alters the estimated level of activity and such change is deemed a "permanent change in conditions". There is no minimum level of activity stipulated.

(b) No, in both cases, both parties would be required to negotiate a change to the cost of the contract resulting from the change in conditions.

(8) Payments are not directly related to flying hours. However, the baseline estimates that form the current contract price are derived from the maintenance required for the current approved F-111 rate of effort as well as activity levels associated with certain types of flying.

**Defence: Air Warfare Destroyer Project**

(Question No. 418)

Senator Chris Evans asked the Minister for Defence, upon notice, on 10 July 2002:

With reference to the air warfare destroyer project, it has been indicated that the study phase for Sea 4000 will cost $30 to $50 million:

(1) Can a breakdown be provided of the costs for this study phase, given the size of the proposed budget, including how much will be spent on consultancies and travel.

(2) What are the timelines for the study phase.

(3) Can a comparison be provided with the costs of similar study phases for other projects, for example, the Anzac frigates, Collins class submarines, Air 87.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) As this project phase is still under detailed consideration as part of the acquisition strategy, a cost breakdown cannot be provided at this stage.

(2) The proposed timeline for the studies is still under consideration and not yet approved.

(3) The Collins Class Submarine Project conducted a similar Project Definition Study in the mid 1980s that had an estimated cost of $33m (1985 value) or approximately $45m in 2002 dollars. An examination of other projects has indicated no similar pre contract definition studies to that proposed by Air Warfare Destroyer have been conducted. Projects examined include the Air 87, ANZAC Frigates, and Patrol Boat projects.

**Wide Bay Electorate: Program Funding**

(Question No. 423)

Senator O’Brien asked the Minister representing the Prime Minister, upon notice, on 10 July 2002:

(1) What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

(2) What was the level of funding provided through these programs and/or grants for the 1999-2000, 2000-01 and 2001-02 financial years.

(3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

**Senator Hill**—The Prime Minister has provided the following answer to the honourable senator’s question:
I am advised by my department as follows:

1. The department does not administer any programmes and/or grants specifically within the electorate of Wide Bay.

2. N/A

3. (a) N/A
   (b) N/A
   (c) N/A

**Wide Bay Electorate: Program Funding**
*(Question No. 426)*

Senator O’Brien asked the Minister representing the Minister for Trade, upon notice, on 10 July 2002:

1. What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

2. What was the level of funding provided through these programs and/or grants for the 1999-2000, 2001-01 and 2001-02 financial years.

3. Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

Senator Hill—The Minister for Trade has provided the following answer to the honourable senator’s question:

1. The Export Market Development Grants (EMDG) scheme provided assistance to the people living in the federal electorate of Wide Bay.

2. Attached table listing EMDG recipients with the total level of funding being $603,821 for the financial years 1999-2001. Figures for 2001-02 financial year are unavailable.

3. (a) Attached table listing location of each project, (b) the nature of each project and (c) the level of funding for each grant. All Export Market Development Grants are paid under the authority of the EMDG Act 1997. The EMDG scheme is a non-discretionary scheme that reimburses up to 50% of eligible export marketing expenditure incurred by eligible Australian based small to medium sized businesses.
EMDG recipients in the electorate of Wide Bay, in grant years 1998/99, 1999/00 and 2000/01

<table>
<thead>
<tr>
<th>Electorate</th>
<th>Grant Year</th>
<th>Recipient</th>
<th>Streeta</th>
<th>Streetb</th>
<th>Suburb</th>
<th>State</th>
<th>PCode</th>
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* This information is based on postcodes occurring in the electorate listed. Recipients provided in this list may also be in an adjoining electorate, where the postcode boundary crosses electoral divisions.
Wide Bay Electorate: Program Funding  
(Question No. 427)

Senator O’Brien asked the Minister for Defence, upon notice, on 10 July 2002.

(1) What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

(2) What was the level of funding provided through these programs and/or grants for the 1999-2000, 2000-01 and 2001-02 financial years.

(3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

Senator Hill—The answer to the honourable senator’s question is as follows:

(1) Defence establishments in and around the Wide Bay electorate that generate income and contribute to the community include the Wide Bay Training Area; the 7th Brigade depots at Maryborough and Gympie; and the 11th Brigade depot at Biloela. These bring a throughput of approximately 30,000 Australian Defence Force members to the Wide Bay area. Defence has not awarded grants in the Wide Bay electorate.

(2) Out-sourcing to the local community in the Wide Bay electorate is estimated to be

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(3) Besides the information above, Defence Food Accounting Unit has indicated that it spends at least $150,000 per year on perishables supporting units in the Wide Bay Area and 11th Brigade maintains a depot at Biloela supporting approximately 62 cadets.

Wide Bay Electorate: Program Funding  
(Question No. 429 and 445)

Senator O’Brien asked the Minister representing the Minister for Employment and Workplace Relations and the Minister representing the Minister for Employment Services, upon notice, on 10 July, 2002:

(1) What programmes and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

(2) What was the level of funding provided through these programmes and/or grants for the 1999-2000, 2000-01 and 2001-02 financial years.

(3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

Senator Alston—Senator Alston— The Minister representing the Minister for Employment and Workplace Relations and the Minister for Employment Services has provided the following answer to the honourable senator’s question:

(1) Department programmes currently operating in the electorate of Wide Bay are:

- Return To Work / Transition to Work Programmes
- Indigenous Employment Programmes (IEP)
- Structured Training and Employment Projects (STEP)
- Wage Assistance
- Direct Assistance
- Community Development Employment Projects (CDEP)
- Job Network Programmes (Intensive Assistance, Job Matching, Job Search Training, New Enterprise Incentive Scheme, Project Contracting)
- Employee Entitlements Support Scheme (EESS)
- Work for the Dole Programme (WfD)
- Community Support Programme (CSP)

Former department programmes operating in the electorate of Wide Bay are:

- Area Consultative Committees (ACC)
- Regional Assistance Programme (RAP)
- Dairy Regional Assistance Programme (Dairy RAP)

With the machinery of government changes following the 2001 election, these programmes were moved to the Department of Transport and Regional Services (DOTARS).
(2) Please see spreadsheet and explanatory notes at Attachment A and B respectively.

(3) Where available, information relating to the location and nature of specific projects may be viewed in the Attachments (see index below). However, information relating to levels of specific funding for many projects cannot be provided due to commercial in confidence contractual obligations.

Overall figures may be examined at Attachment A.

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<th>Attachments/Notes</th>
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ATTACHMENT A

Electorate of Wide Bay 2000, 2001, 2002

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<td>Community Support Programmes</td>
<td>Training Employment Support Service</td>
<td>01/07/2001</td>
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<td>30/06/2000</td>
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<td>Employee Entitlements Support Scheme</td>
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<tr>
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<td>01/07/1999</td>
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<td>Start Date</td>
<td>End Date</td>
<td>Amount</td>
</tr>
<tr>
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<td>---------------------------------------------------------------------------</td>
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<td>------------</td>
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</tr>
<tr>
<td>Return to Work Programme</td>
<td>Vocational, Education Training and Employment Corporation</td>
<td>01/07/1999</td>
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<td>Vocational, Education Training and Employment Corporation</td>
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<td>Vocational, Education Training and Employment Corporation</td>
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<td>Structured Training &amp; Employment Programme</td>
<td>2 Recipients</td>
<td>01/07/1999</td>
<td>30/06/2000</td>
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<td>Structured Training &amp; Employment Programme</td>
<td>1 Recipient</td>
<td>01/07/2000</td>
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<td>2 Recipients</td>
<td>01/07/2001</td>
<td>30/06/2002</td>
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<tr>
<td>Sub Totals</td>
<td></td>
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<tr>
<td>Wage Assistance</td>
<td>7 Recipients</td>
<td>01/07/1999</td>
<td>30/06/2000</td>
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<td>Wage Assistance</td>
<td>17 Recipients</td>
<td>01/07/2000</td>
<td>30/06/2001</td>
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<td>Wage Assistance</td>
<td>27 Recipients</td>
<td>01/07/2001</td>
<td>30/06/2002</td>
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<td>Work for the Dole *</td>
<td>355 recipients</td>
<td>01/07/1999</td>
<td>30/06/2000</td>
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</tr>
<tr>
<td>Work for the Dole *</td>
<td>396 recipients</td>
<td>01/07/2000</td>
<td>30/06/2001</td>
<td>$809,163</td>
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<tr>
<td>Work for the Dole *</td>
<td>426 recipients</td>
<td>01/07/2001</td>
<td>30/06/2002</td>
<td>$867,315</td>
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<td>$2,320,837</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
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<td>$31,538,273.39</td>
</tr>
</tbody>
</table>

**ATTACHMENT B**

**Electorate Database – Explanatory Notes**

The following caveat statements should be read in conjunction with the figures provided in the spreadsheet for the electorate of Wide Bay.

1. Funding and expenditure are normally linked to administrative areas which are used for a number of purposes related to the operation of a programme, for example, Labour Market Regional (LMR) or Employment Service Area (ESA). The borders associated with these administrative areas do not necessarily coincide with electorate boundaries.
2. Where additional information is held such as the location of a programme, this has provided a basis to link expenditure to an electorate. The information provided in the attached spreadsheet is therefore an approximation based on information available.
3. Figures in the attached spreadsheet generally indicate monies allocated, not monies spent. However, it should be noted that all IEP programme figures reflect actual expenditure.
4. An asterisk (*) assigned to a programme indicates that allocated funding is GST inclusive.

The following statements provide further information regarding methods used for collating electorate funding by programme.
Return To Work / Transition to Work – Return to Work Programme places are allocated by LMR and expenditure has been attributed to the electorates relevant to the region having regard to area of the electorate and the size and distribution of population within it.

Indigenous Employment Programmes, Structured Training and Employment Projects (STEP), Wage Assistance, Direct Assistance, Community Development Employment Projects (CDEP) - The figures in the attached spreadsheet have been provided on the basis that the address of the project or employer that received funding was in the specified electorate. It should be noted that in some cases this will be the address of a central office of the organisation and does not necessarily reflect the location of actual employment.

Job Network Programmes (Intensive Assistance, Job Matching, Job Search Training, New Enterprise Incentive Scheme, Project Contracting) - JN is administered on the basis of 19 Labour Market Regions and 137 Employment Service Areas, the boundaries of which do not align with those of Federal electorates. Expenditure has been allocated to electorates on the basis of the location of Job Network sites. Small or zero expenditures against electorates do not mean that job seekers living in those electorates are not receiving Job Network services. The distribution of sites by electorate is entirely coincidental; sites are generally located near shopping centres and centres of employment. Job seekers choose Job Network members for a variety of reasons including location, proximity to transport routes/Centrelink office, satisfaction of friends and others.

Employee Entitlements Support Scheme (EESS) - Recipient electorates are determined by the claimant’s postcode where available. Some postcodes have more than one electorate; the information contained shows all relevant data for each electorate, noting that some recipients fall in more than one electorate. This results in some duplication and overstating of the number of employees paid and the amount paid.

* Work for the Dole Programme (WfD) - Expenditure on each project has been linked to electorate by the geographic location or locations where the activity occurs (as advised by the project sponsor). Where, as a result of this process the locations associated with a project fall into more than one electorate, the funds associated with the project have been divided equally among the electorates involved. The number of recipients for a project is the number of approved places for which funding is available.

* Regional Assistance Programme (RAP), Dairy Regional Assistance Programme (Dairy RAP) – Statistical information collected on projects funded by RAP and Dairy RAP is based on the Area Consultative Committee (ACCs) regional network structure. Many ACCs cover a number of federal electorates in whole or in part. To move from an ACC basis to an electorate-based approach in order to quantify the allocation of funds is fraught with difficulties. Arbitrary judgements would have to be made about how much a project or ACC related to a particular electorate. Therefore, the figures in Attachment A are based on an estimated expenditure of RAP and Dairy RAP projects which may have benefited the electorate of Wide Bay.

With the machinery of government changes following the 2001 election, these programmes were moved to the Department of Transport and Regional Services (DOTRS).

Area Consultative Committees (ACC) - ACCs cover multiple electorates. Figures for each electorate have been calculated by dividing the total funding for an ACC equally among the electorates involved. With the machinery of government changes following the 2001 election, these programmes were moved to the Department of Transport and Regional Services (DOTRS).

Community Support Programme (CSP) – Figures are allocated to electorate based on the postal address of the recipients.

ATTACHMENT C

Community Support Programme

The Community Support Programme (CSP) assists job seekers who are not yet ready to participate in Intensive Assistance in Job Network due to having serious and/or multiple barriers to gaining employment. The programme is voluntary and is delivered by private, community and public sector organisations selected and contracted through a competitive tender process.
CSP organisations help participants access counselling, stable accommodation, drug or alcohol rehabilitation programmes and other activities addressing significant or debilitating personal development needs.

The main providers for the electorate of Wide Bay throughout the 1999, 2000 and 2001 financial years were:

Training Employment Support Services - Maryborough (Round 1 & 2)
Training Employment Support Services - Urangan (Round 1 & 2)

Please note that the amount of funding provided to these organisations is commercial-in-confidence.

ATTACHMENT D


The description and location of each activity that was provided at the time the activity was approved are included in the below table. Funding details of individual activities cannot be provided as the information is classified as commercial-in-confidence.

<table>
<thead>
<tr>
<th>Activity Title</th>
<th>Location</th>
<th>Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree planting along the ex rail corridor at Pialba</td>
<td>Pialba</td>
<td>Currently the ex rail corridor at Pialba is an underdeveloped site, which is overgrown and unattractive. This project will involve Hervey Bay Council, WFD participants to landscape.</td>
</tr>
<tr>
<td>Restoration of exhibits – Gayndah Historical Society</td>
<td>Gayndah</td>
<td>Rebuild a slab hut, restore old machinery, catalogue exhibits at the Gayndah Museum. Landscaping, construction, timber restoration, painting, record keeping etc.</td>
</tr>
<tr>
<td>Repairing the Bauple Band Hall</td>
<td>Bauple</td>
<td>To refurbish the hall for meetings and other community activities.</td>
</tr>
<tr>
<td>Working at the Recycling Centre</td>
<td>Maryborough</td>
<td>To increase awareness and involvement in recycling activity.</td>
</tr>
<tr>
<td>Upgrading of parks in Biggenden</td>
<td>Maryborough</td>
<td>To repair and refurbish established fencing, paths and seating, landscaping and general maintenance of Biggenden parks</td>
</tr>
<tr>
<td>Refurbish the Tiaro railway building</td>
<td>Tiaro</td>
<td>To repair and refurbish the Tiaro railway building so it can be used as a tourist information centre and storehouse for local history</td>
</tr>
<tr>
<td>Maintenance of community vessels</td>
<td>Tiaro</td>
<td>To overhaul refit and repair yachts belonging to Abundant Life Fellowship - Boundary Rider II and other community organisations’ ships.</td>
</tr>
<tr>
<td>Assisting with cemetery extensions</td>
<td>Maryborough</td>
<td>Upgrade, landscape the existing cemetery and extend the area into adjoining land</td>
</tr>
<tr>
<td>Meeting individual and community needs</td>
<td>Gayndah</td>
<td>To provide participants with experience and expertise in their area of choice. This project matches community groups’ skills requirements with individual participant interest.</td>
</tr>
<tr>
<td>Landscaping - foreshore and youth club</td>
<td>Hervey Bay</td>
<td>The Hervey Bay City Council has identified a range of projects involving the Hervey Bay foreshore and the landscaping of the police and Citizens Youth Club as beneficial projects for WFD participants. These include land reclamation, weed and noxious plant clearing, litter clearing.</td>
</tr>
<tr>
<td>Matching community and individual needs</td>
<td>Hervey Bay</td>
<td>Participants will work with pre-qualified literacy suppliers to complete vocational, communication, literacy and numeracy assessments to identify appropriate mentor organisations.</td>
</tr>
<tr>
<td>Landscaping project</td>
<td>Eidsvold</td>
<td>Landscape entry areas to the school. Provide a pleasant safe and welcoming entry to the school.</td>
</tr>
<tr>
<td>Activity Title</td>
<td>Location</td>
<td>Activity Description</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Establishment of vocational programs</td>
<td>Eidsvold</td>
<td>Support vocational curriculum areas to establish v voc ed courses. Industrial skills, hospitality computer studies, literacy, numeracy, resource centre. Relevant curriculum to support transition of young people to world of work.</td>
</tr>
<tr>
<td>Kolan-Burnett Parthenium Control Programme</td>
<td>Gin Gin</td>
<td>To eradicate noxious weed parthenium and to carry out land and habitat rehabilitation including tree planting, paving, and block laying. Participants will also be involved in machinery restoration at the historical museum.</td>
</tr>
<tr>
<td>Road and reserve tree planting project</td>
<td>Murgon 4605</td>
<td>Planting of native plants and ongoing maintenance as part of a beautification project to the town entrance of Murgon.</td>
</tr>
<tr>
<td>Recycle the recyclable and manage the waste better</td>
<td>Tinana, Maryborough</td>
<td>Identify and collect items from the community that can be recycled, and sell them to customers, as well as to the metals and glass collectors.</td>
</tr>
<tr>
<td>Black Creek restoration - Gin Gin</td>
<td>Gin Gin</td>
<td>Help establish walking trails and revegetate native corridors around Gin Gin by constructing a walking trail, native tree planting and weed removal.</td>
</tr>
<tr>
<td>Adult training &amp; support (TESS mixed 5)</td>
<td>Maryborough, Hervey Bay</td>
<td>Working to establish the development of leisure and recreation pursuit in the community for people with disabilities. Hand &amp; power tool use for general repairs of the Ken Pearson Stadium.</td>
</tr>
<tr>
<td>Icing on the Cake</td>
<td>Urangan</td>
<td>Landscaping around a pond/lagoon, planting trees building shelter. Maintenance of grounds:</td>
</tr>
<tr>
<td>Skill centred regional Queensland Fraser Coast Activity No 2</td>
<td>Maryborough, Torquay, Howard, Urangan, Scarness, Pialba, Point Vernon</td>
<td>Participants will access a variety of work experience with various community groups assisting in provision of services - teachers aide, administration/reception, grounds person, kitchen hand, greenkeeper, library, museum attendant</td>
</tr>
<tr>
<td>Holes for Soles</td>
<td>Maryborough</td>
<td>Variety of projects that best suit the individual. Office and reception: ground maintenance: painting: caring: recycling</td>
</tr>
<tr>
<td>Greener Biz</td>
<td>Tin Can Bay, Rainbow Beach, Cooloola Cove</td>
<td>Horticultural practices and environmental management addressing coastal vegetation deterioration &amp; erosion along the Cooloola Coast fore-shore.</td>
</tr>
<tr>
<td>Filling the Gaps</td>
<td>Maryborough, Granville, Urangan, Torquay, Pialba</td>
<td>Mixture of skills and needs for different community groups to take the places of past participants. Tasks: assist people with disabilities to ride horses, grounds maintenance, animal care, office reception, computer work, maintenance of office and grounds, laundry, child care, construction team assistance, house maintenance, librarian, cafeteria work.</td>
</tr>
<tr>
<td>Biggenden Council</td>
<td>Biggenden</td>
<td>Restoration works at Coalstoun Lakes Parks and Recreation Reserve as well as demolishing old cattle and horse stalls at showgrounds.</td>
</tr>
<tr>
<td>Helping Hands project</td>
<td>Maryborough</td>
<td>Work experience placements in a variety of non profit organisations, local governments and government bodies. Tasks: customer service, interaction with tourists, marketing, computer, telephone/reception, ground maintenance, yard building &amp; painting.</td>
</tr>
<tr>
<td>Activity Title</td>
<td>Location</td>
<td>Activity Description</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The toy Makers</td>
<td>Maryborough</td>
<td>Making wooden items such as toys and signs for donation or resale at the markets.</td>
</tr>
<tr>
<td>Skill Centred Regional Qld Fraser Coast project</td>
<td>Maryborough, Torquay, Granville, Nikenbah, Pialba, Urangan, Scarness, Point Vernon, Hervey Bay, Tinana</td>
<td>Individual placements with a variety of community organisations enabling participants a wide choice of work experiences including: administration, computer training, public relations, grounds maintenance, animal care, recycling, catering, research, telephone and switchboard operation</td>
</tr>
<tr>
<td>Community Events Officers 2001</td>
<td>Maryborough</td>
<td>Management training before, during &amp; after events, planning, marketing, resourcing, printing, prepare venue, crowd management</td>
</tr>
<tr>
<td>A Brush with Sunshine</td>
<td>Maryborough</td>
<td>Encompasses the sanding and painting of St Matthews Lutheran Church hall internally and externally, plan and build surrounding gardens, paving, swing and seats.</td>
</tr>
<tr>
<td>Community Event Officers 2002-Maryborough</td>
<td>Fraser Coast ESA which includes the following postcodes - 4260-61, 4625-26, 4650, 4655, 4659, 4622</td>
<td>Community Event Officers (CEOs) will be trained &amp; placed to support a diverse range of community events by assisting with event setup, catering, ticket sales, car parking attendant, competitor registration, drink stations.</td>
</tr>
<tr>
<td>Skill Centred Regional Queensland Bundaberg Activity No. 3</td>
<td>Bundaberg, Bargara, Childers, Gin Gin, Lowmead, South Kolan, Rosedale, Gooburrum, Sharon, Wartburg</td>
<td>Placements will involve landscaping, reception and administration duties, computer data entry, general hospitality catering</td>
</tr>
<tr>
<td>Gympie construction and community placements number 3</td>
<td>Gympie, Tin Can Bay, Murgon, Amamoor, Kingaroy, Nanango, Chatsworth, Rainbow Beach, Mooloo</td>
<td>Individual placements and construction with a variety of community groups to enable them to achieve outcomes otherwise not possible.</td>
</tr>
<tr>
<td>The Rotary Club Of Gympie Community Enhancement project</td>
<td>Chatsworth, Gunnedah, Gympie, Woolooga, Imbil, Amamoor</td>
<td>Provide the participants and the community with meaningful help across a range of activities which will help all concerned. Tasks: grounds person, library assistant, office assistant, cleaner, kitchen hand, administrative assistant, cleaning, rail carriage restoration, recycling assistant.</td>
</tr>
<tr>
<td>Skill Centred Regional Qld Gympie project</td>
<td>Imbil 4570, Gympie 4570, Murgon 4605, Kingaroy 4610, Tin Can Bay 4580.</td>
<td>Construction, landscaping and individual work experience placements with numerous community organisations in Gympie and the South Burnett.</td>
</tr>
<tr>
<td>Skill Centred Regional Queensland Bundaberg Activity No. 2</td>
<td>Bargara, Gin Gin, Childers, Rosedale, Gooburrum, Wartburg, Bundaberg</td>
<td>Placements will be made with a number of community groups to assist them in their provision of services to the community - reception, administration, switchboard operation, grounds maintenance, hospitality, catering</td>
</tr>
<tr>
<td>Work experience through diverse opportunity Rockhampton</td>
<td>Across Bundaberg ESA which includes the following postcodes - 4627, 4630, 4660, 4680.</td>
<td>Employment North proposes to place individual participants in selected &quot;host&quot; organisations to gain valuable experience. Tasks included: office administration - use of computer systems, photocopying, phones and faxing; landscaping;</td>
</tr>
<tr>
<td>Activity Title</td>
<td>Location</td>
<td>Activity Description</td>
</tr>
<tr>
<td>----------------</td>
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<td>----------------------</td>
</tr>
<tr>
<td>4670-71, 4673-74, 4676</td>
<td>theatre/maintenance; special child care with disabled children; supporting disabled in their own homes eg. Domestic duties; tourism promoting – using office equipment, responding to inquiries, taking bookings; library assistant.</td>
<td></td>
</tr>
<tr>
<td>Community Event Officers 2002 – Bundaberg</td>
<td>Across Bundaberg ESA which includes the following postcodes - 4627, 4630, 4660, 4670-71, 4673-74, 4676</td>
<td>Community Event Officers (CEOs) will be trained &amp; placed to support a diverse range of community events by assisting with event setup, catering, ticket sales, car parking attendant, competitor registration, drink stations.</td>
</tr>
<tr>
<td>Fraser Coast community placements, no 2</td>
<td>Torquay, Nikenbah, Maryborough, Hervey Bay, Pialba, Kawungan, Urangan</td>
<td>Individual placements with a variety of community groups to enable them to achieve outcomes that would otherwise be unobtainable.</td>
</tr>
<tr>
<td>Adult skills training (etc mixed 1)</td>
<td>Hervey Bay, Maryborough, Pialba</td>
<td>Matches skill requirements of unemployed clients to a range of community organisations, recognising their experience and expertise to build on.</td>
</tr>
<tr>
<td>Club restoration</td>
<td>Maryborough</td>
<td>Sanding, preparation and painting of walls and ceiling. Set up memorabilia walk of photos and notices of past players and events.</td>
</tr>
<tr>
<td>Sandy Creek Outdoor Centre</td>
<td>Maryborough</td>
<td>Maintenance of buildings, environment and grounds for use by groups in outdoor activities.</td>
</tr>
<tr>
<td>Library aide project</td>
<td>Various Sunshine Coast 4560</td>
<td>Participants will be placed in various school and shire libraries on the Sunshine Coast. Provide work experience in all aspects of library work.</td>
</tr>
<tr>
<td>Stage 2 butter factory restoration</td>
<td>Biloela</td>
<td>Continued restoration of the butter factory</td>
</tr>
<tr>
<td>Allsorts for Allsorts</td>
<td>Maryborough CBD</td>
<td>Indoors and outdoors - ground maintenance, office, repairs, kitchen hand, construction, data updates.</td>
</tr>
<tr>
<td>Mix and Match</td>
<td>Torquay, Urangan, Pialba</td>
<td>Mixture of places to match the individuals. Office work, computer, marketing, ground maintenance, regeneration</td>
</tr>
<tr>
<td>Job solutions for community (TESS mixed 4)</td>
<td>Various through Maryborough 4650</td>
<td>Office skills; ground maintenance; helping people with disabilities; helping aged people; construction labouring activities; building maintenance; child care; landscape construction.</td>
</tr>
<tr>
<td>Gin gin creek project</td>
<td>Gin gin</td>
<td>The area known as heartwalk track running along gin gin creek near the hospital will be revegetated and a new track constructed.</td>
</tr>
<tr>
<td>Renovation &amp; restoration of skate centre &amp; church gin gin</td>
<td>Gin gin</td>
<td>The gin gin assembly of god church's &quot;skate centre&quot; requires restoration &amp; renovation to use for youth, children's activities, skating.</td>
</tr>
<tr>
<td>Happy homes</td>
<td>Urangan, pialba, scarness</td>
<td>The project will encompass the renovation of five accommodation properties in the hervey bay area involving sanding, painting, tiling, laminating, re-roofing pergolas, pathway construction, installation of watering systems.</td>
</tr>
<tr>
<td>Care and share</td>
<td>Maryborough</td>
<td>Library assistant, computer technology support, administration, gardening, working with the aged</td>
</tr>
<tr>
<td>Activity Title</td>
<td>Location</td>
<td>Activity Description</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>----------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Community skills training (mixed 7)</td>
<td>Maryborough, granville</td>
<td>Matches skill requirements of unemployed to a range of community organisations, so as to enhance their employment prospects.</td>
</tr>
<tr>
<td>Colourful Cooloola</td>
<td>Tin Can Bay, Cooloola Cove, Rainbow Beach</td>
<td>Development of artistic skills including design through mural enhancement of a number of public facilities on the Cooloola Coast.</td>
</tr>
<tr>
<td>Campdrafting</td>
<td>Maryborough</td>
<td>Building drafting yards at the showgrounds, building steel wire enclosure around compound and building a loading ramp</td>
</tr>
<tr>
<td>Tree planting project</td>
<td>Murgon</td>
<td>Maintenance of native plants recently planted in Murgon and continuation of planting as part of a beautification project to Murgon town entrances.</td>
</tr>
<tr>
<td>Reap- regeneration employment assistant project</td>
<td>Cooloola Shire (Rainbow Beach area)</td>
<td>Prepare sites and revegetation of a number of riparian sites within the Cooloola region and the Mary River. Participants will be involved in the removal of woody weeds &amp; preparation of sites.</td>
</tr>
<tr>
<td>Fraser Coast community placements</td>
<td>Various Fraser Coast</td>
<td>Customer service, administration &amp; grounds/maintenance support work. Reception, administration, telephone &amp; switchboard operation, student support, grounds maintenance, computer data input, research, public relations.</td>
</tr>
<tr>
<td>Work experience through diverse opportunity “Gladstone ESA”</td>
<td>Gladstone ESA which includes the following postcodes - 4677-78, 4680, 4694-95, 4715-16, 4718-19</td>
<td>Employment North proposes to place individual participants in selected &quot;host&quot; organisations to gain work experience - retail, administration, groundsman, teachers aide.</td>
</tr>
<tr>
<td>Horses for Courses</td>
<td>Maryborough</td>
<td>Bring equestrian facilities at the showgrounds to an international standard for competition events and showjumping.</td>
</tr>
<tr>
<td>Focus on Caring – Making a Difference</td>
<td>Granville, Hervey Bay</td>
<td>Hostel support service for residents &amp; in care at Granville. Construction &amp; maintenance for ground at Hervey Bay. Office reception for busy office.</td>
</tr>
<tr>
<td>City Farm Project (Mark 1)</td>
<td>Gympie, Tin Can Bay, Rainbow Beach, Cooloola Cove</td>
<td>A mix of horticultural, nursery &amp; restoration work at production nurseries &amp; off-site projects including coastal revegetation</td>
</tr>
<tr>
<td>Skill Centred Regional Queensland Fraser Coast Activity No. 3</td>
<td>Maryborough, Torquay, Howard, Pialba, Urraween, Granville, Nikenbah, Urangan, Scarness, Kawungan, Point Vernon, Hervey Bay, Bidwill, Tinana</td>
<td>A choice of a variety of work including landscaping, office work retail, general hospitality and other customer service roles</td>
</tr>
<tr>
<td>Skill Centred Regional Queensland Gympie Activity No. 3</td>
<td>Murgon, Nanango, Kingaroy, Blackbutt, Wondai, Yarraman, Gympie, Gunalda, Imbil, Chatsworth, Tin Can Bay</td>
<td>Activity includes basic construction, office work, grounds maintenance and library assistance</td>
</tr>
<tr>
<td>Pavilions re-painting</td>
<td>Biloela</td>
<td>Re-painting of all buildings and beautification of grounds</td>
</tr>
<tr>
<td>Activity Title</td>
<td>Location</td>
<td>Activity Description</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>----------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Wowan, Jambin and Goovigen Community project</td>
<td>Wowan, Jambin &amp; Goovigen, Gladstone</td>
<td>Renovation of the museum in Wowan, restoration of the cemetery in Jambin and the restoration of the oldest residence in Goovigen.</td>
</tr>
<tr>
<td>T.S. Krait – recycling</td>
<td>Urangan Hervey Bay</td>
<td>Recycling facility based at Round Island Road specialising in the recycling of light, soft &amp; heavy metals &amp; bric a brac</td>
</tr>
<tr>
<td>Skill Centred Regional Queensland Bundaberg project</td>
<td>Bundaberg, Bargara, Childers, Gin Gin Rosedale</td>
<td>Individual placements with a variety of community organisations enabling participants a wide choice of work experiences including grounds person, retail, teacher aide, gardener, canteen assistant, administration.</td>
</tr>
<tr>
<td>Make or Break It</td>
<td>Urangan, Maryborough</td>
<td>Office administration, data input, painting, outdoor construction, tourist information</td>
</tr>
<tr>
<td>Gympie construction and community placements No.2</td>
<td>Gympie and surrounds 4570 to 4615, 4614 4610 and 4605</td>
<td>This work is largely in the areas of customer service, admin and ground maintenance support work. Tasks will include reception, admin., Telephone and switchboard operation.</td>
</tr>
<tr>
<td>Fraser Coast Community placements, no.2</td>
<td>Various Fraser Coast 4650-4655</td>
<td>This project aims to help community groups to achieve outcomes which would not otherwise be possible.</td>
</tr>
<tr>
<td>Bundaberg community placements, no.2</td>
<td>Bundaberg, Gin Gin, Childers, And Lowmead</td>
<td>This project is largely in the areas of customer service, admin and ground maintenance support work.</td>
</tr>
<tr>
<td>Community services project</td>
<td>Cooloola, Gympie Widgee</td>
<td>Work experience placements in a variety of non profit organisations libraries and government bodies. Participants will gain experience in all aspects of library work, clerical duties, meals on wheels and maintenance and gardening.</td>
</tr>
<tr>
<td>Green Biz</td>
<td>Tin Can Bay</td>
<td>The project will give participants skills in horticulture practices and environmental management techniques that will address coastal vegetation deterioration along the Tin Can Bays foreshores area. Participants will be involved in seed collection and horticultural tasks, installation of pedestrian paths and fencing, installation of erosion control measures, planting of native plants, removal of weeds and maintenance of existing revegetation works.</td>
</tr>
<tr>
<td>Community service training (TESS mixed 6)</td>
<td>Maryborough</td>
<td>Support worker for a person with a disability at horse riding for disabled Maryborough 4650.</td>
</tr>
<tr>
<td>Butter factory - restoration</td>
<td>Biloela</td>
<td>The aim of this project is to renovate the old Port Curtis butter factory in Biloela.</td>
</tr>
</tbody>
</table>
ATTACHMENT E


<table>
<thead>
<tr>
<th>LOCATION</th>
<th>PROGRAMME</th>
<th>ACTIVITY NAME</th>
<th>ACTIVITY DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherbourg</td>
<td>Training for Aboriginals and Torres</td>
<td>Cherbourg Council - NAHS</td>
<td>Combination AVTS traineeships and apprenticeships.</td>
</tr>
<tr>
<td></td>
<td>Strait Islanders Programme</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cherbourg</td>
<td>Training for Aboriginals and Torres</td>
<td>Cherbourg Emu Farm Tannery</td>
<td>A coordinator to develop and oversee the strategies to provide employment opportunities for Aboriginal and Torres Strait Islanders.</td>
</tr>
<tr>
<td></td>
<td>Strait Islanders Programme</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gayndah</td>
<td>Structured Training &amp; Employment</td>
<td>Gayndah Aboriginal &amp; Torres</td>
<td>Fund to employ consultant to study potential Gayndah pioneer to include Indigenous cultural area</td>
</tr>
<tr>
<td></td>
<td>Strait Islander Corporation Consultancy</td>
<td>Islander Corporation Consultancy</td>
<td></td>
</tr>
<tr>
<td>Scarness</td>
<td>Training for Aboriginals and Torres</td>
<td>Korrawinga Aboriginal Corporation</td>
<td>Coordinator to overlook the training of trainees in permaculture.</td>
</tr>
<tr>
<td></td>
<td>Strait Islanders Programme</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urangan</td>
<td>Training for Aboriginals and Torres</td>
<td>Tourism Leisure Corporation</td>
<td>Consultant to develop Indigenous Employment Policy</td>
</tr>
<tr>
<td></td>
<td>Strait Islanders Programme</td>
<td>Consultancy</td>
<td></td>
</tr>
</tbody>
</table>

ATTACHMENT F


Wide Bay Burnett ACC covers two electorates. Figures provided are a half of the total funds allocated to the ACC. The electorates are Hinkler and Wide Bay. Central Queensland ACC covers three electorates. Funding provided is a third of the total funding allocated to the ACC. The electorates covered are Hinkler, Maranoa and Wide Bay.

The role of the ACC was to foster development initiatives in their region, which would generate sustainable employment opportunities.

The Goods and Services Tax (GST) Sign Post Officer’s (SPO) role was to assist businesses with the implementation of the GST and to provide local businesses with advice on what was required in preparation for the implementation of the new tax on 1 July 2001.

The Indigenous Employment Programme (IEP) Marketing/Facilitator project was to assist communities with identifying initiatives that would foster employment opportunities for Indigenous Australians.

The SBAO (Small Business Assistance Officer) programme was designed to be a referral point for small businesses.

ACC operational funding is for the purpose of running the ACC and covers the salary cost for an Executive Officer, administrative staff and basic office costs such as rent, telephone and electricity.

Overall levels of funding for these projects are detailed in Attachment A.

NOTE - With the machinery of government changes following the 2001 election, these programmes were moved to the Department of Transport, and Regional Services (DOTARS).
ATTACHMENT G
Regional Assistance Programme (RAP), Dairy Regional Assistance Programme (DRAP) 2000, 2001, 2002

**RAP 2000**
- **Capricorn crayfish value adding and marketing** $40,500.00 – Central Qld – marketing and business development plan
- **Dawson Valley hardwood plantation** $25,000.00 – Dawson Valley – investigation into hardwood planting
- **SILO - Information and Reception Centre Construction** $45,000.00 – Biloela – building a reception centre
- **Trial Herb Processing Plant** $45,000.00 – *Callide Dawson* - *Trial Herb Processing Plant*
- **Concept Plan & Strategies for Revitalisation of Maryborough's Central Business District** $31,249.76 – Maryborough – strategic planning
- **Eidsvold - Our Future** $20,700.00 – Eidsvold – training workshops
- **Marketing Wide Bay Arts and Crafts** $55,770.00 – marketing plan
- **Tamuning the Wild Scotchman** $44,000.00 – Kolan Shire – economic development study

**RAP 2001**
- **Hardwood Sawdust Pilot Plant** $33,000.00 – *Eidsvold Shire* – environmental investigation/waste
- **Industry Cluster Access Tourism** $33,000.00 – Hervey Bay – strategic development plan
- **Whistle Stop General Manager** $74,250.00 – Maryborough – tourism development

**RAP 2002**
- **Economic Development Strategy** $49,500.00 – Biloela - Retail and Service Sector
- **Hervey Bay Industry Cluster** $44,000.00 - Hervey Bay - Special Interest Tourism
- **Lake Monduran Development of Recreation Facilities** $275,000.00 – Kolan Shire – tourist promotion
- **Maryborough Urban Renewal** $110,000.00 – Maryborough - implement urban renewal strategy

**DRAP 2000**
- Nil

**DRAP 2001**
- **Herb and Squab Opportunities for Dairy Farmers** $32,000.00 – Banana Shire – *This project will provide information to dairy farmers in the Callide Dawson region on herb and squab growing industries.*
- **Bendele Farm Boutique Poultry** $107,825.00 – Kilkivan Shire – *This project will support an organic duck producer to upgrade production, breeding, processing and value adding capabilities.*
- **Biggenden Meat Works Expansion** $208,230.00 – Biggenden Shire – *This project will assist an abattoir to expand their current operations in order to supply small, independent and community butchers in the Wide Bay Burnett region.*
- **Cania Gorge Infrastructure Upgrade** $200,000.00 – Monto Shire – *This project enables the upgrade of infrastructure and walking tracks at Cania George, a popular tourist destination near Monto.*
- **Development Lakeside Camping Facilities Boondooma Dam** $236,500.00 – Wondai Shire – *This project is aimed at extending the tourist facilities at the Boondooma Dam in the Wondai Shire in central Queensland, thereby attracting a greater number of tourists to the region and stimulating the local economy.*
- **DRAP Field Officers Wide Bay Sunshine Coast and Moreton Bay** $88,770.00 – Kilkivan and Gympie Shires – *This project will allow two part-time field officers to be employed to assist the dairy dependent...*
areas of Wide Bay, Sunshine Coast and Moreton Bay. The field officers will also provide a referral service, monitor the impact of dairy deregulation and foster enterprise development.

Eidsvold Siltsone $99,198.00 – Eidsvold Shire – This project will establish a quarry for local siltstone which can be made into building blocks, table tops, floor tiles, and used for sculpture.

Fraser Coast South Burnett Tourism Data and Network $54,868.00 - Maryborough Shire - This project seeks to address the lack of information on tourist visitors in the Fraser Coast South Burnett tourism region to enable the development of a more targeted marketing strategy and to attract investment and new businesses in the tourism industry.

Goomeri Service Centre Fabrication Workshop $181,500.00 – Kilkivan Shire – This project provides support for infrastructure expansion that will enable a company to develop a modular piggery unit.

Hyaldratic Rapid Exit Dairy Project $27,192. - Monto Shire – This project will assist a steel manufacturing company to build a scale model and promote an innovative dairy milking system.

Kilkivan Project Development Officer $55,000.00 - Kilkivan Shire – This project will enable the Kilkivan Shire employ a project development officer to pursue a range of economic development options for the Kilkivan District.

Monto District Rural Support Worker $103,427.50 - Monto Shire – This project will fund the employment of a Community Support Worker based in Monto to provide a support service in the Monto, Mundubbera, Banana and Calliope Shires which have been significantly impacted by deregulation of the dairy industry.

Monto Economic Goat Alliance (MEGA) Project Goat Milk Review $36,355.00 - Monto Shire – This project will facilitate the development of the production of goat milk in the Monto region.

Monto Grains Cooperative Value Adding $154,000.00 - Monto Shire – The project will secure an essential storage and handling facility for grain-growers in the Monto District that will facilitate the retention and creation of employment.

Monto Tourist Information Centre and Tourist Facility Development $200,000.00 - Monto Shire - This project will provide employment and benefit the regional tourism industry by facilitating the construction of a tourist stop-over and information area at Monto.

Monto Water Infrastructure & Business Enhancement $350,000.00 - Monto Shire – The project will provide employment and economic benefits to the Monto region by upgrading water supply infrastructure.

Organics Reclaimed Murgon $330,000.00 – Murgon Shire – This project will establish a wormcast fertilizer production plant in Murgon using commercial waste from the local abattoir.

DRAP 2002

Area Support Workers South Burnett Cooloola Extension $239,800.00 – Kingaroy and Cooloola Shires – This project will employ two Support Workers to be located in Kingaroy and Gympie to support families, individuals and communities to manage the social dislocation and structural adjustment issues arising as a result of the deregulation of the dairy industry.

Biggenden Free Range Eggs $211,311.00 – Biggenden Shire – This project will help establish a free-range egg enterprise in the Biggenden Shire, which has been heavily affected by dairy deregulation.

Burnett Valley Olive Regional Processing $220,000.00 - Murgon Shire – This project will assist in the development of the Wide Bay Burnett regional olive industry through the establishment of a processing facility.

Burnett Valley Pig Production $550,000.00 – Murgon Shire – This project will foster the development of a large-scale pig-breeding unit in the South Burnett region at Murgon.

Kilkivan Lavender Farm $38,500.00 – Kilkivan Shire – This project will assist the expansion of a wholesale and retail nursery to full commercial lavender production.

Monto Alternative Agriculture - Tomatoes $1,500,000.00 - Monto Shire – This project will establish a long-term, alternative agricultural industry in the Monto district through the growing of tomatoes and rock melons for both the domestic and export markets in this traditional dairy region.

Monto Rural Support Worker Extension $93,044.60 – Monto Shire – This project will employ a Community Support Worker based at Monto to provide a support service in the Monto, Mundubbera, Banana and Calliope Shires that have been significantly impacted by deregulation of the dairy industry.
Mundubbera Pig Breeding Expansion $799,700.00 – Mundubbera Shire – This project will assist a pig breeding company in the Mundubbera dairy region to expand their operations.

Wide Bay Sunshine Coast Moreton Bay DRAP Field Officer Extension $52,745.00 - Kilkivan and Gympie Shires – This project will extend funding for two part-time Dairy RAP project officers in the Wide Bay-Burnett, Sunshine Coast and Moreton Bay regions.

**Wide Bay Electorate: Program Funding**

(Question No. 435 and 442)

Senator O’Brien asked the Minister representing the Minister for Education, Science and Training, and the Minister for Science, upon notice, on 10 July 2002:

(1) What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

(2) What was the level of funding provided through these programs and/or grants for the 1999 2000, 2000 01 and 2001 02 financial years.

(3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

Senator Alston—The Minister for Education, Science and Training, and the Minister for Science, have provided the following answer to the honourable senator’s question:

(1) What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

**HIGHER EDUCATION**

The University of Southern Queensland maintains a campus at Wide Bay. Through the University, the campus is therefore eligible for funding from the full range of programmes provided under the Higher Education Funding Act 1988.

**SCHOOLS**

The majority of schools programmes could provide assistance to the people in the electorate of Wide Bay. These include programmes such as General Recurrent Grants, Establishment Grants, Capital Grants, Enterprise and Career Education, Indigenous Education Strategic Initiatives, Country Areas, Job Pathways, Partnership Outreach Education Model pilots and Discovering Democracy. However, under programme administrative arrangements with the States, Territories and non-government education authorities, the Commonwealth only collects data by electorate for certain programmes. Information on these programmes is set out below.

**VOCATIONAL EDUCATION AND TRAINING**

The “New Apprenticeships Incentives Programme” encourages employers, through financial incentives, to open up genuine opportunities for employees to undertake genuine skills-based training.

ANTA Group Training Joint Policy Funding is provided to the people living in the electorate of Wide Bay.

New Apprenticeships Access Programme (NAAP) – under NAAP two prevocational courses have been provided to the people in the electorate of Wide Bay.

Workplace English Language and Literacy Programme (WELL) provides workers with English language and literacy training that will be integrated with vocational training to enable workers to meet their current and future employment and training needs.

The Language Literacy and Numeracy Programme (LLNP) - commenced in January 2002 resulting from the amalgamation of the Literacy and Numeracy Programme (LNP) and the Advanced English for Migrants Programme (AEMP). The programme provides language, literacy and numeracy training to eligible job seekers whose skills are below the level considered necessary to secure sustainable employment or pursue further education and training.

**SCIENCE**

Nil.

(2) What was the level of funding provided through these programs and/or grants for the 1999 2000, 2000 01 and 2001 02 financial years.
HIGHER EDUCATION

Most funding under the Act is allocated to individual universities as block grants (for general operating, research and research training). It is a matter for the university to decide on its allocation across campuses in line with the educational profile agreed with the Commonwealth and its strategic plan. Therefore it is not possible to provide details of funding directed specifically to the Wide Bay campus.

SCHOOLS

<table>
<thead>
<tr>
<th>PROGRAMME</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002*</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>General Recurrent Grants Programme for non-government schools</td>
<td>6,602,491</td>
<td>7,864,259</td>
<td>8,405,030</td>
<td>8,815,834</td>
<td>31,687,614</td>
</tr>
<tr>
<td>Establishment Grant Programme for non-government schools</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4,650</td>
<td>4,650</td>
</tr>
<tr>
<td>Capital Grant Programme for non-government schools</td>
<td>390,751</td>
<td>40,458</td>
<td>94,700</td>
<td>261,721</td>
<td>787,630</td>
</tr>
<tr>
<td>Capital Grant Programme for government schools</td>
<td>649,572</td>
<td>0</td>
<td>130,000</td>
<td>752,000</td>
<td>1,531,572</td>
</tr>
<tr>
<td>Enterprise and Career Education Foundation</td>
<td>182,092</td>
<td>142,969</td>
<td>160,654</td>
<td>159,051</td>
<td>644,766</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,824,906</td>
<td>8,047,686</td>
<td>8,790,384</td>
<td>9,993,256</td>
<td>34,656,232</td>
</tr>
</tbody>
</table>

*Estimates only, not final figures.

VOCATIONAL EDUCATION AND TRAINING

Level of funding provided:

**New Apprenticeships - Employer Incentives**

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Claims</th>
<th>Total amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999/2000</td>
<td>1874</td>
<td>$2,507,625</td>
</tr>
<tr>
<td>2000/2001</td>
<td>2150</td>
<td>$2,919,750</td>
</tr>
<tr>
<td>2001/2002</td>
<td>3099</td>
<td>$4,230,875</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$9,658,250</td>
</tr>
</tbody>
</table>

Source: Brio TYIMS data as at 17/7/02

**Group Training**

Joint Policy funding provided to Wide Bay Group Training Scheme Ltd:

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999/2000</td>
<td>$111,878.00</td>
</tr>
<tr>
<td>2000/2001</td>
<td>$141,647.00</td>
</tr>
<tr>
<td>2001/2002</td>
<td>$144,100.00</td>
</tr>
<tr>
<td>2002/2003 (est)</td>
<td>$228,030.00</td>
</tr>
</tbody>
</table>

**NAAP**

NAAP – the level of funding is not available as the Department does not directly contract the NAAP providers who deliver the NAAP services.
WELL
1998/1999 $99,578.00
1999/2000 $19,875.00
2000/2001 Nil
2001/2002 $43,032.72

LNP & LLNP
Expenditure (000’s)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>17</td>
<td>90</td>
<td>84</td>
</tr>
</tbody>
</table>

SCIENCE
Nil.

(3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

HIGHER EDUCATION
Special capital funding under the Higher Education Funding Act 1988 is provided to specific projects proposed by universities through the Capital Development Pool. Under this programme the Wide Bay campus of the University of Southern Queensland received, in 2002 price levels, $5.66 million over 1997-2004 for the construction of a new building and the necessary technological infrastructure to meet the anticipated level of growth at the Wide Bay campus.

The University also received an allocation of 40 new Commonwealth fully funded places in 2002 specifically for the Wide Bay campus. Allowing for continuing students, these places will increase to 110 after four years. The University will receive $421,000 for the new Wide Bay places in 2002, increasing to $1,151,000 in 2005 and onwards (in 2002 price levels).

SCHOOLS
CAPITAL GRANTS PROJECTS
Commonwealth capital grants for schools are provided to improve educational outcomes by assisting in the provision of school facilities, particularly in ways that contribute most to raising the overall level of educational achievement of Australian school students. The tables below show the Capital Grants funding and location for non-government and government schools in the electorate of Kennedy.

Commonwealth Capital Funding to Non-Government Schools for the Electorate of Wide Bay

<table>
<thead>
<tr>
<th>Name and location</th>
<th>Project</th>
<th>1999 $</th>
<th>2000 $</th>
<th>2001 $</th>
<th>2002 $</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redeemer Lutheran Primary School, Biloela</td>
<td>Construction of: 3 general learning areas, store room, Pupils’ amenities and travel. Conversion of: general Learning area to provide extension of the library. Site works. Furniture.</td>
<td>1,259</td>
<td>21,682</td>
<td></td>
<td></td>
<td>22,941</td>
</tr>
<tr>
<td>Riverside Christian College, Maryborough West</td>
<td>Construction of: 3 general learning areas, 2 store rooms, entry area, pre school centre, multi purpose general learning area and travel. Site works. Furniture.</td>
<td>3,124</td>
<td>18,776</td>
<td>94,700</td>
<td></td>
<td>116,600</td>
</tr>
<tr>
<td>St Joseph’s School, Biloela</td>
<td>Conversion to provide: general learning area. Refurbishment of: general learning area and store. Furniture. Site preparation.</td>
<td>50,792</td>
<td></td>
<td></td>
<td></td>
<td>50,792</td>
</tr>
<tr>
<td>St Mary’s</td>
<td>Construction of: 2 general learning</td>
<td>120,000</td>
<td></td>
<td></td>
<td></td>
<td>120,000</td>
</tr>
</tbody>
</table>
### Commonwealth Capital Funding to Government Schools for the Electorate of Wide Bay

<table>
<thead>
<tr>
<th>Name and location</th>
<th>Project</th>
<th>1999 $</th>
<th>2000 $</th>
<th>2001 $</th>
<th>2002 $</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hervey Bay State High School, Pialba</td>
<td>Upgrade of: home economics facilities.</td>
<td>346,441</td>
<td></td>
<td></td>
<td></td>
<td>346,441</td>
</tr>
<tr>
<td>Maryborough West State School, Maryborough</td>
<td>Conversion of: staff room to general learning areas. Creation of: administration by enclosure of undercroft.</td>
<td></td>
<td>470,000</td>
<td></td>
<td>470,000</td>
<td></td>
</tr>
<tr>
<td>Sandy Strait State School, Urangan</td>
<td>Construction of: modular building – type b and student covered area.</td>
<td>303,131</td>
<td></td>
<td></td>
<td>303,131</td>
<td></td>
</tr>
<tr>
<td>Theodore State School, Theodore</td>
<td>Construction of: student amenities.</td>
<td></td>
<td>130,000</td>
<td></td>
<td>130,000</td>
<td></td>
</tr>
<tr>
<td>Torbanlea State School, Torbanlea</td>
<td>Upgrade of: administration area and library.</td>
<td></td>
<td></td>
<td>282,000</td>
<td>282,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>649,572</td>
<td>0</td>
<td>130,000</td>
<td>752,000</td>
<td>1,531,572</td>
</tr>
</tbody>
</table>
### ENTERPRISE AND CAREER EDUCATION FOUNDATION (ECEF) PROGRAMMES

<table>
<thead>
<tr>
<th>Name of ECEF Programme</th>
<th>Location</th>
<th>Nature of the Project</th>
<th>Level of funding for the project*</th>
</tr>
</thead>
</table>
| Maryborough Area Schools Industry Placement Programme | Maryborough | This programme provides coordinated Structured Workplace Learning opportunities for Year 11 and 12 students from five local schools. Over 350 students will undertake a range of industry work placements including Early Childhood, Hospitality, Metal Fabrication and Office this year with more than 300 local employers. The majority of placements are undertaken in weekly blocks three times a year. A part time coordinator works closely with a management committee that has strong school and employer representation. The success of the Work Placement Programme has led to a large uptake of School Based Trainees with over 100 signed on in 2001. | 1999 $41,830  
2000 $31,580  
2001 $35,382  
2002 $34,524 |
| Burnett School and Industry Links Scheme (SAILS) | Monto | The programme covers the Monto and Eidsvold schools providing quality placements for these students. Increasingly the programme is providing a stepping stone for students to enter school based apprenticeships or, at the end of Year 12, to enter the work force with a range of qualifications gained through quality work placements or both. The programme has been actively promoted throughout the shire with almost 40 employers and most of the Year 11 and 12 students involved. This has been reflected by the huge increase in traineeships undertaken with similar numbers expected in future years. | 1999 $36,323  
2000 $14,789  
2001 $21,865  
2002 $21,335 |
| Burnett Area Schools Industry Committee Inc (BASIC) | Bundaberg and Burnett region | The programme provides Structured Workplace Learning opportunities for students in Bundaberg and the Burnett region. The programme comprises ten schools including State, Catholic, Anglican and Independent schools. The programme maintains a close relationship with participating schools, local employers and other service providers. A part time coordinator is responsible for organising structured work placements and works closely with a management committee with equal numbers of industry and school representatives. In 2002 the programme expects to provide nearly 500 structured work placements. | 1999 $38,429  
2000 $27,500  
2001 $30,812  
2002 $30,064 |
<table>
<thead>
<tr>
<th>Name of ECEF Programme</th>
<th>Location</th>
<th>Nature of the Project</th>
<th>Level of funding for the project*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hervey Bay Student Industry Training Experience (SITE)</td>
<td>Hervey Bay</td>
<td>Based at Urangan High School, the SITE programme complements mainstream school studies with experience in the workplace, assists in student career decision making and promotes the skills gained by young people in the region to potential employers. This year more than 200 students will experience structured workplace learning. Among the industry areas on offer include building and construction, general engineering, marine, hospitality and health care.</td>
<td>1999 $30,768 2000 $23,100 2001 $23,529 2002 $25,253</td>
</tr>
<tr>
<td>Murgon Workplace Learning Programme</td>
<td>Murgon and Cherbourg</td>
<td>The Murgon Workplace Learning Programme involves students in Years 10 to 12 from Murgon State High School, with approximately one third of the numbers coming from Cherbourg, Murgon’s neighbouring indigenous community. A full-time coordinator organises structured work placements for approximately 150 students with approximately 150 employers in a range of industries. The students attend block placements of one week twice a year, which complements their studies of vocational subjects in school. Year 10 students attend a one week block placement of work sampling. Placements are arranged locally, as well as in Brisbane, Toowoomba, Hervey Bay and the Sunshine Coast. The Murgon Workplace Learning Programme was one of the first programmes in Queensland to offer school-based traineeships and apprenticeships. In 2002 the school’s first indigenous Trainees were commenced. In 2000, the programme was Highly Commended in the Wide-Bay and Sunshine Coast final of the Queensland Training Awards.</td>
<td>1999 $34,742 2000 $20,000 2001 $21,333 2002 $20,815</td>
</tr>
<tr>
<td>Gladstone Cluster</td>
<td>Gladstone</td>
<td>Taking in the communities of Tooooloa, Moura and Tannum Sands, the Gladstone programme has expanded from one school offering hospitality placements in 1994 to 5 senior high schools (both State and Catholic) spread over an area of 350 kilometres, providing an extensive range of work placement options. A finalist for the past two years in the Queensland Training Awards, the programme has successfully worked with teachers and schools to integrate career and enterprise education within the mainstream curriculum. The cluster has also offered school based apprenticeships in partnership with the five schools and the Group Apprentices.</td>
<td>1999 N/a 2000 $26,000 2001 $27,733 2002 $27,060</td>
</tr>
</tbody>
</table>
**VOCATIONAL EDUCATION AND TRAINING**

**Group Training**

Wide Bay Group Training Scheme Ltd, a company operating through sites at Hervey Bay, Maryborough, Gympie and Bundaberg. They currently employ 200 Apprentices and 175 Trainees.

**NAAP**

Delivered in Murgong by Southern Queensland Institute of TAFE – one prevocational course providing 15 NAAP places in retail training.

Delivered in Maryborough by the Academy of Business and Construction – one prevocational course providing 16 NAAP places for general construction.

NAAP provides job seekers who experience barriers to skilled employment, with pre-vocational training, support and assistance to obtain and maintain a New Apprenticeship. Alternatively, a job seeker may be supported into employment, further education or training.

Level of funding is not available as the Department does not directly contract the NAAP providers who deliver the NAAP services.

**LNP (to 31 December 2001)**

Delivered in Maryborough by Wide Bay Institute of TAFE, Maryborough College, Nagel Street, Maryborough.

Delivered in Pialba by Gympie Skillcentre Inc, Shops 11 and 12 Melody Place, Torquay Road, Pialba.

Delivered by TAFE NSW, Open Training and Education Network (distance delivery).

**LLNP (from 1 January 2002)**

Delivered in Hervey Bay and Biloela by TAFE Queensland, Hervey Bay Senior College, Urraween Road, Hervey Bay and The Government Agency, Kariboe Street, Biloela.

Delivered in Maryborough by Mission Australia, Torquay Road, Pialba and 87-89 Bazaar Street, Maryborough.

Delivered by TAFE NSW, Open Training and Education Network (distance delivery).

Training is delivered to most participants in a face-to-face mode. However, distance delivery mode is available for participants in more remote areas and for people with carer responsibilities or other needs which make it difficult for them to access face-to-face training. The training is designed to lead to a measurable improvement in participants’ language, literacy and numeracy competencies, thus making them more competitive in the labour market.

**WELL**

Delivered in Newstead by 20/20 Literacy and Language Consultants – Wide Bay Group Linen Service to provide language, literacy and numeracy training to staff involved in the provision of laundry assistance, seamstresses, delivery drivers and other staff. Level of funding was $3,375.00.

Delivered in Gayndah by Gayndah Shire Council to deliver language, literacy and numeracy training to food manufacturing staff (food processing, packaging, cleaning and distribution). Level of funding was $13,200.00.

Delivered in Mundubbera by Mundubbera Shire Council to provide training to management, administration and outside workers after a planning, liaison and consultation period. Level of funding was $13,900.00.

Delivered in Tiaro by Tiaro Shire Council to provide training to management, administration and outside workers. Level of funding was $16,100.00.

Delivered in Maryborough by Wide Bay Institute of TAFE to provide training in six worksites of the supported accommodation assistance program in the Wide Bay District focussing on beam building and work team communication, dealing with conflict and workplace documentation. Level of funding was $77,897.00.

Delivered two projects in Torquay by Hervey Bay City Council. First project was to provide an awareness program to ensure all levels of management are pro-active in implementing plain English communication to employees and customers and to assist in motivating staff to improve their literacy skills so as to enhance work performance. A flexible literacy/numeracy program for outside
employees (as priority to assist/enable them to cope with present and future changes/needs in work requirements involving literacy/numeracy/communication skills. The Level of funding was $24,000.00. Second project was a follow-on from the first project. Concentrating on employees who have not participated to date. Level of funding was $11,440.00.

Delivered in Gympie by Gympie and District Home for the Aged Inc to upskill the existing employees in areas of written and general communication as required for current and future work and training needs. Many existing employees do not have the skills and experience in these areas but to meet new requirements of safety, quality and accountability they must acquire these new skills with consistent competence and confidence. Level of funding was $14,770.00.

Delivered in Gympie by Suncoast Gold Macadamias (Aust) Limited. The project was developed by Cooloola Sunshine Institute of TAFE in response to the company’s request to train shop-floor operators and supervisors for developing skills to work in Frontline Management roles. This would increase the employees awareness of their responsibilities and will provide them with the tools to improve the company’s standards and work practices by understanding and managing workplace communication, team building and conflict resolution. Level of funding was $6,135.00.

Delivered in Urangan by Wide Bay Water Corporation to improve communication skills, especially written, for all employees, especially operational level workers and their supervisors, to keep abreast of the increasing quality and quantity needs of documentation and training in their work. Level of funding was $24,230.00.

SCIENCE

Nil.

Wide Bay Electorate: Program Funding

(Question Nos 436 and 448)

Senator O'Brien asked the Minister for Health and Ageing and the Minister representing the Minister for Ageing, upon notice, on 10 July 2002:

1. What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.

2. What was the level of funding provided through these programs and/or grants for the 1999-2000, 2000-01 and 2001-02 financial years.

3. Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

Senator Patterson—The answer to the honourable senator’s questions is as follows:

The Commonwealth Department of Health and Ageing administers many programs and grants that provide assistance to people living in the federal electorate of Wide Bay. Most of these programs and grants are provided, administered and reported at a State or National level. Information on these programs, including levels of funding, is not reported or maintained on an electorate basis and therefore is not readily available. Where electorate data could readily be reported by Departmental systems, they are shown below. Further details are available in the Department’s Annual Report and in the Portfolio Budget Statements.

Funding levels where shown are for the 1999-2000 or 2000-2001 financial year. Data for the 2001-2002 financial year are not yet available.

Available Electorate Level Funding

ABORIGINAL AND TORRES STRAIT ISLANDER HEALTH:

The Office of Aboriginal and Torres Strait Islander Health (OATSIH) gave funding to two organisations in the Wide Bay electorate in the years 1999-2000, 2000-2001 and 2001-2002 for the same purpose. Details are:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Town</th>
<th>Amount incl. GST ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherbourg Aboriginal Community Council</td>
<td>Murgon</td>
<td>55,000</td>
</tr>
<tr>
<td>- Capital</td>
<td></td>
<td>69,783</td>
</tr>
<tr>
<td>- Recurrent</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Organisation | Town | Amount incl. GST ($)  
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Barambah Regional Medical Service</td>
<td>Murgon</td>
<td>445,492</td>
</tr>
</tbody>
</table>

Funding was provided for the construction and operation of a purpose built health facility to deliver regional primary health care services to Aboriginal and Torres Strait Islander people of the North and South Burnett regions. Funding was initially provided to the Cherbourg Aboriginal Community Council until the incorporation of the Health Service.

AGED AND COMMUNITY CARE:

Operational Places:¹

In the electorate of Wide Bay as at February 2001 there were:

- 24 aged care homes²
- 15 homes receive viability supplement under the new arrangements³
- 950 residential places in these homes⁴
- 155 community aged care places delivered by providers located in the electorate⁵

Results of 2000 Approvals Round:

<table>
<thead>
<tr>
<th>2000 Approvals Round</th>
<th>Number of places⁶</th>
<th>Value in a full year⁷</th>
</tr>
</thead>
<tbody>
<tr>
<td>Places</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential high care</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Residential low care</td>
<td>50</td>
<td>$612,000</td>
</tr>
<tr>
<td>Residential total</td>
<td>50</td>
<td>$612,000</td>
</tr>
<tr>
<td>Community aged care⁸⁻⁹</td>
<td>30</td>
<td>$319,000</td>
</tr>
<tr>
<td>Total all places</td>
<td>80</td>
<td>$931,000</td>
</tr>
</tbody>
</table>

Grants:

- Community aged care establishment grants $35,447
- Capital grants $1,000,000
- Restructuring capital $500,000
- Total all Grants $1,535,447

¹ Operational places data extracted at February 2001.
² Includes homes with current residents and for whom the provider has approval to receive residential funding.
³ Includes newly eligible homes, and all homes eligible under the previous system which continue to receive funding under the ‘grandparenting’ arrangements.
⁴ Includes the approved places in the above operational aged care homes.
⁵ The providers of these Community Aged Care Packages (CACPs) are located in the electorate. However, some of the recipients of these CACPs may live outside the electorate.
⁶ These places cannot be added to the number of operational places (see above) to give the total number of places in the electorate. Some places approved in previous approvals rounds may not yet be operational.
⁷ These dollar figures cannot be added to the 1999-2000 actual expenditure data (see over) to express a total because, by the time they are expended, the funding base will have grown.
⁸ These community aged care places were allocated to applicants who provide services in all or part of one of the three Commonwealth planning regions that include the electorate of Wide Bay.
⁹ This is the advice that has been distributed to Members.

Actual Expenditure:¹⁰

<table>
<thead>
<tr>
<th>1999-2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Care and Support for Carers</td>
</tr>
<tr>
<td>Residential Care</td>
</tr>
<tr>
<td>Client Assessment</td>
</tr>
<tr>
<td>TOTAL IDENTIFIABLE FUNDS</td>
</tr>
</tbody>
</table>
Different parts of the Wide Bay electorate fall within the Fitzroy, Sunshine Coast and Wide Bay Planning Regions. Allocated places for the Fitzroy, Sunshine Coast and Wide Bay Planning Regions are as follows:

### Fitzroy

<table>
<thead>
<tr>
<th>Type</th>
<th>Total Places</th>
</tr>
</thead>
<tbody>
<tr>
<td>High care</td>
<td>560</td>
</tr>
<tr>
<td>Low care</td>
<td>733</td>
</tr>
<tr>
<td>CACP</td>
<td>246</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,539</strong></td>
</tr>
</tbody>
</table>

### Sunshine Coast

<table>
<thead>
<tr>
<th>Type</th>
<th>Total Places</th>
</tr>
</thead>
<tbody>
<tr>
<td>High care</td>
<td>990</td>
</tr>
<tr>
<td>Low care</td>
<td>1,389</td>
</tr>
<tr>
<td>CACP</td>
<td>359</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,738</strong></td>
</tr>
</tbody>
</table>

### Wide Bay

<table>
<thead>
<tr>
<th>Type</th>
<th>Total Places</th>
</tr>
</thead>
<tbody>
<tr>
<td>High care</td>
<td>793</td>
</tr>
<tr>
<td>Low care</td>
<td>1,008</td>
</tr>
<tr>
<td>CACP</td>
<td>295</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,096</strong></td>
</tr>
</tbody>
</table>

Expenditure attributed to the electorate in this table reflects payments made to services or grant recipients located in the electorate.

The delivery of services and the use of grants for which expenditure has been attributed to this electorate may be in a broad catchment area, outside of the defined electorate boundary.

Total places is the sum of the number of operational places and the number of approved places.

**GENERAL PRACTICE:**

**Rural Retention Program**

The Rural Retention Program is an initiative that aims to recognise and retain long-serving general practitioners in rural and remote communities that may experience significant difficulties in retaining general practitioners. Funds totalling $322,705 were applied via the Rural Retention Program in the Wide Bay Electorate in the 2000-2001 financial year. Other General Practice programs that might make payments to doctors in the electorate of Wide Bay include Rural and Other Medical Practitioners and the Rural Registrars Incentive Program. Data from these programs are not readily obtainable at electorate level.

**Rural Women’s GP Service**

The Rural Women's GP Service is administered by the Australian Council of the Royal Flying Doctor Service to provide regular and sustainable clinics by female general practitioners to communities that currently have little or no access to a female general practitioner. The Service delivered seven clinics and provided funding of $25,550 to the electorate of Wide Bay in 2000-2001 financial year. Clinics were held in Moura and Biloela.

**Wide Bay Electorate: Program Funding**

**(Question No. 441)**

**Senator O’Brien** asked the Minister representing the Minister for Small Business and Tourism, upon notice, on 10 July 2002:

1. What programs and/or grants administered by the department provide assistance to people living in the federal electorate of Wide Bay.
2. What was the level of funding provided through these programs and/or grants for the 1999-2000, 2000-01 and 2001-02 financial years.
(3) Where specific projects were funded: (a) what was the location of each project; (b) what was the nature of each project; and (c) what was the level of funding for each project.

Senator Abetz—The Minister for Small Business and Tourism has provided the following answer to the honourable senator’s question:

Small business and tourism are part of the industry, tourism and resources portfolio. Information in respect of small business and tourism programs has been incorporated in the answer to Parliamentary Question No. 437.

**Australian Quarantine and Inspection Service: Meat Exporters**

(Question No. 453)

Senator O’Brien asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 16 July 2002:

(1) What is the current process by which the Australian Quarantine and Inspection Service (AQIS) or other relevant agency supplies and verifies Australian quarantine seals and health certificates to Australian exporters of meat (including poultry, beef, pork, lamb and other livestock).

(2) How many people are involved in this process.

(3) What is the proposed new process involving enhanced security features by which AQIS or other relevant agency will supply and verify Australian Quarantine seals and health certificates to Australian exporters of meat (including poultry, beef, pork, lamb and other livestock).

(4) How many people are expected to be involved in this process.

(5) What testing will be undertaken for this new process.

(6) When will the new process be fully operational.

(7) Since 1 January 2000, how many departmental staff (or former staff) have been interviewed by various police forces, departments of public prosecution, the Australian Taxation Office, the Australian Customs Service, the Australian Securities and Investment Commission, the Department of Foreign Affairs and Trade or Austrade (or their then equivalent agencies) in relation to the issue of the trade of non-Australian produced meat being sold under forged Australian quarantine seals and health certificates.

(8) Since 1 January 2000, how many other Commonwealth staff (or former staff) have been interviewed by various police forces, departments of public prosecution, the Australian Taxation Office, the Australian Customs Service, the Australian Securities and Investment Commission, the Department of Foreign Affairs and Trade or Austrade (or their then equivalent agencies) in relation to the issue of the trade of non-Australian produced meat being sold under forged Australian quarantine seals and health certificates.

(9) How many such staff (or former staff) have been charged with an offence in relation to this matter and at which agencies were they working at the time of their alleged offence.

(10) How many such staff (or former staff) have been convicted of an offence in relation to this matter and at which agencies were they working at the time of the offence.

Senator Ian Macdonald—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(1) The Australian Quarantine and Inspection Service (AQIS) provides government certification in accordance with importing country requirements attesting to food safety and quarantine status. Such certification is issued following inspection, which ensures that the product meets AQIS legislative controls and any additional overseas country requirements, including a number of validations relating to the product and market requirements performed by an in-house electronic documentation system, known as EXDOC. Health Certificates are only issued where all of these requirements are met.

Meat health certificate formats are maintained on an electronic database with only key AQIS documentation staff able to access the certificate formats. Meat health certificates are printed in a secure AQIS office and verified prior to despatch.

The Australian government container seal is defined as an accountable item and strictly managed from point of manufacture to verification of usage. A number of AQIS meat program staff are involved in this process including storage, disposal, application and verification. The container seal...
is applied to a shipping container following confirmation of product compliance and details are recorded on accompanying meat health certificates.

(2) AQIS employs around 450 meat inspectors, 100 plant veterinary officers, 16 senior veterinarians involved in monthly audits, 4 senior veterinarians involved in independent cross-reviews and 12 documentation clerks. All are involved in one way or another in the certification process.

(3) All meat certificates will continue to be printed at secure AQIS offices and subjected to documentation checks prior to despatch to the exporter. The new paper will be individually numbered and the usage of the paper will be recorded and then monitored by internal audits. The paper has enhanced security features preventing photocopying, scanning and reproduction.

(4) It is not expected that there will be any change to staff numbers.

(5) The paper has been subjected to technical tests within AQIS to confirm usability. It is not considered necessary to test beyond that. All overseas posts have been advised and all importing countries will be advised shortly of the new paper and associated procedures.

(6) 1 December 2002 for the changeover to the new security paper.

AQIS will continue to seek acceptance of its major trading partners of electronic messages in lieu of paper certificates. The AQIS system known as SANCRT is currently available for meat exports but at this point has only been accepted in Japan. AQIS continues to promote adoption of electronic messaging as the most secure pathway for Government to Government certification.

(7) None, as far as is known.

(8) None, as far as is known.

(9) None

(10) None

AQIS investigates all matters of forged Australian export documentation that come to notice, and where evidence is available, those matters are referred to the Commonwealth Director of Public Prosecutions for consideration of prosecution.

Recently, two people were prosecuted before the courts in Victoria for their role in the creation of forged Australian export documentation. While these charges were proven, these matters are subject of appeal by the Commonwealth DPP on the grounds of insufficient penalty.

In all incidences to date, any breach of law has occurred outside Australian jurisdiction except for the two prosecutions referred to.

### Defence: Campbell Park Offices

**Question No. 458**

Senator Chris Evans asked the Minister for Defence, upon notice, on 15 July 2002:

With reference to an article published on 5 June 2002 in the Australian Financial Review which stated that $30 million was spent refurbishing Campbell Park offices before their sale:

(1) (a) What was the total value of building works carried out at Campbell Park over the past 2 years; and (b) of this, how much was spent in the 12 months prior to the sale.

(2) What was the nature of this work.

(3) Can a breakdown be provided of the $30 million spent.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) (a) $10,198,413 in total. Of this, $6,524m expended in FY 2000/01 was part of the Campbell Park Refit project. The remainder, being $2,477,894 in FY 2000/01 and $1,196,519 in FY 2001/02 was separate to this project.

(b) $1,196,519

(2) The non-Campbell Park Refit Project work comprised energy efficiency measures, changes to internal fitout, cafeteria upgrade, installation of fire sprinklers, mechanical upgrade and external landscaping. Those monies expended during this time as part of the Campbell Park Refit Project are detailed below in response to Part 3 of the question.

(3) The $30.0m Campbell Park Refit was approved in June 1999 as a minimal cost upgrade (mainly Client fitout) to provide modern office accommodation for 2,300 staff. Work commenced in July
1999 and was completed by February 2001. Expenditure occurred over two financial years with
$23.476m in 1999/00 and $6.524m in 2000/01. The break up of this is as follows:

Building Work
Internal Demolition of 20 year old fitout $0.675m
Upgrade on floor mechanical/electrical/
    hydraulics/fire services $5.860m
Upgrade security/entry doors $0.653m
New ceilings/walls/ carpets/painting $2.517m
Project Consultant/Design costs $0.403m
Construction Contractors Costs $1.104m

Building Work Total $11.212m

Fitout/Associated Costs
New workstations/ furniture/ storage $10.170m
Communications cabling $3.972m
Relocation costs $0.958m
Project Consultant/Design costs $0.985m
Construction Contractors costs $2.703m

Fitout Work Total $18.788m

Project Total $30.000m