



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**SOCIAL SECURITY AND OTHER  
LEGISLATION AMENDMENT (WELFARE  
PAYMENT REFORM) BILL 2007**

**NORTHERN TERRITORY NATIONAL  
EMERGENCY RESPONSE BILL 2007**

**FAMILIES, COMMUNITY SERVICES  
AND INDIGENOUS AFFAIRS AND  
OTHER LEGISLATION AMENDMENT  
(NORTHERN TERRITORY NATIONAL  
EMERGENCY RESPONSE AND  
OTHER MEASURES) BILL 2007**

**APPROPRIATION (NORTHERN  
TERRITORY NATIONAL EMERGENCY  
RESPONSE) BILL (NO. 1) 2007-2008**

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**APPROPRIATION (NORTHERN  
TERRITORY NATIONAL EMERGENCY  
RESPONSE) BILL (NO. 2) 2007-2008**

**Consideration in Detail**

**SPEECH**

**Tuesday, 7 August 2007**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

# SPEECH

**Date** Tuesday, 7 August 2007  
**Page** 119  
**Questioner**  
**Speaker** Macklin, Jenny, MP

**Source** House  
**Proof** No  
**Responder**  
**Question No.**

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**Ms MACKLIN** (Jagajaga) (8.45 pm)—by leave—I move opposition amendments (1) to (3):

- (1) Clause 4, page 2 (lines 21-28), omit subclauses (2) and (3), substitute:
  - (2) To the extent that this subsection applies, the provisions referred to in paragraph (1)(a), and any acts referred to in paragraph (1)(b), are, for the purposes of the Racial Discrimination Act 1975, special measures and are consistent with Part 2 of the Racial Discrimination Act 1975.
  - (3) To the extent that this subsection applies, the provisions referred to in paragraph (1)(a), and any acts referred to in paragraph (1)(b), are not laws as described by subsection 10(3) of the Racial Discrimination Act 1975.
- (2) Clause 6, page 4 (lines 33-34), page 5 (lines 1-2), omit subclauses (2) and (3), substitute:
  - (2) Any such implementation, or other acts, are, for the purposes of the Racial Discrimination Act 1975, special measures and are consistent with Part 2 of the Racial Discrimination Act 1975.
  - (3) Any such implementation, or other acts, are not laws as described by subsection 10(3) of the Racial Discrimination Act 1975.
- (3) Page 6, after clause 7 (after line 27), insert:

## 8 Review

The Minister must cause to be conducted, as soon as practicable after the first anniversary of the day on which this Act receives the Royal Assent, a review of the provisions of Part 3 B of the *Social Security (Administration) Act 1999* regarding the application of income management to persons by reason of their being persons in a relevant Northern Territory area.

Given the time limitations on this debate, I will speak very briefly. Amendments (1) and (2) relate to the Racial Discrimination Act. These amendments clarify that the measures in the bill are special measures under the Racial Discrimination Act and are therefore consistent with the act. It is the opposition's opinion, and I understand that it is the government's opinion as conveyed to us in a briefing yesterday, that these are special measures under the Racial Discrimination Act. Given that they are special measures to benefit Aboriginal people, in our view it is unhelpful and unnecessary that there be a blanket exemption from part 2 of the Racial Discrimination Act. This amendment will remove that blanket exemption. Proposed section 10(3) will confirm that these laws are special measures consistent with the International Convention on the Elimination of All Forms of Racial Discrimination.

Amendment (3) relates to one of the reviews that we believe would help the operation of this intervention. This amendment requires that a review be conducted after a year of the operation of the welfare reform and income management systems specific to the Northern Territory. So it relates only to the welfare payment arrangements that the bill proposes for the Northern Territory. The review will examine only that issue for people living in prescribed communities; it is not intended to examine the broader income management issues relating to child protection or school attendance.

**The DEPUTY SPEAKER (Hon. IR Causley)**—Order! There is too much conversation in the parliament. The honourable member for Jagajaga has the call.

**Ms MACKLIN**—When this intervention was announced, the Prime Minister and Minister Brough said that income management for people in prescribed Northern Territory communities would be for an initial period of 12 months. This amendment affirms the government's initial intention of 12 months of operation for these laws. In the opposition's view, it is sensible to review the effectiveness of the Northern Territory specific welfare payment laws after 12 months. In particular, we want to assess their effectiveness at stabilising the communities and to see how they are interacting with the broader income management systems.