



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES
PAID PARENTAL LEAVE BILL 2010
Consideration in Detail
SPEECH

Tuesday, 1 June 2010

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

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Questioner
Speaker Katter, Bob, MP

Source House
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Mr KATTER (Kennedy) (4.45 pm)—by leave—I move amendments 1 to 58 as circulated in my name:

- (1) Clause 4, page 3 (line 15), omit “either the person’s employer or”.
- (2) Clause 4, page 4 (lines 18 and 19), omit “, whether the person’s employer or the Secretary must pay them”.
- (3) Clause 4, page 4 (lines 20 to 31), omit the box text, substitute: “Part 3-3 sets out when the Secretary must pay instalments to the person.”
- (4) Clause 4, page 5 (lines 4 to 8), omit the box text.
- (5) Clause 4, page 5 (lines 14 to 19), omit the box text.
- (6) Clause 4, page 5 (lines 29 to 31), omit “, and an employer to seek internal review of certain types of decisions that affect employers”
- (7) Clause 6, page 11 (lines 3 to 5), omit the definitions.
- (8) Clause 6, page 14 (lines 25 to 28), omit the definition.
- (9) Clause 6, page 17, (line 11), omit the definition.
- (10) Clause 6, page 17, (lines 17 to 24), omit the definition.
- (11) Clause 7, page 19 (line 29), omit “person’s employer or the”.
- (12) Clause 62, page 61 (lines 9 and 10), omit “either a person’s employer (see Part 3-2) or”.
- (13) Clause 63, page 62 (lines 5 to 8), omit subclause 63(2), substitute:
 - (2) An instalment is payable to a person by the Secretary in accordance with section 84.
- (14) Clause 64, page 62 (line 22) to page 63 (line 18), omit subclauses 64(2) to 64(4), substitute:
 - (2) The person’s *instalment period* is the period of 14 days starting on a day the Secretary considers appropriate for the person (or a class of person in which the person is included) and each successive 14 day period.
 - (3) The *payday* for the instalment is a day that the Secretary considers appropriate that occurs after the instalment period to which the instalment relates.
- (15) Clause 67, page 64 (line 22), omit “An employer or the”, substitute “The”.
- (16) Clause 67, page 64 (lines 26 to 31), omit the note.
- (17) Clause 68, page 65 (line 13), omit “An employer or the Secretary”, substitute “The Secretary”.
- (18) Clause 69, page 65 (lines 18 to 21), omit subclause 69(1).
- (19) Clause 70, page 66 (lines 5 and 6), omit subclause 70(2).
- (20) Clause 71, page 67 (line 1), to clause 82, page 75 (line 10), omit Part 3-2.
- (21) Clause 83, page 76 (lines 6 to 16), omit the box text.
- (22) Clause 84, page 77, line 2, to page 78, line 26, omit the clause, substitute:

84 Secretary required to pay instalment

If a person is eligible to receive an instalment, the Secretary must pay the instalment to the person on the payday for the instalment.

Note: See section 96 for when the Secretary is taken to have complied with this requirement.

(23) Clause 85, page 78 (line 27), to clause 87, page 80 (line 18), omit the clauses.

(24) Clause 90, page 82 (lines 6 and 7), omit “, whether by the person’s employer or the Secretary”

(25) Clause 90, page 82 (lines 12 and 13), omit “Other rules deal with the effect on a person’s instalment periods of changing who is required to pay instalments to the person.”

(26) Clause 91, page 83 (line 2), omit “**or employer**”.

(27) Clause 91, page 83 (line 5), omit “or a person’s employer”.

(28) Clause 91, page 83 (lines 8 and 9), omit “neither the Secretary nor the employer is otherwise required to pay an earlier instalment to the person”, substitute “the Secretary is not otherwise required to pay an earlier instalment to the person”.

(29) Clause 92, page 83 (line 16) to clause 94, page 85 (line 1), omit the clauses.

(30) Clause 95, page 85 (line 5), omit “or a person’s employer”.

(31) Clause 96, page 85 (line 13), omit “or a person’s employer”.

(32) Clause 100, page 87 (line 1) to clause 115, page 101, (line 9), omit Part 3-5.

(33) Clause 117, page 103 (lines 15 and 16), omit paragraph 117(c).

(34) Clause 117, page 103 (lines 20 and 21), omit paragraph 117(e).

(35) Clause 117, page 103 (lines 24 and 25), omit paragraph 117(g).

(36) Clause 140, page 115, (line 1) to clause 163, page 129 (line 26), omit Part 4-2.

(37) Clause 164, page 130 (lines 14 and 15), omit “Division 3 allows an employee to recover, as a debt, parental leave pay from his or her employer.”

(38) Clause 166, page 132 (line 16) to page 133 (line 20), omit the clause.

(39) Clause 169, page 135 (line 18), omit “or an employer”.

(40) Clause 169, page 135 (line 29), omit subparagraph 169(2)(b).

(41) Clause 169, page 135 (line 31), omit “or the employer”.

(42) Clause 172, page 137 (lines 1 to 20), omit Division 3.

(43) Clause 202, page 160 (lines 13 to 18), omit the box text.

(44) Clause 203, page 161 (lines 6 to 11), omit subclause 203(2).

(45) Clause 206, page 162 (lines 19 to 23), omit paragraphs 206(1)(a) to 206(1)(c).

(46) Clause 207, page 163 (line 11) to clause 208, page 165 (line 25), omit the clauses.

(47) Clause 209, page 165 (line 30) to page 166 (line 1), omit “, other than an application under section 207 (which deals with application for review of employer determination decisions),”.

(48) Clause 212, page 167 (line 30) to page 168 (line 25), omit the clause.

(49) Clause 213, page 169 (lines 11 to 13), omit the box text.

(50) Clause 215, page 170 (lines 24 and 25), omit subparagraphs 215(2)(vi) and 215(2)(vii).

(51) Clause 223, page 175 (line 1) to clause 230, page 178 (line 18), omit Division 3.

(52) Clause 231, page 180 (lines 1 to 4), omit the box text.

(53) Clause 252, page 196 (line 7), omit “or an employer”.

(54) Clause 257, page 199 (lines 5 to 6), omit “or an SSAT reviewable employer decision”.

(55) Clause 257, page 200 (lines 8 to 9), omit “or an SSAT reviewable employer decision”.

(56) Clause 259, page 202 (line 1) to page 203 (line 24), omit Division 11.

(57) Clause 299, page 232 (lines 10 to 13), omit subclause 299(1), substitute:

(1) The PPL rules or the regulations may make arrangements for the Secretary to make payments to persons who have a role similar to an employee.

(58) Clause 307, page 236 (lines 18 and 19), omit “(other than payments of instalments by employers under Division 2 of Part 3-2)”.

In moving these amendments, I am taking up my remarks of the other evening. There may be very good and altruistic reasons why women undertake a career. Unfortunately, most women in Australia are stewing on having children because of the economic hardship that would fall upon not only them but also their children. I emphasise that point. These amendments are about who should undertake the administration of this money.

I state again that while the emphasis is on career women all the time in our society, as it is in this bill, there is no emphasis at all on the stay-at-home mums. One woman who is on \$140,000 is going to get \$140,000 when she has a baby. The stay-at-home mum will get nothing at all. The Minister for Families, Housing, Community Service and Indigenous Affairs is shaking her head. I would take an interjection from her and let her explain to us what she is saying. All the speakers in this place that are backing you, Minister, have got up and said how wonderful it is that people will be able to get the same amount of money when they take time off to have their babies. I am not against that; I am quite happy to go along with that. I am just asking: what about the other women? Numerous women in that category have rung me up and bitterly complained. I will be moving a resolution in the House on the substantive issue, because it is a money bill and I cannot do that this evening.

Getting back to the amendments, they are simply to take the employer out of administering this payment to these mothers and putting the government in their place. The GST and the BAS were colossal impositions upon small business. I remember that I was at a meeting where one of the ladies there, when the Leader of the National Party was saying what a good thing it would be for all of us, spontaneously burst out crying. A couple of blokes put their arms around her and took her out of the room. She was a good friend, so I went over and saw her the next morning. She is a hardware store owner. She said: ‘Bob, I just simply couldn’t take any more work. We get up at seven o’clock because of all the builders. Then I have to rush back over and get the kids breakfast. A lot of these blokes work late. Then I have to get the kids dinner. Then I have got to do all the bookwork for the business late into the evening. I couldn’t face up to another bit of work.’

We would ask the government to consider that they have made an error here in placing the responsibility upon the employers. This burden should not be borne by the owner operators. If you want to differentiate it out and say that Woolworths and Coles have to do it, that is fine by me—the corporates. But for owner-operator businesses to have another huge burden of responsibility placed upon them is wrong. If they lose a good and key employee because a mother has to go off and have a baby and she needs time off to raise that baby through that early period, the business has obviously lost a very valuable employee. On top of that, they have the burden of administering these payments as well. So I recommend these amendments to the House. I would have liked the opposition to have backed the amendments, but there seems to be an element of hypocrisy there because they have informed me that they are not backing these amendments—amendments that they actually moved in this place.