



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**  
**COMMITTEES**  
**Economics Committee**  
**Report**  
**SPEECH**

**Thursday, 7 December 2006**

BY AUTHORITY OF THE SENATE

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## SPEECH

**Date** Thursday, 7 December 2006  
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**Questioner**  
**Speaker** Brandis, Sen George

**Source** Senate  
**Proof** No  
**Responder**  
**Question No.**

**Senator BRANDIS** (Queensland) (4.22 pm)—by leave—The short statement I wish to make is in relation to the report, and I thank opposition senators for the indulgence. I had planned to follow Senator O'Brien in the debate because I had anticipated some of the things that might fall from his lips. Let me set the record straight on two matters: firstly, the matter of the process by which the consideration of this report was embarked on and, secondly, the allegation that the report of the committee does not represent a balanced view of the evidence. In relation to the first matter, what had been agreed among the committee informally was that a draft would be circulated by the close of business on the Monday and the report would be tabled on the Thursday of the same week. At the time those agreements were made informally with the non-government members of the committee, there was no controversy about them whatsoever. In fact, the chair's draft was circulated not at the close of business on Monday but on Tuesday morning, about three hours after the commencement of business. But the tabling of the report, in view of that delay of some three hours, was delayed from the usual time after housekeeping matters this morning till after question time this afternoon. So in fact the period of time between the circulation of the chair's draft and the debate on the report was longer, not briefer, than had been informally agreed among senators.

**The ACTING DEPUTY PRESIDENT (Senator Forshaw)**—Senator Brandis, just before you continue, and I note you are making a short statement, I think I should remind you and senators that at 4.30 we are due to return to other business. I am not necessarily inviting you to use all of the time available, but I want to be sure that this is a short statement.

**Senator BRANDIS**—Thank you, Mr Acting Deputy President, for that guidance. I will not take until then to finish what I have to say. I conclude the first of the two matters. A longer period of time elapsed between the circulation of the draft and the consideration of the report by the Senate in the arrangements that were ultimately made than had been, uncontroversially, informally agreed to among senators in the first place. To suggest otherwise is quite misleading. I know the Australian Labor Party senators had other things on their minds on Monday and Tuesday—and I do not want to make any cheap political points about this matter—but I suspect one might look at the other things Australian Labor Party senators had on their minds on Monday and Tuesday rather than look at any default or defect in the process of the committee for the explanation as to why the opposition has not responded meaningfully to the report.

The second point, briefly, is this: I take umbrage on behalf of the secretariat at the attack that Senator O'Brien has just made on the balance of treatment of the evidence in the report. As is the custom with committee reports, as you know Mr Acting Deputy President, the first draft is prepared by the secretariat in accordance with broad instructions from the chair. That was what occurred in this instance. In my view, the report of the committee, as drafted in the first instance by the secretariat, does reflect a balanced view of the evidence. That is not very surprising because the evidence was not very controversial.

The weight of the evidence was overwhelmingly to the effect, as Senator Chapman said in his contribution in the debate on the report, that the Australian petroleum industry, in the various market levels at which it operates, is a highly competitive industry. All of the credible evidence—not unanimous, but the overwhelming weight of the evidence—pointed to that conclusion. There was in fact only one particular issue on which there was a sharp controversy among witnesses and between senators, and that was the utility of the arrangements that are unique to Western Australia whereby, as a result of state legislation, movements in the retail price of petrol are pegged on a daily basis so that there is a prohibition on the alteration of the board price of petrol not more than once every 24 hours. A number of witnesses praised that scheme; a number criticised it. Their different views are reflected in a balanced and thorough way in the report. That is an issue which has divided government and non-government senators. With the exception of that discrete and relatively small issue, the weight of evidence before the committee was overwhelming, and the weight of the evidence is reflected in the balanced treatment of it given in the report of the committee. I thank the Senate for the indulgence.

Debate (on motion by **Senator Parry**) adjourned.