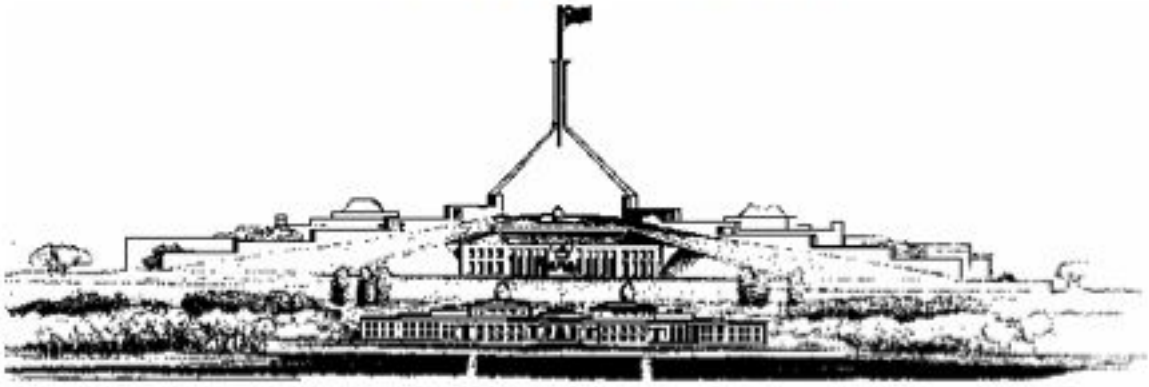
COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

BILLS

Omnibus Repeal Day (Spring 2014) Bill 2014, Amending Acts 1970 to 1979 Repeal Bill 2014, Statute Law Revision Bill (No. 2) 2014

Second Reading

SPEECH

Wednesday, 29 October 2014

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

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Questioner		**Responder**	
Speaker	Neumann, Shayne, MP	**Question No.**	

Mr NEUMANN (Blair) (11:07): I speak in relation to Omnibus Repeal Day (Spring 2014) Bill 2014, the Amending Acts 1970 to 1979 Repeal Bill 2014 and the Statute Law Revision Bill (No. 2) 2014. In a day that would rival New Year's Day in the affection of Australians, we are now celebrating yet another of the Abbott government's repeal days; another day that will launch a million-dollar press release—not a billion-dollar press release; another day that borrows from the US Republican playbook, and another day when the government expects a standing ovation for simply doing the everyday task of government: repealing spent and redundant acts and legislative instruments.

This was work that the Labor government, when we were in power, did without fuss and fanfare. I spoke on these types of bills many, many times in the previous six years under the Labor government but I do not recall too many of the coalition members actually speaking. In fact, many times these types of bills were sent to the Federation Chamber, where there was bipartisan agreement—getting rid of a comma or a semicolon, obsolete wording, errors of drafting and the like. Of course the Statute Law Revision Bill (No. 2) 2014 corrects drafting errors, modernises language, removes gender-specific language and repeals spent and obsolete provisions and acts. It is a bit like what we did when we were in government, but we did not set aside a whole day and issue press releases saying how wonderful we were.

The Amending Acts 1970 to 1979 Repeal Bill 2014 repeals about 650 amending acts or repeal acts between 1970 and 1979. That is all it was. Most of those provisions are spent, obsolete and redundant. Of course that is a big deal, according to this government. I think those opposite must be reading from the talking points of their ministers in relation to billions of dollars, because the truth is that these three bills together provide savings of $1.855 million including, by the way, the largest being in my shadow portfolio area of ageing, which is about $1.16 million in relation to notifications. That is what the explanatory memorandum and the documents associated with this particular legislation show.

That is as the shadow minister, the member for Watson, talks about—just 0.1 per cent of the figure claimed by the government. When we get those opposite talking like this about how wonderful this legislation is, it reminds me that the coalition is great at over-egging and scaremongering but also great at over-egging their achievements. This is what they are doing here today.

We demonstrated our commitment to minimising, simplifying and creating cost-effective legislation. We worked with the states and territories through the COAG process. Remember the COAG process? In my portfolio area of Indigenous affairs, the coalition does not seem to be working at all through the COAG process. It abolished the COAG Reform Council, which was measuring how the government was achieving the Closing the Gap targets—and it was supposed to be partisan, by the way. It is doing nothing through the COAG process in Indigenous health—in fact, that is the evidence that departmental officials gave to the Standing Committee on Indigenous Affairs that I am a member of. The government was supposed to be dealing with the COAG process in agreeing to the bipartisan targets for justice, because of the terrible incarceration rate in this country for Aboriginal and Torres Strait Islander people. It was supposed to be agreeing with us that, no matter which side of politics got in in September 2013, justice targets and Closing the Gap would be worked on.

However, when we were in government we worked through the COAG process on the Seamless National Economy reforms. These reforms were about reducing the cost of business, and they were a success. In 2012 the Productivity Commission—not an organisation affiliated with the Australian Labor Party—assessed 17 of these reforms for its report *Impacts of COAG r eforms: business regulation and VET*. The Productivity Commission suggested that these 17 reforms would increase the GDP by about 0.4 per cent, over $6 billion, and reduce business costs by about $4 billion a year. They estimated that the full implementation of those reforms that Labor pursued in government would lead to a dramatic increase in national productivity.

In contrast, we have the coalition government talking about their wonderful work, without acknowledging—and speaker after speaker today has not acknowledged—the nearly 17,000 acts and legislative instruments that Labor got rid of when we were in government. Often the changes we made were minor, but we did not break into a tap dance at the dispatch box when we made them. We removed redundant regulations, sunset clauses and other provisions that needed correction. We did it because that is what any government does. We did it without pointscoring, and it was often a bipartisan approach.

As I have said, I have spoken many times in relation to this legislation. I cannot say I gave my best speeches in the House of Representatives on it, but this legislation often was passed without any razzamatazz at all, to be honest. The majority of measures in this particular omnibus repeal day bill simply involve, as I said, repeal of redundant provisions. They are not contentious. They do not have any deregulatory savings attached to them. It is somewhat curious that the Prime Minister mentioned in his ministerial statement certain things—which were later reported in the media—that were going to be put in this particular legislation, including, for example, the requirement to attach mudflaps to motorbikes, changes to the Do Not Call Register by removing the requirement to reregister every eight years, and changes to occupational health and safety on government building sites. Many of these measures remain.

No matter how much the government keeps talking about these things and over-egging these measures, the truth is that none of them will change the world in any dramatic way and they will not save much in terms of dollars in compliance costs. For example, we see in the bill the abolition of the Fishing Industry Policy Council of Australia. Just briefly, the Fishing Industry Policy Council of Australia was established under the Fisheries Administration Act 1991 to provide a forum for the Minister for Primary Industries, Fisheries Services Australia and fishing industry officials. The forum has not convened, by the way, since the enabling legislation commenced, so abolishing it will not save a dollar. Also in the agricultural portfolio, the bill amends the Australian Meat and Live-stock Industry Act 1997 to reflect certain payments to industry marketing and research bodies that are no longer made and, in fact, have not been made since 2008. The amendments will not save a dollar in compliance costs.

In the communications portfolio, Australians will no doubt be relieved to learn that the bill will amend the Broadcasting Services Act 1992 so that ACMA can publish its notices in a variety of methods. Currently, the Broadcasting Services Act requires ACMA to publish notices in the Commonwealth government gazette. This bill enables ACMA to publish these notices on its website and in newspapers. Gee! That is groundbreaking stuff. Thank goodness we have devoted a whole day in the chamber to this sort of stuff. The bill also repeals a redundant section in the Broadcasting Services Act 1992, as SBS has assumed television production and supply of activities previously undertaken by the National Indigenous TV Limited.

In relation to other areas, another measure that is unlikely to set the cat amongst the pigeons is the abolition of the Oil Stewardship Advisory Council. From now on, the Department of the Environment will be able to engage with industry experts on a needs basis to gather advice and guidance on review process and other matters relating to the Product Stewardship for Oil Scheme.

In the immigration portfolio, the bill repeals the Customs (Tariff Concession System Validations) Act 1999. The purpose of this act is to validate particular decisions in relation to tariff concession orders that were made between 15 July 1996 and 31 May 1999. Decisions outside the period that ended 15 years ago are not affected and are therefore redundant. The omnibus bill repeals and amends a whole range of acts in relation to industry.

In terms of my shadow portfolio area, we are seeing some changes in relation to HACC. There is the repeal of the Home and Community Care Act. The act was redundant when the bilateral Home and Community Care program review agreements were deemed national partnership agreements—remember those national partnership agreements? Those opposite do not really like them—under the Federal Financial Relations Act 2009. We are getting rid of provisions in an act of parliament that are no longer necessary. So that is great; it will save a lot of money! A provision in the Aged Care Act that the sector really like, that we support and that is the largest deregulation savings in this bill—$1.160 million of $1.855 million will be saved—removes the obligation for approved providers to notify the secretary of the Department of Social Services of certain changes to key personnel within 28 days. We support that. We think it is a sensible measure in relation to the act, and so we support this provision. We are going to be as bipartisan as best we can. It is pity that the coalition has not adopted a bipartisan approach on the dementia and severe behaviours supplement or the dementia and cognition supplement. One program is oversubscribed and the government has been incompetent in relation to it; the other

is undersubscribed and the government is not rolling out support for people with dementia in their homes. So it is good that government can actually focus on this stuff—but how about them focusing on the stuff that counts in the aged care portfolio.

We will see some amendments in relation to Indigenous affairs. This goes back to the days of the Aboriginal and Torres Strait Islander Commission. When ATSIC were in operation, they used to make certain grants and loans to individuals and bodies and also to guarantee certain loans made to those individuals and bodies. When ATSIC were abolished, that power was passed to organisations like the Indigenous Land Corporation and the Indigenous Business Australia. What the proposal in this bill does is change the vesting of the statutory consent so that those bodies or, indeed, the Commonwealth, by the way, can waive the exercise of its statutory consent power by providing written notice to that organisation that its consent no longer be required. It is going to save a lot of money. To be honest, I think it is a pretty basic provision, and we will support it.

I have some real concerns about the amendments to the Stronger Futures in the Northern Territory Act, because one of the first acts of the Northern Territory government was to get rid of the Banned Drinkers Register, which the Northern Territory Labor government had successfully implemented. It was making a difference in the Northern Territory in reducing the shocking rate of alcohol abuse, which is directly linked to assaults on women and children and other Indigenous people in the Territory. Indigenous women in this country are 31 times more likely to be hospitalised because of assault by a partner or from familial abuse than non-Indigenous women; in the Northern Territory, it is about 80 times. We tried to implement alcohol management in the Northern Territory, which was supposed to be supported by the coalition government when they were in opposition. However, they have gone slow on alcohol management plans. Also, they have not said a peep about the CLP government in the Northern Territory, whose policies have opened the door to more alcohol abuse and more assaults in the Northern Territory.

A submission given to the House of Representatives Standing Committee on Indigenous Affairs by the Northern Territory police—that is, a union submission—mentioned by the way in relation to this legislation before the chamber that there is a direct correlation between alcohol abuse, assaults, violence and criminality in the Northern Territory. What is the government doing here, in relation to this legislation? They are saying, 'We don't think an independent review is required under the legislation for the operation of Commonwealth and Northern Territory laws relating to alcohol in the Northern Territory.' That takes from the transparency and accountability that a review of how those policies are impacting in the Northern Territory would provide. This is what they are saying. As a member of the standing committee looking at alcohol management in Indigenous communities, I say that the trouble is that the Northern Territory government is not cooperating with this standing committee. It has stifled evidence again and again and has been stopping us from getting that evidence

We have had non-cooperation from their colleagues and comrades in the Northern Territory and they are proposing that, because we have got an inquiry now and there is another formal review that the government is doing with the Northern Territory, that is good enough. I do not think it is good enough, to be honest with you. The other thing is simply getting rid of a provision that we think has some merit in relation to getting rid of the minister's power to request the Northern Territory government to appoint an assessor to conduct an assessment where they have not got the power to enforce the assessment in relation to licensing premises in certain circumstances. We think that is appropriate. The government has really over-egged itself in terms of this legislation before the chamber.