



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

BILLS

**Omnibus Repeal Day (Autumn 2014) Bill
2014, Amending Acts 1901 to 1969 Repeal Bill
2014, Statute Law Revision Bill (No. 1) 2014**

Second Reading

SPEECH

Wednesday, 26 March 2014

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Wednesday, 26 March 2014
Page 3159
Questioner
Speaker Leigh, Andrew, MP

Source House
Proof No
Responder
Question No.

Dr LEIGH (Fraser) (10:53): Unfortunately the member for Longman made no attempt to answer the question—which I asked him under 66A—as to how his constituents would benefit from the removal of the hyphen in the word 'e-mail'. He made no attempt to answer that question—and he is now scurrying from the chamber—because the answer is that it does not help his constituents at all. Instead, he engaged in another orgy of Canberra bashing, which those on the other side of the House are so fond of doing.

On breakfast TV, the Treasurer was happy to joke about how the election of a Liberal government would drive down house prices in Canberra. Those on the other side of the House so often seem to think that the residents of Canberra are their punching bag to be used in their political stunts, rather than good, honest men and women in a great city who are working hard, just as the people in Longman are. To recognise the decency of Canberrans is something that I think all members of this House should be able to do, given that all members of this House are residents of or guests in this great city.

Regulation per se should never be the enemy. Regulation ensures that our balconies do not fall down, that the wheels stay on our cars and that we know the food we buy at the local shop is safe. Regulation ensures that we get to lead safe, decent and productive lives. The member for Longman referred—as many members opposite have done—to one of their favourite talking points: 21,000 new or amended pieces of legislation under the Labor government. What they will never tell you is that, of those 21,000, 3,400 were air safety directives. Do those members opposite really believe that those 3,400 air safety directives should not have been passed? If so, let them go to their constituents and explain why they believe that air safety directives are not appropriate.

Also, of the 21,000, 4,200 were tariff concession orders—tariff concession orders specifically requested by business to save them money. Do those opposite believe that those 4,200 tariff concession orders should not have been granted—that the government should have said to business: 'No, we are not going to do it. It involves a regulation which will help you, but because we are so antiregulation we will not have it.'

Mr Pyne: Mr Deputy Speaker, I seek to intervene.

The DEPUTY SPEAKER (Mr Mitchell): Is the member for Fraser willing to give way?

Dr LEIGH: It would be only fair to do so, given that I asked a question of the member for Longman.

Mr Pyne: I thank my honourable friend. I ask him whether, in the course of his speech, he will try and reconcile Labor's views in the last parliament that the success of the 43rd Parliament was measured by the number of pieces of legislation that were passed, with Labor's current view that they are the party of cutting red tape and regulation, which some speakers are putting in their remarks this morning.

Dr LEIGH: I thank the Leader of the House for his question. In his question is an important point, which is that we need to get the balance right on regulation. We need to ensure, as the Leader of the House well knows, that we have the right air safety regulations. So it is not about simple-minded stunts of the number of regulations passed or repealed; this bill is a straightforward bill, which will be supported by the Labor Party.

It does a set of things which, frankly, no-one could object to. Removing the hyphen from 'e-mail'—that is a good thing, frankly, but I do not think it deserves a press conference by the Prime Minister. Changing the words 'facsimile transmission' to 'fax' is, again, a measure which probably did not require a press conference of the Prime Minister. Indeed, in other bills, changing 'electronic facsimile to a facsimile' to the words 'fax to a fax' probably did not require grandstanding by the government. In other contexts, correcting the spelling of the word 'committing' probably did not require grandstanding by the government. Changing the word 'trademarks' to two words, 'trade marks', is again something which members of this side of the House will not be objecting to, but let us not claim it as a nation-changing event. Changing 'Legislative Assembly for the Northern Territory' to 'Legislative Assembly

of the Northern Territory' is doubtless the correct way of addressing the legislative assembly in the Northern Territory, but it is not a measure which is going to make business or the community better off.

As the second reading amendment makes clear, the former Labor government had a strong record of deregulation and reform and of removing unnecessary acts from the statute books. We repealed 16,794 acts, regulations and legislative instruments during our time in government. We put in place seamless national economy reforms—real deregulation that lowered business costs, according to the Productivity Commission, by \$4 billion a year, with full reforms to increase productivity by \$6 billion per year.

Mr Dutton: Mr Deputy Speaker, I seek to intervene. I wonder if our good friend may take a question on this very important topic.

The DEPUTY SPEAKER: Would that be under standing order 66A?

Mr Dutton: Yes, 66A.

Dr LEIGH: To indicate my great geniality and willingness to yield, I am happy to do that.

Mr Dutton: I thank the member for Fraser for being so gracious. I ask the member, in reference to the figure he just quoted, whether or not that included any correction of spelling mistakes or other related issues of which he has been critical in his debate. During Labor's time, did the number he referred to include any of these clean-up aspects?

Dr LEIGH: I understand that, yes. The member asks a good question. He is quite right that some of those repeals involved what Fred Hilmer, the father of competition policy, has referred to as 'ghost acts'. And doubtless Labor changed typographical errors. We on this side of the House are not objecting to typographical errors—I am not standing before the House today arguing that typos should remain on the statute books. I am merely pointing out that the benefit of this to our constituents is zero—that no constituents' lives will be made better off by changing the spelling of 'email', just as no constituents' lives will be made better off by changes in the regulations governing mules and bullocks in the defence forces. No constituent of the Minister for Health and no constituent of mine will be made better off by ensuring that states cannot have their own navies.

These are uncontroversial things to do, and let us not pretend that they are reform. Real reform means making hard decisions. What we see from this government is smoke and mirrors. The smoke involves the bonfire of ghost acts; the mirrors involve the government attempting to deflect attention from the fact that its changes to the future of financial advice laws and its scrapping of the charities commission are opposed by all the relevant interest groups. FoFA is the classic: the government achieved the unique configuration of having its changes opposed not only by the consumer groups but also the financial planning association. You have to really stuff up in order to get that configuration.

The government has pressed the 'pause' button on their anti-consumer changes to financial advice legislation. What I encourage them to do is to press the 'stop' button, take the Betamax video out of the machine and throw it onto the bonfire. The other mirror is the attempt to distract Australians' attention from the repeal of the charities commission. The Australian Charities and Not-for-profits Commission is supported by four in five charities. When asked in a survey, 'Would you like charities regulations returned to the Australian Taxation Office?' only six per cent of charities said they want this to happen. Charities as diverse as the Hillsong Church, the RSPCA, Lifeline, SANE Australia, the Myer Foundation and ACOSS have argued that the government should change its policy on getting rid of the charities commission.

So there are important things at stake in the government's so-called repeal day. The fact is that the important things will make Australians worse off, and the unimportant things will not affect Australians' lives one whit. What you will not hear from those opposite is the statistic quoted by PolitiFact that, under the Howard government, the volume of regulations—372 a year—was higher than the volume of regulations under Labor, with around 300 regulations a year. So, when those opposite claim to be the party that does not bring in red tape, that in fact flies in the face of what happened under the Howard years, when the volume of regulations was more rapid than it was under Labor.

We need to look not at the number of regulations but at the quality of regulations. When those opposite rail against air service directives—which they effectively have been doing—and they rail against tariff concession

orders requested by business—as, again, they have effectively been doing—then they are making Australians worse off. And when they change the spelling of 'email' they are having no effect on Australians' lives. Serious reform requires hard public policy work—working with the states rather than attacking the states. It requires—indeed, as the minister at the table has said—one-stop shops. That is why it is so extraordinary that when Labor had set up the Australian Charities and Not-for-profits Commission—a one-stop shop for the charities sector—the coalition wants to come in and destroy it. The minister is in favour of one-stop shops, as am I. But the minister wants to get rid of a one-stop shop for the charities sector—a one-stop shop that would reduce state and territory duplication of reporting requirements. Certainly South Australia and the ACT have indicated a willingness to cede their powers to the Commonwealth government. If the minister at the table seeks to make further interventions, I am certainly happy to take those as well.

Government members interjecting—

The DEPUTY SPEAKER: They are disorderly and should be ignored.

Dr LEIGH: The one-stop shop of the charities commission is a great Labor reform. Instead, what we are seeing from this government is that they have not quite pressed the 'pause' button on it but have certainly pressed the 'slow' button—that button on the remote control that makes the picture freeze-frame forward. We were to have been discussing ACNC repeal this week, but the government has put it off, because they do not know what is going to replace the charities commission. They promised a consultation paper by the end of February, but Minister Andrews did not deliver it. They promised extensive consultation with the sector, but the sector is outraged, saying, 'Minister Andrews doesn't want to speak to us.' He has a tin ear for consultation. And so, extraordinarily, the ACNC (Repeal) (No. 1) Bill does not take effect until repeal bill No. 2 comes along. Were this parliament to pass it, it would sit on the statute books like a ghost regulation. How ironic is that? This government wants to repeal bills that do nothing, that have no effect on the statute books. Yet, in the ACNC (Repeal) (No. 1) Bill they want this parliament to pass a bill that will be a ghost regulation. It will haunt these halls like Banquo's ghost, just waiting for the ACNC (Repeal) (No. 2) Bill to come along.

The sector is waiting too. They want to know what could possibly replace the Australian Charities and Not-for-profits Commission, a body supported by four out of five charities. They know that the bad old days of charities regulation being done by the Australian Taxation Office is an unworkable system. That is why many other countries' charity regulators are coming to Australia in the coming weeks to learn about the Australian model. They are coming to hear from people like ACNC Commissioner Susan Pascoe, who is broadly respected across the sector, about how Australia has done a good job on charities regulation.

This government, which wants to get rid of red tape, is aiming to get rid of an ACNC that has a red tape reduction directorate. It is ironic, and it is a stain on this government's reputation.