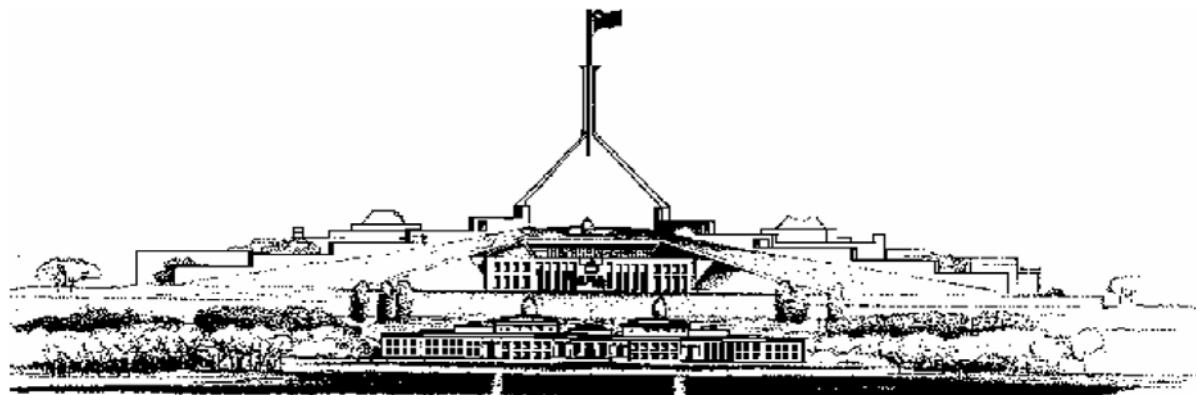




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



House of Representatives

Official Hansard

No. 205, 1995
Monday, 27 November 1995

**THIRTY-SEVENTH PARLIAMENT
FIRST SESSION—EIGHT PERIOD**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

THIRTY-SEVENTH PARLIAMENT

FIRST SESSION—EIGHTH PERIOD

Governor-General

His Excellency the Hon. William George Hayden, Companion of the Order of Australia,
Governor-General of the Commonwealth of Australia

House of Representatives Officeholders

Speaker—The Hon. Stephen Paul Martin

Deputy Speaker—Mr Harry Alfred Jenkins

Second Deputy Speaker—Mr Allan Charles Rocher

Speaker's Panel—Mr John Neil Andrew, the Hon. James Donald Mathieson Dobie,
Mr Eric John Fitzgibbon, Mr Colin Hollis, Mr Garry Barr Nehl, Mr Neville Joseph Newell,
the Hon. Nicholas Bruce Reid, Mr Leslie James Scott, Mr James Henry Snow and
Mr Mark Anthony James Vaile

Leader of the House—The Hon. Kim Christian Beazley

Leader of the Opposition—The Hon. John Winston Howard

Deputy Leader of the Opposition—Mr Peter Howard Costello

Manager of Opposition Business—Mr Peter Keaston Reith

House of Representatives Party Leaders

Leader of the Australian Labor Party—The Hon. Paul John Keating

Deputy Leader of the Australian Labor Party—The Hon. Kim Christian Beazley

Leader of the Liberal Party of Australia—The Hon. John Winston Howard

Deputy Leader of the Liberal Party of Australia—Mr Peter Howard Costello

Leader of the National Party of Australia—Mr Timothy Andrew Fischer

Deputy Leader of the National Party of Australia—Mr John Duncan Anderson

Members of the House of Representatives

Member	Division	Party
Abbott, Anthony John	Warringah, NSW	LP
Adams, Hon. Godfrey Harry	Lyons, Tas	ALP
Aldred, Kenneth James	Deakin, Vic	LP
Anderson, John Duncan	Gwydir, NSW	NP
Andrew, John Neil	Wakefield, SA	LP
Andrews, Kevin James	Menzies, Vic	LP
Atkinson, Rodney Alexander	Isaacs, Vic	LP
Baldwin, Hon. Peter Jeremy	Sydney, NSW	ALP
Beale, Julian Howard	Bruce, Vic	LP
Beazley, Hon. Kim Christian	Swan, WA	ALP
Beddall, Hon. David Peter	Rankin, Qld	ALP
Bevis, Hon. Archibald Ronald	Brisbane, Qld	ALP
Bilney, Hon. Gordon Neil	Kingston, SA	ALP
Bishop, Bronwyn Kathleen	Mackellar, NSW	LP
Bradford, John Walter	McPherson, Qld	LP
Braithwaite, Raymond Allen	Dawson, Qld	NP
Brereton, Hon. Laurence John	Kingsford-Smith, NSW	ALP
Brown, Hon. Robert James	Charlton, NSW	ALP
Cadman, Alan Glyndwr	Mitchell, NSW	LP
Cameron, Eoin Harrap	Stirling, WA	LP
Campbell, Graeme	Kalgoorlie, WA	ALP
Charles, Robert Edwin	La Trobe, Vic	LP
Chynoweth, Robert Leslie	Dunkley, Vic	ALP
Cleary, Philip Ronald	Wills, Vic	Ind.
Cleeland, Peter Robert	McEwen, Vic	ALP
Cobb, Michael Roy	Parkes, NSW	NP
Connolly, David Miles	Bradfield, NSW	LP
Costello, Peter Howard	Higgins, Vic	LP
Crawford, Hon. Mary Catherine	Forde, Qld	ALP
Crean, Hon. Simon Findlay	Hotham, Vic	ALP
Crosio, Hon. Janice Ann, MBE	Prospect, NSW	ALP
Cunningham, Barry Thomas	McMillan, Vic	ALP
Deahm, Maggie	Macquarie, NSW	ALP
Dobie, Hon. James Donald Mathieson	Cook, NSW	LP
Dodd, Peter George	Leichhardt, Qld	ALP
Downer, Alexander John Gosse	Mayo, SA	LP
Duffy, Hon. Michael John	Holt, Vic	ALP
Duncan, Hon. Peter	Makin, SA	ALP
Easson, Mary	Lowe, NSW	ALP
Elliott, Hon. Robert Paul	Parramatta, NSW	ALP
Evans, Hon. Martyn John	Bonython, SA	ALP
Evans, Richard David Conroy	Cowan, WA	LP
Fatin, Hon. Wendy Frances	Brand, WA	ALP
Ferguson, Laurie Donald Thomas	Reid, NSW	ALP
Filing, Paul Anthony	Moore, WA	Ind.
Fischer, Timothy Andrew	Farrer, NSW	NP
Fitzgibbon, Eric John	Hunter, NSW	ALP
Forrest, John Alexander	Mallee, Vic	NP
Free, Hon. Ross Vincent	Lindsay, NSW	ALP
Gallus, Christine Ann	Hindmarsh, SA	LP
Gear, Hon. George	Canning, WA	ALP
Georgiou, Petro	Kooyong, Vic	LP
Gibson, Garrie David	Moreton, Qld	ALP

Members of the House of Representatives—*continued*

Member	Division	Party
Gorman, Russell Neville Joseph	Greenway, NSW	ALP
Grace, Edward Laurence	Fowler, NSW	ALP
Griffin, Alan Peter	Cornella, Vic	ALP
Griffiths, Hon. Alan Gordon	Maribyrnong, Vic	ALP
Hall, Hon. Raymond Steele	Boothby, SA	LP
Halverson, Robert George, OBE	Casey, Vic	LP
Haviland, Christopher Douglas	Macarthur, NSW	ALP
Hawker, David Peter Maxwell	Wannon, Vic	LP
Henzell, Marjorie Madeline	Capricornia, Qld	ALP
Hicks, Noel Jeffrey	Riverina, NSW	NP
Holding, Hon. Allan Clyde	Melbourne Ports, Vic	ALP
Hollis, Colin	Throsby, NSW	ALP
Horne, Robert Hodges	Paterson, NSW	ALP
Howard, Hon. John Winston	Bennelong, NSW	LP
Howe, Hon. Brian Leslie	Batman, Vic	ALP
Humphreys, Hon. Benjamin Charles	Griffith, Qld	ALP
Jenkins, Harry Alfred	Scullin, Vic	ALP
Johns, Hon. Gary Thomas	Petrie, Qld	ALP
Jones, Hon. Barry Owen, AO	Lalor, Vic	ALP
Jull, David Francis	Fadden, Qld	LP
Katter, Hon. Robert Carl	Kennedy, Qld	NP
Keating, Hon. Paul John	Blaxland, NSW	ALP
Kemp, Dr David Alistair	Goldstein, Vic	LP
Kerr, Hon. Duncan James Colquhoun	Denison, Tas	ALP
Knott, Peter John	Gilmore, NSW	ALP
Langmore, John Vance	Fraser, ACT	ALP
Latham, Mark William	Werriwa, NSW	ALP
Lavarch, Hon. Michael Hugh	Dickson, Qld	ALP
Lawrence, Hon. Carmen Mary	Fremantle, WA	ALP
Lee, Hon. Michael John	Dobell, NSW	ALP
Lieberman, Hon. Louis Stuart	Indi, Vic	LP
Lindsay, Hon. Eamon John, RFD	Herbert, Qld	ALP
Lloyd, Bruce	Murray, Vic	NP
McArthur, Fergus Stewart	Corangamite, Vic	LP
McGauran, Peter John	Gippsland, Vic	NP
McHugh, Hon. Jeannette	Grayndler, NSW	ALP
Mack, Edward Carrington	North Sydney, NSW	Ind.
McLachlan, Ian Murray, AO	Barker, SA	LP
McLeay, Hon. Leo Boyce	Watson, NSW	ALP
Martin, Hon. Stephen Paul	Cunningham, NSW	ALP
Melham, Daryl	Banks, NSW	ALP
Miles, Christopher Gordon	Braddon, Tas	LP
Moore, Hon. John Colinton	Ryan, Qld	LP
Morris, Allan Agapitos	Newcastle, NSW	ALP
Morris, Hon. Peter Frederick	Shortland, NSW	ALP
Moylan, Judith Eleanor	Pearce, WA	LP
Nehl, Garry Barr	Cowper, NSW	NP
Neville, Paul Christopher	Hinkler, Qld	NP
Newell, Neville Joseph	Richmond, NSW	ALP
Nugent, Peter Edward	Aston, Vic	LP
O'Connor, Gavan Michael	Corio, Vic	ALP
O'Keefe, Hon. Neil Patrick	Burke, Vic	ALP
Price, Hon. Leo Roger Spurway	Chifley, NSW	ALP

Members of the House of Representatives—*continued*

Member	Division	Party
Prosser, Geoffrey Daniel	Forrest, WA	LP
Punch, Hon. Gary Francis	Barton, NSW	ALP
Pyne, Christopher Maurice	Sturt, SA	LP
Quick, Harry Vernon	Franklin, Tas	ALP
Reid, Hon. Nicholas Bruce	Bendigo, Vic	LP
Reith, Peter Keaston	Flinders, Vic	LP
Rocher, Allan Charles	Curtin, WA	Ind.
Ronaldson, Michael John Clyde	Ballarat, Vic	LP
Ruddock, Philip Maxwell	Berowra, NSW	LP
Sawford, Rodney Weston	Port Adelaide, SA	ALP
Sciacca, Hon. Concetto Antonio	Bowman, Qld	ALP
Scott, Bruce Craig	Maranoa, Qld	NP
Scott, Leslie James	Oxley, Qld	ALP
Sharp, John Randall	Hume, NSW	NP
Simmons, Hon. David William	Calare, NSW	ALP
Sinclair, Rt Hon. Ian McCahon	New England, NSW	NP
Slipper, Peter Neil	Fisher, Qld	LP
Smith, Silvia Joy	Bass, Tas	ALP
Smith, Stephen Francis	Perth, WA	ALP
Smyth, Brendan Michael	Canberra, ACT	LP
Snow, James Henry	Eden-Monaro, NSW	ALP
Snowdon, Hon. Warren Edward	Northern Territory	ALP
Somlyay, Alexander Michael	Fairfax, Qld	LP
Staples, Hon. Peter Richard	Jagajaga, Vic	ALP
Sullivan, Kathryn Jean	Moncrieff, Qld	LP
Swan, Wayne Maxwell	Lilley, Qld	ALP
Tanner, Lindsay James	Melbourne, Vic	ALP
Taylor, William Leonard	Groom, Qld	LP
Theophanous, Hon. Andrew Charles	Calwell, Vic	ALP
Thomson, Andrew Peter	Wentworth, NSW	LP
Tickner, Hon. Robert Edward	Hughes, NSW	ALP
Truss, Warren Errol	Wide Bay, Qld	NP
Tuckey, Charles Wilson	O'Connor, WA	LP
Vaile, Mark Anthony James	Lyne, NSW	NP
Wakelin, Barry Hugh	Grey, SA	LP
Walker, Hon. Francis John, QC	Robertson, NSW	ALP
Williams, Daryl Robert, AM, QC	Tangney, WA	LP
Willis, Hon. Ralph	Gellibrand, Vic	ALP
Woods, Harry Francis	Page, NSW	ALP
Wooldridge, Dr Michael Richard Lewis	Chisholm, Vic	LP
Worth, Patricia Mary	Adelaide, SA	LP

PARTY ABBREVIATIONS

ALP—Australian Labor Party; LP—Liberal Party of Australia; NP—National Party of Australia;
Ind.—Independent

Heads of Parliamentary Departments

Clerk of the Senate—H. Evans

Clerk of the House of Representatives—L. M. Barlin, AM

Parliamentary Librarian—

Principal Parliamentary Reporter—J. W. Templeton

Secretary, Joint House Department—M. W. Bolton

SECOND KEATING MINISTRY

Prime Minister	The Hon. Paul John Keating
Deputy Prime Minister, Minister for Finance and Leader of the House	The Hon. Kim Christian Beazley
Leader of the Government in the Senate and Minister for Foreign Affairs	Senator the Hon. Gareth John Evans QC
Minister for Trade	Senator the Hon. Robert Francis McMullan
Deputy Leader of the Government in the Senate and Minister for Defence	Senator the Hon. Robert Francis Ray
Treasurer	The Hon. Ralph Willis
Minister for Housing and Regional Development	The Hon. Brian Leslie Howe
Minister for Industry, Science and Technology and Minister Assisting the Prime Minister for Science	Senator the Hon. Peter Francis Salmon Cook
Minister for Immigration and Ethnic Affairs and Minister Assisting the Prime Minister for Multicultural Affairs	Senator the Hon. Nick Bolkus
Minister for Employment, Education and Training	The Hon. Simon Findlay Crean
Minister for Primary Industries and Energy	Senator the Hon. Robert Lindsay Collins
Minister for Social Security	The Hon. Peter Jeremy Baldwin
Minister for Industrial Relations and Minister for Transport	The Hon. Laurence John Brereton
Attorney-General	The Hon. Michael Hugh Lavarch
Minister for Communications and the Arts and Minister for Tourism	The Hon. Michael John Lee
Minister for the Environment, Sport and Territories and Manager of Government Business in the Senate	Senator the Hon. John Philip Faulkner
Minister for Human Services and Health and Minister Assisting the Prime Minister for the Status of Women	The Hon. Carmen Mary Lawrence

(The above ministers constitute the cabinet)

Second Keating Ministry—*continued*

Minister for Resources	The Hon. David Peter Beddall
Minister for Development Cooperation and Pacific Island Affairs	The Hon. Gordon Neil Bilney
Minister for Aboriginal and Torres Strait Islander Affairs	The Hon. Robert Edward Tickner
Minister for Schools, Vocational Education and Training	The Hon. Ross Vincent Free
Minister for Consumer Affairs	The Hon. Jeannette McHugh
Minister for Family Services	Senator the Hon. Rosemary Anne Crowley
Assistant Treasurer	The Hon. George Gear
Minister for Justice	The Hon. Duncan James Colquhoun Kerr
Minister for Small Business, Customs and Construction	Senator the Hon. Christopher Cleland Schacht
Minister for Administrative Services	The Hon. Francis John Walker QC
Special Minister of State, Vice-President of the Executive Council, Assistant Minister for Industrial Relations and Minister Assisting the Prime Minister for Public Service Matters	The Hon. Gary Thomas Johns
Minister for Veterans' Affairs and Minister Assisting the Treasurer for Superannuation	The Hon. Concetto Antonio Sciacca
Minister for Defence Science and Personnel	The Hon. Gary Francis Punch
Parliamentary Secretary to the Attorney-General	The Hon. Peter Duncan
Parliamentary Secretary to the Minister for Employment, Education and Training and Parliamentary Secretary to the Minister for the Environment, Sport and Territories	The Hon. Warren Edward Snowdon
Parliamentary Secretary to the Minister for Social Security	The Hon. Janice Ann Crosio MBE
Parliamentary Secretary to the Minister for Industry, Science and Technology	The Hon. Eamon John Lindsay RFD
Parliamentary Secretary to the Minister for Transport	The Hon. Neil Patrick O'Keefe
Parliamentary Secretary to the Minister for Primary Industries and Energy	Senator the Hon. Nicholas John Sherry
Parliamentary Secretary to the Prime Minister and Parliamentary Secretary to the Minister for Human Services and Health	The Hon. Andrew Charles Theophanous
Parliamentary Secretary to the Treasurer and Parliamentary Secretary to the Minister for Communications and the Arts	The Hon. Robert Paul Elliott
Parliamentary Secretary to the Minister for Housing and Regional Development	The Hon. Mary Catherine Crawford
Parliamentary Secretary to the Minister for Defence	The Hon. Archibald Ronald Bevis

THE COMMITTEES OF THE SESSION

FIRST SESSION: EIGHTH PERIOD

STANDING COMMITTEES

ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS: Mr Gibson (*Chair*), Mr Brown, Mr Cleeland, Mr Dodd, Mr R. D. C. Evans, Ms Henzell, Mr Nehl, Mr Nugent, Mr L. J. Scott, Mr Wakelin.

BANKING, FINANCE AND PUBLIC ADMINISTRATION: Mr Simmons (*Chair*), Mr Abbott, Mr Bradford, Mr Braithwaite, Mr Cunningham, Mr M. J. Evans, Mr Latham, Mr Price, Mr S. F. Smith, Mr Somlyay, Mr Thomson, Mr Woods.

COMMUNITY AFFAIRS: Mr A. A. Morris (*Chair*), Mr Cameron, Ms Deahm, Mr R. D. C. Evans, Ms Fatin, Mr Haviland, Mr Newell, Mr Quick, Mr Ruddock, Mr B. C. Scott, Mrs S. J. Smith, Ms Worth.

EMPLOYMENT, EDUCATION AND TRAINING: Mr Fitzgibbon (*Chair*), Mr Adams, Mr Bradford, Mr Charles, Mr Chynoweth, Mr Griffin, Mr Neville, Mr Quick, Mr Ronaldson, Mr Sawford, Mrs S. J. Smith, Mr Wakelin. (Mr Georgiou and Mr Price to serve on committee during consideration of inquiry into non-attendance at schools by young people under the age of 15 years.)

ENVIRONMENT, RECREATION AND THE ARTS: Mr Langmore (*Chair*), Mr Cameron, Mr Chynoweth, Mr R. D. C. Evans, Mr Grace, Mr Horne, Mr Jenkins, Mr Lloyd, Mr McLeay, Mr Newell, Mr Truss, Mr Wakelin.

HOUSE: The Speaker, Mr Beale, Mr Cunningham, Mr Fitzgibbon, Mr Hollis, Mr Nehl, Mrs Sullivan.

INDUSTRY, SCIENCE AND TECHNOLOGY: Mr Griffiths (*Chair*), Mr Charles, Mr Cleary, Mr Cobb, Mr Cunningham, Mrs Easson, Mr M. J. Evans, Mr Ferguson, Mr Lieberman, Mr A. A. Morris, Mr O'Connor, Mr Reid.

LEGAL AND CONSTITUTIONAL AFFAIRS: Mr Melham (*Chair*), Mr Cadman, Mr Duffy, Ms Fatin, Mr Holding, Mr Latham, Mr Pyne, Mr Sinclair, Mr Slipper, Mr Staples, Mr Tanner, Mr Williams.

LIBRARY: The Speaker, Mr Ferguson, Mr Fitzgibbon, Mr Forrest, Mr Jones, Mr Ronaldson, Mr B. M. Smyth.

MEMBERS' INTERESTS: Mr Grace (*Chair*), Ms Deahm, Mr Dobie, Mr Elliott, Mr Lloyd, Mr Reid, Mr Sawford.

PRIVILEGES: Mr Sawford (*Chair*), Mr K. J. Andrews, Mr Atkinson (nominee of Deputy Leader of the Opposition), Mr Brown, Mr Cleeland, Mr Holding (nominee of Leader of the House), Mr Lieberman, Mr McGauran, Mr McLeay, Mr Simmons, Mr Somlyay.

PROCEDURE: Mr Brown (*Chair*), Mr McLeay, Mr Melham, Mr Nehl, Mr Price, Mr L. J. Scott, Mrs Sullivan, Mr Thomson.

PUBLICATIONS: Mr Horne (*Chair*), Mr Fitzgibbon, Mr Forrest, Mr Griffin, Mr Hall, Mr Haviland, Mr Slipper.

SELECTION: Mr Jenkins (*Chair*), Mr Filing, Mr Grace, Mr Halverson, Mr Hawker, Mr Hicks, Mr McLeay, Mr Nehl, Mr Sawford, Mr Snow, Mr Tanner.

TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE: Mr P. F. Morris (*Chair*), Mr Adams, Mr Cameron, Mr Campbell, Mr Hollis, Mr Knott, Mr McArthur, Mr Mack, Mr O'Connor, Mr Pyne, Mr Sharp, Mr Swan. (Mr Neville and Mr Woods to serve on committee during consideration of inquiry into Australia Post's rural and remote letter delivery services.)

Pursuant to resolution

LONG TERM STRATEGIES (*Formed 13 May 1993*): Mr Jones (*Chair*), Mr Adams, Mr Dobie, Mr R. D. C. Evans, Mr Haviland, Ms Henzell, Mr McArthur, Mr O'Connor, Mr Snow, Mr Staples, Mr Truss, Mr Wakelin.

TELEVISING OF THE HOUSE OF REPRESENTATIVES (*Formed 4 May 1993*): The Speaker (*Chair*), Mr Cameron, Mr M. J. Evans, Mr Hicks, Mr Knott, Mr Price.

JOINT STATUTORY COMMITTEES

AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION: Mr Gorman (*Presiding Member*), Mr Campbell, Mr Dodd, Mr B. C. Scott, Senator Minchin, Senator Reynolds, Senator Spindler.

BROADCASTING OF PARLIAMENTARY PROCEEDINGS: The Speaker (*Chair*), the President, Mr Cameron, Mr M. J. Evans, Mr Hicks, Mr Knott, Mr Price, Senator Coates, Senator Knowles.

CORPORATIONS AND SECURITIES: Mr S. F. Smith (*Chair*), Mrs Bishop, Mr Humphreys, Mr Sinclair, Mr Tanner, Senator Cooney, Senator Gibson, Senator McGauran, Senator Neal, Senator Spindler.

NATIONAL CRIME AUTHORITY: Mr Cleeland (*Chair*), Mr Filing, Mr Quick, Mr Snow, Mr Vaile, Senator Jones, Senator Spindler, Senator Troeth, Senator Vanstone, Senator Wheelwright.

NATIVE TITLE AND THE ABORIGINAL AND TORRES STRAIT ISLANDER LAND FUND: Senator C. V. Evans (*Chair*), Mrs Gallus, Mr Knott, Mr Latham, Mr Nehl, Mr Quick, Senator Campbell, Senator Chamarette, Senator Ellison, Senator Reynolds.

PUBLIC ACCOUNTS: Mr L. J. Scott (*Chair*), Mr Beale, Mr Brown, Mrs Easson, Mr Fitzgibbon, Mr Griffin, Mr Haviland, Mr Somlyay, Mr Taylor, Mr Vaile, Senator Cooney, Senator Forshaw, Senator Gibson, Senator Neal, Senator Woods.

PUBLIC WORKS: Mr Hollis (*Chair*), Mr J. N. Andrew, Mr Braithwaite, Mr Gorman, Mr Halverson, Mr Humphreys, Senator Burns, Senator Calvert, Senator Murphy.

JOINT COMMITTEES

ELECTORAL MATTERS (Formed 18 May 1993): Mr Ferguson (*Chair*), Mr Cobb, Mr Connolly, Mr Griffin, Mr Melham, Mr Swan, Senator Abetz, Senator Chamarette, Senator C. V. Evans, Senator Lees, Senator Minchin, Senator Wheelwright.

FOREIGN AFFAIRS, DEFENCE AND TRADE (Formed 18 May 1993): Mr Price (*Chair*), Mr Atkinson, Mr Campbell, Mr Duffy, Mr Ferguson, Mr Fitzgibbon, Mr Gibson, Mr Grace, Mr Halverson, Mr Hawker, Mr Hicks, Mr Hollis, Mr Horne, Mr Jull, Mr Langmore, Mr Lieberman, Mr L. J. Scott, Mr Simmons, Mr Sinclair, Mr Taylor, Senator Bourne, Senator Brownhill, Senator Chapman, Senator Childs, Senator Denman, Senator Harradine, Senator Jones, Senator MacGibbon, Senator Margetts, Senator Reynolds, Senator Teague, Senator West.

MIGRATION (Formed 18 May 1993): Senator McKiernan (*Chair*), Mr Ferguson, Mr Holding, Mr Ruddock, Mr Sinclair, Mrs Sullivan, Mr Woods, Senator Cooney, Senator Short.

NATIONAL CAPITAL AND EXTERNAL TERRITORIES (Formed 27 May 1993): Mr Chynoweth (*Chair*), Mr Jenkins, Mr Langmore, Mr McLeay, Mr Sharp, Mr B. M. Smyth, Senator Bell, Senator Coates, Senator Colston, Senator Ferguson, Senator Macdonald, Senator Reid.

JOINT SELECT COMMITTEES

CERTAIN FAMILY LAW ISSUES (Formed 18 May 1993): Mr M. J. Evans (*Chair*), Mr K. J. Andrews, Ms Henzell, Mr Price, Mr Williams, Senator Brownhill, Senator Carr, Senator Neal, Senator Reid, Senator Spindler. (*Final report presented 28 November 1995; Committee dissolved.*)

PARLIAMENTARY DEPARTMENTS

SENATE

Clerk of the Senate—H. Evans
Deputy Clerk of the Senate—A. Lynch
Clerk-Assistant (Table)—C. J. C. Elliott
Clerk-Assistant (Corporate Management)—J. Vander Wyk
Clerk-Assistant (Procedure)—P. O'Keefe
Clerk-Assistant (Committees)—R. Laing
Usher of the Black Rod—R. Alison

HOUSE OF REPRESENTATIVES

Clerk of the House—L. M. Barlin
Deputy Clerk of the House—I. C. Harris
First Clerk Assistant—B. C. Wright
Clerk Assistant (Procedure)—I. C. Cochran
Clerk Assistant (Table)—J. W. Pender
Serjeant-at-Arms—D. Elder

PARLIAMENTARY REPORTING STAFF

Principal Parliamentary Reporter—J. W. Templeton
Chief Hansard Reporter—B. A. Harris
Assistant Chief Reporter (Committees)—V. M. Barrett
Assistant Chief Reporter (Chambers)—M. A. R. McGregor

LIBRARY

Parliamentary Librarian—

JOINT HOUSE

Secretary—M. W. Bolton

Monday, 27 November 1995

Mr SPEAKER (Hon. Stephen Martin)
took the chair at 12.30 p.m., and read prayers.

DELEGATION REPORTS

Delegation to Slovenia and the 94th Inter-Parliamentary Conference held in Bucharest

Mr SPEAKER—I present the report of the Australian Parliamentary Delegation to Slovenia and the 94th Inter-Parliamentary Conference held in Bucharest, October 1995. The Slovenian section of the program was lead by my friend and colleague the honourable member for Watson (Mr Leo McLeay). I will therefore let him make any comment on that section he would like to.

The 94th Inter-Parliamentary Conference was held in Bucharest between 9 and 13 October. It was an extremely well-organised conference set in the stunningly opulent Palace of Parliament, the former Ceaucescu Palace. The location of the conference in the palace underscored the contrast which is still obvious in Bucharest as Romania makes a transition to a modern and democratic society. Clearly, much has been achieved since 1989, but there are still many challenges ahead.

I was pleased while in Romania to be able to meet with both the Presiding Officers of the Romanian parliament and with the Prime Minister. Each commented on the warmth of the existing relationship between Australia and Romania and the potential for further development, especially in trade. In particular, they noted that the Romanian government had recently approved the privatisation of around 4,000 of Romania's leading state companies, a move which in their view will provide significant opportunities for further Australian investment and joint ventures.

The conference agenda itself is covered in detail in the report. I just comment that the supplementary item dealt with nuclear testing issues. We were pleased as a delegation to lend our support to New Zealand and Chile in putting that particular item forward for consideration as a supplementary item.

During the conference, the honourable member for Watson was appointed to the drafting committee charged with the difficult and very lengthy task of drafting a resolution on the supplementary topic of nuclear testing. I think it is a great tribute to his ability that the particular draft resolution that came forward was in fact carried by the conference.

The honourable member for Melbourne Ports (Mr Holding) attended the conference as a substitute member on the Committee for Human Rights of Parliamentarians. I am pleased to report to the parliament that in Bucharest he was elected to fill the Asia-Pacific vacancy on that committee and will thus continue the excellent work he has put into this committee over several years.

Our delegation attended many meetings during the conference. They included the Asia-Pacific and 12+ groups, the Inter-Parliamentary Council, the Committee to Monitor the Situation in Cyprus and the Meeting of Women Parliamentarians. Details of all those deliberations can be found in our report.

I would like to thank the members of the delegation: the Deputy Leader, Senator Calvert, Senators Denman and Woods and the honourable members for Melbourne Ports and Watson for their commitment to the delegation's program. I also thank the delegation secretary, Peter Keele, whose assistance and genial company were greatly appreciated by us all. I also extend thanks to my personal adviser, Geraldine Skinner, for her continuing dedication to the work of the IPU.

I also record our appreciation of the assistance provided by Ambassadors Walker and Campbell, the Australian embassy staff in Slovenia and Romania, particularly Margaret Newman and Pam McDonald of the Department of Foreign Affairs and Trade, who accompanied us to the conference. I also thank the Parliamentary Library, the Canberra based staff of the Department of Foreign Affairs and Trade and staff of the Department of Housing and Regional Development for the invaluable briefings they provided to the delegation. I commend the report to the House.

Mr LEO MCLEAY (Watson) (12.35 p.m.)—I would like to make a few remarks

regarding the visit of the delegation to Slovenia. As members might be aware, Slovenia is one of the newer countries of the world, only becoming independent from the former Yugoslavia on 25 June 1991. Australia was one of the first countries in the world to recognise Slovenia as an independent state, doing so on 16 January 1992. That was something for which the Slovenes have always held Australia especially in their hearts, and the warmth of the people upon the visit of the Australian delegation was very pleasing to us all.

It is estimated that there are about 30,000 former Slovenes living in Australia at present, which shows that the ties between the two countries are more than just the economic ties that countries are generally interested in. Slovenia is a very small country, about one-third the size of Tasmania, with a population of about two million people. For Australia, it is situated at a very useful place in Europe in that the port of Koper, which is on the Adriatic, would obviously be of use for people who wish to export directly into central and eastern Europe from the Asia-Pacific region. As Slovenia arranges its transportation links to become a crossroad of Europe, that port facility I think will become much more interesting for Australian exporters who could take a couple of days off their transportation time by using that port rather than the western European ports that they now use.

The Slovenian government is moving down the track towards privatisation and towards integrating their economy with western Europe. They are on the way to becoming members of the European Union. In Slovenia, one gets the impression of a small country which has come to grips with independence from the old Yugoslavia and which has set itself on the road to progress. After visiting the country, one is certain that they will achieve the goal they have set themselves, that of becoming a modern European state in the middle of the new Europe.

The delegation was very well looked after by the Slovene parliament, and we had some very good meetings with both officials and ministers of the country. I was particularly

pleased to again make the acquaintance of my friend Zoran Thaler, the foreign minister of Slovenia, who assured the delegation that Slovenia would be supporting Australia's candidature for the UN Security Council. So the bonds between our two countries—and they are bonds which go both ways—are very good.

I think there are increasing opportunities for trade between Australia and Slovenia, and there are even greater opportunities for trade that transits Slovenia destined for other parts of eastern and central Europe. Now that the conflict in Bosnia looks like being resolved, I think that port of Koper will become even more important.

I might just mention in passing, Mr Deputy Speaker, that the Speaker remarked upon the IPU conference and our participation there. I found the drafting committee which came up with the resolution on nuclear testing to be a very interesting contest which, in the end, got down to a contest between Australia and France. The French were very well represented by M. Baumel, who is an RPR party member of the French National Assembly, who put their case strongly. I must say that M. Baumel believed very much in nuclear issues. I might conclude by reminding the parliament of something he said last Thursday in Paris when he delivered a report as the parliamentary representative of the French Defence Commission. He said he doubts that the new generation of French warheads can be perfected in the current series of underground tests and that more tests may be needed. M. Baumel, unfortunately, has learned nothing.

COMMITTEES

National Capital and External Territories Committee

Report

Mr CHYNOWETH (Dunkley) (12.40 p.m.)—On behalf of the Joint Standing Committee on the National Capital and External Territories, I present the committee's report, incorporating a dissenting report, on the National Capital Plan—*Draft amendment No. 14 (Broadacre Areas) to the National Capital Plan*, together with the evidence received by the committee.

Ordered that the report be printed.

Mr CHYNOWETH—On 10 November 1994, the Hon. Brian Howe MP, the Minister for Housing and Regional Development and the then Deputy Prime Minister, invited the committee to inquire into, and report on, draft amendment No. 14 to the National Capital Plan.

Draft amendment No. 14 of the National Capital Plan seeks to expand the range of permitted land uses from the current ‘offensive and hazardous industries’ to just the more general ‘industries’ covering four sites identified as sites A, B, C, and D. The area under consideration lies within broadacre areas in the National Capital Plan.

The area of land is bounded by Oaks Estate, the ACT-NSW border, Canberra Avenue and the Molonglo River corridor. It includes the sites currently occupied by the Canberra abattoir and the Canberra tannery.

The committee conducted a site inspection of the area covered by draft amendment No. 14 on 27 February 1995. In addition, the committee took evidence from key interested parties at public hearings on 27 February and 6 March 1995. Written submissions were also received as evidence for the inquiry.

The inquiry took longer than anticipated. The investigation process raised a number of contentious issues which were debated by the committee over a considerable period of time.

This inquiry highlighted some of the difficulties in looking at land use purposes operating under two planning regimes in the national capital. In the Australian Capital Territory both Commonwealth and ACT legislation operate and there are two ‘plans’ known as the National Capital Plan and the Territory Plan, which are the responsibility of the National Capital Planning Authority and the ACT Planning Authority, respectively. I think it is inevitable that differences between the plans will occur. From time to time I wonder why land in the ACT has to be treated differently from land in the rest of Australia.

The only reason the committee received this reference was that there was an anomaly between the National Capital Plan and the Territory Plan. The National Capital Plan only

permitted ‘hazardous and offensive industries’ on the sites, while the Territory Plan permitted ‘industries’ for all but one site within the draft amendment area. However, the Territory Plan has no effect if it is inconsistent with the National Capital Plan.

The impetus for draft amendment No. 14 was an application by P.D. Mulligan (Holdings) Pty Ltd, the parent company of the proprietors of the Canberra abattoir, to vary its lease in the hope it could develop the site into an industrial estate of some 50 blocks.

Draft amendment No. 14 does not itself result in an automatic change in land use on the abattoir site as there are mandatory processes required by the ACT government before any change in land use, or any development application, can be approved.

Draft amendment No. 14 raised several important issues which are dealt with in detail in the report. The committee considered the extent of the area of sites A, B, C, and D proposed in draft amendment No. 14. An examination of the issues, including the amenity of nearby residents; the need for an adequate buffer zone to allow screening between any development in the area and Canberra Avenue; and the concerns of the Queanbeyan City Council. The need to reduce anomalies between the National Capital Plan and the Territory Plan led the committee to conclude that it would be more appropriate if the effect of draft amendment No. 14 was confined to sites A, B and D, thereby excluding site C. Consequently, the committee recommends that draft amendment No. 14, as originally proposed, not be agreed to.

Further, the committee recommends that the National Capital Plan’s range of permitted land use be expanded to permit industry on sites A, B and D, the details of which are given in the report, and that any industry proposed be subject to environmental assessment. This recommendation is conditional on a number of undertakings being fulfilled, and these undertakings are outlined in the report.

The committee recommends that site C not be used for industry but permits the normal range of non-special uses for broadacre areas in the National Capital Plan. In conclusion, I wish to thank the committee members for

their participation in the committee's deliberations. I particularly thank the secretariat and those people who worked on this very complex issue. On behalf of the committee, I would like to thank all those who gave evidence to this inquiry in submissions and those who also gave evidence at public hearings.

Mr LANGMORE (Fraser) (12.45 p.m.)—Even though there was some dispute in this inquiry on the National Capital Plan, the Joint Standing Committee on the National Capital and External Territories nevertheless continues to work harmoniously in its processes. There is a dissenting report from this inquiry, as the chair, the member for Dunkley (Mr Chynoweth), has said. Five of the members signed the dissenting report, and that is unusual. The issue in the inquiry was really about the process through which planning should take place in the ACT. Those who signed the dissenting report considered that the process should involve, in this case, deciding on the needs for industrial land and deciding where in the city industrial estates should be best located and then planning it properly. That is not what happened in this case.

In this case an abattoir owner decided that he wanted to move his abattoir elsewhere and, in order to make as much out of the land that he occupied as possible, asked for permission to redevelop that land as an industrial estate. If he had received the agreement he had been seeking, he would have been driving the process of industrial development in the ACT at his own convenience rather than in terms of the best planning process and the best characteristics of the location for an industrial estate in the ACT.

All the dissenting members considered that inadequate evidence had been given to judge whether this was the best location for an industrial estate, that it was therefore inappropriate to give approval for this application and that the land should have been returned to the ACT government for it to then consider what the appropriate use should be. In a very carefully worded dissent, we said:

While recognising that there would be risks in its proposed investment as a developer, and acknow-

ledging that betterment would be payable to the ACT Government, there is no justification for the present lessee potentially to profit from such a substantial change of use—

as he was proposing or requesting—nor for it automatically to become the developer of what would be effectively a new industrial suburb without competing for that right.

It is a question of the balance of return to an individual lessee as against the whole community and also about the role for individual initiative as against the proper planning process in the interests of the whole community of the territory and in this case the surrounding town of Queanbeyan.

We therefore oppose the recommendation in its original form, or its amended form, and propose that the land be returned to the ACT government. If there were a need for an additional industrial estate—about which quite insufficient evidence was given to the committee—then the ACT government could respond to that in the appropriate way. In conclusion, I would like to thank the chair for his effective role in this quite difficult inquiry, the committee secretariat and, in particular, the committee secretary, Meg Crooks, for her very impartial handling of this inquiry.

Mr SMYTH (Canberra) (12.50 p.m.)—I thank the House for this opportunity to speak on the report entitled *Draft amendment No. 14 (Broadacre Areas) to the National Capital Plan*. The Joint Standing Committee on the National Capital and External Territories has recommended that the original draft amendment not be agreed to. The committee has taken great care in its deliberations to ensure that the residents of Oaks Estate were protected from both environmental degradation and various pollutants, such as noise and odours, which are common hazards of industrial sites and also to ensure that there is a buffer zone, which is marked C on the maps.

The committee has also noted that the process by which draft amendment No. 14 was conceived and developed raises some questions about land use and planning in the ACT and some of the ad hoc nature of how that goes about. Indeed, before the Joint Committee on Public Works at this very moment are other works that highlight the

process that faces the development of Canberra.

With that in mind, I am pleased that the ACT government and the Commonwealth have established the metropolitan Canberra growth strategy review to see whether some of these dilemmas that led to the dissenting report can be ironed out. As the chair of the committee, the member for Dunkley (Mr Chynoweth) has said, the time spent on this report indicates the difficulties that the committee experienced. Hopefully, the new review will overcome some of those anomalies and difficulties. But before this process even continues the applicant will now have to become involved in the ACT planning process.

The committee has recommended that the broad range of uses permitted in broadacre areas in the National Capital Plan be amended. It wants to limit an expanded range of permitted industry to sites A, B and D only, on the land to the west of Oaks Estate on the north side of Canberra Avenue and to ensure that industry proposed for sites A, B and D is subject to environmental assessment and is all conditional on the undertakings put before it. The committee has also recommended that all industry, including hazardous or offensive industry, not be permitted on site C but that the normal range of non-special area uses for broadacre areas in the National Capital Plan be permitted.

I would like to take this opportunity to thank the secretariat staff, and in particular Meg Crooks, of the Joint Standing Committee on the National Capital and External Territories for all their hard work in the writing and deliverance of this report. I would also like to acknowledge the work of the chairman, in working both sides to an agreeable report that is now before this House. I commend the report to the House.

Mr CHYNOWETH (Dunkley)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

Mr DEPUTY SPEAKER (Mr Jenkins)—In accordance with standing order 102B, the debate is adjourned. The resumption of the

debate will be made an order of the day for the next sitting Monday and the member will have leave to continue speaking when the debate is resumed.

Corporations and Securities Committee

Report

Mr STEPHEN SMITH (Perth) (12.53 p.m.)—On behalf of the Joint Committee on Corporations and Securities, I present the committee's report on limitation on institution of criminal proceedings under section 1316 of the Corporations Law, together with the evidence received by the committee.

Ordered that the report be printed.

Mr STEPHEN SMITH—One of the tasks of the Joint Committee on Corporations and Securities since its formation in 1991 has been monitoring the investigation and prosecution of breaches of corporate law in the 1980s, with a particular concern about delay in resolving these matters. These events and the investigations resulting from them are now up to eight years old, with a number still to be brought before the courts. For example, the decision of the Attorney-General (Mr Lavarch), pursuant to section 1316 of the Corporations Law, to consent to the commencement of proceedings against Mr Bond, Mr Oates and Mr Mitchell in relation to a Bell Resources matter is a reminder that matters of great complexity requiring very considerable application of the resources of the Australian Securities Commission, the Director of Public Prosecutions and the courts are still to be resolved.

In October 1993, the Chairman of the Australian Securities Commission, Mr Alan Cameron, commented publicly that 'Section 1316 of the Corporations Law may impede the prosecution of corporate crime, particularly in complex cases'. The committee raised this issue with Mr Cameron when he appeared before a public hearing of the committee in April 1994. Mr Cameron said:

The difficulty is that any such decision is itself capable of being reviewed . . . The only thing that is certain is that an aggressive defendant's first ploy will be to tie us up, potentially for years, in administrative review of the Attorney-General's decision to extend the time. That is the reason we are not

sure why there needs to be a special rule for corporate crime.

Options considered by the committee in its inquiry included: repealing the present limitation period in relation to indictable offences; increasing the limitation period from five to seven years or retaining the Attorney-General's discretion, with the removal of any right of review of the exercise of the discretion; or no change.

Evidence before the committee focused on the distinction between indictable offences, subject to no general limitation period under the Crimes Act 1914, and summary offences, which are subject to a 12-month limitation period under the Crimes Act. Arguments favouring the abolition of the Attorney-General's consent were that it will put corporate criminal prosecutions on the same basis as the general criminal law and it is not an appropriate role for the Attorney-General under the current independent prosecution process.

Arguments advanced advocating retention of section 1316 stressed that the limitation period should apply to indictable offences under the Corporations Law as limitations in general act as a discipline on agencies to ensure expeditious investigatory and prosecution processes. The committee found that there should be no limitation period for serious or indictable offences under the Corporations Law and that section 1316 of the Corporations Law should be amended accordingly.

In the case of summary offences, the committee decided that these offences should be subject to a limitation period of five years but without any capacity on the part of the Attorney-General to extend. The committee found that the Crimes Act limitation period of 12 months would not allow proper investigation of summary offences under the Corporations Law, some of which involve quite serious breaches of corporate behaviour. I draw the House's attention to the opinion tabled in respect of this matter by Senator Cooney.

A central point in the submissions advocating retention of the limitation period and the discretion in the Attorney-General was that such a discretion provided enhanced accounta-

bility for the exercise of the already wide powers of the ASC and the DPP. Contrary arguments to the committee stressed two important points of accountability: judicial or administrative review of a prosecution decision and the courts limiting the commencement of prosecutions due to abuse of process. Recent decisions indicate that suspect proceedings will not easily escape the court's scrutiny. The committee does not agree that the addition of a discretion in the Attorney-General to allow an extended period of prosecution will enhance this protection.

The committee concluded that the current discretion of the Attorney-General does not significantly add to the proper and desirable level of protection of persons accused under various provisions of the Corporations Law. As well, since the creation of the office of the DPP—a statutory independent prosecuting authority—it would be anomalous for the Attorney-General to retain an effective prosecutorial discretion such as that currently contained in section 1316. The committee believes that serious corporate criminal offences should be placed on the same basis as serious general criminal offences.

The committee does, however, believe that the DPP and the ASC should include extra information in their annual reports to provide some better information on the DPP's decisions in relation to corporate offences. The committee is concerned that in future a clear picture be presented each year of the number of current matters in the hands of the DPP, the time that has elapsed since the alleged commission of offences that may be involved in each matter, and the state each matter has reached in the investigation, assessment and prosecution process. The committee believes that such a picture will allow the responsible minister and the parliament to better ensure that there is appropriate public information on the ASC's and the DPP's administration of this area of their responsibilities.

The committee has formally recommended in its report that future annual reports of the Australian Securities Commission and the Commonwealth Director of Public Prosecutions provide detailed information showing the time that has elapsed since the commis-

sion of alleged offences under the Corporations Law and the time that has elapsed since the commencement of active investigative and prosecutorial processes. I commend the report to the House. (*Time expired*)

Mr SINCLAIR (New England) (12.58 p.m.)—The report on limitation on institution of criminal proceedings under section 1316 of the Corporations Law of the Joint Committee on Corporations and Securities just tabled by the honourable member for Perth (Mr Stephen Smith) has my endorsement. I want to comment on several aspects of the report. Firstly, it is important that people understand that the aftermath of all the disasters of the entrepreneurs of the 1980s should not generate an undue legislative response from this parliament, nor should it create the expectation that every company dealing is illegal or improper. When this reference was first given to the committee I was concerned that this was just another instance of the ASC attempting to extend jurisdiction in a way which was going to prejudice the proper functioning of the marketplace and, in particular, of companies in the Australian financial structure.

I am convinced that that is not so. My own view had been that the period of five years within which the ASC should initiate proceedings should be retained, basically because I felt that for both summary and indictable offences it was necessary for a party at arms length to ensure that every attempt had been made by the ASC to initiate proceedings as soon as possible. Having heard the evidence and having considered the matter, however, I concur with the conclusions of this report.

It has been only four years since the Director of Public Prosecutions, the DPP, has taken over from the Attorney-General responsibility for prosecutions. I believe that the manner of assessment by the DPP replaces the role previously exercised in the prosecution sense by the Attorney-General. Accordingly, I accept the fact that this is an appropriate deletion. Therefore, the committee's recommendation that there should no longer be a necessity for the minister, or the Attorney-General in this instance, to give approval after five years should be proceeded with. That is the recommendation of both the DPP and the

ASC. For that reason, I think there is now a better practice.

I note the dissenting report of Senator Cooney. I do not agree with that because I believe it is difficult for summary offences to be prosecuted at too early a stage. The committee report stated that there would still be a time within which it would be possible for summary offences to be prosecuted and be retained but that they be removed altogether for indictable offences. I believe it is appropriate that the indictable offence removal be proceeded with. At the same time, I suggest that the DPP has a responsibility to ensure that the normal procedures and practices regarding the reasonableness of prosecution be considered very carefully.

My worry has been, and it is a fact that was presented in evidence to the committee, that after seven years it is no longer necessary to keep records. While there have been a number of incredible abuses of proper accounting and prudential responsibility by a number of corporate figures, that does not mean that all have done so. It would be unreasonable if a prosecution were initiated against a person simply on the basis that time has lapsed, prosecution was not commenced at a reasonable time and records had been destroyed. I think that seven-year period within which people are required to keep records needs to be kept in mind.

At the same time I think the five-year limitation for summary offences is reasonable. For that reason I believe it is appropriate for it to be retained, as the committee has recommended. Its removal altogether does not mean that unlimited time will be available. It means that in any instance where the ASC recommends prosecution the officers of the Director of Public Prosecutions will be available to supervise the exercise of that prosecution. I believe in that instance the report makes sense. For that reason, I support the recommendations of the committee and commend the chairman and the members of the secretariat for the work they have undertaken in the preparation of this report.

Mr DEPUTY SPEAKER (Mr Rocher)—Order! The time allotted for statements on the report has expired. Does the member for Perth

wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr STEPHEN SMITH (Perth)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

Mr DEPUTY SPEAKER—Order! In accordance with standing order 102B, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting Monday and the member will have leave to continue speaking when the debate is resumed.

Transport, Communications and Infrastructure Committee

Reports

Mr PETER MORRIS (Shortland) (1.04 p.m.)—On behalf of the Standing Committee on Transport, Communications and Infrastructure, I present the following reports of the committee entitled *Warehouse to wharf: Efficiency of the interface between seaports and land transport—Final report*; and *Oil spills: A response strategy: Review of the Auditor-General's audit report—Is Australia ready to respond to a major oil spill?* together with the minutes of proceedings.

Ordered that the report be printed.

Mr PETER MORRIS—The first report on *Warehouse to wharf* was tabled in April 1992. It highlighted the benefits that could be achieved if Australian firms better coordinated their services along the transport chain to the waterfront. It revealed an ‘appalling apathy, ignorance and inertia on the part of users of waterfront services’. Three and a half years on there has been little change, although we have seen improvements in some areas, with some service providers having shown a willingness to improve communication and coordination between parties operating at the port interface. Outdated financial, documentary and logistic practices are continuing impediments to Australian products becoming more competitive abroad.

Waterfront productivity is important, yet efficient use of transport services to the waterfront is even more important to export-

ers, importers, and Australia’s international competitiveness. Service providers and their customers need to develop a team approach to maximising the productivity and efficiency of port related services. The committee is convinced that much greater progress would have been made if the interface efficiency councils, recommended in the 1992 report, had been established at all of Australia’s major ports. Accordingly, the committee has again recommended they be established in all major ports to facilitate the efficient movement of cargo to and from the waterfront and to ensure effective communication and coordination at the port interface.

I now turn to electronic data interchange. The national consultative group has been successful in developing a common approach to the promotion of electronic commerce in the transport industry. However, a significant impediment to the use of electronic commerce by small business in all industries as well as the transport sector has been the availability of cost-effective electronic data interchange software. The committee has recommended that the Commonwealth government, through the Department of Industry, Science and Technology, fund a detailed assessment of the current environment for software development.

Transport costs to the wharf are not a priority for small exporters. However, taken together, they constitute a major factor in improving Australia’s international competitiveness. By focusing public debate solely on the waterfront, industry associations, governments and politicians mask the many problems which remain in the transport chain to the wharf. This is a lazy and obstructive approach to a difficult and complex logistics problem.

I thank the deputy chairman, Mr Stewart McArthur, and my fellow committee members for their cooperation in the conduct of this inquiry. I thank also the committee secretariat, including the secretary, Mr Malcolm Aldons; Mr Les Dunn; and administrative officer, Mrs June Murphy. Special thanks are due to Mr John Jenkins, consultant, and Mr Robert Tranter of the Department of Transport.

I turn now to the report in respect of oil spills. Given the adverse effect of oil spills on the marine environment and the significant public interest in the *Ships of shame* report, the committee welcomed the opportunity to review the report of the Auditor-General: *Is Australia ready to respond to a major oil spill?* Our work complements the committee's work earlier on ship safety. Pollution of the sea by oil is a major world problem. Given Australia's 37,000 kilometres of coastline, and our diverse marine environment, the threat of an oil spoil is particularly significant. Thus, it is essential that Australia has an adequately resourced oil spill prevention strategy.

The audit report focused on the Australian Maritime Safety Authority's management of a national oil plan to combat pollution of the sea by oil. The committee notes that the Australian Maritime Safety Authority has agreed to 15 of the 18 recommendations in the Auditor's report. The committee adjudicated on those areas of disagreement. The key feature of an oil spill strategy is prevention. Fundamental to prevention is crew competency.

As mentioned in the committee's *Ships of shame* report, human factors are the principal cause of shipping incidents and accidents. Public and media attention focuses too often on isolated tanker collisions, ruptures and spillages. Tanker accidents, however, account for only 12 per cent of oil pollution of the marine environment. General vessel operations account for 33 per cent and industrial discharge and urban run-off account for 37 per cent. The committee is concerned that insufficient attention is given to other marine pollutants such as hazardous and noxious substances. Many chemicals transported by sea present greater danger to people and to the environment than crude oil.

The committee has made four recommendations relating to the development of shore line clean-up standards, crew competency, oil sampling practices and risk assessment. The port of Newcastle is the only authority in Australia which collects samples of ships' oil. The Newcastle program is intended to raise awareness about the impact on the environment of marine pollution and to gather oil

samples as potential evidence which in the case of prosecution may become necessary.

Since the port of Newcastle commenced collecting samples of on board fuel and bilge oil from ships in harbour, there has been a marked decrease in pollution incidents. The committee recommended that the national plan advisory committee, as a matter of urgency, request that all its members introduce oil sampling practices similar to those in operation in Newcastle. The grounding of the *Iron Baron*, resulting in a spillage of 350 tonnes of fuel oil, occurred during the review. Due to time limitations and inquiries that are under way elsewhere, only brief reference has been made to the *Iron Baron* in this report. It is a matter that should be examined more closely by this committee in the next parliament.

The committee's interim assessment suggests that the risk assessment criteria underrated the navigational difficulty in the River Tamar area of the Tasmanian coast where the *Iron Baron* came to grief. In conclusion, I thank the deputy chairman, Mr Stewart McArthur, and my fellow committee members for their cooperation and support in the conduct of this inquiry. I also thank the committee secretariat, including the secretary, Mr Malcolm Aldons; the inquiry secretary, Mr Stephen Boyd; and the administrative officers, Mrs June Murphy and Mrs Sue Cox, for their dedicated efforts in the production of this report.

Mr HOLLIS (Throsby) (1.11 p.m.)—I would like to add a few words to those in the two reports just tabled by the Chairman of the Standing Committee on Transport, Communications and Infrastructure. As the chairman has so rightly said, little has changed on the waterfront since we reported a couple of years ago. There is too much blaming others on the waterfront. Everyone seems to be protecting their own bailiwick. It is all very well to blame one sector but it is not as if there is one entity; it is a whole conglomerate. There is a chain—and every link plays an important part. We have found too often that, on the waterfront, everyone blames the other person or the other group instead of looking at themselves. Until we can realistically come to

grips with that and look at the whole of the waterfront—not just sectional interests—we are not going to make great strides towards the reforms that we all want.

I turn now to oil spills, in which I have a particular interest. Being an island continent, it is very important that we protect our coastline. People think that when oil spills occur it is always great tankers that have come to grief. As the chairman of the committee has said, it concerns such things as urban run-off and spillage from ships. In my own electorate of Throsby, at Shellharbour a coastal ship carrying blue metal from Bass Point to Sydney two or three weeks ago ran aground through, I believe, crew incompetence—although I suppose I will get the usual angry letters for saying that. Had the wind not changed dramatically when it did, the ship would have broken on the rocks. There would have been an oil spill for many miles along the beaches of the south coast. We are finding increasingly that, with the number of vessels coming onto the Australian coastline, the competence of the crew is an important matter.

I was horrified to hear on the ABC news just this morning as I was driving to Canberra that a Korean ship, the *Cape Star*, went through the Great Barrier Reef—the honourable member for Dawson (Mr Braithwaite) would be well aware of the necessity to protect that pristine area—without a pilot when there is compulsory pilotage in that region. It was a sugar ship—and the member for Shortland (Mr Peter Morris) can give you some examples of sugar ships that he has dealt with recently. This ship is under arrest in Cairns at the moment. Interestingly, no-one quite knows who owns the sugar. I think it is split up between 11 people. It is quite amazing. The captain decided to go through that area without a pilot—even though there is compulsory pilotage.

I hear from the unions—they are contacting me again later today—that there is a question about crew wages. How many times do we on the committee hear that story. There are underpaid, underfed and physically abused crews on these ships. It all comes down to the question of crew competence. It is time that

we looked at the competence of some of the crews that are coming to Australia. Our coastline is at risk. Despite recent changes to the law, the final person who will pay for the clean-up to the Australian coastline when it is polluted with dirty, greasy oil is the Australian taxpayer. We will be paying for it. I hope that the captain of the *Cape Star* is fined severely and put in gaol and that this nonsense will stop. I commend the report. I commend the chairman for his exemplary leading of that committee. I also commend the committee staff for their work.

Mr DEPUTY SPEAKER (Mr Rocher)—Order! The time allotted for statements on reports has expired. Does the chairman wish to move a motion in connection with the reports to enable them to be debated on a future occasion?

Mr PETER MORRIS (Shortland)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

Leave granted.

Mr DEPUTY SPEAKER—Order! In accordance with standing order 102B, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting Monday. The member will have leave to continue speaking when the debate is resumed.

SUBCONTRACTORS (COMMONWEALTH DEPARTMENTS AND AUTHORITIES PAYMENTS) LEGISLATION

Mr BRAITHWAITE (Dawson) (1.17 p.m.)—I fix the next sitting Monday as the day on which I will present the Subcontractors (Commonwealth Departments and Authorities Payments) Bill 1995. Mr Deputy Speaker, in doing so, I seek your indulgence to explain to the House that I propose to circulate a draft copy of the bill and a draft explanatory memorandum I have prepared to various organisations, such as industry and professional groups, consumer bodies and individual subcontractors, et cetera. I will be seeking the maximum possible degree of consultation.

I feel that, if it is to succeed, this bill will require a detailed analysis not only of the legal and constitutional ramifications and requirements but also of those associations and individuals who have the day-to-day responsibility of proposing, financing, constructing and servicing in Australia's contracting industries, the main one of which is the building industry.

I also recognise the interest in this matter of the members and staff of the Joint Committee on Public Works and, more particularly, of the constituent subcontractor Mr Ken Weir. He is a plumber in Mackay who has seen me regularly over many years on this matter. I also thank the clerks of the House for their assistance in framing the draft bill. Without their help, and at times their inspiration, the bill would not have advanced even to this stage.

KENNEDY GOVERNMENT

Mr CLEELAND (McEwen) (1.19 p.m.)—I move:

That this House take note of the devastation caused to small business and rural communities by the Kennett government's policies.

In all the discussions of the effects and consequences of privatisation its effect on the individual lives and communities of rural Australians has been totally overlooked. That also applies to the effect on individual lives in communities of rural Victoria following the introduction and doubling of the number of electronic gaming machines in Victoria.

Social policies since 1945 combined with other features like population mobility and economic and technological factors more generally have all improved the status of rural people. Whilst there is a convergence of the needs of rural and metropolitan people, and similarities concerning disadvantage such as poverty and isolation, rural disadvantage is found across a number of social, economic and service indices compared with urban Australia.

These disadvantages include higher poverty and unemployment levels in rural Australia, more extensive mortality and morbidity rates—for example, the VFF has claimed that children on farms are three times more likely

to die from an accident than their city counterparts—higher price levels in the country, reduced educational and occupational attainment and expectations, and reduced access to health and welfare services. They also must face additional factors such as flood, fire, drought and extremes of temperature sometimes destroying both life and means of livelihood, yet the Victorian government is totally ignoring the needs of rural Victorians and rural business.

The divisions between people, wealth and decision makers mirror the division between cities and rural Australia. Australia's cities have provided ideal locations for capital—that is, population size, communications for infrastructure, transport, markets, consumers and labour but there has been no serious attempt since the 1970s to tackle regional development. Meanwhile, the rural sector has been in long-term relative decline—farming and small towns.

In February 1995 the National Rural Outlook Conference heard that farmers of beef, sheep, wool and wheat could not expect to increase their resource base. Condiffe states that the number of farmers fell by 15,000 in the 15 years to 1989, the farm work force by 32,000 and the total rural work force by 100,000. Lawrence predicted that 45,000 farmers would leave the land in the decade following 1987. Condiffe argues that:

...the increasing rationalisation and privatisation of government services to country towns further emphasises the decline of employment opportunities, and furthers the exodus to the cities. Many rural towns rely upon such services not only for the jobs provided but the income input into the local economy. This, coupled with the restructuring of other industries like meatworks, many of which have been closed across rural Australia ...

It is also argued that:

...new technologies, in communications, rationalisation of the transport industry, and continued decline of manufacturing further exacerbates the plight of these communities.

The Evatt Research Centre has found that the pivotal role of the public sector as a major employer in rural Australia 'is increasingly no longer the case'. Given that in rural towns the public sector was the largest employer, traditionally providing stability through seasonal and other variations in the local economy, the

effect of privatisation can be disturbing for a number of reasons.

Communities are hit twice when the employment opportunities as well as the services are privatised and rationalised away from local control. On the question of privatisation of electricity, there is no definitive answer as to whether the service will be cheaper. In fact rural community rating in Victoria is to be abolished, effective from the year 2000. In some overseas cases it has become more expensive to the consumers while a minority of executives and captains of industry realise increasing wealth.

This is what is happening in Victoria. The top end of town is doing very well. If you are a mate of Kennett, a mate of the Liberal Party, you get appointed to all the boards, you get appointed to run the amalgamated councils and you get increased licences to run bigger casinos—more poker machines and more gaming machines—without inquiry, without examination, while in rural Victoria, in the rural areas I represent, devastation is occurring.

For example, if you look at my own electorate you will see that the area around Lake Eildon is well known in Australia. It is at the foothills of the southern alps. It is well known for tourism and is a very diversified farming area. If you take the towns of Mansfield, Eildon, Alexandra and Yea, you will find that in the last two years over 100 public sector jobs have gone. They have gone from the state Rivers and Water Supply Commission, from the Department of Conservation and Natural Resources, from Vic Roads and from education. They have gone from every Victorian public sector; they have vanished.

There are some 50 houses now for sale in Eildon. You cannot sell a house there. I was in Alexandra a week ago and five businesses were closing in the main street there. Small businesses in Yea despair. This is the direct result of the Kennett government. This is a direct result of a lack of concern and a lack of care for small rural communities, and it is fact.

We will hear opposition members get up and support Kennett. They have never been to a country town and talked to the people

there. They have never been there and have not spoken to people. They will not deny that 68,000 jobs in the public sector have gone from Victoria. With the amalgamation of local government in Victoria, it is now estimated that a further 10,000 jobs are going to vanish. That is devastating, but on top of that devastation caused by the so-called economic rationalism—I call it economic stupidity—we now have in Victoria a doubling of the number of electronic gaming machines—a doubling, without any examination or inquiry.

If you talk to people in small business in rural areas, they will tell you what is happening. About 13 per cent of a family's spending is called discretionary spending. With the now doubling of electronic gaming machines—new in Victoria—the number of people using that discretionary spending on gaming is increasing and the amount of that spending going into small business is diminishing.

In Victoria it has been a double whammy for country towns. They have got to cope with Kennett and the lack of National Party concern for them; they have got to cope with the quite massive job losses from the public sector, which are factual and unarguable. If small business loses two or three wages in the town, that is less income coming into the business. It is palpable, it is evidential, it is there.

Then, on top of that, people cop an uncaring Liberal government. It has said, 'Let's double the number of electronic gaming machines; let's not ask whether that is going to be effective or what the social consequences are; let's not ask whether small business in rural areas can cope with it.' It says, 'No, we'll just do it.'

Mr O'Connor—Double-barrelled.

Mr CLEELAND—That's right. It is Kennett's rural bush recession, and boy is it out there! I am always amused when I hear opposition members—and we are going to listen to them today—say that economic rationalism is good. I am pleased to see the member for Bendigo (Mr Reid) in the chamber and I will make sure what he says is circulated in Bendigo. People in Bendigo, like all of the small towns in my electorate, know full well that the massive job losses caused by

Kennett and McNamara are hurting small business.

Rural Victoria is bleeding. Rural Victoria is being devastated. Fifteen schools in my electorate have gone to history. That is 15 teachers, 15 wages. Fifteen families have gone from my rural areas. Yet Kennett only says, 'So what?' We will get from the opposition talk about how this is good because the public sector has to be rationalised and the private sector is going to pick up the jobs. Rubbish! The simple fact in Victoria is that, despite the 68,000 to 70,000 public sector jobs gone, there are still over 8,000 people who have not been picked up by the private sector. This trickle-down effect we hear the Reagan economists talk about is one of the great myths. Newt Gingrich, the great ally of the Liberal Party, talks about the trickle-down effect: 'If we make people suffer a lot we will all be better off.'

The evidence is clear, unarguable and factual: rural Victoria is bleeding; rural Victoria is being devastated. The whole and sole reason for that is the massive cut to the public sector and the massive impost of gaming on small rural towns. (*Time expired*)

Mr O'Connor—I second the motion and reserve my right to speak.

Mr CHARLES (La Trobe) (1.30 p.m.)—I am delighted to rise to respond to that bit of drivel by the member for McEwen (Mr Cleeland). I note that the motion before the House is:

That this House takes note of the devastation caused to small business and rural communities . . .

I did not hear much about small business—not much at all. Recently it has been a general tactic of the member for McEwen and the member for Dunkley (Mr Chynoweth) to come into this House and spend all of their time talking about the Kennett state government and state policies, as is in fact the tactic of the candidate standing against me in the seat of La Trobe in Victoria, because they are frightened to death to talk about federal issues. They will not talk about Paul Keating. They will not talk about Keating policy or the inept, invisible and unfunctioning cabinet of

this Keating government. They want to talk about Kennett and the state of Victoria.

Let me tell you a little bit about Kennett and the state of Victoria. Let us talk about small business investment in Victoria so far in 1995-96—four months. Doosan Farmland products have a \$36 million project for a malting plant in Geelong. Murray Goulburn at Cobram have a \$40 million joint venture with Mitsubishi and Meiji Milk products of Japan to supply infant formula to Asia. Bonlac have a \$150 million investment to establish a world-class dairy powder plant in Gippsland leading to 120 jobs. Olivetti have a \$27 million investment to establish a regional headquarters in Melbourne that will create 48 jobs. The Holden's Engine Company have a \$315 million investment creating 100 permanent jobs. Ford Australia have a \$1,000 million investment, including design and tooling for the new Falcon.

The Access Economics investment monitor records the value of publicly known investment projects. The value of listed projects in Victoria increased from \$13.9 billion in September 1994 to \$15.4 billion in September 1995, a rise of 11 per cent. Victoria had 14 per cent of the total for projects which are allocated to particular states; however, Victoria has a higher share, 25 per cent, of committed projects as distinct from possible or potential projects.

Australian Bureau of Statistics data shows that Victoria's business investment has rebounded strongly, particularly since we got rid of the Cain and Kirner governments. Investment in equipment has risen 44 per cent in the past three years, including a 12 per cent increase in 1994-95. The upturn has included strong growth in manufacturing investment. Investment growth in Victoria for 1995-96 is likely to be above the national average.

The launch last week of the multimillion dollar technology park at Ballarat University has huge potential for rural Victoria and the many small businesses that are actively involved in information technology and telecommunications. That site alone is expected to employ around 350 people within three years. With the university offering an information technology degree, complete with 20 higher

education contribution scheme exempt scholarships as well as 10 traineeships, rural Victoria is well on the way to greater employment opportunities for rural youth.

Projects such as the Ballarat University technology park have been actively pursued by the state government. That is the Kennett Victorian state government, I tell the honourable member for McEwen. They generate jobs in rural Victoria during the construction stages and offer employment in the long term for rural graduates from our regional universities. Victoria is open for business—small, medium and international businesses that are employing our youth and providing educational opportunities that the Labor government does not even begin to understand.

Since the change of government in Victoria in October 1992, we have seen a real change in the outlook of many Victorians. This is particularly evident in the area of small business. The member for McEwen reckons we are losing small businesses rapidly. The facts are that 12,000 new small businesses have been started in Victoria since October 1992 across all business sectors—from manufacturing and processing to services ranging in size from a large plant or factory to the small corner shop. Thirty thousand new jobs have been created in small business in Victoria since October 1992. There are now close to 210,000 small businesses in Victoria—some 96 per cent of all enterprises, employing 760,000 Victorians and making up over 50 per cent of the private sector work force.

The Victorian government is continuing its program of cutting red tape for small business—something the federal government could well take as an example. Some 450 regulations were repealed or sunsetted in 1993, while the rate of new regulation making is at its lowest level since the 1960s. Small Business Victoria handles around 70,000 inquiries a year, and it is focused on facilitating service delivery to ensure optimal service to small business operators throughout Victoria.

An important point that needs to be made is that the Yellow Pages small business health index published in May of this year showed overwhelming support by small business for

the Kennett government—a point that the honourable member for McEwen and the honourable member for Dunkley constantly miss. Sixty-five per cent of small businesses believe that the coalition can best look after their interests; only five per cent believe the ALP would do the right job for small business. In Victoria, the coalition is ranked ahead of the ALP on all factors—including handling the state economy overall, 80 per cent; reducing unemployment, 61 per cent; minimising strikes, 43 per cent; workplace reform, 73 per cent; reducing taxes and charges, 42 per cent and reducing red tape, 40 per cent.

The Yellow Pages survey went on to show that nearly six out of 10 of the small businesses surveyed believe the federal Labor government's economic policies work against the interests of small business. Got that? Federal government policies, the policies this mob over there do not want you to know about, work against the interests of small business. This includes taxes, bureaucracy, lack of incentives, lack of understanding of the needs of small business, industrial relations policies including unfair dismissal policies, government charges and superannuation policies.

According to the latest Yellow Pages survey released at the end of August, Victorian—and South Australian—small businesses lead the nation in confidence about their prospects for the next 12 months. The index found that a net 52 per cent of Victorian small business proprietors were confident about their performance in the next 12 months; that expectations for sales, employment and profitability growth for the current quarter have improved, and that perceptions of the current state of the national economy have, on the other hand, slumped dramatically.

An article on 15 November in, I believe, the *Sydney Morning Herald*, talked about small to medium sized business enterprises with respect to federal government purchasing policy. I note the article by Nina Field says: Australia's dynamic small to medium-sized enterprises are still confronted by major hurdles when selling to the \$30 billion government market, according to a study to be released today by the Federal Minister for Administrative Services, Mr Walker.

Mr Walker essentially says that the government's reforms and purchasing policy still have not got around to doing the job for small business. We brought down this report some 18 months ago, and we made major recommendations in this House of Representatives that the government should do something about controlling its 30,000 employees who place orders for government business—at least \$10 million worth of purchasing by the federal government. Something like 13,000 government credit cards float around all over the place, and we expect small and medium sized businesses to try to get their fair share of government business. It does not work. It is not happening.

The study found that locating the right buyer for goods and services was the single most important barrier to almost one-fifth of all small and medium sized business enterprises. The main reason they had difficulty finding government buyers was generally that they had very few sales staff who could understand that small and medium sized businesses cannot afford a lot of overheads, cannot afford the marketing spent by the direct sales people.

What does the government do to make it easier? It has 30,000 individuals who can place purchase orders. I might add that these 30,000 individuals do not pay much attention to common use contracts, either. In recent times I have had personal experience where the government signs a common use contract at a price, and then the buyers go out to try to knock down the individual supplier still further, destroying the whole concept of the system.

The fact is that Melbourne in Victoria is a true gateway to Australia. It is the home of manufacturing industry. My electorate of La Trobe has particularly good examples of high tech industries dealing with high tech electronics and communications. (*Time expired*)

Mr O'CONNOR (Corio) (1.40 p.m.)—I congratulate the member for McEwen (Mr Cleeland) for the motion before the House. As a member representing a rural and provincial area, he fully understands the impact that Kennett's bush recession is having on his constituents.

But, Mr Deputy Speaker, let me say the damage is not confined to the electors of McEwen. In Geelong the city has been severely hit by the Kennett government's regressive policies. While small and medium businesses bleed with gambling revenues siphoning off money from the income stream in the city, Jeff Kennett has lined the pockets of his Liberal mates in Melbourne with obscene concessions to the Crown Casino.

The Kennett government has destroyed over 1,000 public sector jobs in Geelong. That is equivalent to an enterprise as large as Geelong's second largest employer, Godfrey Hirst. The result of those cutbacks has been that not only the quality services to Geelong residents in health, education, community services and transport have all declined but, in addition to that, some \$30 million to \$40 million has been sucked out of Geelong's income stream in wages—a major part of which would have been spent in small and medium private businesses in Geelong.

This is not the only area where the residents of Geelong have been hit. For too long Geelong residents were denied their democratic right to elect their local government representatives by the Kennett government, obsessed with centralising power in Spring Street. All over Victoria, in the seats of McMillan, Ballarat, Bendigo, McEwen and Dunkley, councils have been abolished and municipalities are currently being administered by Kennett's commissars—people who owe their loyalty to their political masters in Spring Street and certainly not to the people of their municipalities, nor the people of Victoria. Victoria in 1995 is somewhat reminiscent of Stalin's Russia in the 1950s, with a whole strata of local government abolished and highjacked and now controlled by Spring Street puppet masters.

The workers of Geelong have also been hit by this state government. They remember Jeff Kennett's pre-election promise that they would be no worse off under the industrial relations policy of his government. They remember the awful betrayal as they were given the option of the contract or the sack by Kennett. They remember the example of the librarian who had her wages cut by over

\$10,000 by the policies of this state government. And they fled in droves to the protection of the federal industrial award system provided by Paul Keating and this Labor government. They know that John Howard and the federal coalition have always supported Kennett's regressive labour market policies. They remember Jeff Kennett's recent pronouncement that with the election of a Howard government workers in Geelong would have nowhere else to go.

It is not only the fact that Jeff Kennett has attempted to cut their wages and conditions. It is not only the fact that their businesses have suffered with the proliferation of gambling. It is not only the fact that their schools, kids and hospitals have been cut back while Jeff Kennett has lined the pockets of his Liberal mates in Melbourne. It is the fact that the Kennett government has waged an unprincipled war against the individual democratic rights of the citizens of the state. It is this fact that really has made decent Liberals sick to their stomachs. Kennett has: sacked local councils, installed unelected commissioners and delayed local government elections; attacked the independence of the Victorian judiciary; removed the legal right of appeal of citizens in over 100 pieces of legislation; removed their planning rights; restricted access to the Administrative Appeals Tribunal; and more.

It is this unprincipled attack on the legal rights of individual Victorians which has shamed decent Liberals who expected more from their state government. Indeed, we expect more from the Liberal member for La Trobe (Mr Charles), the member for Isaacs (Mr Atkinson) and the member for Bendigo (Mr Reid) in this House today and in this debate. The honourable member for La Trobe defends the Kennett government as the champion of small business. Who has lowered the business taxes in this country? Who has got the inflation rate under two per cent? Who has promoted growth to the extent of four per cent a year? Who has got interest rates to manageable levels? Who has reduced industrial disputation to the lowest level in 40 years? A federal Labor government! All of

those elements have assisted small and medium businesses in Geelong. (*Time expired*)

Mr REID (Bendigo) (1.45 p.m.)—In political language, this motion is known as a boomerang motion. The member for McEwen (Mr Cleeland) has thrown the boomerang out, it has gone around, and it is going to come back and smack him right behind the ear. Fancy having the gall and the hypocrisy to accuse Victoria of causing the problems of Australian small business and the rural sector. How gross can you be?

The Australian Labor Party has had high taxing governments, like the Keating government. It has had high interest rate governments, like the Keating government. Let me go back a few years to when interest rates were eight and nine per cent. What did this government do? It pushed the interest rates from eight and nine per cent right up to 21 and 23 per cent. The Keating government—through the ‘recession we had to have’—bankrupted hundreds and hundreds. The Prime Minister (Mr Keating) forced up interest rates and bankrupted hundreds and hundreds of small businesses in this country.

The member for Corio (Mr O'Connor) and the member for McEwen have the gall to get up here and say that this was caused by the Victorian state government—a government which had to take over from the Cain-Kirner Labor governments, the Keating government’s Labor mates, which had incurred debts and liabilities of \$42,000 million in Victoria. What a disgrace! You should be ashamed to even be in this House. Fancy bringing forward a motion like this—‘devastation caused to small business and rural communities’.

What did you care when my rural community in Bendigo in central Victoria had the second worst drought in our history? There was not one dollar of drought relief from the federal government—not one cent, nothing. Yet you have the gall to get up and say that you are supporting small business and rural communities.

Did the member for McEwen know that his policies bankrupted hundreds of people in electorates like mine when interest rates went from nine per cent to 21 and 23 per cent? You acknowledged that we had a drought

which was the second worst in our history and that our rural people are suffering. Of course they suffered. But you did nothing. You did not lift one finger—not one—to help those people. They remember it and they will continue to remember it.

I am delighted by the offer of the member for McEwen to circulate my speech in his electorate. I would love you to do it. Will you promise me that you will? No. He is shaking his head. It is a typical Labor stunt—make the offer and then get rid of it, like the l-a-w law tax cuts. What ever happened to those tax cuts? You lied to the Australian people. You said the tax cuts were legislated and that every small business person in the community would get tax cuts. What did you do? As soon as you got back into government, you got rid of them. You did not honour your promise. You lied.

Mr DEPUTY SPEAKER (Mr Nehl)—Actually, the chair did not lie. You might address your remarks through the chair.

Mr REID—Certainly, Mr Deputy Speaker. Fancy government members having the gall to come into this House with a motion like this. I have indicated to you the impact that that had on small business people in my community. They will never forget what the Labor Party has done to them.

Most farmers operate as small business people. They are the true small business people. They operate as a partnership or as a family company and try to run their farms. They are really the people who are suffering under the policies of the Keating government. It is an absolute disgrace that this member has brought this motion before the House and is trying to palm off the responsibility for this onto the state government in Victoria, which is trying to repair the damage of an incurred debt and liability of \$42,000 million, incurred by your Labor mates from Victoria—the Cain-Kirner governments.

Does the member for Corio not understand what happened with the Pyramid Building Society, not understand the debt that was incurred from it and what the government did—selling the State Bank? (*Time expired*)

Mr CHYNOWETH (Dunkley) (1.50 p.m.)—In possibly the last speech by the member for Bendigo (Mr Reid) he has been justifying the standard of the Kennett government. He has been saying that we made an offer, then we withdrew it, and it was a lie. Let me show you who the liar is: the liar is Jeffrey ‘Glib’ Kennett from Victoria. In a pamphlet that he distributed throughout my electorate and all over Victoria back in 1992 before the last election, he stated:

The Coalition New Jobs Initiative will generate between 30,000 and 40,000 new jobs for Victorians by giving employers the incentive to take on new employees.

Private sector employers—
exactly who we are talking about—

who take on new employees over and above their Victorian workforce numbers as at 30 June 1992 will receive a cash payment of up to \$2,500 per annum for every additional employee.

Did we see one dollar? Not a dollar. It is a direct lie by Jeffrey ‘Glib’ Kennett. He drags us Victorians down all the time he is there. Just in last Sunday’s *Age*, this article headed ‘Jobs lag in private sector’ states:

Private enterprise has failed to compensate for massive Public Service job losses in Victoria, figures released by the Australian Bureau of Statistics last week show.

The figures show that almost 68,000 Public Service jobs were lost during the first three years of the Kennett Government. More than 8,000 of those were not absorbed by the private sector.

Kennett has sacked huge numbers of people. He has destroyed the state government in our state. What has happened to those people? They have all got their payouts; they have increased the debt for Victoria; and they are all out spending it. But in a couple of years time what will happen will be that many of them will be asking for Commonwealth hand-outs. Why? Because of Jeff Kennett’s madness in trying to cut down state government services. There has hardly been a job created down in Victoria by Jeffrey ‘Glib’ Kennett.

Let me give you an example of what happened on the peninsula. The Flinders Shire Council has sacked 180 people and the Frankston council has sacked—as far as I can find out, because they are very secretive—around 50 people. If you add that together,

that makes 200-odd people gone on the policies of Jeffrey 'Glib' Kennett. Why? Because of some mad rationalism idea that he has got from Nazi Germany or somewhere. He has destroyed jobs in our area.

Mr Reid—Mr Deputy Speaker, on a point of order: I think the reference that the honourable member made should be withdrawn. I think that is quite inappropriate. I certainly take offence to it.

Mr DEPUTY SPEAKER (Mr Nehl)—I would be obliged if you would withdraw the reference to Nazis.

Mr CHYNOWETH—I was just reporting what has been said in the *Herald-Sun* in an article headed 'City churches hit Nazi state'. They have said that. I am quite entitled to say that in this House.

Mr DEPUTY SPEAKER—There is no point of order.

Mr CHYNOWETH—The article states:

Democracy in Victoria is threatened by the same tyrannical forces which shaped Nazi Germany, according to a major discussion paper by some of Melbourne's church leaders.

The churches included the Baptist Church, the Wesley Uniting Church, St Francis, St Augustine's and the Salvation Army City Corps. Do you reckon they are all wrong just because I say it? It is not wrong. What Kennett has done is try to turn Victoria into Nazi Germany. He has deliberately run down democracy, as the member for Corio (Mr O'Connor) mentioned. Democratic council elections are not held any more. I have three Liberal Party appointed commissioners in my electorate—

Mr Cleeland—Commissars!

Mr CHYNOWETH—Commissars, all right. They are not past members of the Liberal Party; they are present members of the Liberal Party. One of them actually chaired a local Liberal election down there. Therefore, they are deciding what is going to happen in Frankston. They are sacking people down there; they are cutting services; and they are putting up service charges all the way around. They give us a measly \$2.50 a week and say, 'Good on you, Bob, we've cut your rates

down 20 per cent.' What they are doing is wrong.

What I shall be doing all the rest of my time that I am ever in parliament is making certain that I highlight what Kennett is doing to destroy the Victorian economy. He is destroying democracy there and he is doing it by stealth all the time. His mates are looked after. If you have got a job or if you own a casino, no problem; if you run a building contracting firm and you want to get a few jobs off the council, no problem. But if you are a worker for the council looking after parks and gardens, out you go; if you are a worker in the local child-care centre, out you go. They are the sorts of things that are happening down in Victoria. That is what this motion is all about. (*Time expired*)

Mr ATKINSON (Isaacs) (1.55 p.m.)—This has been a totally political and cynical exercise by the member for McEwen (Mr Cleeland) and his Labor government mates. They come in here and talk about privatisation and the bad things that happen. Is there any one of those four over there who did not vote for the Commonwealth Bank being privatised? Are there any hands coming up over there from those who did not vote for the bank to be privatised?

Would you like me to move to the Qantas sale? Would anyone over there like to stand up and say that they did not support the sale of Qantas? Is there anyone over there who will stand up and say that they did not support the sell-off of the airports of this country? Not one of you! You stand up in this House and say that the Kennett economic rationalist government is doing all the wrong things. You stand up and talk but you do not think anyone on this side of the House will answer you. I can tell you that there are plenty of people on this side who will answer you.

Talk about devastation! Talk about fuel increases! What about the fuel taxes that this government has increased in this term? What about the increases in sales tax? We had \$9.3 billion in sales tax before the last election and now Australians are paying \$14 billion. On average it means that a family consisting of a mother, a father and two children are paying

\$60 a week in sales tax. Those opposite have the gall to stand up in this place and talk about the devastation being created by Jeffrey Kennett!

The member for McEwen spoke about the reduction in numbers in the Public Service in Victoria. If we do not start to reduce the numbers in the Public Service, and reduce the cost to the average Victorian, we will have problems with the taxes that have to be collected. That is the problem facing the federal government in this country. We have difficulty returning to a balanced budget because those opposite are not prepared to look at the adjustments that are necessary to get the results that this country needs.

You talk about Victoria. Go back to the Cain-Kirner era. Who was selling off the trams and trains and leasing them back from the Japanese? It was not Jeffrey Kennett: it was the Cain-Kirner administration. Mr Kennett came to government with a \$42 billion debt created by your Labor mates. How would you expect him to resolve the problem other than by inflicting some hardship on the people? Do you think the people in Victoria are not going to remember what the Cain-Kirner administrations did? Of course they are going to remember!

Look at the process we are going through at the moment with employment. You talk about the creation of jobs. Your industrial laws have a hell of a lot to answer for. Look at the wrongful dismissal law. Many people are employing workers on overtime because they say, 'I really don't want to put on anybody else because I may have a problem if I need to get rid of them in the future.' This problem has been caused by the federal government's wrongful dismissal laws.

Today's motion is absolutely hypocritical. I believe that the people of Australia will recognise that. This country has a foreign debt of \$180 billion-plus. When this government came to office the foreign debt was \$23 billion. We saw problems like this in Victoria under the Cain-Kirner administrations. These things have to be rectified if we are to turn this country around. It is not simply a problem for state governments.

You have a philosophical belief in the old process of filling up the Public Service and letting a few pay for the system. It eventually gets to the stage where you cannot finance your business and you go out the back door. You find that someone from overseas is selling goods in opposition to you. This is the philosophy that is destroying this country. The sooner the people of this country have the opportunity to vote in a federal election, the sooner we will be able to get rid of those on the other side of this House.

If you think I am angry about this, Mr Deputy Speaker, I am. The nerve of these people, coming into this House with a motion criticising a government that is turning around a previously bankrupt state. It is outrageous. When we get to the next election I hope that the people of Australia will recognise this and treat these people opposite with the same sort of contempt as I do. (*Time expired*)

Mr CUNNINGHAM (McMillan) (2.00 p.m.)—We have just heard from two members of the opposition who I think, particularly after listening to their speeches today, will not be here after the next election. The seat of Bendigo and the seat of Isaacs are two seats that certainly will fall to the Labor Party at the next election. They will fall to the Labor Party not because of privatisation or because of the debate about corporatisation but because of the policies that the Kennett government has delivered and what those policies are doing to small business people, employees, country towns and the general atmosphere in Victoria today.

My two parliamentary colleagues on the opposite side of the chamber—the member for Bendigo (Mr Reid) and the member for Isaacs (Mr Atkinson)—know that. They know they are in trouble because of the Kennett policies, and they are probably doing a little behind the scenes to help their causes. I was hoping that in this debate today we would hear them stand up for their electorates and defend their electorates against some of the policies of this Kennett government, policies which, behind the scenes, they definitely do not agree with. The reason they do not agree with these policies is that they are destroying Victoria.

The Kennett government has no social policy at all. It has no heart. It has a rational economic policy and that is as far as it goes. The Kennett government tells the people of Victoria that everything will be fine. Maggie Thatcher was in town a couple of days ago, and she was saying that Thatcherism was alive and well in Victoria. What would Jeffrey say about that? He would say, 'No, don't tag me to Thatcherism; that is not what we are on about'—as if it were not true.

Go to any part of rural Victoria and see if the Kennett government is not the most city based government that has ever been elected to parliament in Australia. Not one National Party member in this parliament is prepared to stand up and defend the Kennett government. What about the so-called coalition between the Liberal and National parties? The National Party is mute because, firstly, they do not have the numbers—which means they have no power—and, secondly, they are absolutely devastated by what the Kennett government is doing to their constituency right across Victoria. They have put the commissioners in there.

Mr Chynoweth—Commissars.

Mr CUNNINGHAM—The commissars. The Kennett government are making decisions, but there is no democracy. Straight out, they will cut the rates—with no assessment of whether that is necessary—cut the services, sell the park—

Mr Cleeland—Cut the jobs.

Mr CUNNINGHAM—They will cut the jobs, destroy the total economy in the area, bring in the poker machines and take more money out. The result from all of that is that there is no money in the community and the economy keeps on going down.

There is not a small country town in Victoria today that is not bleeding. If we had people moving to the bigger cities and the bigger towns in the past, we have a mass exodus right now. People are flooding out of the smaller towns. Their first choice is perhaps the Sheppartons or the Bendigos, but there is no solution there.

All the money is being spent in the city—for example, money is being spent on the

casino. Millions and millions of dollars are being spent in Melbourne. The development of Melbourne is the only thing that the Kennett government has in the way of policies. When we go out to the country regions of Australia, we find that they are being absolutely devastated by this government.

What about the health area? What is happening in our public hospitals? Come 5 o'clock, the public hospitals close down in Rosebud and the Latrobe Valley and we are expected to have a consortium of private doctors who will agree to come on call, but even they are out on strike. They are refusing to work for this Kennett government because of what Jeff Kennett is actually doing in the policy area.

What about mental health? We have people in my electorate at the moment who are living in flats and are dependent upon public servants coming and assisting them after 5 o'clock on a Friday. But the Kennett government is so ideologically pure when it comes to overtime and penalty rates that it will not provide enough money to have people assist our mentally disabled people. These mentally disabled people have to wait until Monday morning—not because there are no people available to work but because the ideological view of the Kennett government and the Liberal Party is that you cannot pay penalty rates. Their view is, 'We will do a CRA. We will break that union. We will break that proposal so we can get them on to hourly rates.'

But who is suffering? The people of Victoria are suffering. Families in my electorate are suffering, because their loved ones have nobody there to look after them. There are some disgusting cases of neglect caused by the Victorian government, and that neglect is based upon that government's ideological view and nothing else. (*Time expired*)

Mr BEALE (Bruce) (2.05 p.m.)—Any devastation caused to small business and rural communities in Victoria was caused by the Cain and Kirner governments and not by the Kennett government, which by any standards has been outstanding, given the shocking mess it inherited. The Kennett-McNamara-Stockdale government inherited the worst

mess in Australia's federal history, worse than the mess left by the discredited Lawrence Labor government in Western Australia, worse than WA Inc. and worse than the mess left by the discredited Labor government in South Australia.

The shocking mismanagement by Cain and Kirner left Victoria in a black hole and the Kennett government has been fixing the place up. Cain and Kirner were selling off assets, not to reduce debt but to pay recurrent expenses, selling assets to invest in the most dubious of projects and selling assets to pay their mates in high positions. Cain and Kirner were running around telling Tricontinental and the State Bank to invest in anything—give the money away, lend to anything and on anything. That is what Cain and Kirner were doing. They were like the Marx brothers on the train, smashing up the carriages and seats and furniture to feed the locomotive of Victoria as it sped on to ruin.

Who was one of the leading faction figures and an adviser to the Cain and Kirner governments?—none other than the member for McEwen (Mr Cleeland). We now have Jeff Kennett cleaning up the mess created by these governments and their adviser Peter Cleeland is smashing up the seats and furniture to feed the boiler. The electors of McEwen should know about their current member. They should know that he was an adviser to Cain and Kirner and an adviser to the greatest incompetent of them all—David White. David White is lucky he is not the subject of a royal commission. Jeff Kennett and Alan Stockdale have exposed his incompetence. He cost the Victorian taxpayers \$6 billion in his failed deals. The Gas and Fuel Corporation building was a disaster. So was the deal David White did with the State Electricity Commission of Victoria and so was the deal he did with Alcoa—and all the time advised by the member for McEwen, Peter Cleeland.

It is a criminal offence for a director of a public company to make false and misleading statements and it is a criminal offence for a director to fail to exercise reasonable skill and care in the exercise of his duties. There is no way that David White exercised reasonable skill and care in the exercise of his duties. If

he had been a director of a public company he would have been charged by the Australian Securities Commission and he would now be in gaol. He would be in gaol for creating the mess that he left Victoria in. He was advised by the member for McEwen and it is this mess that the Kennett government is now cleaning up.

David White cost the Victorian taxpayers \$6 billion. This motion should not be about the Kennett government. It should be about the Cain and Kirner governments. Cain and Kirner and David White cost the Victorian taxpayers \$40 billion. If White had been a public company director, he would now be in gaol. Let the member for McEwen note this carefully. The people he advised—Cain, Kirner and David White—cost the Victorian taxpayers \$40 billion. That is \$50,000 for every family in his electorate. The voters in McEwen need to know that their member and his state factional cronies cost every family in his electorate \$50,000.

What is the Kennett government doing? It is cleaning up the disaster left by the Cain and Kirner governments and by Minister White. These people bear the badge of gross incompetence around their necks like a chain of shame while the Kennett government deserves the thanks of all Victorians for the job it is doing.

Mr DEPUTY SPEAKER (Mr Les Scott)—Order! The time for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting Monday.

Mr CLEELAND (McEwen)—Mr Deputy Speaker, I wish to make a personal explanation.

Mr DEPUTY SPEAKER—Does the honourable member claim to have been misrepresented?

Mr CLEELAND—I do indeed.

Mr DEPUTY SPEAKER—Please proceed.

Mr CLEELAND—The honourable member for Bruce (Mr Beale) made allegations that I had been employed as an adviser to the former member—

Mr Beale—I didn't say you were employed. I said you advised him.

Mr CLEELAND—Or was an adviser. I have never been an adviser and I have never been employed by any state member of the Victorian parliament. It is an outrageous allegation which shows how incompetent your speech was.

ROADS

Mr NEHL (Cowper) (2.10 p.m.)—I move: That this House:

- (1) acknowledges the vital role of roads as the basic transport infrastructure of the Australian national economy;
- (2) realises the need for more road funding from the Commonwealth in regional and rural areas;
- (3) calls for the urgent re-introduction of the black spots road program; and
- (4) endorses the need for special priority funding for the Pacific Highway.

One of my constituents, a man called Kevin Moran, died on Friday, 12 May 1995. Kevin was a good man and a family man. I just want to quote briefly from a letter written by his widow two days later, on 14 May. It reads:

After losing one son to this road, we were stunned. Then when Roberts bus was hit by a semi, we were shattered, but honestly . . . I don't know what I am now—I can't feel, I can't think, I don't want to live, my family have lost their Dad. I have lost my best friend, my mate of 35 years, and the only person I have ever loved—all because no-one will make a decision.

I have pleaded, I have begged, I have prayed. I have done everything possible to get this road underway . . . but it has obviously been to no avail, and now I have to suffer a life of solitude, of grieving, of aching loneliness . . . Something has got to be done . . . before someone else is killed—surely two, and almost three, from one family is enough.

I grieve for Mrs Moran and her family. This is what we are talking about when we talk about the Pacific Highway. We are talking about death, mayhem, slaughter, grief and an enormous cost to the society of Australia; not just in pain and suffering, but in money. The cost-benefit ratio of building a new Pacific Highway makes it far cheaper to build a new highway than to pay for the deaths and the suffering. I am reminded that very soon—22

December—we have the anniversary of the Clybucca bus smash in my electorate where 35 people died. It was Australia's worst disaster. I see the member for Page (Mr Harry Woods) sitting in the chamber. A couple of months before that smash, in his electorate near the little village of Cowper, 20 people died on a bus. In actual fact, the number of people who have died on the Pacific Highway between 1985 and 1994 is 766. There were 10,000 casualties—10,000 smashed, maimed and battered bodies. It is not good enough.

As we approach Christmas 1995, let's pray that there are no more bus smashes—but, unfortunately, there will be deaths. I was interested to see the *60 Minutes* segment last night on which Richard Carleton spoke with Kevin Waller, the former Chief Coroner of New South Wales, who conducted coronial inquiries into both bus smashes. He was talking about the federal minister for roads, the Minister for Transport (Mr Brereton). He said:

Well, Mr Brereton, I would just ask you to seriously get down to work to start planning this dual construction and to give the motorists something that they've deserved, I think, for the past 20 or 25 years.

Another point made in that program was that a painted line is not good enough for separating traffic. It is absolutely true. We have to have a four-lane dual carriageway, a divided highway all the way from Hexham to the Queensland border. All the evidence from around Australia and from right around the world shows, without any doubt, that once you put in a divided highway the number of accidents diminishes and the number of fatalities goes down by as much as 80 per cent. These are not just idle figures. These are the statistics of the RTA and the various other state bodies around Australia and throughout the world. Put in a divided highway and cut out the deaths. That is what we have to do on the Pacific Highway.

The highway serves a population of about 500,000. But that is just the local population. The reality is that, with a traffic level of 37,000 vehicles a day, an enormous number of people from Sydney, Melbourne, Brisbane and Geelong also use the highway. I am not making a plea for the local people of the

north coast but for all of Australia. This is one of the major traffic arteries of Australia. It connects the two largest cities in Australia. It serves the fastest growing area of Australia. It is the transportation backbone of the east coast of Australia.

There is huge potential along the length of that highway for major industries such as tourism. Getting the right road will assist everybody. If these industries are to succeed, it will be economically beneficial for the whole of Australia, not just the people of the north coast. We should not forget that the 2000 Olympics are just around the corner. With people travelling from Sydney to the Gold Coast, the amount of traffic on the highway will increase dramatically.

Unfortunately, the present Labor government—I am going to be political; I am sure that the member for Page and his colleagues will attack me—has abandoned the Pacific Highway. There is no doubt about that. For a while, they did the right thing. I will give you a very brief history of what has happened with the Pacific Highway and the campaign for a new one. Before I was first elected in 1984, I started the campaign for a new Pacific Highway. People said that I was stupid and an idiot. They said that I would never get a four-lane highway there and that it was pie in the sky. How wrong they were, because we are going to get it. We have had a little. The reality is that we must get it.

After those unfortunate bus smashes, the people of Australia got right behind the Pacific Highway. In 1990, I was able to present something like 50,000 signatures on petitions to this parliament from people right around Australia. They said, 'Please give the Pacific Highway some priority.' I was able to convince first the National Party of the need for priority funding and then our Liberal friends. When we went into the 1990 election, we had a firm coalition policy, in conjunction with the then coalition government of New South Wales, to provide additional funding. We did, and it did happen.

We had a program that said that the highway would get an additional \$300 million. An amount of \$130 million was to come from the federal government and \$170 million was to

come from the state government. Thank goodness the Labor government took up the challenge. They matched our offer. The reality is that \$300 million was spent between 1990 and 1993. The few kilometres of divided highway that we now have are a result of that extra \$300 million.

I praise the member for Charlton (Mr Robert Brown), who was the Minister for Transport, and a darned good one. He put the money into the Pacific Highway. Unfortunately, he left the ministry, and that was it. It was finished. The black spots program went right out the door. That was the most efficient use of funding that this country has ever seen. People want it back. Labor abolished the black spots program. I am very pleased to say that, while the details of everything have not been announced and will not be until the election, the coalition has promised to reintroduce the black spots program. It is a good promise. After 1993, no more funding went directly to the Pacific Highway.

All sorts of organisations on the north coast have created a task force. There is a meeting of it in the next few weeks. We met in Ballina about a year ago. We were all very happy and bipartisan, but nothing happened. I say to the member for Page—he will have a chance in a minute to refute this—that he says things in the electorate but, when he comes down here, as in the forestry industry debate, he votes on the party line. I challenge the member for Page to say that he will pressure his government, going into the next election, to provide priority funding for the Pacific Highway and to reinstate the black spots program. We do not want any more deaths. There have been far too many. I for one have had a gutful of people dying on that highway.

Mr DEPUTY SPEAKER (Mr Les Scott)—Is the motion seconded?

Mr Vaile—Yes, I second the motion and reserve my right to speak later.

Mr HARRY WOODS (Page) (2.20 p.m.)—I can only be with the member for Cowper (Mr Nehl) on this subject of the deaths on the roads, particularly those on the Pacific Highway as he mentioned. Back in 1989 and 1990 we had some particularly bad bus crashes resulting in the deaths of many people. I too

have known people who have been killed on the Pacific Highway.

My great fear is that, as we approach the year 2000, unless there is some serious and rapid upgrading of that road, along with the greater volumes of traffic on that highway, including more buses particularly in that period before the Olympics, we will see more of those dreadful bus crashes that occurred a few years ago. I think the answer to this problem is that the Pacific Highway does need to become part of the national highway system. It does need additional funding to accelerate the work being done on it. We need to be serious about this, and we do not need to raise people's hopes falsely. I notice paragraph (4) of the motion moved by the member for Cowper says 'endorses the need for special priority funding for the Pacific Highway'. I support that.

I will refer to a couple of instances that occurred recently in my electorate which have led me to doubt the sincerity of the opposition on this matter. The shadow minister for transport was in my electorate recently and he announced that the coalition would have a new category of roads called roads of national importance. He said the Summerland Way was one of those roads of national importance and that he would provide, if elected, \$38 million towards upgrading it.

But when questioned by the Lismore *Echo* he said the funding would be sought on a fifty-fifty basis with the state government to achieve the figure of \$38 million to be spent over a period of five to six years. The new New South Wales government has already promised \$50 million over that period and this year is spending over \$6 million on the Summerland Way, far in excess of what was spent under a coalition government. Even on that basis it is a funny sort of promise, but when you look at some of the policy documents that have come into our hands you can understand why.

The policy document headed 'Structural reform management group: regional and rural development' has the name Bruce Scott, shadow minister for regional and rural development, at the bottom. When talking about

infrastructure on this policy document he says:

We need to set a figure (\$1 billion, \$3 billion—the actual number is insignificant) as an indication of our commitment to putting roads, dams, port, airports, bridges, whatever, into regional Australia. We should also then allude to some sort of assessment procedure by which regions can directly seek funding . . .

In a further document, a briefing paper to shadow cabinet, when talking about infrastructure the shadow minister for regional development and infrastructure stated:

The problem with proposals in infrastructure is how to give us the flexibility to campaign properly without being so specific as to lock us into particular projects which then of necessity must rule out others.

He further said:

This gives us the flexibility of announcing a lot of major long term visionary matters but without committing ourselves to actually proceeding with them.

I ask the members opposite, when talking about the Pacific Highway and country roads, not to raise those hopes and tell people we are going to do something when we have these sorts of documents which are hypocritical in the extreme.

The member for Cowper was, of course, right in saying that the federal government no longer puts money directly into the Pacific Highway. We had the provincial cities and rural highways program from 1990 to 1993, which put \$300 million into the Pacific Highway. That was discontinued as a result of the 1991 Premiers Conference, in which it was resolved to more clearly define the roles and responsibilities of each level of government for funding of both maintenance and improvements. That agreement was signed—in other words, agreed to—by the New South Wales government. That government at the time was a coalition government. The agreement reinforced the historical links between the New South Wales government and its commitment to the Pacific Highway.

The state government agreed, as part of that agreement, to fully fund improvement works for the highway as it had always done. In the five years leading up to this year, the average spent by the state government—that is, the

coalition government—on the Pacific Highway was \$74 million a year. This year, under a New South Wales Labor government, the figure was in excess of \$100 million. It is still not enough. Still we need more improvements.

I understand the quandary of the member for Cowper. In paragraph (4) of the motion he moves that the House 'endorses the need for special priority funding for the Pacific Highway'. The question is how we get it. It is, by the agreement I have mentioned, a state government responsibility. There is no doubt about that. The money that the federal government was putting in as part of that agreement was paid to the states in an untied way. In excess of \$100 million per annum was provided to cover both the black spots program and the provincial cities and rural highways program. As part of that, we took into the national highway system the Newell and Sturt highways.

As part of the agreement, the Pacific Highway stays part of the state responsibility. It is unlikely, under present circumstances, that the federal government will step in. We have a hullabaloo from the opposition about roads of national importance. I do not know if the Pacific Highway will also be made part of the roads of national importance program, but it is worth noting—and it shows real hypocrisy—that, when the member for Hume (Mr Sharp) was asked about where these roads of national importance would be, he said, 'Obviously, they would focus on marginal electorates.' That is a rather cynical view when you are talking about deaths and trauma on roads.

There are no free rides as far as funding goes. The answer is for negotiations to go on between the New South Wales government, the Queensland government and the federal government, with the aim of making the Pacific Highway part of the national highway system, with a long-term plan—though as short-term as possible—to improve it to a state where it can take the sort of traffic that it is receiving at the moment and will do in increasing loads in the future.

In essence, I support the motion, but I would ask the member for Cowper and other members, when they are talking about these

issues, to try to be factual about them and to look at the issues involved. As I say, I can understand the member for Cowper's quandary because it is difficult for him to propose the Pacific Highway as part of the national highway system—though he did in the past—because he recognises that on his side of parliament it is more than likely politically unachievable because it would mean the dropping of the New England Highway as part of the national highway system. That would be opposed very strongly by his National Party colleagues from over the mountains.

Let us try to work towards the Pacific Highway as part of the national highway system. (*Time expired*)

Mr CADMAN (Mitchell) (2.30 p.m.)—For the first time since there has been a concentrated state-wide concern with the Pacific Highway we have two governments of the same political persuasion responsible for the funding of roads in New South Wales. They are the Carr Labor government and the Keating Labor government.

These two governments of the same political persuasion have made noises over the year as to what should be the results for the Pacific Highway. First, Mr Carr promised \$100 million a year—just a marginal increase on what was already being provided by the coalition government. There is no real commitment from the Carr government to carry out a massive task for the Pacific Highway. What does the Prime Minister (Mr Keating) say? He says, 'Talk to the states. I am not paying for two roads.' But the killing goes on.

We are getting some bright ideas about what should happen. The member for Richmond (Mr Newell) says, 'Shove up some more signs on the Burringbar Road.' I have the reports of it here. The members for Page (Mr Harry Woods) and Paterson (Mr Horne) are not reading their local newspapers. There are accidents occurring, people being killed and your people are saying, 'Put up more signs.' The mayors of that area are calling for major roadworks because they have to live with the accidents that occur in the rain. People are killed there.

This is a killer road. The area from Hexham right through to the border does need redoing. Instead of coming up with ideas about road signs and instead of making placatory remarks about how difficult it is, the ALP should make some decisions. The Australian Labor Party are in office. They can make decisions. Forget about picking up bits of paper you find floating around and about criticising the opposition. You guys can actually make decisions. You are in government.

The Australian Labor Party are in government. They can spend the taxpayer's money. They can make a decision. Their cabinets are in government with the powers to act. But, no. They prefer to fight this argument on bits of paper they find floating around and by saying, 'The coalition will not do anything.' What a bunch of wimps they are. How uncommitted are they to the people and the needs of the north coast? You know what that road is like.

I have been talking about the advantage of having both federal and state governments involved. What about the Billinudgel decision taken by Bob Carr to wipe out a section of freeway? He just said, 'I am not going to do it. We are going to have an inquiry or something or other. Forget about it.' I do not know how much expenditure that decision of the state government has postponed. If you make the promises, you have to deliver. You are in government in Canberra; you are in government in Macquarie Street. The Australian Labor Party ought to do something to fix this road up.

Are you going to make announcements for the next federal election? If you do, not too many people are going to believe that process because they have seen both Paul Keating and Bob Carr make commitments to the Pacific Highway. One delivered his promise. One has partially delivered. It is not going anywhere as a result of the way in which you are handling this. One has to say that if you bring the speed limit down to zero on Tintenbar Hill you are going to get zero accidents. That is the way it is heading. This is the sort of result you are achieving as a Labor Party for a major thoroughfare.

The fastest growing area in Australia is up along the north coast of New South Wales. There are opportunities for you to make a major contribution to national growth. You want to pause and analyse what the coalition might have said three, five or two years ago. Take some action instead, because this is a killer road.

Likeable though the members for Page and Richmond may be, they are never going to achieve anything on the north coast. Nothing is going to be achieved up there until there is a change of members and a change of government, federally and in the state of New South Wales. I appeal to the voters in those areas to take action and make sure these guys are rolled out of their seats so that Liberal or National Party members can be elected and so that there can be a proper program commenced and a real commitment to some action to rectify the problems of the Pacific Highway.

Mr HORNE (Paterson) (2.35 p.m.)—I rise to address this motion today having had a look through the *Hansard* record, so I know it seems to be somewhat of an annual visit that the honourable member for Cowper (Mr Nehl) makes to this issue. I can tell you what will not appear in the *Taree Times* or the *Coffs Harbour Clarion*, and that is that the Carr government has increased funding on the Pacific Highway by 36 per cent. That will definitely not appear in any of your papers because you would not dare tell people.

You come here and criticise the federal government for not funding a state road that was declared in 1974. The agreement between the then Askin government and the federal government under Gough Whitlam was that the Pacific Highway would be a state road. When the Carr government came in, we immediately saw an increase in funding. That is the commitment of the Australian Labor Party to the Pacific Highway. I think you gentlemen would be wise not to forget it.

If you want to talk about facts, maybe you should go back to the fact that grants became untied last year. This is the first time in history that grants have not been tied to a specific purpose. What did we see the then Fahey government do with the first \$50

million given to that state for road funding? We saw them spend it on City Rail. As much as there is a demand by the people on the north coast for increased funding on the Pacific Highway, the Fahey government took the first \$50 million in untied road funding and spent it on City Rail. That is the sort of commitment that your side of politics has to this important highway.

I can tell members that the federal government has continued to fund the Pacific Highway. It has made major commitments, and the honourable member for Cowper alluded to and acknowledged this. In my own electorate the planning, the acquisition, the roundabouts for the Raymond Terrace bypass and the black spots funding between Raymond Terrace and Nabiac in the electorate of Paterson have been funded by the federal government.

Those opposite keep talking about policies and about changes that will come in if, by some freak of nature, they happen to be on this side of the House after the next election. But let us just consider what one of your leaders told the annual conference of the National Farmers Federation. Every time we hear from that side of the House there is a different policy being put forward, but I will remind members that, at the annual conference of the National Farmers Federation, Tim Fischer said that your side of politics would not increase funding for rural and regional roads in Australia because they did not want to run the risk of increasing interest rates by competing for capital.

What policy will we accept from the National Party of Australia? I prefer to take the policy of the leader when he is addressing an organisation as influential as the National Farmers Federation. But I guess we will not know until an election is called when probably some more sexy, if I can use that adjective, policies come out that might appeal to voters. But I can tell you that those policies will definitely not contain the facts of the matter. They will not reveal the real level of funding by state and federal Labor governments on the Pacific Highway; they will attempt to conceal that, because that side of this House knows that it is Labor governments, both state and federal, that have had

the commitment all along to funding a road which, federally, we do not have the responsibility for.

Parallel to the Pacific Highway, of course, runs our national rail line. We have seen significant funding there by the federal Labor government. We have seen an attempt to get the transport industry to use rail rather than road, to get the heavy transport off the roadway. I am sure that those members opposite know that the major problem on this road is caused by the fact that so many transporters use it. It seems logical with the streamlining, the upgrading, of rail infrastructure that that should happen. (*Time expired*)

Mr VAILE (Lyne) (2.40 p.m.)—It was interesting to listen to the member for Paterson (Mr Horne) participate in this debate. I was pleased to see him do so, because I looked at what he had to say the last time we visited this issue back in 1993. He said:

What the honourable member for Cowper (Mr Nehl) attempted to do with the private member's motion this morning was to move the responsibility for that road from the coalition government of New South Wales to the federal government.

So he is saying it is a state government responsibility. And he has just been talking about the increase the Carr government has allocated to the spending on the Pacific Highway. He might tell the House why the Carr government has completely canned the proposition of the Bulahdelah Mountain bypass, which was locked in place under the previous coalition government. The acquisitions were done and the design was done, but the Carr government is not going to do it—\$120 million worth. It is the most important black spot on the Pacific Highway today.

It always intrigues me when we get into debates like this that we get back to the semantics of what you can and cannot do. The bureaucracy in Australia is running rampant. In my years in public life in local government and in this place, I have been absolutely appalled at the attitude of the bureaucracy being focused on finding reasons why we cannot do something.

The problem at hand is that we have a 700-odd kilometre road that in the last 10 years

has not seen 600 people killed, as Mr Carleton reported on *60 Minutes* last night; it has seen 766 people killed and 10,000 people injured. It is an absolute disgrace. Yet we keep on saying, 'It's a state responsibility. It's not our responsibility. They took it on in 1974, let the states fix it.'

What happened to the national perspective? This is a road of national economic importance running between Sydney and Brisbane. Regardless of what you say, the region is growing at an enormous rate. Over 500,000 people live in the region. It is a road of major economic importance as a transport link, notwithstanding the rail between Sydney and Brisbane. We have to find a way of doing something about it and not just saying, 'It's their responsibility. We haven't got the money.'

The federal government collects \$10 billion from road users in Australia—\$10 billion! In this year's budget they have spent \$850 million. So over the life of the Labor government in Australia we have seen those two figures part—the amount collected heading up on an increasing tangent and the amount being spent going down. So just remember those figures, Mr Speaker: \$10 billion collected and \$850 million spent.

Fuel tax revenue has increased from around 8c a litre in 1983 to 33c a litre today. But we are not seeing it spent back on the roads. We are not even seeing a reasonable percentage of it being spent back on the roads.

The motion moved by the member for Cowper (Mr Nehl) today has a number of parts. The speakers today, coming from the areas they represent, are putting the most importance on the Pacific Highway because it is one of the most important pieces of infrastructure in Australia that has been totally neglected. We have not seen the Federal Highway, the Hume Highway or the highways down in this end of the country referred to. When you come south of Sydney, you are on magnificent roads all the way to the country's capital and all points south. When you go north it is a different story.

The motion is about getting a realistic amount of revenue collected by the Common-

wealth allocated by whatever means. It does not matter how it goes—whether it is back to the states as untied grants or SPPs going straight to local government. We just want to see a reasonable amount of the money that is collected by the Commonwealth aimed back at where it should be going—into road infrastructure whether it be on highways, country roads, country bridges or bridges in the city. We see plenty of money spent around the city, but the point is that it is not being redirected. I would like to know where a lot of that \$10 billion is going—and so too would a lot of the people that pay petrol tax.

So it is important that we focus on that issue because of the size of Australia, the tyranny of distance. We are a very unique country: an enormous country with a small population. As I said, we are paying \$10 billion in fuel taxes. The government has spent \$850 million back on the roads. We are not seeing enough money being spent. We have to find a way instead of coming in here and saying, 'We can't do it because of this and this or because of some 1974 agreement.' It is 20 years later!

What if we stuck to the values and the traditions that were in place in 1974 on all the social issues in this country. There would be some bleeding going on from over there! The thing is we have to get up into 1995. We have 1995 vehicles running on these roads. In the last 10 years, 766 people have been killed.

MR SPEAKER—Order! It being 2.45 p.m., the debate is interrupted in accordance with standing order 104A. The debate is adjourned, and the resumption of the debate will be made an order of the day for the next sitting Monday. The member will have leave to continue speaking for about one second when the debate is resumed.

STATEMENTS BY MEMBERS

Election Campaign

MS WORTH (Adelaide)—Last week, the United Trades and Labour Council document titled *1996 Federal election planning* was leaked. Amongst the seven pages of detail, the unions set out their plans to distort and disrupt the next federal election. The strategy spelt out was to develop a 'third' party cam-

paign of 'fear and loathing' in the run-up to the next federal election. Decent men and women should be horrified by this, and I know that individual unionists are outraged that their organisation should act in this way. The document says nothing about truly supporting workers.

Before entering parliament, I worked constructively with an industrial officer at the Nurses Federation to ensure that jobs were not lost and that suitably trained staff would be employed in a particular area. As a member of parliament, I have worked with unionists to ensure that their safety concerns would be heard by Australian national management. This is how it should be, but now a document is published which spells out details of how individuals will be used by union leaders as industrial fodder, including being used in 'demonstrations and rallies'. My union leader opponent in Adelaide has already embarked upon the 'fear and loathing' campaign, using nurses in industrial action for her own political purposes instead of encouraging them to have real influence in public policy, to be taken seriously and so constructively effect change.

Greece: Pension Arrangements

Mrs EASSON (Lowe)—In early November this year, representatives from the Department of Social Security met informally in Strasbourg with representatives from the Greek government to discuss an agreement between our two countries concerning pension arrangements. The Minister for Social Security (Mr Baldwin) and the department are doing a good job in this difficult field but, standing back from the details, I can see that no agreement can actually be reached in the manner that Australia would like.

We have over a century of very accurate social and economic records, but Greece has not. Many of the Greek migrants came to Australia from rural and island communities where bureaucracy was minimal, if existent at all. Australia should realise that a pursuit of minimum accuracy and perfection in a future agreement is not feasible. The matter will need to be settled at a political level.

We are dealing with a generation of Greeks who stood by our men and women in the last war and during the last catastrophic Greek campaign, and I speak often of this matter in this House. We must as a nation be loyal to those who at that time were loyal to us. If we are not, we will not have much loyalty shown to us in the future.

My suggestion is that a broad political settlement, a generous settlement, be made. We are rich and prosperous, thanks largely to postwar migration, and we can afford to be generous and appreciative. This matter is not one of bureaucracy but is a matter which reflects the unbroken bounds between Greece and Australia. Let us show our qualities by not haggling, and let us show our thanks to those who did the hard postwar work in this country. Australia has a great future. Let us add loyalty and generosity to our list of national characteristics and resolve the Greek pension issue.

Labor Party Policies

Mr ROCHER (Curtin)—In the run-up to the election, and this probably being the last sitting of this parliament, I want to go over some of the policy issues which seem to be so important to those opposite. Let me remind the House about policy undertakings given by this government before the 1993 election. People will remember the one about how it was going to give us a government that we can trust. Trust does not figure among the attributes of this government, from any quarter.

What about big reductions in hospital waiting lists? They continue to grow and grow. What about the building of the National Museum of Australia? Not a sod has been turned. What about the establishment of a single air market between Australia and New Zealand? Some New Zealanders even believed the government. What about increases in foreign aid? That is made up of an increased number of trips by the Minister for Foreign Affairs (Senator Gareth Evans), and that is it. It has come down.

What about the creation of the emergency dental fund for low income earners? That is another one they could not bite on. What

about the use of super for home buyers? Another super deception. Then we had real industrial relations reform, which proved again that reform is the most misused word in Labor's lexicon. They said, 'No taxes for age pensioners,' but the age pensioners of this country are still waiting.

We know about the l-a-w law tax cuts. But l-a-w spells 'lie' in Labor's language. We know about the promise that there would be no new taxes, but that was blatantly broken. You could have fooled me. They promised no more budget deficits. No more than one a year, they meant. (*Time expired*)

Kennett Government

Mr O'CONNOR (Corio)—When Jeff Kennett came to power in Victoria, he gave this undertaking to Victorian and Geelong workers that none of them would be worse off under a Kennett Liberal state government. Yet on coming to power, the workers of that state faced an awful betrayal in that their wages and conditions were attacked via the 'take the contract or take the sack' policies of the Kennett government.

We know in this House that Jeff Kennett has one big supporter, and that is John Howard. He supports the policies of the Kennett government and of the Court government in Western Australia. We know recently that Jeff Kennett has indicated to both the Geelong and the Victorian work force that, with the election of a Howard government, workers in Victoria will have nowhere else to go. We know what that means.

There was only one government that stepped into the ring to protect the Victorian work force from the industrial excesses of the Kennett government, and that was Paul Keating and a Labor government. It was Paul Keating and a Labor government that stood over Jeff Kennett, put him back in his place and said, 'We will offer workers in the state of Victoria the sanctity and protection of the federal industrial award system.' In my electorate, a librarian had her wages cut by \$10,000 under the policies of the Kennett Liberal government. (*Time expired*)

Nuclear Testing

Mr COBB (Parkes)—I wish to register a protest against the continuing testing of nuclear weapons by China. Much has been said, and rightly so, against the French nuclear testing in the Pacific. But most members, especially government members, have been largely mute on communist China. Testing there is done at Lop Nor in the Xinjiang province, which contains 14½ million people in the Chinese occupied East Turkestan region. It is the largest nuclear testing site in the world. Forty-three tests have been conducted there since 1964, with 23 in the atmosphere up until 1980. Until August this year, four had been conducted in the last 14 months. They have reputedly three to go.

The site is a similar distance from or even closer to Australia than the site at Mururoa Atoll. It is very near Mongolia, Tibet, India, Pakistan and other countries. Testing there will only stir up Pakistan and North Korea to step up their weapons testing programs. China has dragged its feet on being a good world citizen. It was the last of the nuclear capable nations to sign the nuclear non-proliferation treaty of 1970, which it signed only in 1991. The world should put pressure on China to cease its present testing program.

Fuel Prices

Mr CLEELAND (McEwen)—The member for Lyne (Mr Vaile) just made a speech about fuel excises but he forgot to tell the House that all fuel excise is spent on hospitals and education, among a host of other things. So it is not forgotten; it is spent. The other thing the member forgot is that this parliament, the Commonwealth, has no constitutional power over prices. That was defeated in a referendum way back in 1974.

The states, however, do have power over prices. The Victorian government has power over prices. His colleagues in the National Party run around Victoria nonstop complaining about fuel prices. They seem to have forgotten that they have the constitutional power in state government to control those fuel prices. They ran around before the last election saying they would introduce new terminal systems into rural Victoria to reduce

price. They won government but somehow they have forgotten that they now have the power to change the pricing structure of fuel in rural Victoria. So when I hear the National Party members complain about fuel prices, I say to them, 'Go and talk to your state colleagues in Victoria who are in government and tell them that they can do something about it.'

Landcare and Environment Action Plan

Mr HAWKER (Wannon)—I would like to tell you just how miserable the current Keating government really is. Not only is it artificially trying to suppress the true state of unemployment but also those people on government benefits are now finding that their benefits are being reduced when they are put through this process. I draw your attention to a case in my electorate where someone has been put on a landcare and environment action program or LEAP. This constituent has just turned 18 and was assigned to a 20-week training course. Prior to being assigned to LEAP, this constituent received \$318 each fortnight from Social Security, which included rent assistance. But as a LEAP participant he receives only \$300 a fortnight. Also, this payment is taxable, and he no longer gets rent assistance.

He is getting approximately \$270 after tax from which he has to pay \$170 per fortnight in rent. In other words, he is nearly \$60 per fortnight worse off. I think this shows just how miserable the Keating government is. Not only is the government trying to doctor the unemployment figures by thinking up some schemes—some of which may have benefits in their own right; nevertheless the primary objective is to reduce the figures on the unemployment list—but in so doing the government is reducing the benefits to these people at a time—(*Time expired*)

Health Services

Mr HAVILAND (Macarthur)—I listened with interest to the honourable member for Curtin (Mr Rocher). For an Independent member of this House he was surprisingly anti-government. He attacked the government's policies. He did not sound like an Independent at all. Indeed, he was scraping

the bottom of the barrel to try to remember some of the policies that he was criticising.

One of the matters mentioned by the honourable member was hospital waiting lists. I was surprised to hear that because hospital waiting lists are one of these convenient issues that state governments and the coalition in this House use to bash the federal government around the head. Hospital waiting lists might be a problem in Western Australia under the Court government, but we see encouraging signs in New South Wales that the issue of hospital waiting lists has been brought under control by the new Labor government and the Minister for Health, Andrew Refshauge. This matter was made an issue at the last state election by the former Liberal government.

Not only has this matter been brought under control by the Labor government, but there are encouraging signs in New South Wales—unlike other states—where a lot more money is being spent and a lot more commitment has been given to mental health. Let us not have this nonsense about health. If there is one issue that the opposition in this parliament should keep quiet about—apart from industrial relations—it is health policy. As those opposite know, Medicare is a very popular health system and it will become even better the longer this government stays in office. The opposition does not have a policy on health; the AMA has not written it yet. The opposition is totally lacking when it comes to policies on health and industrial relations.

City Link Project

Mr CLEARY (Wills)—I cannot let the response by the Prime Minister (Mr Keating) to my question on the City Link project go without a response. It is remarkable that the Prime Minister can talk about Jeff Kennett—not remarkable, because everything he says about Jeff Kennett is basically right—but he does not want to rectify any of the problems. The member for Corio (Mr O'Connor) is correct on the issue of state awards, but when it comes to the question of tax concessions to the City Link project the Prime Minister has absolutely nothing to say. He has accused Jeff Kennett of just about everything bar being an

axe murderer, but he is not going to take those tax concessions from him.

I want to know whether our architectural aficionado, the Prime Minister, is going to bail us out in Victoria and refuse to give the state government tax concessions. I would also like to know whether the shadow Treasurer (Mr Costello)—who is present—might make a statement suggesting that he would refuse to give the state government tax concessions for a project which is quite clearly anti-competition and which would break all environmental regulations.

Tertiary Education

Mr SWAN (Lilley)—Last week in the Senate the Liberal and National parties knocked off 4,200 additional tertiary education places for young Queenslanders. Queensland was given its fair share of tertiary places and the Liberal and National parties in the Senate knocked them back. Those in the Senate responsible for that should hang their heads in shame. I refer to Senator Ian Macdonald, Senator MacGibbon, Senator Parer, Senator O'Chee, Senator Herron and Senator Boswell. Every Liberal Party and National Party member in this House and in the Senate should hang their heads in shame.

Queenslanders should ring and fax members of the Liberal and National parties and tell them to reverse their stand. Liberal and National Party members should stand up for Queensland; not come into this parliament and destroy the educational future of young Queenslanders. It is an act of shame. Liberal and National Party members should be ashamed of what they have done to the job prospects and career prospects of young Queenslanders. Those opposite should change their stance and vote for Queensland in the Senate.

ACTU Representation

Mr FILING (Moore)—One of the things that upset me when the former Prime Minister's services were used by the ACTU in the CRA case was the way in which people assumed that the skills of retired people are of no further use to the community. In my view, the ACTU was perfectly entitled to recall the former Prime Minister to represent it in the case. Many retired people in the

community have skills which are perfectly usable. These people are extremely useful to the community. The way in which the former Prime Minister was criticised by the present Prime Minister (Mr Keating) was absolutely scandalous.

Mr SPEAKER—Order! It being 3 p.m., in accordance with standing order 106A, the time for members' statements has concluded.

MINISTERIAL ARRANGEMENTS

Mr KEATING (Blaxland—Prime Minister)—I inform the House that the Attorney-General, Michael Lavarch, will be absent from question time this week as he is ill. The Minister for Justice, Duncan Kerr, will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Taxation

Mr COSTELLO—My question is directed to the Prime Minister. Prime Minister, do you agree with the statement by the Treasurer this morning that it would be foolish to rule out new taxes if Labor is re-elected at the next election?

Mr KEATING—I noticed the opposition slippin' and slidin' all over the TV screens all weekend, telling anyone what they wanted to believe on fiscal policy. So they are being asked. The Leader of the Opposition said no. Their commitment is that they won't be putting tax rates up or changing tax and they won't be cutting spending. He was asked persistently on *Meet the Press* whether they would be cutting spending or making program cuts. He said, 'No, it's just duplication and overlap that I'd be into.'

Does he think he is talking to complete fools? There are people on this side of the House who have been through 20 budget reviews. If you want to make major changes to Australian fiscal policy on the outlay side, you have to cut into programs. That is what it means. So he said they are not going to touch programs and they are not going to touch taxation. They will just tippytoe into office. They won't do anything to anybody. They won't touch revenue. They won't touch outlays. They won't touch Medicare. They won't touch the Industrial Relations Commis-

sion; no, they won't stab it. They won't do anything. 'If they will just trust us to get into office'—

Mr Costello—Mr Speaker, I raise a point of order.

Mr KEATING—Don't you like the answer?

Mr Costello—No, you haven't started the answer yet; that is your trouble. Mr Speaker, the question was whether the Prime Minister agreed with the Treasurer's statement that it would be foolish to rule out new taxes if Labor is re-elected at the next election. The question goes to the Prime Minister's secret tax agenda. He has not addressed this in the slightest. I ask you to direct him to be relevant to that question.

Mr SPEAKER—The Prime Minister was asked a question about fiscal policy. He is responding.

Mr Costello—Mr Speaker, on a point of order: he was not asked a general question about coalition intentions or fiscal policy. He was asked a question about his tax agenda.

Mr SPEAKER—Order! There is no point of order. Resume your seat. The Prime Minister has the call.

Mr KEATING—The general line is: 'You know our policies and you know the team.'

Mr Abbott—Mr Speaker, further to the point of order raised by the Deputy Leader of the Opposition, could I refer you to a ruling by Speaker Cope—

Mr KEATING—Oh, by all means; by all means!

Mr Abbott—talking about ministers who persisted in spreading misinformation about the opposition. On 2 August 1974 Speaker Cope said that the minister was 'not entitled to talk about the remarks of the right honourable gentleman that has nothing to do with his portfolio'. He went on to say:

The Minister is not responsible for what other people say. He is responsible for giving information concerning his own department. He is not responsible for what anybody in another Party says.

And he ruled the minister out of order. I put it to you, Mr Speaker, that standing order 142 and standing order 145 mean that the Prime

Minister and other ministers are simply not entitled to blackguard the opposition in the guise of answering questions about the government. I urge you to uphold the ruling of Speaker Cope.

Mr SPEAKER—There is no point of order. I invite the honourable member to have a look at a statement which I made in this place which amplified previous rulings of speakers in respect of the matters he has raised.

Mr KEATING—The general opposition position on fiscal policy and all these policies is: 'You know the team and you know what our views are.' In other words, 'We won't go saying expressly what we'll do; you know philosophically where we are coming from.' That is what he thinks will constitute a mandate were he to win an election. In America, in a quite old-fashioned way Newt Gingrich, Senator Dole and others actually put a program to the people of the United States upon which a very large Republican majority in both houses of the Congress was won.

The Leader of the Opposition is saying: 'I will not put revenue up. I won't cut spending. I won't do anything to offend anybody.' Then he will want to claim he has a mandate. On this side of the House we have made the point over and over that this is the second lowest taxed country in the Western world. The Treasurer said today that we would broadly maintain the present level of tax. The present level of tax is forecast at 23 per cent of GDP, in 1994-95. In 1983-84, when the government came to office—in a recession, when tax revenue had been badly hit—it was 23.1 per cent of GDP. So it was 23.1 per cent of GDP when the government came to office and it is 23 per cent now, after the government has been in office in that period.

So when the Treasurer says that we would broadly maintain the present level of tax—it varies according to the economic cycle—in essence he is referring to no more than those very pertinent statistics and giving me the opportunity to remind the House that Australia is the second lowest taxed country among Western developed countries.

Contrast that record with the cheap commitments of the opposition. The Leader of the

Opposition is determined not to actually put a firm statement down on anything. He is saying that he will not lift taxation or individual taxes and he will not cut spending. In other words, he will give up all of the instruments on fiscal policy and wish to be believed on it, and then when he gets asked persistently about any other matters—Medicare, wages, the Industrial Relations Commission—no, he will not touch anything. 'If you will just let us tippytoe into office we will then set up shop and our mandate will be: "You know what we have always had in mind"—not our written word, not our stated word.' That is not a mandate. The Leader of the Opposition will then say: 'People know where we are coming from. They know what our views are.' Yes, we know what their views are—\$10 billion of cuts in government spending; that is what you are on the record as supporting—and introducing a state income tax and state consumption taxes. There are the things that you are really on about.

The deputy over here in some interview with someone from the *BRW*, sitting down as if they had given him some sort of truth drug, and out it all popped: 'Yes, we are going to hop into the vertical fiscal imbalance, which means we are going to give taxing powers to the states.' One thing is for certain: when John Howard says he won't lift tax and he won't cut government spending, don't believe him. Because what he will do is just the opposite. The government's position is this. Here are the numbers: tax revenue to GDP, 1983-84, 23.1 per cent compared to 23 per cent for this year. I will leave our case on that point.

Pensioners

Mr GRIFFIN—Has the Prime Minister seen reports today concerning the treatment of pensioners in Australia? What is the government's response to those reports? Is it the intention of the government to continue to ensure that Australian pensioners get a fair deal from the government?

Mr KEATING—Before the government came to office pensions were not indexed, certainly not twice yearly as they are now, and they were not adjusted in a discretionary way by further commitments by the govern-

ment off the budget to the pension system and to pensioners. As a result, pensions were around 22-odd per cent of average weekly earnings. They are now at 25.7 per cent of average weekly earnings. The government had a target of getting pensions to 25 per cent of average weekly earnings. They are at 25.7 per cent of average weekly earnings.

When the opposition leader was last in office, the real value of pensions fell by two per cent. In fact, when the Whitlam government came to office, pensions were below 20 per cent of average weekly earnings. It was a commitment of the Whitlam government to bring them to 25 per cent, which brought into the public domain that commitment by Labor. I think it proves one point: when Labor governments are elected, age pensions go up; when coalition governments are elected, age pensions go down. That has been the accurate, historical fact. Yesterday, the Leader of the Opposition during an interview was asked about pensions. The interview went as follows:

John Howard: Pensions?

Michelle Grattan: Yes, would you retain them?

Compere: Age pensions.

John Howard: Absolute iron clad retention.

Michelle Grattan: Twenty-five per cent of average weekly earnings?

John Howard: Well, well, we are going to retain the present system.

He prides himself on being tricky with words. The compere comes back and says:

The present system is 25 per cent of average weekly earnings. It is not simply adjusting them to CPI. That is the commitment?

John Howard: Well we retain the adjustment to CPI and—

Michelle Grattan: And the 25 per cent?

John Howard: Well the 25 per cent is a goal of the government's.

That is, not any government he might lead—our government. In other words, he has slid by without making the commitment. Mr Speaker, you might recall that the Leader of the Opposition recently made a speech to ACOSS where he made it clear again that the only commitment would be the adjustment of the pension to the CPI—and nothing more. What needs to be understood is that if we

assume that average weekly earnings increase, say, by around one per cent a year—and recently they have been going up by more than 1½ per cent a year—over 10 years the pension would be 10 per cent higher in real terms than if you just maintained its real value.

In other words, the commitment to giving the pension a relationship to average weekly earnings means not just an adjustment in real terms to maintain it, but to let it grow along with the rest of the work force so its relative purchasing power is improved. So if you have real increases in wages, meaning above the inflation rate, you get real increases in the pension. That is what he will not commit to. Then with the high cynicism he learned from Mr Carrick and others, he stuck a statement out in the afternoon—

Mr Howard—It is John Carrick now?

Mr KEATING—He taught you most of your dirty tricks. Mr Howard said:

It is clear and absolute Coalition policy—

that was after I put out a statement—

both to index pensions on a twice-yearly basis . . . and as well maintain their value at 25 per cent of average weekly earnings.

In the interview, when pressed, he said:

Well, well, we are going to retain the present system.

When asked whether that was not simply adjusted in the CPI he repeated:

we retain the adjustment to CPI—

Then, he got a third go. He said:

Well the 25 per cent is a goal of the government's. So, at midday it is not on, but at 5 o'clock it is a policy of the opposition. You must think the gallery are the greatest bunch of dodos and fools, the greatest bunch of naive clots, that have ever graced the portals of this parliament—to believe this sort of rubbish that you would push out at 5 o'clock in the afternoon when you have had a chance to go with a considered statement to ACOSS, where you gave notice for weeks that you were going to make the big wasteland speech at ACOSS. Then, when you got to ACOSS, what did you say about pensions? You said you would only maintain them with the CPI.

There was no mention of average weekly earnings.

In your declaratory main statement to the peak welfare body, was there any mention of 25 per cent of average weekly earnings? No way. Was there any mention of it yesterday? No way. When pressed three times, did you commit yourself to it? No way. But when you felt the heat of understanding what the government's commitment was, you put out this press statement saying that you will maintain it. If anyone believes that, they will believe in fairies at the bottom of the garden.

I make this point again to all those pensioners, particularly those in the demographic group who have a tendency to support the coalition: John Howard will cut the real value of your pension. John Howard will cut the relative purchasing power of your pension. He has proven it. If he gets into office, he will say, 'You know the team. You know where we have come from. Look at my speech to ACOSS.' Was there any mention of 25 per cent of average weekly earnings? Someone will say, 'Mr Howard, you put out a statement on 26 November 1995 that said it.' He will say, 'Look at our main speech to ACOSS. Look at the things that I have said on the record.' That is the game that the Leader of the Opposition is playing.

I hope that every pensioner organisation in Australia knows that, as a consequence of the government's policy, if this government had adjusted pensions by the consumer price index, single pensioners would be \$20 a week worse and couples would be \$34 a week worse off. So I ask pensioners to consider whether, were Mr Howard to be Prime Minister, they could stand the loss of \$20 a week as a single pensioner or \$34 a week as a pensioner couple. They are the sorts of policies that he presided over when Treasurer and they are the policies that he is still committed to.

Taxation

Mr COSTELLO—My question is directed to the Prime Minister. I remind the Prime Minister that before the last election he legislated income tax cuts. After the election, he increased wholesale sales tax on all items

by two per cent, increased wine tax, increased petrol tax by 5c and 7c per litre, increased company tax by three per cent and abolished the l-a-w tax cuts which would otherwise be payable in five weeks on 1 January 1996. Since it is clear that you now have in mind introducing new taxes if re-elected, what new taxes do you have in mind?

Mr KEATING—What I made very clear in the run-up to the 1993 election—you might remember that we discussed this issue on Mr O'Brien's *Lateline* program—was that the government would be keeping revenue to GDP at about the levels which then obtained. I have been through that issue in the House on a number of occasions. Let me give you the numbers again. Revenue to GDP is at 23 per cent. It is exactly where it was in the recession year of 1983-84. In other words, over the period of the government's life, we still have around 23 per cent of revenue to GDP. That is the position.

The government did not make commitments of the kind which those opposite are now making and foolishly believe that people will accept; that is, that they will not increase tax rates or change the tax system in any way. Do you think people are complete mugs when you tell them that sort of stuff? That is what you think.

Under the commitments which the government is now to legislate, in respect of having paid the first round of the tax cuts and the second round of their superannuation accounts, the totality is greater than the quantum of the One Nation tax cuts announced in the One Nation statement in 1992. In other words, we are paying taxpayers back more than what we said we would in the One Nation statement of 1992. That is the government's record. The fact that we remain the second lowest taxed country in the OECD makes it very clear that we in Australia are running a relatively small public sector very efficiently. We have outlays to GDP in trend terms at around 25 per cent of GDP and revenue at around 23 per cent of GDP.

They are the sorts of figures which, as I indicated to the House some time ago, are up in lights as the sorts of numbers which are regarded as part of the convergence criteria

for the European monetary system. Of course, most of the countries you would like to identify us with would not qualify but Australia would, and that is because of this sort of outcome. When the Leader of the Opposition goes around saying he will not cut government spending and he will not change or increase tax rates, do not believe him.

Pensioners

Ms DEAHM—My question is addressed to the Minister for Social Security. I refer to the government's commitment to maintaining the pension at 25 per cent of average weekly earnings. What effect does such a commitment have on pensioners?

Mr BALDWIN—I can inform the House that the government has retained its commitment to keeping the pension at or above 25 per cent of average weekly earnings. That is one of a number of key social benchmarks that the government has adopted over the years. In fact, we have had that as an objective for some considerable time. We have been able to achieve that benchmark since 1990 and to equal or exceed it ever since. That is very significant. By contrast, during the period of the coalition government the pension was allowed to drift down to 22.7 per cent of average weekly earnings and there was a two per cent real reduction in the pension rate.

It is very important to bear in mind the nature of a commitment of that sort and set it against the sorts of statements that emanate from the opposition about what it claims it can do on the fiscal policy front. Those opposite have made statements implying that they can take around \$10 billion off outlays. The Leader of the Opposition gave a statement in his address to ACOSS and said that he would not take \$10 billion off the social safety net. There is no ambiguity about the implication of the opposition's policy. It says it would get the budget into surplus without asset sales. On the adjusted ABS definition, that implies a \$10 billion cut in outlays.

To give some idea of what maintaining the sort of commitment that the government has on pensions implies in terms of outlays, on 22 September this year the government increased

the base pension for single people by \$9.80 a fortnight and for each member of a married couple by \$8.20 a fortnight. That adjustment to the pension was made on 22 September this year. The budgetary cost of that, when you take into account flow-ons to other payments, was around \$800 million in a full year. That is the sort of commitment on the outlay side that is required in order to maintain that sort of commitment.

After a stumblebum performance by the Leader of the Opposition on Sunday, in a situation where he had given no commitment on that 25 per cent issue, he issued a press release at 5 o'clock yesterday saying that he would. How on earth are the opposition going to reconcile the achievement of that sort of social policy objective with the sorts of statements they have made on fiscal policy? This is something that arises time and again and which they refuse to address in any coherent or sensible way. If you look at the performance of this government compared with that of the coalition in terms of the social safety net, you see that the record under us has been consistent real improvements whereas the record under the coalition has been consistent real declines. If we had done no more than index the pension since we came into office, a single pensioner would be getting from \$20 per week less and a married couple would be getting from \$34 per week less. The reality is that there is no coherency or sense in the coalition's statements in these areas. There is no reason that the pensioners of this country could have to believe any commitments coming from the coalition. Their record is the diametrical opposite of maintenance and improvement of that safety net. That is a direct and very clear contrast with the actual performance of this government.

Pensioners

Mr RUDDOCK—My question is directed to the Prime Minister. In 1989 the Labor government first promised, and renewed at Bankstown before the 1993 election, to completely remove all age pensioners from the tax system by 1995. Less than a week after the 1993 election that promise was withdrawn by your then Treasurer Mr Dawkins who said he did not feel bound by it. Why are

age pensioners still paying tax? Secondly, I refer the Prime Minister to his government's lowering of the eligibility threshold for family payments since the last federal election. Considering that the change led to some estimated \$118,000 families losing their basic family payment, why were they not told of the change as part of Labor's policy prior to the 1993 election? Why should anybody believe a word the Prime Minister is saying concerning social policy, given his complete deception of pensioners and families?

Mr KEATING—I suppose if you have been here for 20 years in opposition you have got to get your kicks somehow. Is the member really seriously trying to suggest—

Mr Tuckey—Answer the question.

Mr KEATING—We have heard from the real genius on the corner over there, Mr Speaker. He interjected. Does the questioner really contend, in the implication of his question, that there have not been huge increases—massive increases—to low income families since the government has been in office?

Mr Tuckey—Come on! Give us the answer.

Mr SPEAKER—Order!

Mr KEATING—There have been massive increases in rent assistance, additional family payment and the family allowance supplement. Many times in the House both the Minister for Social Security and I have been through the numbers about the huge increases in allowances under this government.

Mrs Gallus—What about your promise, Paul?

Mr SPEAKER—Order! The member for Hindmarsh!

Mr KEATING—The last one I gave was a few minutes ago about the basic rate of pension. The basic rate of pension came from 22-odd per cent of average weekly earnings to 25.7.

Mr Ruddock—You said 'all pensioners'.

Mr SPEAKER—Order!

Mr KEATING—It is worth to a pensioner \$20 a week—\$34 a week to a pensioner couple—or weren't you listening? On this

question about the tax system, as a result of the government's policies, two-thirds of pensioners—all those on the full rate of pension—have been freed of tax liability completely since July 1990. Not only did the government increase the threshold—the free area—within which pensioners can earn but we have removed it completely from the tax system. At the time when Mr Howard was Treasurer, under the coalition government, not only was there a miserable free area—

Mrs Gallus—You are stumbling a lot, Paul!

Mr KEATING—where some additional income could be earned without someone losing any pension, but when pensioners earned additional income they were taxed on it. Now they are not taxed on it.

Mrs Gallus—And they are still paying tax.

Mr SPEAKER—Order! I warn the member for Hindmarsh!

Mr KEATING—You can still have a full pension, with a generous increase in the free area, and not pay one dollar in tax.

Mr Ruddock—That wasn't the promise.

Mr SPEAKER—Order!

Mr KEATING—When Mr Howard was Treasurer full pensioners were taxed fully on the income above the threshold. There were two things about that. Because you had such a miserable free area, not only would they lose part of their full pension by any modest increase in earnings—say from superannuation or from deposits they had in a bank—but, as well as that, you would actually tax the earnings in the free area. People opposite have the hide to ask me that question. That is their record. They must have a sort of front school in the Liberal Party to learn how you can say the most embarrassing things and not be embarrassed. They must run through a course or something. You would have to be psychologically prepared for this sort of thing to be able to ask that sort of question. Everybody who is a full pensioner now has a generous free area and not one dollar of it is taxed.

Medicare

Mr HORNE—My question is to the Prime Minister, and it concerns Medicare. Does the government remain committed to Medicare, and what steps is the government taking to ensure that our health system meets the needs of all Australians?

Mr KEATING—The Labor Party have long believed—

Opposition members interjecting—

Mr SPEAKER—Order! The Prime Minister will wait for a minute. I again today remind people of standing order 55: ministers are entitled to be heard—and they will be.

Mr KEATING—The Labor Party have always believed that part of the social fabric of Australia should be the right to universality in health protection. But we do not regard it as something that the market might give you. We regard it as a social right. If you get sick, you are entitled to be looked after. It is not, 'If you get sick and you have got money you are entitled to be looked after,' but, 'If you get sick you are entitled to be looked after.' This, of course, the coalition have never believed. They believe you are only entitled to health protection if you can pay for it. That is their basic position.

I again go back to the Leader of the Opposition's *Meet the Press* interview yesterday. He had a right little blow-out on *Meet the Press* yesterday. He said:

I don't accept for a moment that we went to the last election as Paul Keating alleges promising to abolish Medicare; that is wrong, we didn't.

He said that with intonation and meaning. The Fightback changes included Medicare for pensioners and card holders only and bulk-billing abolished for Medicare except for welfare recipients. If that is not the destruction of Medicare, what is? If that is not the destruction of the universality of the system, what is? That was only three years ago. That has followed the general views he has put over the period. When he was leader he said: The Medicare system is a total disaster. We will be proposing changes to Medicare that amount to its de facto dismantling.

The questioner said:

You will pull it right apart?

And he said:

Yes, we will pull it right apart.

I would have thought that was plain enough. That is his view. It has always been his view. But there was more of it. He said:

The second thing we will do is we will get rid of the bulk-billing system, it is an absolute rort.

I would have thought that, if you are going to pull it apart and dismantle it and get rid of the bulk-billing system because it is a rort, what you really mean to do is hop onto Medicare. So the questioner—it was actually Mr Laws—says to him:

... so really what you are saying is what you will do is take us back to how things were pre-Medicare?

The reply was:

As best we can, yes, recognising that in a society you never go completely back, but I would love to go back.

What he would like to do is really go back. We know where back means. It is about 1953, in the dreamtime of his political life. The fact is: basically what he means is, 'Medicare is a total disaster. We will propose changes that amount to its de facto dismantling. We will pull it right apart. We will get rid of bulk-billing. It is a rort. And we will go back to pre-Medicare.' That is his position. It is all out there in his health policy. In 1987 he says he will allow opting out of the Medicare arrangements, abolish bulk-billing and says that Medicare is a failure. What he says on *Meet the Press* is not what he says when asked:

But, Mr Howard, you have not put all your policies in the marketplace.

He says:

People know where we stand. They know who the team will be.

In other words—wink, wink—'We'll be there, where we have always been, for our old, long-run position to policies.' The long-run position to policies is to smash Medicare. That has always been his position. Then he was contesting yesterday that the Fraser government did not abolish Medicare. In fact what Mr Fraser said is, 'We are going to maintain the Medibank scheme. The scheme will continue as it was introduced.' That is

pretty much almost word for word. Mr Howard said:

A lot of people will say that the changes Fraser made did not amount to dismantling Medicare . . . He thinks he is good with the words. He thinks the media and the public will not understand what he is in fact saying. There is only one party that will keep universality of health protection in Australia, and that is the Labor Party. That is the only party that will keep health protection as a common right, as a public right in this country. What would happen under a Howard government is that they would go back to a two-tiered medical system: the well-heeled system for the wealthy and basically public squalor for those who might somehow pay to keep a toehold in it. But the whole question of universality would go.

I told the House not long ago about what sorts of funds are involved in a rebate system for private health insurance of the kind the Leader of the Opposition espouses. Of course, this is the sort of money that would hit the budget. But of course he will not touch tax and he will not touch outlays, so I do not know what he is going to do to the budget bottom line other than poke a hole in it.

Again, with private health fund reserves over \$1.6 billion now, why would the Leader of the Opposition decide to give another billion dollars to the private health system? But that is what he wants to do. He is not interested in the public health system; he is interested in the private health system. He is interested in basically the gold-plated private system for the people he thinks he represents, and he is interested in public squalor for the rest of Australia.

Mr Speaker, the public of Australia should rest assured on these things: when John Howard says he will maintain Medicare, don't believe him. The only party that will maintain Medicare and keep it growing is of course the government.

Minister for Human Services and Health

Mr HOWARD—I direct a question to the Prime Minister about believability. When the cabinet was deciding whether or not to use taxpayers' money in an attempt to stop the

truth about the Minister for Human Services and Health emerging, did you disclose to the cabinet the inside information you had on the case from Labor leader, Jim McGinty, or did you cover it up? And is it a fact that the real reason you tried to stop the royal commission going ahead—in other words, the real reason you tried to cover up the truth—was that you knew beforehand that Carmen Lawrence was lying?

Mr KEATING—Is that in order, Mr Speaker?

Opposition members interjecting—

Mr SPEAKER—Order! Those on my left! The Prime Minister has been asked a question. The last section of that has in fact been used in questions in this place in recent times. I am allowing it on that basis only, and I give an opportunity for the Prime Minister to respond accordingly.

Mr KEATING—The fact that Mr McGinty told me—as the Minister for Human Services and Health had earlier told me—that some of her colleagues had a different view and recollection of this—

Opposition members—All!

Mr KEATING—No, not all of them.

Mr Costello—All who testified.

Mr KEATING—No, no, they did not.

Mr SPEAKER—Order! Those on my left.

Mr KEATING—Had a different view of this, Mr Speaker—

Mr Costello—McGinty, Keith Wilson—

Mr McGauran—John Kobelke.

Mr KEATING—Yes, a lot of the old Burke squad—they were there.

Mr Costello—Oh, that is good. Here is the truth.

Opposition members—Oh! Oh!

Mr SPEAKER—Order! I will get some quiet. Just one moment. Those on my left! I have allowed the question from the Leader of the Opposition and I am asking for the provisions of standing order 55 to be observed. The Prime Minister has the call, and he will be heard.

Mr KEATING—His view, that he and others would in the event of a royal commission being established testify or give a particular view which was at odds with the view he knew that the minister would give, has no bearing whatsoever on whether the important principle of whether the rights and prerogatives of a member of parliament and a cabinet minister should be basically impugned by the executive arm of government via a royal commission. What you have all signed up to over there is that a royal commission appointed by a government can interfere with your rights as an MP and, were you to be in office, a minister. That is what you have signed up to. It is just as ridiculous as that which you signed up to in the Senate in 1975 in knocking over supply bills. You always break the protocols of Australian public life.

Mr Howard—I take a point of order, Mr Speaker. The question—

Mr KEATING—And it had better be one too.

Mr Howard—Oh, it had better be! Oh, we are a Speaker now too, are we?

Mr SPEAKER—Order!

Mr Howard—The first Prime Minister/Speaker in Australian politics!

Mr SPEAKER—Order! The Leader of the Opposition will address me or he will resume his seat. I will deal with it, Prime Minister.

Mr Howard—He will take the point of order.

Mr Keating interjecting—

Mr SPEAKER—Order! The Prime Minister will resume his seat. Prime Minister, I will deal with it. I will take the point. The Leader of the Opposition knows if he has a point of order he addresses it to me.

Mr Howard—The point of order is that I asked a question directed very specifically as to whether he told the cabinet what McGinty had told him—

Mr SPEAKER—Order! There is no point of order.

Mr Howard—Mr Speaker, there is a point of order.

Mr SPEAKER—No, there is not.

Mr Howard—Will you hear me out? You have ruled there is no point of order before I finished making it. I asked him very specifically whether he had disclosed to the cabinet the conversation with McGinty and what McGinty had told him, and the Prime Minister is deliberately avoiding answering that question, and it is clear to everybody in this House.

Mr SPEAKER—Resume your seat! There is no point of order.

Mr Beazley—I take a point of order.

Mr SPEAKER—The Leader of the House with a point of order.

Mr Beazley—The point of order goes—

Opposition members interjecting—

Mr SPEAKER—The leader will be heard.

Mr Beazley—The point of order goes to deliberate disruption and using points of order out of the context in which they ought to be used. The Prime Minister then was directly addressing the position of what discussions ought to take place in cabinet and what ought to be revealed about them, be it cabinets in Western Australia or cabinets here. It was absolutely on the point of the question. The point of order was simply deliberately disruptive of that and ought to be seen as thoroughly disorderly and dealt with accordingly.

Opposition members interjecting—

Mr SPEAKER—Order! Those on my left! The Prime Minister was indeed asked a direct question and he was directly responding—directly responding. He will be heard without interruption.

Mr KEATING—If the Leader of the Opposition persists in attempting to make a mockery of you and your judgments, you should name him.

Opposition members—Oh! Ha, ha!

Mr SPEAKER—Order! The Prime Minister has the call on the question that was directed to him, and you have heard my warning.

Mr KEATING—Mr Speaker, I was entirely in order.

Mr SPEAKER—Correct.

Mr KEATING—And I was directing myself to the point and the point was—

Mr Howard—You slipped on the way.

Mr SPEAKER—Order! The Leader of the Opposition! Take the hint.

Mr KEATING—The truth is that they did not like the point. And the point is that the Leader of the Opposition and the Liberal party have put their names to the use by the executive government of royal commissions which transcend their rights as MPs and, where appropriate and around the country, as ministers. You have set that up as a result of the Marks royal commission.

Mr Howard—I set it up?

Mr KEATING—Yes, you and Court set it up.

Mr SPEAKER—The Leader of the Opposition!

Mr KEATING—You and Court and your little mate over here who is lying like a pig in mud over the thing.

Mr Howard—Oh, here we go.

Mr SPEAKER—Order! The Prime Minister has the call.

Opposition members interjecting—

Mr SPEAKER—Those on my left! I cannot hear.

Opposition members—Withdraw! Withdraw!

Mr Howard—He should withdraw.

Mr KEATING—That word was in order, I was told earlier.

Mr Howard—The difference is that he has not been required—

Mr SPEAKER—Order! There will be no debate across the dispatch box. Resume your seat.

Mr KEATING—Mr Speaker—

Mr Howard—But Mr Speaker, you should make him—

Mr SPEAKER—Just one moment. Resume you seat! The Prime Minister has the call. I do not want interjections. Prime Minister, you will continue your answer.

Mr Howard—Withdraw!

Mr KEATING—Oh, you're going to make me withdraw, are you? You've got Buckley's.

Mr Howard—Mr Speaker, he made an unsubstantiated claim of lying against the honourable member for Chisholm and we ask that that be withdrawn.

Mr Beazley—Mr Speaker, on a point of order—

Opposition members interjecting—

Mr SPEAKER—Order! I will hear this.

Mr Beazley—The point of order is: what is good for the goose is good for the gander. You permitted in the question that was put here the use of a term which had hitherto in the context of a question been unparliamentary. You utilised it, and reasonably so, in the context of the course of these discussions that had been used before and, therefore, it was allowed through. I would have thought that what was good for the goose is good for the gander. And the obviously deliberately misleading activities of the honourable member opposite when he talks about 'liaising' on that occasion comes thoroughly within that ambit.

Mr SPEAKER—Order! The Leader of the House did say, quite correctly, that in the question that was raised by the Leader of the Opposition unparliamentary language was used. When the Prime Minister queried whether that was appropriate, I said on the basis that it had been used in here in respect of this matter and some questions, I was going to give him the opportunity—

Mr Howard—This matter.

Mr SPEAKER—to respond.

Mr Howard—This matter.

Mr SPEAKER—Order! The Prime Minister made a general observation—

Mr Howard—Oh, ha, ha!

Mr SPEAKER—No, listen to what I am saying. As far as I am concerned—

Opposition members—Ha, ha!

Mr SPEAKER—Order!

Mr Downer—Even they think that is funny.

Mr SPEAKER—Order! I am going to allow the Prime Minister to continue his response on the basis that it is one each—

Opposition members—Ha, ha!

Mr SPEAKER—and the Prime Minister has the call.

Mr Keating—And I can make it two.

Dr Wooldridge—Mr Speaker?

Mr SPEAKER—The honourable member for Chisholm is going to press the issue?

Dr Wooldridge—Mr Speaker, on a point of order, I would: this is question time, not revenge of the spivs. It might be one all, but I would remind you of what the Leader of the House said. He accused me of deliberately misleading, and I would like that withdrawn.

Mr SPEAKER—The Leader of the House will withdraw that.

Mr Beazley—I withdraw.

Mr SPEAKER—The scoreboard is clear. The Prime Minister has the call.

Mr KEATING—Mr Speaker, I can add to the score without any difficulties at all if you would like me to.

Mr SPEAKER—No, just get to the answer.

Mr KEATING—So what has happened over here is for the most base of political motives—something where there is no question of corruption, no question of funds, improper behaviour or impropriety. There was a royal commission mounted by the Liberal Party of Australia, with the federal opposition conniving with the government of Western Australia to bring terms of reference such that the royal commissioner would be directed towards a finding against the Minister for Human Services and Health.

In so doing, what it has done is left it open to any other government to appoint a royal commission into what they think are their rights and entitlements as members of parliament and as ministers. Can I also let you recall, Mr Speaker, that the former Justice Marks, without thinking, actually then subpoenaed details from cabinet discussions which took place in the period of the former government. In other words, the Court government has used its executive arm

through a royal commissioner to get the cabinet details and discussions of the former government. This is a breach of the way in which the system operates. I hope the Leader of the Opposition, were I to get into his cabinet discussions about his management of the tax system in the 1970s and 1980s, were I to turn up the cabinet minute books and the notes and the rest—

Mr Howard—Go for your life.

Mr KEATING—Go for your life? You are giving me an invitation? You can imagine that they would cry like stuck pigs.

Mr Nehl—Picking on pigs again.

Mr SPEAKER—Order! The member for Cowper is not helping.

Mr KEATING—This would be a denial of justice under the Westminster system. This would be absolutely shocking. Only they, the proper people, know what is right and proper in the federation and we, the scallywags on the Labor side, have hopped into a former cabinet's business, but you do not mind doing it yourself, and you have made a cardinal error in establishing this royal commission.

Worse than that, after you establish it and you want to transcend the rights of MPs to present petitions and ministers to consider these matters in the context of a cabinet, you then want to deny the minister the right to defend herself at law. In other words, you do not want to even see the adjudication of the principles at law. They compound the indecency, the political stupidity, of setting this up by then saying that the minister had no right to defend herself and that the Commonwealth should not support her defence, on behalf of all MPs. In other words, the government of the Commonwealth of Australia should not defend the principles against the government of Western Australia. That is essentially what you are saying.

How you think that in some way you have got any justice, a modicum of justice, on your side in that argument and then try to warp another one into it—because the Leader of the Opposition told me something of what he might say before a royal commission yet to be established—and that that in some way compromises that principle has got me beat.

You have asked some stupid questions in here in your day, but that one has no internal logic whatsoever. Whether an opposition leader has a view about these things, or somebody else, is beside the point.

The cabinet decided to support the minister in the defence of important principles in the Westminster style of government, and that is what it has done. The Liberal Party in its spite now wants to deny that funding. What it wants to do is to track the minister down with a \$5 million royal commission, deny her the chance to defend herself in front of the courts and then deny the funding for her defence. It takes a lot of mean-spiritedness to get to that point, but that is where the Liberal Party is. No such mean-spiritedness exists on this side of the House. We have not chased MPs around in private life in other states as you have.

Mr Costello—Ian Sinclair?

Mr KEATING—He was a member of this chamber. What the Liberal Party should understand is that it has created a precedent here—

Mr Costello—Frank Walker can tell you.

Mr Howard—Look what you did to him.

Mr SPEAKER—Order!

Mr KEATING—You little wrecker of the conventions, you. You have created a precedent here and, let me tell you, you will all regret it.

Medicare

Mr MARTYN EVANS—My question is directed to the Minister for Human Services and Health. I refer to reports of dramatic funding cuts to health services in Victoria, Western Australia and particularly my own state of South Australia. Is the minister able to explain to the House if these funding cuts are consistent with the Commonwealth government's health strategy? If not, why not?

Dr LAWRENCE—I thank the member for his question, because it is on a matter of great concern to the people of Australia. Any time Australians are asked about issues that they want addressed at the next election, one of the things they mention is health. From the

opposition they have had short shrift, a simple repeating of some lines like a mantra but no detail. Leaders opposite clearly do not understand what the people of Australia understand: that is, part of the Medicare commitment is not just about retaining the name and making references to bulk-billing but actually ensuring decent funding of public hospitals throughout Australia.

The member will well know that what we have seen in South Australia is the so-called two-pronged approach of most of the Liberal governments. The first thing they do is cut funding absolutely and then they privatise and contract out the rest of it. The results are now being seen. They are totally against the spirit and the commitment of Medicare. Yet we do not have any mention of it from the opposition.

Mr Tuckey—Look what was done at the Hollywood Repatriation Hospital.

Mr SPEAKER—I warn the member for O'Connor!

Dr LAWRENCE—Health funding is often, and people would understand this, a source of some confusion due to the dual roles of the Commonwealth and the states. It requires cooperation but it particularly relies on state governments leaving the money where it is.

I think it is important for members to recognise that Commonwealth expenditure has continued to increase in health generally. In 1991-92 it was approximately \$13.8 billion, by 1994-95 it was \$17.4 billion and specific funding to hospitals has increased by \$800 million since 1991-92. So we have been doing our bit. Over that same two-year period, the states managed to slash \$700 million from the same hospital budgets—\$700 million while we are putting in \$800 million. You can see what the consequences would be. It is easy, sadly, to round up the usual suspects: Kennett in Victoria, Armitage in South Australia, and Kierath in Western Australia.

If you understand Medicare, as you claim you want to say to the community, you have to understand that pulling \$700 million out of the public hospitals is a mistake. In Victoria—and this needs to be underlined—\$260 million has been cut from the health budget

in two years; in Western Australia, \$154 million from its health budget in two years; and, in South Australia, \$61 million in the last two years—

Mr Bilney—\$65 million.

Dr LAWRENCE—Sixty-five million dollars, I am corrected by a South Australian member. The coalition claims to have made a full commitment to the principles of Medicare. By repeating them over and over again does not mean to say that that is going to be seen as correct by the community, because what all your conservative governments are doing are actually violating the principles.

Yesterday, the Leader of the Opposition wanted to say, ‘You pick it all up by improving private health cover and the use of private hospitals.’ But what he does not understand is that, every time you cut services in public hospitals, you are not just increasing waiting lists—which is what those governments have been doing—you are cutting the availability of material for scientists, and the generation to be trained is being sold short. So it is certainly understood by their state colleagues, but there is nothing in the material that I have seen which shows that the opposition understand. Their mantra seems to be: cut, burn and privatise.

We have heard no objection at all either from the shadow spokesperson or from the Leader of the Opposition. All these cuts are resulting in bed closures, increased waiting lists, loss of services, loss of hundreds of jobs and industrial disputes—including the doctors in Victoria. That is your commitment to Medicare on the opposition benches. Until you repudiate it, that is what Australians will see as Liberal governments in action.

Minister for Human Services and Health

Mr HOWARD—My question is addressed to the Prime Minister. I remind the Prime Minister of his own pledge on 19 December 1991 when he rolled his former boss and current ACTU advocate, Bob Hawke, that he would: one, deal honestly deal with the people; two, tell them the truth; and, three, resist the temptation to gild the lily. I also remind the Prime Minister that, in response to

a question in this House on 28 August, he said: 'I insist that in the performance of their public duties, in their dealings with the public and in the parliament ministers tell the truth and behave honestly at all times.' In view of the fact that a royal commission has now publicly found that the Minister for Human Services and Health not only gilded the lily but clearly lied and, in doing so, clearly failed the ministerial test you so passionately insisted upon in August, why do you not now insist that she step down as a minister in your government?

Mr KEATING—Yeah, the way Peter Nixon did with Asia Dairy; the way when all those sorts of characters were around? I mean, you need a memory to be around here, you know. What about the meat substitution racket?

Mr Speaker, I can only again quote no less a source than Sir Garfield Barwick. He said:

I find it remarkable that the public accept the conduct of royal commissions as a means of obtaining evidence, bearing in mind that our forebears revolted against the Star Chamber, which was a standing royal commission of its day. Press and politicians alike seem quite anxious to call for royal commissions in all manner of activities, not pausing to consider that the powers of a royal commission are easily abused. Indeed, the public spectacle of witnesses squirming under questioning by the Commissioner or by his Assisting Counsel provides dramatic copy for the daily press to the delectation of many of its readers.

That is in his text, *A radical tory*, which was published this year. How apt those comments about a royal commission. I also made clear to the House the other day the points made by Sir Lawrence Street. He said:

... a royal commission has no connection with the court as such. It has nothing to do with the administration of justice. A royal commission or a commission of inquiry is an instrument of the executive government and they are appointed in order to carry out a task that is put upon them by the executive government.

Mr Speaker, not only are those observations completely correct, but as well as that we have the spectacle of Mr Marks himself saying that his professional training is such that he operates on all the facts. Let me quote him:

The terms of reference have turned out of course to be fairly restrictive and stirred up a hornets nest. It is part of my training not to make assumptions on half the evidence.

That did not stop him taking further views.

Mr Costello—So he went on to hear all of it.

Mr KEATING—He did not.

Mr Costello—He did.

Mr SPEAKER—Order! The Deputy Leader of the Opposition will not interject!

Mr KEATING—The terms of reference would not let him hear it all. He went on:

The sooner this commission comes to an end the better. I think the experience here has demonstrated that the usefulness of royal commissions is fast receding. One thing one day and another the next has made virtually the result of this commission probably open to some doubt.

It is entirely open to doubt. It is for that reason that it deserves to be treated with the utter contempt it deserves—contempt for the government which corruptly arranged for its sitting and its terms of reference; for the Leader of the Opposition and the former deputy leader, the member for Chisholm, who connived in the terms of reference; for Mr Richard Court who could not remember speaking to Mr Howard—he would not say he did not speak to him but he could not remember; and for the manner in which the people were called.

Instead of first calling the petitioner, Mr Easton, or the person who wrote the petition, the clerk, or the person who presented the petition, Mr Halden, who was the first witness? A former press secretary to the minister!

Mr Costello—Yes, a staffer—a press secretary.

Mr SPEAKER—I am not going to continue to advise the Deputy Leader of the Opposition to remain silent.

Mr KEATING—As I indicated to the House the other day, we find that Mr Richard Court's private staff had given briefings to the commission before it actually undertook its proceedings. In other words, the process was entirely corrupted. As I said at the beginning of all this, no Queen's Counsel, no barrister,

and no former judge should trust their reputations with a reference like this. But Mr Marks, in my view naively and foolishly, did and he has worn the admonition and the consequences as a result.

From our point of view on this side of the House we regard the whole process as disreputable. The minister's standing in public life has been obvious for all to see. She quite courageously set up an open royal commission on proper terms of reference into what was called WA Inc. That action left her with quite a few enemies in Western Australia, some of whom had a chance to catch up with her during these grubby proceedings.

Uniform Credit Code

Mr ADAMS—My question is directed to the Minister for Consumer Affairs. What is the status of action to implement a uniform credit code? Has the Tasmanian parliament ratified that code? If not, why not?

Ms McHUGH—The question that the honourable member asked actually exposes a disgraceful and scandalous state of affairs, in that a few members of the upper house in Tasmania are holding hostage every consumer in Australia who is waiting for the benefits of the uniform credit legislation. We have been waiting for this uniform legislation for years, although all states and territories agreed to it nearly two years ago. Consumers are waiting for it because of the very considerable benefits that they will get, particularly in relation to the disclosure of detailed information. The banks are waiting for it, because the banking code of practice cannot come into operation until a uniform credit code is in place.

Queensland was the first state to pass the template legislation, and all states have now passed it except for Western Australia and Tasmania. I am informed that it will pass through the lower house of the Western Australian parliament in the next couple of weeks, but it is a very different story in Tasmania.

What has happened in Tasmania is this. The bill to enact uniform credit legislation was sent back to the lower house from the upper house with an amendment to exempt three Tasmanian based finance companies from its

provisions. These companies are reported to be the Hobart based Personal Finance Co., the Launceston based Lendco Pty Ltd and the Smithton based Braddon Investment and Finance Pty Ltd.

It has been reported to my office that the companies have concerns with the code's rules concerning the precontractual disclosure of establishment fees. You have to ask why they would have problems with that. It has also been reported to my office that these three finance companies have very close links with members of the Tasmanian upper house. Indeed, the Deputy Leader for the Government in the upper house, Tony Fletcher, has declared that he is a shareholder in one of these companies, and other members also reportedly have connections. That is what has been reported to me.

The Tasmanian government refused to accept the amendment to exempt these companies, so the bill has lapsed. That means that, as a result of what appears to be some pretty personal interests—some declared, some not—of a few members of the Tasmanian upper house, all consumers in Australia will not have the benefit of this uniform credit legislation.

The member for Lyons asked what can be done about this. The fact is that this is state and territory legislation—it is not Commonwealth legislation. But I can inform members that the Commonwealth is represented on the Standing Committee on Consumer Affairs, which met last Friday. That committee will propose that state and territory consumer affairs ministers agree to an implementation date of 1 August 1996 for the code and that they proceed without Tasmania.

The upshot therefore is that, if the states and territories do not agree to that recommendation, the implementation of a uniform credit code is under serious threat. It also means that, if they do agree, Tasmanian consumers will miss out on the benefits that every other Australian consumer will enjoy under the legislation—all because three small, local Tasmanian finance companies, which obviously have very good connections in the Legislative Council, want to escape providing their customers with the protection which this

legislation ensures and which every consumer in Australia is waiting for.

PRIME MINISTER

Motion of Censure

Mr HOWARD (Bennelong)—I seek leave to move a motion of censure against the Prime Minister (Mr Keating).

Mr Keating—Mr Speaker, I gave this offer to the Leader of the Opposition last Thursday. He then moved a suspension of standing orders refusing the offer. If you refuse the offer there is no point in coming back now. So stick it on Thursday, mate. I am not done with you yet.

Mr SPEAKER—The offer has been refused.

Mr HOWARD (Bennelong—Leader of the Opposition) (4.05 p.m.)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving forthwith that this House censures the Prime Minister for his paralysis of leadership and:

(1) his failure to sack—

Mr Keating—I move that the Leader of the Opposition be no longer heard.

Mr SPEAKER—I have to wait until the Leader of the Opposition has put the motion before the Prime Minister moves that. Put the motion.

Mr HOWARD—I wouldn't run for Speaker, if I were you. You are a coward. I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving forthwith that this House censures the Prime Minister for his paralysis of leadership and:

(1) his failure to sack a minister who has been exposed as having lied;

(2) his failure to disclose that he had been told by the Western Australian Labor leader that his Minister's claims were wrong;

(3) his use of taxpayers' money in an attempt to cover up the truth;

(4) his industrial relations incompetence which enabled a disastrous strike to go ahead;

(5) his inability to insist on truth from those around him; and

(6) his preoccupation with power plays involving himself, Mr Hawke and Mr Kelty rather than focusing on the needs of battling Australians.

Prime Minister, despite the cowardice—

Motion (by **Mr Beazley**) put:

That the honourable member be not further heard.

A division being called and the bells being rung—

Opposition members interjecting—

Mr SPEAKER—Order! I remind members that with division bells there are certain restrictions.

The House divided. [4.12 p.m.]

(Mr Speaker—Hon. Stephen Martin)	
Ayes	76
Noes	63
Majority	13

AYES

Adams, D.	Baldwin, P. J.
Beazley, K. C.	Beddall, D. P.
Bevis, A. R.	Bilney, G. N.
Brereton, L. J.	Brown, R. J.
Campbell, G.	Chynoweth, R. L.
Cleary, P. R.	Cleeland, P. R.
Crawford, M. C.	Crean, S. F.
Crosio, J. A.	Cunningham, B. T.
Deahm, M. J.	Dodd, P. G.
Duffy, M. J.	Duncan, P.
Easson, M.	Elliott, R. P.
Evans, M. J.	Fatin, W. F.
Ferguson, L. D. T.	Fitzgibbon, E. J.
Free, R. V.	Gear, G.
Gibson, G. D.	Gorman, R. N. J.
Grace, E. L. *	Griffin, A. P.
Griffiths, A. G.	Haviland, C. D.
Henzell, M. M.	Holding, A. C.
Hollis, C.	Horne, R. H.
Howe, B. L.	Jenkins, H. A.
Johns, G. T.	Jones, B. O.
Keating, P. J.	Kerr, D. J. C.
Knott, P. J.	Langmore, J. V.
Latham, M. W.	Lawrence, C. M.
Lee, M. J.	Lindsay, E. J.
McHugh, J.	McLeay, L. B.
Melham, D.	Morris, A. A.
Morris, P. F.	Newell, N. J.
O'Connor, G. M.	O'Keefe, N. P.
Price, L. R. S.	Punch, G. F.
Quick, H. V.	Sawford, R. W. *
Sciaccia, C. A.	Scott, L. J.
Simmons, D. W.	Smith, S. F.
Smith, S. J.	Snowdon, W. E.

AYES

Staples, P. R.
 Tanner, L. J.
 Tickner, R. E.
 Willis, R.

NOES

Abbott, A. J.
 Anderson, J. D.
 Andrews, K. J.
 Beale, J. H.
 Bradford, J. W.
 Cadman, A. G.
 Charles, R. E.
 Connolly, D. M.
 Dobie, J. D. M.
 Evans, R. D. C.
 Forrest, J. A.
 Hall, R. S.
 Hawker, D. P. M. *
 Howard, J. W.
 Kemp, D. A.
 Lloyd, B.
 McGauran, P. J.
 Miles, C. G.
 Moylan, J. E.
 Neville, P. C.
 Prosser, G. D.
 Reid, N. B.
 Rocher, A. C.
 Ruddock, P. M.
 Sharp, J. R.
 Slipper, P. N.
 Somlyay, A. M.
 Taylor, W. L.
 Truss, W. E.
 Vaile, M. A. J.
 Williams, D. R.
 Worth, P. M.

PAIRS

Lavarch, M. H. Fischer, T. A.

* denotes teller

Question so resolved in the affirmative.

Mr SPEAKER—Is the motion seconded?

Mr COSTELLO (Higgins—Deputy Leader of the Opposition) (4.14 p.m.)—It is an absolute disgrace that a cowardly Prime Minister will not—

Motion (by Mr Beazley) put:

That the honourable member be not further heard.

The House divided.

[4.16 p.m.]

(Mr Speaker—Hon. Stephen Martin)

Ayes	77
Noes	62
Majority	15

AYES

Adams, D.
 Beazley, K. C.
 Bevis, A. R.
 Brereton, L. J.
 Campbell, G.
 Cleary, P. R.
 Crawford, M. C.
 Crosio, J. A.
 Deahm, M. J.
 Duffy, M. J.
 Easson, M.
 Evans, M. J.
 Ferguson, L. D. T.
 Free, R. V.
 Gibson, G. D.
 Grace, E. L. *
 Griffiths, A. G.
 Henzell, M. M.
 Hollis, C.
 Howe, B. L.
 Johns, G. T.
 Keating, P. J.
 Knott, P. J.
 Latham, M. W.
 Lee, M. J.
 Mack, E. C.
 McLeay, L. B.
 Morris, A. A.
 Newell, N. J.
 O'Keefe, N. P.
 Punch, G. F.
 Sawford, R. W. *
 Scott, L. J.
 Smith, S. F.
 Snowdon, W. E.
 Swan, W. M.
 Theophanous, A. C.
 Walker, F. J.
 Woods, H. F.

NOES

Abbott, A. J.
 Andrew, J. N.
 Atkinson, R. A.
 Bishop, B. K.
 Braithwaite, R. A.
 Cameron, E. H.
 Cobb, M. R.
 Costello, P. H.
 Downer, A. J. G.
 Filing, P. A.
 Gallus, C. A.
 Halverson, R. G.

NOES

Hawker, D. P. M. *
 Howard, J. W.
 Kemp, D. A.
 Lloyd, B.
 McLachlan, I. M.
 Moore, J. C.
 Nehl, G. B.
 Nugent, P. E.
 Pyne, C. M.
 Reith, P. K.
 Ronaldson, M. J. C.
 Scott, B. C.
 Sinclair, I. McC.
 Smyth, B. M.
 Sullivan, K. J.
 Thomson, A. P.
 Tuckey, C. W.
 Wakelin, B. H.
 Wooldridge, M. R. L.

PAIRS

Lavarch, M. H. Fischer, T. A.

* denotes teller

Question so resolved in the affirmative.

Motion (by Mr Beazley) put:

That the question be now put.

The House divided. [4.19 p.m.]

(Mr Speaker—Hon. Stephen Martin)

Ayes	77
Noes	62
Majority	15

AYES

Adams, D.
 Beazley, K. C.
 Bevis, A. R.
 Brereton, L. J.
 Campbell, G.
 Cleary, P. R.
 Crawford, M. C.
 Crosio, J. A.
 Deahm, M. J.
 Duffy, M. J.
 Easson, M.
 Evans, M. J.
 Ferguson, L. D. T.
 Free, R. V.
 Gibson, G. D.
 Grace, E. L. *
 Griffiths, A. G.
 Henzell, M. M.
 Hollis, C.
 Howe, B. L.
 Johns, G. T.

Keating, P. J.

Knott, P. J.
 Lieberman, L. S.
 McGauran, P. J.
 Miles, C. G.
 Moylan, J. E.
 Neville, P. C.
 Prosser, G. D.
 Reid, N. B.
 Rocher, A. C.
 Ruddock, P. M.
 Sharp, J. R.
 Slipper, P. N.
 Somlyay, A. M.
 Taylor, W. L.
 Truss, W. E.
 Vaile, M. A. J.
 Williams, D. R.
 Worth, P. M.

AYES

Kerr, D. J. C.
 Langmore, J. V.
 Lawrence, C. M.
 Lindsay, E. J.
 McHugh, J.
 Melham, D.
 Morris, P. F.
 O'Connor, G. M.
 Price, L. R. S.
 Quick, H. V.
 Sciacca, C. A.
 Simmons, D. W.
 Smith, S. J.
 Staples, P. R.
 Tanner, L. J.
 Tickner, R. E.
 Willis, R.

NOES

Abbott, A. J.
 Anderson, J. D.
 Andrews, K. J.
 Beale, J. H.
 Bradford, J. W.
 Cadman, A. G.
 Charles, R. E.
 Connolly, D. M.
 Dobie, J. D. M.
 Evans, R. D. C.
 Forrest, J. A.
 Hall, R. S.
 Hawker, D. P. M. *
 Howard, J. W.
 Kemp, D. A.
 Lloyd, B.
 McLachlan, I. M.
 Moore, J. C.
 Nehl, G. B.
 Nugent, P. E.
 Pyne, C. M.
 Reith, P. K.
 Ronaldson, M. J. C.
 Scott, B. C.
 Sinclair, I. McC.
 Smyth, B. M.
 Sullivan, K. J.
 Thomson, A. P.
 Tuckey, C. W.
 Wakelin, B. H.
 Wooldridge, M. R. L.

PAIRS

Lavarch, M. H. Fischer, T. A.

* denotes teller

Question so resolved in the affirmative.

Original question put:

That the motion (Mr Howard's) be agreed to.

The House divided.

[4.22 p.m.]

(Mr Speaker—Hon. Stephen Martin)	
Ayes	62
Noes	<u>77</u>
Majority	<u>15</u>

AYES

Abbott, A. J.
 Anderson, J. D.
 Andrews, K. J.
 Beale, J. H.
 Bradford, J. W.
 Cadman, A. G.
 Charles, R. E.
 Connolly, D. M.
 Dobie, J. D. M.
 Evans, R. D. C.
 Forrest, J. A.
 Hall, R. S.
 Hawker, D. P. M. *

Howard, J. W.
 Kemp, D. A.
 Lloyd, B.
 McLachlan, I. M.
 Moore, J. C.
 Nehl, G. B.
 Nugent, P. E.
 Pyne, C. M.
 Reith, P. K.
 Ronaldson, M. J. C.
 Scott, B. C.
 Sinclair, I. McC.
 Smyth, B. M.
 Sullivan, K. J.
 Thomson, A. P.
 Tuckey, C. W.
 Wakelin, B. H.
 Wooldridge, M. R. L.

NOES

Adams, D.
 Beazley, K. C.
 Bevis, A. R.
 Brereton, L. J.
 Campbell, G.
 Cleary, P. R.
 Crawford, M. C.
 Crosio, J. A.
 Deahm, M. J.
 Duffy, M. J.
 Easson, M.
 Evans, M. J.
 Ferguson, L. D. T.
 Free, R. V.
 Gibson, G. D.
 Grace, E. L. *
 Griffiths, A. G.
 Henzell, M. M.
 Hollis, C.

Baldwin, P. J.
 Beddall, D. P.
 Bilney, G. N.
 Brown, R. J.
 Chynoweth, R. L.
 Cleland, P. R.
 Crean, S. F.
 Cunningham, B. T.
 Dodd, P. G.
 Duncan, P.
 Elliott, R. P.
 Fatin, W. F.
 Fitzgibbon, E. J.
 Gear, G.
 Gorman, R. N. J.
 Griffin, A. P.
 Haviland, C. D.
 Holding, A. C.
 Horne, R. H.

NOES

Howe, B. L.
 Johns, G. T.
 Keating, P. J.
 Knott, P. J.
 Latham, M. W.
 Lee, M. J.
 Mack, E. C.
 McLeay, L. B.
 Morris, A. A.
 Newell, N. J.
 O'Keefe, N. P.
 Punch, G. F.
 Sawford, R. W. *

Scott, L. J.
 Smith, S. F.
 Snowdon, W. E.
 Swan, W. M.
 Theophanous, A. C.
 Walker, F. J.
 Woods, H. F.

Jenkins, H. A.
 Jones, B. O.
 Kerr, D. J. C.
 Langmore, J. V.
 Lawrence, C. M.
 Lindsay, E. J.
 McHugh, J.
 Melham, D.
 Morris, P. F.
 O'Connor, G. M.
 Price, L. R. S.
 Quick, H. V.
 Sciacca, C. A.
 Simmons, D. W.
 Smith, S. J.
 Staples, P. R.
 Tanner, L. J.
 Tickner, R. E.
 Willis, R.

PAIRS

Fischer, T. A. Lavarch, M. H.

* denotes teller

Question so resolved in the negative.

Mr Beazley—Mr Speaker, I ask that further questions be placed on the *Notice Paper*.

QUESTIONS TO MR SPEAKER

Questions on Notice

Mr SLIPPER—As the last time I asked you to write a letter to a minister pursuant to standing order 150 produced a very quick response, Mr Speaker, I was wondering whether you would write three letters to the Treasurer with respect to questions 2553, 2554 and 2555, which first appeared on the *Notice Paper* on 22 August this year.

Mr SPEAKER—I will endeavour to get the same quick response.

Questions on Notice

Mr BRUCE SCOTT—Mr Speaker, I similarly rise to draw your attention to an unanswered question, No. 2552. That question has been on the *Notice Paper* longer than 90 days and I ask that under standing order 150 you write to the Minister for Housing and Regional Development asking him to give an appropriate response.

Mr SPEAKER—I shall.

Questions on Notice

Mr NEHL—My request also relates to standing order 150. I ask that you write to the Minister for Veterans' Affairs and request that he answer my question 2429 of 19 June.

Mr SPEAKER—I shall.

BUSINESS

Motion (by **Mr Beazley**)—by leave—agreed to:

That so much of the standing and sessional orders can be suspended as would prevent order of the day No. 1, government business (Grievance debate) when called on, continuing until 5.30 p.m.

PETITIONS

The Acting Clerk—Petitions have been lodged for presentation as follows and copies will be referred to the appropriate ministers:

Marriage

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

The petition of the undersigned shows that:

We believe that the traditional Christian view of the family unit excludes anything other than a male and female, living in a lawful marriage relationship, along with their children, and that it is necessary for this to be restated by our political leaders.

We reaffirm our belief in the traditional Christian view of marriage as God's holy institution in which male and female become one flesh. (Genesis 2.24; Matthew 19.5,6)

We reaffirm that God is the author of marriage, and has restricted it to the union of male with female and that such marriage between male and female is commended in Scripture as honourable among all. (Ephesians 5.15-23)

We reaffirm that such marriage between male and female is ordained for life-long companionship, help and comfort which husband and wife ought to have of each other. (Romans 7.2,3)

We reaffirm that children are a heritage of the Lord and should be nurtured in a godly home, and that human society can be strong and happy only where the marriage bond is held in honour. (Psalm 127.3)

We reaffirm that incestuous marriages can never be made lawful by the law of any man or government, or the consent of parties, so as to allow those people to live together as married couples. (Mark 6.18; Leviticus 18.6-28)

We reaffirm that, according to Biblical law, it is forbidden for a male to practise sexual intercourse with another male, or for a female with a female, and that since this is an abomination before the

Lord, such as a prohibited relationship for marriage. (Leviticus 18.22; 20.13)

We believe the entire stability and well being of our society depends on maintaining this traditional Christian view of marriage and family (Leviticus 10.15-16; 18.23-24)

Your Petitioners ask that the House of Representatives should call on the Government to:

(a) Preserve completely intact the exclusiveness of marriage as being one male and one female.

(b) That the definition of a prohibited relationship in the Marriage Act 1961, Part III 23(2) be amended with the addition of a new clause (c) so that it reads as follows:

(2) Marriages of parties within a prohibited relationship are marriages—

(a) between a person and an ancestor or descendant of the person; or

(b) between a brother and a sister (whether of the whole blood or the half blood); or

(c) between a male and a male or between a female and a female.

by **Mr Abbott** (from 31 citizens),

Mr Anderson (from six citizens) and

Mr Snow (from 23 citizens).

Telecom Mobile Net

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain residents of the Electorate of Higgins draw to the attention of the House our concern that local planning authorities are not able to fully represent the wishes of local residents under the present Telecommunications National Code.

We therefore request that the House take the necessary steps to resolve the above issue and that a new Telecommunications National Code be introduced with more power for local councils so that the concerns of the community are taken into account and residents are fully informed of planned installations of mobile telephone towers and cabling for pay television.

by **Mr Costello** (from nine citizens) and

Mr Georgiou (from 25 citizens).

Newsagents

To the Right Honourable The Speaker and Members of the House of Representatives in Parliament Assembled. The humble petition of the undersigned citizens of the State of Victoria respectfully shows:

(1) Authorised newsagents are one of the last remaining bastions of family owned and operated

business and provide an efficient, low-cost and convenient service;

(2) The present system of newspaper distribution guarantees that every Victorian, no matter where they live, has access to home delivery of daily newspapers;

(3) Owners of newsagencies have purchased their business and invested in new technology on the security of a defined distribution territory for home delivery and supply to sub-agents;

(4) The Trade Practices Commission's plans to deregulate newspaper distribution will spell the end of universal home delivery, increase costs to consumers and force many newsagents out of business.

Your petitioners, therefore, humbly pray that the Parliament of Australia will:

(a) express its support for the present system of newspaper distribution in Victoria and the commercial survival of family owned and operated newsagents; and

(b) urge the Federal Government to direct the Trade Practices Commission to ensure that its deliberations do not disadvantage newsagents who have invested time and money into building reputable businesses based on commercial arrangements which the Commission proposes to abolish.

by **Mr Atkinson** (from 26,772 citizens).

Family Law Act

To the honourable the Speaker and members of the House of Representatives assembled in parliament.

The petition of the undersigned citizens of Australia draws to the attention of the House the need for changes to the Family Law Act of Australia and to the Child Support Scheme.

Your petitioners therefore pray that the House enact the following changes:

1. That the existing Family Law Act be scrapped and replaced by a more simplified version together with the minimum of rules and regulations necessary.

2. That The Family Court be replaced by a Tribunal and that all matters resulting from divorce and family breakdown be heard before, and determined by a panel, the panel to be made up of persons qualified in matters arising from family breakdown.

3. That legal professionals be barred from appearing before the Tribunal resulting in vast savings to the disputing parties.

4. That a modified fault clause be re-introduced to Family Law primarily designed to discourage adultery and to stop rewarding adulterers at the expense of deserted and innocent parties.

5. That the Child Support Agency be scrapped and replaced by an appropriate administrative procedure within the Tribunal.

6. That apart from cases of exceptional circumstances parental-child access become the inalienable right of all parents.

7. That alternative counselling, (Government funded) be made available through the churches and that much more emphasis be placed on mediation in resolving disputes prior to the commencement of legal proceedings.

by **Mr Beale** (from 80 citizens).

Landmines

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

This petition of certain residents of the State of Victoria draws to the attention of the House the devastating effects of landmines, which maim and kill often decades after hostilities have ceased.

Your petitioners therefore request the House to:

(a) Through bilateral and multilateral relations press for an international ban on the use, production, stockpiling, sale, transfer and export of anti-personnel mines; and

(b) Press the United Nations to establish and administer an international fund to promote and finance victim assistance programs and landmine awareness, clearance and eradication programs worldwide.

by **Mr Beale** (from 20 citizens).

Bears

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament.

The petition of certain residents of the State of Australia draws to the attention of the House that approximately 8,000 bears are being kept in cages in China for the purpose of extracting bile for medical purposes and that the cages are so small the bears cannot move, which results in some of them going mad. It is further brought to the attention of the House that the Chinese plan to increase the number of bears, for these purposes, to 40,000.

Your petitioners therefore respectfully ask the House of Representatives to object most strongly to this horrendous and tragic practice and ask that steps be taken to stop it immediately.

by **Mr Cameron** (from 1,288 citizens).

Eastern Energy Electricity System

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

The petition of the undersigned expresses the concern of the current owners and customers of Eastern Energy at the decision of the Victorian

Liberal Government to sell Eastern Energy to the highest bidder; a process that could lead to Eastern Energy owned by Electricity de France, a corporation 100 per cent owned by the French Government of Jacques Chirac.

Your petitioners ask that the House of Representatives express its opposition to the sale of Australian electricity systems to foreign corporations, particularly French Government corporations.

by **Mr Cleeland** (from 3,798 citizens).

Commonwealth Education Centres

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of community members and clients of the Orana Education Centre in Dubbo NSW, draws the attention of the House to the proposal in the Federal Budget of May 1995 to discontinue federal funding of the Commonwealth Education Centres Program at the end of 1996.

Your petitioners therefore request that the House to restore federal funding to the Commonwealth Education Centres Program as of the end of 1996, to enable Centres to continue to deliver the quality, comprehensive professional development, curriculum development and community services, both locally and nationally, that they have delivered since their establishment, and which they are perfectly positioned to continue to deliver, provided their core funding is retained. The \$2.6 million which funds the entire Commonwealth Education Centre program represents extraordinarily good value for the Commonwealth dollar outlay, enabling Education Centres to provide an outstanding infrastructure of quality human and physical resources (local and national) serving extensive networks through quality partnerships (local and national) which will be lost if federal funding is not reinstated.

by **Mr Cobb** (from 10 citizens).

Sydney Airport

To the Honourable The Speaker and Members of the House of Representatives in Parliament assembled:

The petition of certain citizens of Australia draws to the attention of the House that:

- (a) Unacceptable noise levels have been foisted on innocent residents of Sydney, damaging life styles and devaluing property and
- (b) the Civil Aviation Authority has been given directives and instructions by the Minister for Transport without regard for aircraft noise and without full regard for safety factors.

Your petitioners therefore pray that the House of Representatives will call on the Government to re-establish the most efficient and safe processes for

using all three runways at Mascot for the benefit of the people of New South Wales.

by **Mr Connolly** (from 30 citizens).

Nuclear Testing

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain young citizens of Mabel Park State High School, Slacks Creek, Queensland, and of the surrounding community, draws to the attention of the House the continuing program of nuclear testing in the Pacific region carried out and sanctioned by the Government of France.

Your petitioners therefore request that the House maintain all possible pressure on the French Government to cease its program of nuclear testing in accordance with international and regional treaties relating to nuclear testing and nuclear proliferation and to recognise the rights of the free peoples of the Pacific region to live in an environment free from the threat of radioactive contamination.

by **Ms Crawford** (from 92 citizens).

Adelaide-Darwin Railway

To the Honourable the Members of the House of Representatives in Parliament assembled—

The humble Petition of the Undersigned* The People of South Australia

Sheweth:-

That The People of South Australia request the following:

(1) The building of the Adelaide to Darwin Railway line be built, as a matter of urgency. (Darwin to Alice Springs section)

(2) The Federal Government in its '96/97 Fiscal Budget appropriates monies to start this vital national project.

Your petitioners therefore pray that you will:

Build the Darwin to Alice Springs section.

And your petitioners, as in duty bound, will ever pray.

by **Mr Duncan** (from 1,021 citizens).

Logging and Woodchipping

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

We the undersigned Australian citizens respectfully express our wish that:

(1) The Commonwealth takes all necessary action to ensure that the remaining higher conservation value old growth forests of Western Australia be protected, including all remaining unlogged karri, jarrah and tingle forest.

(2) The clearfelling and woodchipping of old growth forests cease forthwith.

(3) The timber industry be restructured to become a sustainable industry based on plantations and agroforests grown on already cleared land.

And your petitioners as in duty bound will ever pray.

by **Dr Lawrence** (from 3,678 citizens).

Forest Protection

To the Honourable the Speaker and Members of the House of Representatives in Parliament Assembled

This Petition of the undersigned Australian citizens respectfully points out that: There is an urgent demand from the majority of Australians for immediate federal government intervention to protect the remaining high conservation value forests and other areas which support flora and fauna habitats unique to Australia.

Your petitioners therefore request that the House of Representatives call on the Federal Government to:

comply with the United Nations Biodiversity Convention, to which Australia is a signatory, and immediately implement the moratorium clause in the national forest policy statement;

reap only what is sown and utilise readily available plantation timbers for industry needs;

permanently protect all old growth forests, wilderness, and other high conservation value areas, under the guardianship of Australian indigenous peoples, in co-operation with the community, conservation and scientific organisations;

rapidly implement timber industry transition from native forests to plantations, with provision for retraining, redeployment, and economic adjustment for affected workers and contractors;

create employment incentives to collect seeds, propagate, establish and manage sustainable permaculture-style mixed species timber plantations, on existing cleared and degraded lands;

convert paper and fibre board manufacture to use annual fibre crops such as kenaf, hemp and cane;

encourage investment in the growing and marketing of indigenous, plantation based tree products, such as native fruits, nuts, berries, seeds, oils, and other nutritional and medicinal resources;

develop educational environmental tourism as a sensitively managed industry in appropriate forest areas, with full respect for Aboriginal cultural heritage and sacred sites; and

further support the above initiatives by the progressive utilisation of defence personnel, resources and funding, to assist rural communi-

ties to implement sustainable plantation forestry practices.

And your petitioners as in duty bound will ever pray.

by **Mr Mack** (from 221 citizens).

Forest Protection

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

This Petition of the undersigned Australian citizens respectfully points out that: There is a growing demand for urgent federal government intervention to protect Australia's natural heritage forests which have evolved over millennia supporting flora and fauna habitats unique to Australia.

Your petitioners therefore request the House of Representatives call on the Federal Government to:

Immediately implement the moratorium clause in the National Forest Policy Statement and honour the United Nations Biodiversity Convention to which Australia is a signatory;

Permanently protect all high conservation value native forest areas, under the joint guardianship of Australia's indigenous people and the National Parks and Wildlife Service;

Reap only what we sow and utilise our extensive plantation timber for industry needs;

Implement rapid timber industry transition plans from native forests to plantations, with specific provisions for the retraining, redeployment, and if necessary, compensation for affected workers;

Create economic incentives for the propagation, establishment and management of sustainable, permaculture, mixed-species timber plantations, on existing cleared and degraded lands;

Convert paper, fabric and fibre board manufacture to use annual fibre crops such as kenaf, hemp, cane etc;

Encourage investment in the growing and marketing of indigenous, plantation based tree products such as wattle seed, eucalyptus and tea tree oils, and other medicinal and nutritional resources;

Develop educational eco-tourism as a sensitively managed industry in appropriate forest areas, with full respect for Aboriginal cultural heritage and sacred sites;

And further support the above initiatives by the progressive utilisation of defence personnel, resources and funding, to assist rural communities to implement sustainable plantation forestry practices.

And your petitioners as in duty bound will ever pray.

by **Mr Mack** (from 160, 151 and 16 citizens).

Earth Repair Charter

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled: This petition of concerned Australian citizens respectfully points out that:

World-wide, people are concerned that important natural resources, such as trees, soil, pure air, clean water and our Earth's protective ozone layer—all essential for sustaining life—have been dangerously depleted.

Your petitioners therefore urge that the Australian Parliament will:

Let Australia lead the way and legislate to implement the Earth Repair Charter—a practical action plan—to help rectify humanity's environmental, social and economic imbalances, towards achieving, just, sustainable and cooperative local and global communities.

The Earth Repair Charter's summarised objectives—

- Cooperate in peace for the environment
- Preserve our remaining natural heritage
- Declare an earth repair action decade
- Support the world's indigenous people
- Recognise interconnectedness of all life
- Use sustainable methods to end poverty
- Compost consciousness to improve soils
- Acquire immunity efficiency and vitality
- Educate for and practise healthy living
- Unite humanity in a common purpose

by **Mr Mack** (from 41 citizens).

Triple J

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of the undersigned citizens of Australia draws to the attention of the House:

The need for Triple J to be broadcast in Northwest Tasmania so as to ensure that people in regional Australia are treated equally with people in the major urban areas who already have JJJ.

by **Mr Miles** (from 40 citizens).

Sex Guide

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of the undersigned citizens of Australia draws to the attention of the House:

(1) Their opposition to the sex guide endorsed by Ms Lawrence, Minister for Health in the Keating

Government, and published in the December issue of Cleo.

(2) That the sex guide encourages dangerous sexual practices which could have serious medical and moral effects.

Your petitioners therefore request the House to:

Call on Ms Lawrence to withdraw her endorsement of this sex guide and for the Prime Minister, Mr Keating, to indicate his disapproval.

by **Mr Miles** (from 28 citizens).

National Flag

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

This petition is to show that—

We, the undersigned citizens, respectfully claim that Australia must preserve and uphold its present National Flag which has proudly represented this country ever since the federation of its sovereign States in 1901, and then being confirmed under the Flags Act (1953). We do so because. . . .

It truly reflects our history and heritage, our culture, law and language;

It embodies our common law rights and liberties, our very birthright;

It signifies the Christian ethic, friendliness, international goodwill;

It enshrines in memory the wartime sacrifices of our gallant servicemen and servicewomen;

It symbolises our past achievements and inspires future loyal efforts.

So therefore do we petition that—

Our present Australian National Flag be not changed, replaced or diminished in any way whatsoever without such a proposal being first voted upon and approved by a majority of Australian citizens in a national referendum.

And your Petitioners, as in duty bound, will ever pray.

by **Mr Moore** (from 20 citizens).

Medicare-Medibank

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain electors of the Division of Shortland draws to the attention of the House that residents of Toukley, Norah Head and Noraville have been seriously disadvantaged by the closure of the Toukley Medicare/Medibank office.

Your petitioners request the House to require the Health Insurance Commission to re-establish a Medicare/Medibank service in Toukley NSW as soon as possible.

by **Mr Peter Morris** (from 211 citizens).

Compact Discs

To the Honourable, the Speaker, and Members of the House of Representatives assembled in Parliament.

The following citizens of Australia remind the House of the 1990 Prices Surveillance Authority findings that Australians pay up to 40 per cent more for compact discs than overseas consumers.

Your petitioners therefore request that the House takes action along the lines recommended by the PSA and allows parallel importing of compact discs to reduce costs to Australian consumers.

by **Mr Pyne** (from 174 citizens).

Music Classification

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain citizens of Australia draws to the attention of the House that music containing lyrics that are sexually explicit, physically violent and promote the use and abuse of drugs are freely available to children of any age at most record stores.

Your petitioners therefore request the House to apply a classification similar to the classifications used on Films and Videos on all such Audio Tapes and Compact Discs and to place a restriction on the sale of music containing such lyrics to minors.

by **Mr Stephen Smith** (from 27 citizens).

Austudy

To the Honourable the Speaker and the Members of the House of Representatives assembled in Parliament:

The petition of certain citizens of Australia draws to the attention of the House our concern about the amount of Austudy Education Supplement and Education Entry Payment which sole parents currently receive.

The Austudy Education Supplement has remained at the same monetary level since 1991, when at the same time the prices of everyday expenses has risen. The Austudy Education Supplement has not increased along with other Austudy payments, in accordance with inflation rates.

Your petitioners request the House to address this situation and increase the level of Austudy Education Supplement and Education Entry Payment in line with other Commonwealth Government payments.

by **Mr Wakelin** (from 91 citizens).

Mobile Phone Networks

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain residents of Rural Areas of South Australia draws to the attention of the House that we are not yet able to access Mobile Phone Networks in our region and there are no plans to give us access in the near future.

We believe that we are entitled to receive this service and have many people who want and need this service. We are disadvantaged by the Telecommunications industry's unwillingness to develop this service in our region in the near future and give us the same level of service that is available in urban areas.

Your petitioners therefore request the House to ask Austel to fulfil its requirements under the General Objectives of the Telecommunications Act and take action to have this service put in place in the near future. Your petitioners, as in duty bound, will ever pray.

by **Mr Wakelin** (from 37 citizens).

Petitions received.

GRIEVANCE DEBATE

Question proposed:

That grievances be noted.

Public Service: Staff Cuts

Mr SMYTH (Canberra) (4.30 p.m.)—It is about time this government came clean on what it is up to with Public Service staffing numbers. You may recall that in May, before the budget, the *Canberra Times* ran a line that up to 4,000 public servants in this town may lose their jobs. Being the member for Canberra, it is important to me and to all my constituents because so much of the business that is conducted here in Canberra depends on the Public Service. The Minister Assisting the Prime Minister for Public Service Matters (Mr Johns) did not know and could not say how many jobs would go. The minister could not say what the implications were in the budget for Public Service numbers.

I wrote the minister a letter and in that letter I referred to recent media reports in which it was claimed that the government intends to make large cuts to the Australian Public Service as a result of the 1995 budget. I wrote to him on behalf of all Canberrans, expecting a reasonable answer. You will be amazed, I am sure, when you find out that in the letter I got back from the Minister Assisting the Prime Minister for Public Service

Matters he claimed that he did not know how many jobs would be going. He said:

As the implementation of the Government's Budget decisions is the responsibility of individual portfolio ministers and their Departments, I am unable to provide you with the precise figures on the possible staffing impact of the Budget.

That is fair enough, I guess. It means that, like so much of the Public Service, the responsibility has been devolved to the departmental level and they spend their money as they see appropriate. That was okay.

I then put a question on notice to each of the ministers asking, given that the Minister Assisting the Prime Minister for Public Service Matters had said they would know, whether they would please tell me what the implications of this year's budget were on Public Service numbers. I did that on 30 June. I am sure you will be surprised to find out that, so far, I have not had a single response. What I have actually had is nothing. It was just a waste of time.

I was forced to ask the Speaker on 17 and 24 October if he would write to the ministers and get them to respond to me. The Speaker kindly did so. I am getting back answers that are a bit of a form letter. They state:

Thank you for your letter of 17 October 1995 in which you pointed out that a Question on Notice . . . placed by Mr BM Smyth, Member for Canberra . . . had not been answered within the 90 day answering period. You would be aware this same question was also posed to 20 other Ministers.

Subsequent to this question I have been advised by the Department of Prime Minister and Cabinet that the Minister for Finance will respond on behalf of all Ministers.

This is very curious because the minister responsible for the Public Service could not answer that question himself, but it would now appear that the Minister for Finance (Mr Beazley) is well able to do that. It is curious because the Department of the Prime Minister and Cabinet has been coordinating this response through the Minister for Finance since about mid-July. Even if you allow them 90 days from mid-July, that would give a response date of mid-October. Here we are almost in December and we still do not know what the implications of this year's budget are on Public Service numbers.

This is extraordinary. Not only is it extraordinary because it is a total disregard for the parliamentary and democratic processes, but obviously the government holds all public servants in contempt. Obviously, the government does not know what they are doing with the Public Service. I think this is part of the malaise that found voice so clearly in the Canberra by-election when so many Canberrans felt they had been treated with arrogance and contempt by this government—given that the Public Service is the main industry of the ACT, that the government does not know what they are doing with public servants and Public Service numbers inside the ACT show that the government has not learnt from the Canberra by-election.

This also raises the question of whether or not the minister is competent to continue in his portfolio. If the Minister for Finance can come up with these answers, or is indeed charged with coming up with these answers, how is it that the Minister Assisting the Prime Minister for Public Service Matters cannot? It is curious that the minister assisting said that only the departments could answer because of the devolved responsibilities. It may well have been easy for him to have asked all the other ministers to give him the answers and to put an answer to my question together, but obviously he was not up to it because PM&C has decided that the Minister for Finance should do that.

Given that PM&C is actually coordinating this and that the Minister for Finance will do it, the question is raised: when will this happen and how long will it take? We are almost five months into the new budget cycle and this government still does not know what it is doing with the Public Service, and it does not know what it is doing with Public Service numbers.

This is evident in a couple of other areas as well when you take into account things like the MPRA review of the Australian War Memorial, which went so badly for the government, and indeed when you take into account that new Public Service legislation was supposed to be before this House before the end of the year. I had a meeting with the Public Service Commissioner the other day

and he kindly told me that it would appear that the new Public Service legislation will be presented in this House at the earliest in possibly March next year. In fact, the Public Service Commissioner and some of the other departments are getting ready to present new legislation in July next year. It makes you wonder who is in charge of Public Service activities inside this government.

But it goes on. In the last 12 months we have seen the number of public servants axed under this government double. The government is quite capable of producing the figures for the number of public servants it has axed, but it does not know how many it is going to get rid of. It can do it for last year, but it cannot do it for this year. Does that mean we now have to wait until next year to find out what was done in this year? If you have any management experience, you would know that that is not a very competent or a very obliging way to run a business.

If the Minister for Finance is now working on the answer, and he is—one of the letters I got back stated that he is ‘currently seeking more information’—where will this answer come from and how is it that the minister assisting could not do this? It seems curious that one of the most senior ministers in the government has been tasked with the fairly simple task of asking 21 departments how many public servants they are going to axe this year, if they are going to axe any, when the minister assisting could not do it.

What does his inability to answer these questions say about his entire management of the Public Service and, indeed, about the new Public Service Act? I think it is up to the minister to answer what he really does as the Minister Assisting the Prime Minister for Public Service Matters and whether he is doing anything at all.

At the same time, in this country we have the great problem of youth unemployment. Over the last few years, APS employment of young people under the age of 25 has dropped by 60 per cent. Again, that input of new individuals into the Public Service itself is not happening. Young people in the ACT are being denied an opportunity to get into the Public Service.

We have a minister who does not know how many people he is in control of. We have a minister that allows things like the MPRA review of the War Memorial to go ahead without any apology when it is found to be faulty. And now we have a minister overseeing a Public Service that is denying positions to young people in my electorate and, indeed, all electorates around Australia.

The other thing that makes me worried about the administration of the Public Service and the things that are going on now is the number of departments that have been transferred out of Canberra and, in general, the decline in the numbers in the Public Service. If we look at the actual figures the budget papers contain, we see that the drop was about 1,700. I fully expected to get that back as an answer, but obviously that is not the right answer.

What this now does is throw into doubt the whole validity of the budget papers. The budget papers and the ASL are how the government works out its expenditure on public servants. Given that there is one figure in the budget papers that the government is obviously not willing to back up, what are the true figures and what are the implications for Public Service expenditure?

The government have placed a lot of credibility on the question of this year’s budget but if they cannot answer how many public servants they expect to employ this year, then any figures that they have put forward in relation to expenditure on wages must also be very rubbery. I put it to you, Mr Deputy Speaker, that this throws this year’s budget into further doubt.

Canberra is the national capital and it is right that there are Public Service functions here. Given that about 48 per cent of the employment in this city is provided by the Public Service, these are important questions to all Canberrans. Indeed, the government’s policy, how the government administers this country and how the government spends taxpayers’ money are important questions to all Australians. If the government are appropriating money and putting money towards public servants that they do not even know whether they have, then you have to call into

question the administration of the Australian Public Service by this government; you have to call into question the administration of the Australian Public Service by the current minister and you have to call into question how accurate the budget figures are in relation to public servants and Public Service expenditure. (*Time expired*)

Aircraft Noise

Mr HAVILAND (Macarthur) (4.40 p.m.)— My grievance today is about a subject that is debated quite a lot in this place: aircraft noise around airports. Earlier today I presented a petition to the Bills and Papers Office obtaining 1,221 signatures. The petition reads:

"The humble petition of certain citizens of Australia respectfully sheweth:

That we oppose the construction of **Sydney West Airport at Badgerys Creek** by the Federal Government, without a new and comprehensive Environmental Impact Statement (EIS) being completed.

The previous EIS was done over ten years ago, and did not take account of the rapid growth in our area or the inadequacy of aircraft noise prediction techniques. The noise problems experienced at Kingsford Smith Airport will be worse in our area as Sydney West will operate twenty four hours a day over now quiet semi-rural and residential areas.

Your petitioners therefore humbly pray that you will not allow construction of Sydney West Airport at Badgerys Creek until a new and comprehensive Environmental Impact Statement (EIS) has been completed.

And your petitioners, as in duty bound, will ever pray."

As I said, the petition has 1,221 signatures, and I understand there are many more on the way. The petition reflects the deep concern amongst residents in my electorate and neighbouring electorates about the likely effect of the construction and operation of Sydney West airport. This concern has obviously increased dramatically since the opening of the third runway at Sydney airport in November last year and the resulting noise problem in the inner city.

The publicity surrounding the chaos caused by the new runway at Mascot could not have been missed by residents in my electorate, particularly as it has become fashionable for inner city politicians to say that the answer to

the noise problems in Sydney is to fast-track Badgerys Creek airport. There is no doubt that Sydney badly needs a second international airport and has done for many years. But it is not good enough for inner city politicians, would-be politicians and single issue parties to simply presume that they can fix their noise problem by moving the noise out west.

It has become quite clear from this petition and from the hundreds of letters and phone calls I have received in my electorate office that residents in my electorate will not cop aircraft noise being transferred out there and will certainly not cop anything like the level of noise now being experienced in places like Marrickville and Sydenham. Indeed, I regularly receive phone calls and letters from all over my electorate from places like Theresa Park, Thirlmere, Tahmoor, Bradbury, Narellan, Camden and Warragamba. These people do not want this airport because in many cases they moved away from inner Sydney to get away from aircraft noise and pollution.

I even get many calls from people in the Thirlmere area complaining about current aircraft noise associated with the changed flight paths to Mascot airport. At first I found this unbelievable, but I have noticed when flying from Canberra to Sydney that the planes are flying a different route than they used to—we know that—and in many cases are flying much lower than previously. So you can understand the concerns people have about the likely noise impact of Badgerys Creek airport.

The Minister for Transport (Mr Brereton) has said many times that in the construction of Sydney West airport we do not want to repeat the mistakes of Kingsford Smith airport. One of the first mistakes which should not be repeated is to proceed with construction of the airport at Badgerys Creek without a comprehensive, up-to-date EIS, particularly examining the questions of noise, air and water pollution. The government has already announced a study to update some aspects of the previous EIS, which was done in 1985. Whether this will satisfy the concerns of residents remains to be seen.

While it can be argued that you don't need to completely repeat the 1985 study, which included geological and other details which would not require updating, the request contained in the petition for a new and comprehensive EIS is nevertheless valid. As the petition points out, the 1985 EIS did not take account of the rapid housing development and population growth in the surrounding areas. Due to the policies of the previous Liberal state government, there has been considerable urban expansion in the surrounding areas since 1988. These include housing estates at Cecil Park and Silverdale in my electorate. The previous state government had also planned a huge housing development at South Creek, but this has not proceeded. There has also been rapid growth around Narellan, Mount Annan, Currans Hill and to the south of Campbelltown.

The Macarthur region is the fastest growing area in New South Wales. People throughout the electorate of Macarthur, as well as those in the adjoining electorates of Werriwa and Prospect, are expressing concern about where the flight paths from Badgerys Creek might go. It is not a simple matter of transferring the aircraft noise out west to overcome the problems in the inner city. One of the issues for Macarthur, which includes rural and semi-rural areas, is that there is much less background noise than there is in the inner suburbs of Sydney, so the impact of any aircraft noise will be much greater on residents in these areas than otherwise would be the case.

All governments make mistakes and if governments remain in office for a long period they are bound to make mistakes. I believe one of the greatest mistakes made by this government was in 1989 when it decided to build the third runway at Mascot rather than getting on with building a second airport. Having nominated Badgerys Creek as the site for the second airport in 1985, and having completed an EIS at that time, the government should have got on with the job of building the airport then.

Like most Labor politicians at federal, state and local government level in Sydney, I opposed the third runway at Mascot. Interestingly, the coalition supported it. As we have

seen in this House in recent weeks, we now have the Leader of the Opposition (Mr Howard) and the former Premier, now Liberal candidate for Macarthur, John Fahey, playing opportunist politics with the issue of airports and aircraft noise, despite their well-recorded previous positions on this issue. Clearly, one of the problems with the third runway and the resultant noise chaos is that the EIS process was less than satisfactory. Let us ensure that this mistake is not repeated at Sydney West airport.

Shortly, the draft flight paths for Sydney West will become known. This will hopefully clarify the situation for many residents who will find that they may not be affected at all by aircraft noise from the new airport. It will also reduce the scope for scaremongering by the opposition over aircraft noise. Nevertheless, I urge the government to at the very least conduct a comprehensive review of the 1985 EIS in all relevant aspects, such as aircraft noise, noise pollution, air pollution and water pollution, and to do that before construction of the airport commences.

In recent times a bill to privatisate airports has been blocked in the Senate and this is likely to hold up the construction of Badgerys Creek airport. This is unfortunate. It had been the government's plan, supported I understand by all sides of the House, to build the airport by the year 2000. Hopefully, that will still be possible, but it should not go ahead without an updated environmental impact statement which will look at various aspects such as noise. Otherwise the people of south-west Sydney and people in my electorate will not be satisfied that they should have to put up with a new airport, especially given the horrendous outcome of the third runway and the noise that people are coping in Sydney. As bad as that is, it is not satisfactory to transfer the noise to the western suburbs—any more than it is satisfactory to do what the Leader of the Opposition suggested: that is, share the noise around.

This is a very important issue which must be clarified and determined as quickly as possible. This is an area where a lot of young people buy their first home. They move there to get away from Sydney—to get away from

the city life, aircraft noise and other things. It is very important that the matter is clarified very soon. I look forward to seeing the draft flight paths at the earliest opportunity.

Banking

Mr BRAITHWAITE (Dawson) (4.50 p.m.)—I bring to the attention of the House what a member referred to the ‘ugly Australian’ last Wednesday. The member for Deakin (Mr Aldred), from a separate and independent source, came to the same conclusion as I did—that Westpac is abusing its banking licence and the legal system to prevent its becoming accountable for all its deficiencies revealed in what is known as the Westpac or French letters. My concern goes to the inquiry by the then House of Representatives finance and public administration committee into banking and deregulation. Its first report *A pocketful of change* was tabled in the House of Representatives in November 1991 and its follow-up *Checking the changes* in October 1992. The member for Fairfax (Mr Somlyay) and I are the only remaining members of that original committee still on the current banking, finance and public administration committee.

The crux of the first report that I can recall is that some of the major banks, under their deregulated role, went deeply into foreign currency loans on behalf of clients and never had the experience or the staff to properly market and service the product. Westpac’s whole litany of inexperience and then deceit was offered up by the bank’s Mr Stuart Fowler in a series of letters between the bank and its lawyers, Allen Allen and Hemsley. It is on the public record that on 7 March 1991 these letters were tabled at the inquiry. The committee indicated that it would thoroughly examine the issues raised in the letters as well as the more general matter of foreign currency loans. In fact, this became a prominent part of that inquiry.

The then Senator McLean provided a mass of evidence to the committee in connection with not only these but also many other matters with other banks where he maintained the banks were abusing their banking licences. The then Senator McLean called on the committee to recommend a royal commission

into these abuses by the banks. Unfortunately, as I now view subsequent and current tactics, especially by Westpac, we made the wrong decision in not insisting on a judicial inquiry or a royal commission at that time. Our only recommendation on the Westpac letters was recommendation 61:

The Attorney-General refer the so called Westpac Letters to the National Crime Authority for investigation as to whether any criminal wrong doings arise from the management of foreign exchange contracts by Partnership Pacific Limited.

While I understand that the letters were referred to the National Crime Authority, no action was taken. These papers were not tested. The most self-incriminatory piece of evidence given to the inquiry was not investigated and the only reason I have been given is that the NCA had insufficient resources and funds. No wonder so many people hurt, not only by Westpac but also by other banks, have lost faith in our parliamentary system, our committees and this report. I believe and now recommend that the government should set up a royal commission or a judicial inquiry to inquire into the Westpac letters and other related matters.

I now turn to a related matter which required litigation by former clients of the banks. The committee heard evidence about the cost of the settlement of cases and dispute resolution. It was obvious from evidence that banks could force former clients to insolvency in legal and court costs before the matter could be properly judged by a court. This surplus of funds by the banks to engage top lawyers and expend large amounts—all tax deductible—was in contrast to the financial resources to respond with adequate funds, not tax deductible, for legal expenses by the client. This led to recommendation 60:

... that an independent mediator (or mediators), funded by the banks, but acceptable to both banks and foreign currency borrowers be appointed to mediate in foreign currency loans cases that remain in dispute. Mediation is not compulsory, banks will pay for their own mediators or for a general mediator based on usage. The determinations of the mediator will not be binding on either party. Banks should endeavour, to the extent possible, to advise all foreign currency loan borrowers of the mediatory mechanism.

Some banks have engaged in meaningful dispute resolution. Westpac has not. The member for Deakin gave a detailed summary of one such case. I have evidence of another. This case ended in Westpac bankrupting Heather and John Donkin after unsuccessfully endeavouring to have that done by the Taxation Office on its behalf and then having to do it itself to ensure that a bankrupt could not continue a case against it. In fact, the solicitors for AGC Advances Ltd—Messrs Clayton Utz—followed this decision up with the official receiver in Brisbane requesting the trustee to elect whether or not he wished to continue with court action and, further, to undertake not to assign interest to Mr Donkin or any other person in that case. This is typical of the intimidatory actions that this bank is capable of producing. The effect on the Donkins of this and the letters in the Drambo, or Porters, case was to dissuade some of those who were representing the Donkins to cease their services under the threat that costs in the eventual pursuance of the case would be sought against the representatives in the event the bank won the court action.

Other matters, post the banking inquiry, not mentioned or investigated to any extent are now coming to light in other court cases and those settled on the court steps, such as *Stringer v. ANZ* in South Australia. These additional points include: the extent of point taking by the banks at the expense of the client—in Drambo's case, I understand this part of the claim is for \$3 million or \$4 million; whether in fact the client actually borrowed foreign currency or whether the bank did itself and, upon bringing the proceeds onshore, then lent to the client but charged the client for the exchange losses and took the profit of point making for itself; and the fact that withholding tax should have never been deducted from clients' funds, as found in subsequent cases.

Thankfully, I can report that AGC Advances intentions have apparently been thwarted by a letter I received from the Minister for Justice (Mr Kerr), which states:

I refer to your letter of 9 October 1995 to the Attorney-General in which you made representations on behalf of your constituents, Mr C J and

Mrs H K Donkin, both of whom are bankrupt, in relation to their proposed High Court action against AGC Advances Ltd.

As you know, on the bankruptcy of Mr Donkin, his right to conduct the action vested in the trustee of his estate (the Official Trustee). I note that, under subsection 60(2) of the *Bankruptcy Act 1966*, the Official Receiver . . . has elected not to continue the action.

However, I understand that, so as not to frustrate the Donkins' action, the Official Receiver proposes assigning the rights in it to Mr Donkin. The assignment would allow Mr Donkin to continue the action, notwithstanding that he is bankrupt.

The problem still remains for the Donkins, having already expended thousands of dollars in legal representation, now being bankrupted and now in view of the more recent Westpac letters threats of Feez Ruthoning: where do they go? Particularly when negligence has been found against AGC Advances in the court decision.

In the interests of justice, legal aid should be given to provide competent representation to Donkins, Potts, Porters and others. There is a need for the Treasurer (Mr Willis) to follow through on a notice of motion that I have initiated for debate in this House, which stands on today's *Notice Paper* at No. 11, where I am suggesting that legal expenses be non-tax deductible to banks, particularly in these cases, so there can be some equality and justice.

I have followed the case of the Donkins since it came to my notice after the inquiry. I have corresponded with the law section of the bank to argue the case and have received no satisfaction whatsoever. What can you argue against a bank's representative who says, 'We have spent over \$1 million on the particular Donkins' case and don't intend to lose it now,' even to the point of prosecution into bankruptcy, which was their answer?

I have no doubt that the law section of Westpac act in isolation from the rest of the bank whose only instruction is, apparently, to ensure that the Westpac letters are put to rest permanently and to ensure the statute of limitations works in the bank's favour, which it currently is doing.

My final observation on this whole matter is that neither the government nor the Reserve

Bank is prepared to uphold its own legislation and regulations. In the Banking Act 1959 under 'Interpretation', 'prudential matters', in relation to the bank, means, amongst other things:

- (i) to keep itself in a sound financial position; and
 - (ii) not to cause or promote instability in the Australian financial system; and
- (b) with integrity, prudence and professional skill; The Westpac letters are evidence, as is an examination of the cases of Donkins and Potts. The recent letters of Feez Ruthoning prove that banks have no integrity in this regard, no prudence, and had no professional skill when foreign currency loans were first marketed.

I have placed questions on notice to the Reserve Bank to determine whether such Westpac practices should mean a review of the licence under which that bank operates with impunity from the law. In a recent letter to the Treasurer for intervention in the Donkins' case, I received an answer from the Assistant Treasurer (Mr Gear) who said that he had no right of intervention because of the separation of powers. I believe the Assistant Treasurer is wrong. It is a matter for him, the Treasurer and the Reserve Bank to conduct a thorough examination of the bank's conduct that should affect the conduct of its licence.

I believe that there should be a royal commission or a judicial inquiry into the Westpac letters; legal aid should be made available to litigants in the cases I have mentioned; consideration should be given to ensure that the bank's litigation expenses are not tax deductible; and a review should be undertaken of all banking licences on the basis of the prudential requirements of the act. (*Time expired*)

Coalition Policies

Hunter Electorate

Mr FITZGIBBON (Hunter) (5.00 p.m.)—It has been an interesting few days. The ACCI chief, Ian Spicer, is to quit. The Leader of the Opposition, the member for Bennelong (Mr Howard), has repudiated deeply-held beliefs. Joh Bjelke-Petersen Jr has won National Party pre-selection for the federal election. The member for Bennelong renounced beliefs that

have been close to his heart all his life. The Irish legalised divorce. And the Leader of the Opposition discarded his beliefs and emerged a new man deeply in love with pensioners, workers and other welfare recipients.

To add to the interests of the week, the Liberals have gone into the trucking business. The Liberal's trucking tours let people know that things may not be all that good now—but things are a lot better than they were when the now Leader of the Opposition was in office and unemployment, interest rates and inflation were rampant.

Saturday's *Sydney Morning Herald* was a scream. On page 40, the Leader of the Opposition says that a coalition—in the unlikely event of them gaining government—would require Telstra to speed up its national upgrade of telephone exchanges over the next few years. However, on the previous page, his deputy lists 13 points in the coalition's economic policy. Point number 10 says, 'Sell off Telstra.'

Maybe the Deputy Leader of the Opposition (Mr Costello), a proud protege of John Stone, should have closer dialogue with his boss. The Deputy Leader of the Opposition makes a number of admissions in the *Sydney Morning Herald*. He says he believes that modesty is a virtue, and confesses that he is not a big spender.

Yet the opposition is going around talking to interest groups, or should I say self-interest groups, and is giving a wink and a nod to every group to whom they speak, but will not spell out where the money is coming from to fund the sweeteners that they are offering. No wonder the top end of town is pleased and no wonder the pensioners and welfare recipients are terrified. Look out Medicare—smash! Look out child care—smash! Look out age care—smash! Look out equity and fairness. And look out workers. It is no wonder that Labor is surging back in the opinion polls.

However, enough of political debate. It is nearing Christmas, a time of peace and goodwill and I am sure people would not mind a change of pace. I know all members are most anxious to hear of the good things that are happening in the electorate of Hunter where the very best wines are produced,

where the people are the friendliest and where caring people cooperate to help their area prosper.

Besides mines, wines and people, the Hunter has dairy and beef cattle, wool, grains and horses. Let me tell you a story about horses. There are many splendid thoroughbred horse studs in Scone and throughout the remainder of the valley and these studs and horse racing are integral features of the Hunter Valley tourism industry.

The good people of Scone regard their beautiful town as the horse capital of Australia, but others would have disputed their right to that title until this year. That title will not be disputed after recent funding grants. Earlier this year the federal government granted \$5 million for a new TAFE college at Scone which will have subjects oriented to the horse breeding industry. Then the state government came along and funded \$6 million for a beautiful new racecourse in Scone. Then, last Friday, Minister Howe made a grant of \$3.185 million for an equine research centre, and that was all federally funded.

Members will understand that this is a development of regional, state, national and even international significance. The state government has also provided money for the building of 400 horse stables. The courses which will be put on the curriculum at the Scone TAFE will draw students from throughout Asia and throughout the world. This will be a massive boost for the whole Hunter Valley, and Australia will benefit greatly as a result.

Last Friday evening I went to a celebration dinner for the Johns brothers—Matthew and Andrew. The Johns brothers come from Cessnock, the town in which I live. Cessnock has produced three rugby league internationals: Frank Stanmore, Dave Parkinson and Don Schofield. Because my wife, Anne, had taught both Matthew and Andrew in kindergarten, she gave a great speech and told what they were like as young lads. But she made a dreadful mistake. With about 350 people there, she admitted, she confessed, she stated quite clearly, that she hated rugby league. She forgot to explain it was because she had to wash my dirty washing when I played and she

had to wash the dirty garments when her two sons, Mark and Joel, played. But it was a great night.

While on the topic of sport, I want to mention Kurri Kurri, which is only a couple of kilometres down the road from my place. This year, in the very strong Newcastle rugby league competition, Kurri won its third straight first grade premiership—three first grade premierships, year after year. It is a magnificent team and a magnificent achievement for a relatively small town such as Kurri Kurri. Not surprisingly, Kurri has produced more rugby league internationals than any other town in Australia—I think the number is 10 or 11—and, rightly, those people are so very proud of their rugby league prowess.

We do not only excel in rugby league in the Hunter. Steve Merrick, from the Singleton Rugby Club, represented Australia in this year's Bledisloe Cup. Singleton was premier in the very strong Newcastle competition. It won the premiership this year for the second year in a row. This year's win was more scintillating than last year's because Singleton went through the competition undefeated. This year the small town of Weston won the first, reserve and under-21 years premierships in the Northern New South Wales state soccer competition. Weston is the first ever club to achieve this feat. These are just a few of the sporting achievements within my electorate.

Further up the valley in small towns like Quirindi, Willow Tree, Murrurundi, Muswellbrook, Merriwa, Denman and Sandy Hollow the young people are right into their sport. What better way in which to engage themselves than to engage in sports of all kinds. Every sport imaginable is played in the Hunter. Every week I enjoy picking up the paper and reading of some outstanding achievement by some youngster in primary school or secondary school, or by some other young person who is excelling. Last Saturday, I officially opened the swimming season at the Kurri Kurri swimming pool.

Mr Reid—A very important sport, too.

Mr FITZGIBBON—It is a very important sport. I must congratulate Kurri for its wonderful efforts over the years in training and presenting so many champions. In netball,

cricket and tennis, the Hunter is a great nursery for sporting stars.

I mentioned Singleton a while ago. The Singleton council, in cooperation with community groups, with all the fervour imaginable is pursuing funds so that they can establish a 50-metre pool—not a 25-metre heated pool, which we are fortunate enough to have here in Parliament House. If you are going to become a champion in swimming, you must have the opportunity to train in a 50-metre pool. (*Time expired*)

Small Business

Mr REID (Bendigo) (5.10 p.m.)—I wish to grieve for the more than 860,000 small businesses in Australia, particularly those in the rural and regional areas, for the treatment they have received at the hands of the Keating federal government. A recent Yellow Pages small business survey reveals that the Keating federal government's policies are working against their best interests. The *Small business index* is the largest economic survey of small business in Australia and focuses specifically on businesses employing 19 people or fewer.

Interviewing for this survey was conducted over the period from 24 October to 7 November 1995, so it is current. The index used a panel of at least 1,200 randomly-selected small business proprietors, who were interviewed by telephone every three months. The panel, drawn from all metropolitan and non-metropolitan regions of Australia, tapped into non-metropolitan regions of Australia, which makes this quite unique.

The areas of activity tapped into cover manufacturing; building and construction; wholesale/retail; transport, storage; finance, property and business services; and recreation, personal and other services. One omission from that would be the farming sector. Small business and farmers go hand in hand. They operate as small business people. This survey involved 1,200 people in total. In the metropolitan area, 910 people were surveyed; in the non-metropolitan areas, 290 people were surveyed. That gives an indication of the breadth of this survey and its findings.

The attitudes in this survey to federal government policy are what makes this quite a remarkable and very active document. Reasons why proprietors of these businesses view the federal government as unsupportive were also canvassed in the November 1995 survey. According to the survey:

Lack of incentive is the number one concern—voiced by 24% of those who find Federal Government policies to be working against small business.

Taxation issues are also high on the agenda, with many complaining about too many taxes, too high taxes or specific taxes such as sales tax.

We all know how the Keating government has increased wholesale sales tax since it came back into government in 1993. The survey continues:

Bureaucracy and a limited understanding of small business needs also figure prominently, as does concern about IR policies or unfair dismissal legislation. Grouping similar responses, reveals the following hierarchy of concerns:

- . Taxes (33%)
- . Bureaucracy/red tape/paperwork (26%)
- . Lack of incentives (24%)
- . Lack of understanding/only concerned with big business (20%)
- . Industrial relations policies (18%)
- . Government charges (15%)
- . Superannuation (13%).

Is it any wonder that that attitude comes through from small business throughout Australia? The member for Pearce (Mrs Moylan), in debate on a matter of public importance, stated:

... the Prime Minister (Mr Keating) in all his arrogance—at the height of arrogance—declared to small business, 'This is as good as it gets. What are you complaining about? If you cannot make it in this climate, go out and get yourselves a PAYE job.'

Is it any wonder that the federal government is held in very scant regard by small business in Australia? It becomes even worse when the Leader of the Government in the Senate (Senator Gareth Evans), during the early part of November, said:

The best possible thing this government could do for small business is to create an economic environment in which small business can flourish—

I do not disagree with that—

a climate of sustained growth, which we are managing to do with 3% of a per cent growth this year; a low inflation environment; an interest rate environment that is extremely modest by any previous comparison . . . and activity because business is profitable at the moment.

How far out of touch can Senator Gareth Evans be? He says:

... business is profitable at the moment—

You have only to look at the Yellow Pages index and survey of 1,200 businesses throughout Australia to know that that is not correct. Senator Evans goes on to say:

Business confidence is high at the moment and consumer confidence is high.

If you talk to small business people, you will find that nothing could be further from the truth. Obviously, the people from Yellow Pages have been talking to small business people and have found that quite the reverse is the situation: small business people have absolutely no confidence in what the government is doing. In the survey, small business people were asked:

Thinking about the current Federal Government—do you believe that their current economic and other policies are supportive of small business, work against small business or have no real impact either way?

The overwhelming response was that the policies of the federal government worked against small business. Lack of incentives, high taxes, bureaucracy, lack of understanding, industrial relations policy, government charges and superannuation are just some of the issues that were mentioned, and mentioned very strongly.

I refer to page 13 of the Yellow Pages index, where the following question was asked:

What do you think is the number one national issue that the (Federal) elected government should address?

Unemployment rates as the highest, with 28 per cent. Small business people recognise—as do I—that they are one of the greatest creators of employment opportunities. They said that the greatest concern for the federal government or any future federal government would be to get on top of unemployment. On page 7 of today's *Financial Review*—Monday

27 November 1995—the Australian Chamber of Commerce and Industry said:

Business perceives the economy as more brittle than a year ago, with profitability slowing, according to the latest survey of its members by the Australian Chamber of Commerce and Industry.

But members of the Victorian Employers' Chamber of Commerce and Industry provide a more positive outlook in their survey, also released at the weekend.

Even more businesses—45 per cent—expect the Victorian economy to experience similarly improved growth during the next 12 months.

Trends in employment growth have also improved, according to the VECCI members, despite overall recent adverse job trends in Australia that have been more marked in Victoria.

Due to the strong coalition government in Victoria, things in that state are improving. But business in the rest of Australia perceive that the economy is more brittle than a year ago and that profitability is slowing.

It is a travesty that the federal government has created this situation for small business in Australia. It has certainly let small business down. When help was needed during the really tough period when interest rates were escalating, the Labor government failed small business. It failed the community. This is borne out by the massive swing away from the Keating government by the small business sector in Australia, which recognised that when it was in trouble no help was forthcoming from the federal government. (*Time expired*)

Higher Education

Mr LES SCOTT (Oxley) (5.20 p.m.)—This afternoon I would like to take the opportunity to speak a little bit about higher education places, particularly in Queensland. Having lived in Queensland all of my life, I know what it was like growing up in rather tough times under a National Party government—or Country Party government as they used to call it in Queensland in those days—where your chance of going on to tertiary education was almost nil. As a reasonably small boy, only two people that I can remember actually had the opportunity to go on to university educa-

tion from the struggling backgrounds that we were raised in.

It is no wonder that I myself and a lot of people of my generation have had going on to tertiary education as one of the primary objectives for our children. I think we can be very proud of the efforts of this particular government, and certainly it goes back to the Whitlam government as well. In my own family, I have seen my own sons take the opportunity and the advantage of that to study and to work hard to achieve things. But it has all been done through the assistance of a very concerned government.

It is no wonder that a lot of people in my Queensland electorate over the weekend spoke to me about their concerns over the Senate's rejection of certain aspects of the government's budget that relate to additional university places for Queensland. When the budget came down in May this year, I sent out a newsletter to my electorate. I will just read some of the relevant points that I made in that newsletter. This is what I said to the electorate on this occasion:

The 1995-96 Commonwealth Budget has provided added impetus to the push for a University Campus in Ipswich by providing \$2 million in 1997 to help with the cost of setting up the campus of the University of Queensland.

The Federal Budget proved to be very generous to Queensland in terms of education. Of an extra 5,850 additional higher education places nationwide being funded out of the Budget, 4,200 will go to Queensland. This is in addition to the 500 extra places set aside by the Government in last year's planning for the three year period of funding from 1996-98.

After many years of lobbying by the Queensland-based Federal Parliamentarians and the Queensland Government, a long-standing imbalance against Queensland in the area of higher education has been addressed in this Budget, which recognises the need for increased opportunities for young people in rapidly growing areas like Queensland.

425 extra places will be provided for the University of Queensland, with the majority of these expected to be set aside for the Ipswich campus.

I want to focus on the Ipswich campus issue. Ipswich is one of the largest provincial cities in Queensland. It is probably the only provincial city without a university campus, and that is a disgrace. It is a disgrace that previous

state governments have not had the commitment to establish a campus in a city the size of Ipswich. I know that my predecessor worked very hard for the campus as well but could not convince the then state government.

Fortunately, I have had the opportunity of being a member under a Labor state government which has worked very hard for this. I compliment the Minister for Education in Queensland, David Hamill, for his assistance in this as well. He, I and many others have worked extremely hard to get the acknowledgement of a campus to go into Ipswich. Sadly, I find out that the Senate rejecting the funding bills last week puts at risk this very aspect. It is a major concern to my local community.

Ms Crawford—Shame!

Mr LES SCOTT—I notice that the parliamentary secretary at the table, the member for Forde, Mary Crawford, also acknowledges that by her interjection of 'Shame!' It is a shame on the National-Liberals party opposition. They should be in opposition, and I am sure they will be after the next election. From the way they are carrying on here, you can see that they have no commitment to Queensland whatsoever. For many years the National Party government in Queensland was prepared to go along that same way.

I compliment the Commonwealth Minister for Employment, Education and Training (Mr Crean), who was prepared to acknowledge the need for more funding and places in Queensland. I mentioned before, in that article that I put out after the budget, the \$2 million that has been provided. However, since then another \$6.5 million has been allocated for that campus in Ipswich, which shows strong support by the government and its commitment to the establishment of that campus.

Last week, as soon as I heard about the Senate's rejection of the higher education bill, I put out a statement calling on the Queensland National and Liberal Party senators to cross the floor on this issue, because they ought to if they have any commitment to the state of Queensland whatever. I think we can prove that they have already shown that they do not have any commitment to Queensland. Perhaps the coalition members in this place should also come over and vote with us when

the legislation comes back for debate later in the week. I will certainly hop up and speak in support of it. It will affect not only the young people in my electorate but the young people right throughout Queensland.

All those young people out there today—I hope they are listening to this debate this afternoon—who are finishing year 12 this year have a lot of concern about this, because it is going to put at risk those places in Queensland. I can assure them, and I will take the risk of speaking on behalf of all my Labor colleagues, that we are very concerned for their welfare and are working strongly to do something about the matter. Just today, we have joined forces and put out a joint press statement. I congratulate my Labor Party colleagues from Queensland who were prepared to put their names to this joint news release, supporting the government in its push for more places in Queensland. That media release headed 'Coalition must reverse block of new uni places' states:

Queensland's Labor Senators and Members have demanded that the Federal Coalition reverse its decision to block funding for the State's 4,200 new university places.

The Labor MPs have warned they will hound Coalition MPs and candidates all the way to the ballot box and make sure every Queensland voter knows it was the Liberal and National parties that may have stopped Queensland from getting its fair share of university places.

I am certainly joining forces with my colleagues in pushing that line. I am a bit surprised that the Liberal and National Party members in my own electorate have not come out and shown their true colours on this. Or are their true colours hidden, like the federal coalition's policies are? Quite clearly, the city of Ipswich needs a university campus. It is something that we are all fighting for. I challenge all those Liberal and National Party members—if there are any left around Ipswich—to come out and show their true colours on this. If they have any decency about them at all, they should take on their own party on this issue. In this press statement, we have gone on to say that we have:

... urged all school-leavers, parents and teachers to phone—reverse charges—Liberal and National Party Senators and Members today demanding they

pass the Government's legislation which funds the additional places.

The Federal Labor Government will reintroduce the funding Bills into the Senate later this week to provide Queensland with the first round of 1750 new university places for next year.

If the Coalition blocks the funding again Queensland may miss out on some of the places.

This is the one issue where there should be complete bi-partisan support. Queensland and young Queenslanders are the beneficiaries.

They are the future of our nation, they are the future of our state, and they deserve better support. It continues:

Students who have put in years of hard work and study and are now awaiting their offers from universities are entitled to be outraged at the Coalition's cheap political stunts.

That is all it is. I would urge them all to call any Liberal senators and members they may know around the place. If they want to know who they are, they can certainly let my office know. I am sure that, if they let any other government members' offices know, my colleagues will also push very strongly to assist in highlighting just how hopeless these people are in the coalition, particularly in blocking this funding.

I call on the Australian Democrats and the Greens to also have a bit of concern for Queensland, particularly when it comes to ensuring that that funding legislation is passed by the Senate. If the Liberals and Nationals are not prepared to come around to it, I certainly hope that the Democrats and the Greens will. That will ensure that the legislation passes the Senate next time around.

It is a very crucial issue for the state of Queensland; it is a very crucial issue for the future education of our children. While I admit that I speak about it from a very selfish point of view looking at the education of my own children, I think that I reflect average Queenslanders in a lot of ways through the backgrounds that we have, particularly those who have children of tertiary age. I know that they will support very strongly the push that we are making. I thank the House for the opportunity to raise this issue today. I call on all Queenslanders to remind anyone in the coalition that they should back away from this

and support new university places for Queensland. (*Time expired*)

Mr DEPUTY SPEAKER (Mr Rocher)—Order! It being 5.30 p.m., in accordance with the resolution agreed to earlier, the debate is interrupted, and I put the question:

That grievances be noted.

Question resolved in the affirmative.

MAIN COMMITTEE

Mr DEPUTY SPEAKER (Mr Rocher)—I advise the House that the Deputy Speaker has fixed Tuesday, 28 November 1995, at 1 p.m., as the time for the next meeting of the Main Committee, unless an alternative day or hour is fixed.

MATTERS REFERRED TO MAIN COMMITTEE

Mr LEO McLEAY (Watson) (5.30 p.m.)—by leave—I move:

That:

(1) the following bills be referred to the Main Committee for consideration:

Transport and Legislation Amendment Bill (No. 3) 1995, and

Family Law Reform (Consequential Amendments) Bill 1995; and

(2) the following orders of the day, committee and delegation reports, be referred to the Main Committee for debate:

Transport, Communications and Infrastructure—Standing Committee—Final report on the efficiency of the interface between seaports and land transport—Motion to take note of paper: Resumption of debate;

Transport, Communications and Infrastructure—Standing Committee—Report on review of the Auditor-General's audit report: Is Australia ready to respond to a major oil spill?—Motion to take note of the paper: Resumption of debate;

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report—Australia's relations with Thailand—Motion to take note of paper: Resumption of debate;

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report on provision of academic studies and professional military education to officer cadets and officers of the Australian Defence Force—Motion to take note of paper: Resumption of debate;

Foreign Affairs, Defence and Trade—Joint Standing Committee—Report on lack of progress towards democracy in Myanmar—Motion to take note of paper: Resumption of debate;

There is one further matter that a member raised with me about a foreign affairs committee report. Tomorrow we may propose that that be referred. I hope to check with the member and my colleague in the opposition.

Question resolved in the affirmative.

TAXATION LAWS AMENDMENT (FBT COST OF COMPLIANCE) BILL 1995

Consideration of Senate Message

Consideration resumed from 23 November.

Senate's amendments—

No.1 - Schedule 1, page 3, item 1, after proposed section 37AA insert the following section:

Employee contributions to be excluded

"37AAA. For the purposes of this Division any reference to expenses or expenditure in relation to meal entertainment or meal entertainment benefits excludes any contribution from an employee or an associate of an employee that is not subject to reimbursement by the employer.".

No.2 - Schedule 1, page 9, item 6, proposed subsection 51AEA(1), after "If a" insert "meal entertainment fringe benefit arises for a taxpayer for an FBT year and the".

No.3 - Schedule 1, page 9, item 6, proposed subsection 51AEA(1), omit "for an FBT year", substitute "for the FBT year".

No.4 - Schedule 2, pages 11 to 18, omit the Schedule.

No.5 - Schedule 3, page 19, item 1, omit the item, substitute the following item:

"1. Paragraph 39A(a):

Add at the end:

'and (iii) the lowest fee charged by the operator of any such commercial parking station in the ordinary course of business to members of the public for all-day parking on the first business day of the FBT year is more than the car parking threshold;'."

No.6 - Schedule 3, page 19, after item (1) insert the following item:

"1A. Section 39A:

Add at the end:

'(2) For the purposes of this section:

- (a) the carparking threshold for the FBT year beginning on 1 April 1995 is \$5.00; and
 - (b) for later years the carparking threshold is the threshold for the previous FBT year as adjusted on the first business day of the later FBT year by a factor equivalent to the movement in the preceding twelve months in the All Groups Consumer Price Index number (being the weighted average of the 8 capital cities) published by the Australian Statistician.
- '(3) Subject to subsection (4), if at any time, whether before or after the commencement of this Act, the Australian Statistician has published or publishes an index

number in respect of a quarter in substitution for an index number previously published by the Australian Statistician in respect of that quarter, the publication of the later index number is to be disregarded for the purposes of this section.

'(4) If at any time, whether before or after the commencement of this section, the Australian Statistician has changed or changes the reference base for the Consumer Price Index, then, for the purposes of the application of this section after the change, regard is to be had only to the index numbers published in terms of the new reference base.'."

No.7 - Schedule 3, page 21, item 4, proposed subsection 39FA(4), formula, omit the formula, substitute the following formula:

Number of days in availability periods in relation to the space

"**Daily rate amount X** _____ X 228".

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No.8 - Schedule 3, page 23, item 4, proposed section 39FC, omit the section, substitute the following section:

Meaning of daily rate amount

"39FC. The *daily rate amount* for a space is the amount that would be worked out using whichever of the following methods that the taxpayer chooses:

- (a) the commercial parking station method;
- (b) the market value method;
- (c) the average cost method;

as the taxable value of the car parking fringe benefit for the space, if there were no recipients contribution."

No.9 - Schedule 4, page 44, item 2, proposed paragraph 58Z(1)(b), omit the paragraph, substitute the following paragraph:

- "(b) commences between 7.00 p.m. and 7.00 a.m.".

Mr SNOWDON (Northern Territory—Parliamentary Secretary to the Minister for the Environment, Sport and Territories and Parliamentary Secretary to the Minister for Employment, Education and Training) (5.33 p.m.)—I move:

That the amendments be agreed to.

The major amendment will remove schedule 2 of the bill which dealt with living away

from home benefits. The remaining amendments will ensure deductions for entertainment expenses are deductible only where there is a corresponding FBT liability; reduce meal entertainment fringe benefits by the amount of any contribution by employees; provide an extra option for calculating the amount of a car parking fringe benefit; index the \$5 limit used to determine whether there is a car parking fringe benefit; change the number of days in the statutory car parking formula from 240 to 228; and change the hours of FBT exempt taxi travel from 8 p.m. to 6 a.m. to 7 p.m. to 7 a.m.

Question resolved in the affirmative.

TAXATION LAWS AMENDMENT BILL (No. 3) 1995

Consideration of Senate Message

Consideration resumed from 23 November.

Senate's amendment—

Schedule 1, page 7, item 20, omit "ending", substitute "commencing".

Mr SNOWDON (Northern Territory—Parliamentary Secretary to the Minister for the Environment, Sport and Territories and Parliamentary Secretary to the Minister for

Employment, Education and Training) (5.34 p.m.)—I move:

That the amendment be agreed to.

The amendment made by the Senate will change the proposed commencement date of the amendments affecting controlled foreign companies. The proposal will now apply to statutory accounting periods of controlled foreign companies commencing after 30 June 1995.

Question resolved in the affirmative.

COMMITTEES

Corporations and Securities Committee

Reference

Mr STEPHEN SMITH (Perth)—by leave—I take this opportunity to briefly advise the House about the progress of the remaining current reference of the Joint Standing Committee on Corporations and Securities—the role of Australian investors in Australia's capital markets. The committee had initially intended to report on this reference during the current year. A substantial part of the inquiry, however, relates to corporate governance matters, both generally and as corporate governance relates to institutional investors. Given recent events in this area there are a number of important corporate governance matters still evolving. As a result, the committee has resolved not to report this year but to refer committee materials relating to the reference, including background material, written submissions and evidence to the joint committee established in the next parliament.

I also take the opportunity to advise the House that the committee recently resolved that the issue of corporate codes of conduct by Australian corporations operating in overseas countries, such as Papua New Guinea, is of sufficient importance for the committee secretariat to now commence background research. Background research will include: how Australian corporations operating overseas treat their employees in those countries; whether Australian corporations operating overseas adhere satisfactorily to internationally accepted standards of workplace safety and health; what practices

Australian corporations adopt for the protection of the environment and human rights; how Australian corporations and industry groups are approaching the developing need for codes; and the development of codes in other jurisdictions. The committee expects that the results of the research currently under way will assist the joint committee established in the next parliament.

I take this opportunity to thank the members of the Joint Committee on Corporations and Securities and the committee secretariat for the work done this year in the course of preparing five reports for presentation to the parliament.

Mr SINCLAIR (New England)—by leave—The opposition concurs in the recommendations of the Chairman of the Joint Committee on Corporations and Securities, the honourable member for Perth (Mr Stephen Smith), on both issues. The first issue concerns the proposed inquiry into institutional investors. It would seem that, given the circumstances surrounding developments in the Coles Myer company and also in the general field of developments in superannuation, the subject does require careful and deliberate consideration. The obvious challenges in proceeding into this issue make it inappropriate that the inquiry is pursued at this time. All members of the committee believe it appropriate, therefore, that the hearings into the institutional investors should be deferred. We would ask the incoming government to make a similar reference to the successor of this committee in the next parliament.

With respect to the matter of the behaviour of corporations in surrounding countries, there is a belief that it is appropriate—not just in the field of industrial laws but in corporate governance generally—that there are matters that need to be addressed. They are issues which enable the committee secretariat to collate information which can then be considered and, if necessary, reported on again—probably in the next parliament. For that reason the members of the coalition support the statement made by the chairman of the committee. We believe that both issues allow some proper and considered investigations in

the 34th parliament rather than in this parliament. I therefore support the statement made by the honourable member for Perth.

**Native Title and the Aboriginal and
Torres Strait Islander Land Fund
Committee**

Report

Mr QUICK (Franklin)—On behalf of the Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund I present the third report of the committee entitled *Committee exchange with New Zealand—August 1995*.

Ordered that the report be printed.

Mr QUICK—by leave—I appreciate this brief opportunity to speak on the report. Four members of the parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund visited New Zealand in August this year at the invitation of the Speaker of the New Zealand House of Representatives and as part of the committee exchange program between our two countries.

As 1995 is the Maori language year the Speaker, the Hon. Peter Tapsell, indicated that indigenous land rights would be an appropriate topic for an exchange by our committee when we visited New Zealand. The committee's report is a great little report on the committee's deliberations and its fact-finding tour of the North Island of New Zealand, and it is well worth reading.

The committee members spent a very busy 3½ days in the North Island almost totally immersed in all aspects of Maori culture. The visit provided us with an unprecedented opportunity to meet everybody involved in Maori affairs—be they responsible government ministers, parliamentary backbenchers, local Maori women in health centres, operators of Maori FM radio stations, the Maori Queen, young Maori activists or teachers in Maori immersion schools.

Not only were we rapidly brought up to speed with the historical background of Maori affairs but we were soon involved in the current and ongoing machinations revolving around Maori land claims resulting from the

New Zealand government's \$1 billion fiscal envelope offer—an offer that was made in an attempt to settle the whole issue of Maori land claims once and for all.

We were fortunate to spend the early part of the trip in the lands of the Waikato-Tainui tribe, who were finalising the details of a settlement with the government. The redress value of the settlement to the Tainui people is to the value of \$NZ170 million, with in excess of 29,000 acres of settlement land and an additional 8,000-odd acres of improved land being transferred together with some \$NZ60 million.

As well as seeing the practical side to the whole issue of land rights, we were fortunate to be taken through the gamut of New Zealand native title. The Treaty of Waitangi, the Maori Land Court, the Waitangi Tribunal, the Office of Treaty Settlements, the Maori Fisheries Act, the Maori Language Act and the Maori Affairs Committee were all explained to us in great detail as we were taken theoretically and practically through the development of land tenure in New Zealand since white settlement.

Comparisons between what was happening in our two countries were constantly made as we sought to elicit answers from each other in the expectation that we could all benefit from each other's experiences on this native title issue. These discussions proved to be very beneficial not only to our committee members but to the people we met and had discussions with in New Zealand.

To those people in New Zealand and Australia who are interested in the whole issue of native title, this slim but very valuable report makes very interesting reading—as I stated at the outset—as it details a very comprehensive outline of what is happening with native title in New Zealand. Finally, I would like to express my thanks to the committee members who accompanied me to New Zealand—especially Senator Chris Evans, the chair of the committee—and to the committee secretariat, especially Peter Grundy, for the assistance they provided to members and senators during the trip and later for compiling this wonderful report. I thank the House.

APPROPRIATION BILL (No. 3) 1995-96

Cognate bills:

APPROPRIATION BILL (No. 4) 1995-96**APPROPRIATION (PARLIAMENTARY DEPARTMENTS) BILL (No. 2) 1995-96****Second Reading**

Debate resumed from 22 November, on motion by Ms Crawford:

That the bill be now read a second time.

Mr O'CONNOR (Corio) (5.44 p.m.)—It gives me great pleasure to rise in the House and speak on the debate of these appropriation bills. The function of government is to raise revenue and appropriate it to competing purposes. That is what the process of politics is all about. Lobby groups, individuals and businesses come to Canberra to lobby members and the government for those particular allocations. All of those people make particular claims on the government.

Canberra is indeed the clearing house for those various demands and pressures within the political process. Recently we had a good example of this, with a delegation from Geelong visiting Canberra to lobby on behalf of the city and region of Geelong, which I represent in this parliament. That Geelong delegation consisted of Councillor Gerry Smith, the Mayor of the city of Geelong, the Secretary of the Trades Hall Council, John Kranz, and Cathy Roth, the President of the Geelong Chamber of Commerce, representing employers. They were accompanied by two officials, Michael Malouf and Neil Savery.

The delegation was very well received by senior ministers. I use this opportunity on the floor of the House to thank those ministers for their generosity in consenting to meet the delegation. The delegation was put together in a difficult period. We have recently come through some serious floods in Geelong. The officers were working around the clock dealing with matters relating to the floods and preparing the documentation for the delegation's visit, which had been arranged some time ahead of the floods. It was a magnificent effort. I pay tribute to the staff: Michael Malouf, the CEO of the city of greater Gee-

long, Neville McPherson, Neil Savery and Richard Walker and all those other people who contributed to the fine documentation that the city was able to present to senior ministers. The community owes them a debt of gratitude. I have had one minister request five copies of the presentation that we made to ministers. He wants to take it back to his own electorate and show his municipalities. That documentation was professionally done and the information was professionally presented to ministers by the delegation.

An important feature of the government's recent budgetary reallocations has been the funding of the Building Better Cities program. Recently the government allocated some \$247 million over a six-year period to this program, \$36 million for strategic studies and \$200 million to capital grants. Those capital grants can be made to fund infrastructure investment in the form of economic gateways or to finance urban growth centres and redevelopment in areas of high urban growth.

The program has been particularly beneficial to Geelong. As members would know, the Building Better Cities program is organised along area strategy lines. Geelong is situated in the south-west corridor of Victoria for the purposes of the Building Better Cities program. The aims of the strategy in that corridor are to support the growth of areas around Werribee in that corridor and to revitalise the central area of Geelong and its foreshore. There have been some major achievements of the Building Better Cities strategy in the south-west corridor. The completion of the Australian Food and Research Institute in Werribee and the completion of physical infrastructure works around the institute and the technology precinct have been important achievements. We have seen also the upgrading of the Melbourne-Werribee-Geelong railway line and the completion of the Norlane Estate urban redevelopment in Geelong.

Two projects that are under way and nearing completion are the Deakin wool stores refurbishment and the transport interchange on the Geelong foreshore. It is these two projects to which I would like to make specific reference here because they tie in very

neatly with the strategy of the Building Better Cities program to act as catalytic developments for further investment and developments in particular areas. As far as this area of Geelong is concerned, for many years the foreshore development along and around Corio Bay has been almost non-existent. The federal government, in concert with the previous Cain and Kirner governments, was determined that this area could be the focus for a growth strategy and a catalytic development on the Geelong foreshore area. It has indeed done that. The Deakin wool stores and the transport interchange areas have been the catalyst for further study and development of that foreshore area. The current state government in Victoria has allocated some \$20 million to foreshore development and the private developments in the area are anticipated over a number of years to be in excess of \$200 million. It all started from the Building Better Cities program funded by a Labor government and two strategically placed developments on the Geelong foreshore.

The benefits of these projects have been substantial in Geelong. We have seen the creation of employment in the building industry. Local firms have been involved in the construction of these projects. They have strengthened these enterprises in an economic sense and given them some expertise in handling larger projects. Furthermore, Geelong suppliers have benefited greatly from the purchases of local contractors who have been involved in the project. The overall benefit to the Geelong community has been the regeneration of this area of the foreshore.

This brings me to a rather sad element of this development, and that is the criticisms that have been levelled at it in the Better Cities program by the honourable member for Corangamite (Mr McArthur). He has attempted in press releases to the *Geelong Advertiser* and other media outlets to denigrate this program. He recently claimed in a press release that the Auditor-General ought to investigate the Building Better Cities program on the basis that the funding went to Labor electorates. In the Geelong region it would be a little tough for me to locate the Geelong transport interchange over the other side of

the Barwon River in his electorate or to transfer the Deakin wool stores building over the other side of the Barwon River so we could even up the score as far as the Building Better Cities program and the funding in particular electorates were concerned.

The Building Better Cities program has been of great benefit to the workers of Geelong and to the Geelong economy. I am disappointed by the criticisms of the program that have been levelled by the honourable member for Corangamite. He needs to take himself down to those building sites and talk to the building workers whose families have benefited from the employment that the breadwinner has had on those sites and to the people of Geelong about the great benefits that have flowed from this catalytic development on the foreshore. In excess of \$250 million, if we can get the foreshore projects up and running, will have flowed from a strategic Commonwealth investment in this area.

As a result of the Geelong delegation to which I referred who were recently here in Canberra and who lobbied the federal government for several projects for funding under the Building Better Cities mark 2 program, several projects have been tabled with the government. I hope that ministers give them serious consideration. We have tabled projects for funding: a geographical information system, the refurbishment of the Eastern Gardens, the Boulevard restoration project, the Whittington link project and the Corio Bay foreshore management project. All those are worth while and can stand on their own two feet as far as evaluation is concerned under the programs that are already in place. The base studies have already been done. These are not projects for funding that the city of greater Geelong or the community has dreamed up. They are concrete and real, based on some excellent studies that have been done on this area in Geelong.

I wholeheartedly support the Building Better Cities 2 program and the funding that has been made available for economic gateways and the refurbishment and regeneration of urban areas in major cities. It is a program that has delivered real and lasting benefits to

local communities. It has acted as a stimulus for a far greater amount of public and private infrastructure investment in particular areas. It has been a strong generator of employment and a program of great community benefit. I commend the program to the House.

Mr BRAITHWAITE (Dawson) (5.55 p.m.)—I rise on these appropriation bills to cover a few matters. As I do so, I am aware of the fact that these are probably the last appropriation bills I will be speaking on. Back in 1976 I made my maiden speech when I seconded the address-in-reply on the appropriation bills. I commented then on the parliamentary behaviour in the House in 1975 during the events leading up to 11 November and said that the Australian people were absolutely sick and tired of the manner in which their elected representatives confronted issues and did not really apply themselves to the governing of the nation.

I can only say that my 20 years in this parliament have been singularly ineffective as far as modifying that behaviour is concerned. I go back to that time and look at the respect in which parliamentarians were then held. People recognised that the office of a politician had something special about it. They believed politicians. Promises were made, and they were kept.

Now, in 1995, what has been lost is not only that respect but also the truth. I often think that the notice of motion that the member for Parkes (Mr Cobb) put forward about truth in political advertising comes to the real nub of the difference between then and now. In spite of a whole raft of legislation that we have enacted to make elections fairer and politicians more accountable, it has been necessary to put forward that notice of motion. The remarkable thing is that nothing has been done as a result of it. In other words, there is a lesser standard for a politician in relation to truth in marketing a product than there is for companies and enterprises outside.

It is a travesty of justice that has culminated in the most recent suggestion by the Minister for Human Services and Health (Dr Lawrence) that all politicians lie, so why is she being attacked just because she has been found out? Her defence in connection with

the Western Australian case is a reflection on the whole lot of us and really pulls every politician in this country down to her level.

It is a great pity that this is so 20 years down the track, even though we have seen freedom of information being used so the public and the media can see what we are doing and why we are being paid. We have a register of interests, particularly in the House of Representatives. We have had new electoral acts that are meant to free up the system. We also have more exposure to the media so that politicians' private lives are part and parcel of the daily fight in this place. I am not saying that their private lives should not be exposed, but I am saying that one person being exposed on one item makes the weight of public opinion collapse on all politicians.

As a politician representing an area of some 60,000 square kilometres, I think that one vote, one value deprives a voter, a constituent, in country and huge electorates such as Kalgoorlie, Grey, Dawson or Kennedy. Politicians are not the ones being denied because their time and services are available to the extent they can give them in 24 hours. But constituents well out of the mainstream, not in a major community or town, have to use a telephone to communicate. That means time and cost, as does sending a letter, which also means delays. They have to wait until they can come face to face with their politician or they have to travel to communicate with a Commonwealth department centred in Townsville, Brisbane or Sydney. There is open access to constituents who live in those areas but outback people are denied justice.

One vote, one value is a false philosophy. It does not matter how much is given to members by way of additional resources, they cannot cope as well as those in the cities. In comparison with my 60,000 square kilometres, an electorate in Brisbane or Sydney could be as small as 10—a distance you could spit across and one you would never be out of over 12 months while representing people.

I have been singularly unsuccessful in having parliamentary behaviour improved in

this House. In fact, we are going into an era where people do not trust their politicians; they do not expect them to tell the truth; and, as a result, there is a huge disenchantment out there such that only a compulsory vote at an election can bring them to the barriers to cast a vote.

I will also talk about the taxation act. As a practising accountant at the time I came to this place, I was devastated to realise that the tax act was contained in two volumes and was quite thick. I believe that you need simplicity in taxation if you are going to expect the constituents, the taxpayers, to pay their fair amount. We have seen in this House that at the last budget that tax act grew to four or five times the size it had been. It is no clearer; it is quite complex and it defies the efforts of a general practitioner in tax law to define every aspect of it.

The government has failed to recognise that it does not matter how simple a law might be if it is made to appear complex. I will just talk about the fringe benefits tax act. We have copied New Zealand in this respect. Their legislation is one-third the size of ours. The simple reason is that the fringe benefits tax that applies in Australia is not exactly a fringe benefits tax; it is being used to tax other items along the way, at the businessman's expense.

I often wonder how business people operate today, with a supposed knowledge of not only tax law but all the other complications and regulations imposed by state, local and federal governments. How can they find their way in this mire? My heart really goes out to those people who are trying to make a living. They are not succeeding in doing so because of the complexity of the tax act and all the other regulations we find in front of us. I was interested to read in the letters to the editor in the *Australian* this morning that, when everybody is talking about equal pay for equal work, a small business person who starts at five in the morning and ends at 11 at night wants to know when they are going to be paid a fair amount for equal work, as applies with the unions.

The myth about Weipa is that the argument is not about equal pay for equal work be-

cause, as I understand it, those people on contracts are multiskilled—they work in various jobs—and they work extra time. Their reward is the bonus arrangements they have made. As I understand it, people on the award do not work the same hours or under the same conditions. There is a need to free up not only the tax act but also the industrial relations system.

One final comment in connection with taxation is that I do have a notice of motion, No. 11, on the *Notice Paper* at the moment. It is very important. It refers to tax deductibility of legal expenses. I have found a problem within my constituency and within the Australian public as a whole that banks, large insurance institutions and insurance companies, knowing that they can get tax deductibility for their litigation expenses, use that advantage mercilessly on a litigant who has not the same fund of money and who cannot claim expenses as a tax deduction. As a result, there is an unequal battle in the courts. You can almost buy your form of justice by the amount of tax deductibility you can derive from it.

I believe there should be a correction in those cases where there is an abuse of the system and where ordinary taxpayers are paying for the privilege of large financial institutions being able to blast taxpayers out of the courts, sometimes driving them into bankruptcy. I believe something should be done about it.

Another interest of mine affects every representative in this parliament at some time or another during a year. Every so often, a major contractor will go broke and, at the same time, leave a raft of subcontractors, builders suppliers and employers of workers unable to collect on that debt. It has no preference under the Bankruptcy Act. In fact, it gets worse than that. If a subcontractor or material supplier for a major contractor gets a payment within six months of the bankruptcy, they are forced to class that as a preferred payment and pay it back.

In the last 12 months, this has happened in Mackay on two occasions. One was an entirely private arrangement, where the subcontractors missed out. A comparison of the employ-

ment record of small business and big business shows that the fallout is tremendous as far as unemployment is concerned. It brought to my mind once again the problems that exist. If the building industry drops dramatically after a period of prosperity or a boom, within two or three months you can expect to see a whole category of bankruptcies and liquidations where only the local people suffer.

I think the other example is more important. A person was contracting for Q-Build, which is a state department. The client was a state department with money in hand. Obviously they did not have protection and they did not care to exercise it. When they paid the contractor, the subbies should also have been paid. As a result, once the contract was finished, the contractor had liabilities of \$327,000, for which he had assets of about \$20,000. As a result, all those subcontractors and suppliers of material and services also had to go to the wall. Despite this happening recently, I remember three years ago writing to the same minister in connection with the same department asking what protections he had put in place. He gave me a whole raft of assurances, but nothing came of it to the extent that it is still happening.

The good news in this regard is that this year the Joint Committee on Public Works undertook to have every contract involving any Commonwealth department as a client state that subcontractors be paid a progress payment and that, unless there is evidence to that effect, no payment be made to the contractor. I am happy to say that I was given an assurance that that happens not only with contracts of \$6 million or more that the Joint Public Works Committee examines but also with every other contract that the Commonwealth enters into. If that is the record, payments may be slow. If payments are made, that is great. But that has not been happening with the states.

We undertook as a Public Works Committee to talk to the state public works committees about this matter. It would probably be of no surprise to the members here to realise that even the client, being the state, in a preferred position did not insist on those

subcontractual arrangements. We also found that only one state has legislation of any type that gives some protection, and that is Queensland. It was found that, in its own way, that legislation could be manoeuvred around and made ineffectual.

Following our visits to the state public works committees, I undertook as a matter of urgency—there is a notice of motion on the *Notice Paper* at this stage—to see whether the Commonwealth could do more. I have sought in this legislation to try to get a preference for payments to subcontractors in the case of a liquidation or bankruptcy.

I am also heartened by the response of one organisation in Australia that seems to have its feet on the ground as far as this is concerned. Bisco, which is in New South Wales, has set out to supply a formula that not only secures payments to the contractor and eventually the subcontractor but also, before the contract is put into place, provides security for payment which involves the client, the financier and the builder. There is an insistence that that money is in place so that a bankruptcy will not occur because of a lack of funds. It also insists that the subcontractors are looked at in detail so that they can be paid from the funds out of progress payments.

These people go further than just look at the normal argument of a subcontractor beefing against a contractor or a construction person. They have looked at security for payment across the board. The architect, the supplier of material, the subcontractor and the service provider all get a say. The security of payment which flows from that says that the contractor must, on payment, pay the subcontractors.

Dispute resolution is very much a part of it, because at this stage dispute resolution is an absolute myth. It can go on for years and years. A particular report in New South Wales proved the fact that building costs in Australia are at least two per cent more than they should be because of the bad debt factor, and almost another one per cent more because of slow payment by contractors to the subbies. If it can be put in place, this would be a marvellous way of doing something for small business in Australia. Nothing exemplifies

more the small business character in Australia than all those service subbies and contractors across Australia.

It came to my attention recently that an organisation in Queensland is almost hiding itself behind the name of a Commonwealth or state department. It is writing to subcontractors and contractors to say that if they register their name with the organisation for a fee of \$175 it will place them on a preferment list for state and Commonwealth contracts. You would think it was a state or Commonwealth department imposing yet another fee. It is a private organisation rendering an account for \$175 by saying that registration is obligatory. There is no obligation. I believe that we should see it for what it is. It is a rort. I have written to the Attorney-General in Queensland in that regard.

I will mention quickly the republic debate. Those who with anti-British prejudice argue the case for a republic are doing the cause no good. Until we clear the decks of the old myths—that we do not want to be under the control of Britain any longer, that Britain has exploited us and the whole raft of arguments—we will not have a rational debate in this country.

I was sitting beside someone on an aircraft this week. While I was not persuaded to his view, he said that until we get this Irish, anti-British bigotry out of the argument we will not go anywhere with this debate. Those people who argue against the divorce of Australia from Britain must realise that divorce has taken place over a number of years. It is now complete. If anybody now has an argument about British involvement in their affairs, it is the European Union. There has been a complete transfer in Britain's preferences and influence from the Commonwealth to the European Community. People who argue that should then respond by giving me an argument why we should transfer our allegiances—if that is what they are—from Britain to the United Nations.

I know that over the last four or five weeks we have had in this House a debate about how the United Nations is now controlling the future of Australia and the manner in which we do things. It was necessary for the govern-

ment to bring in legislation to protect itself against a treaty of the United Nations about the protection of the child. The government had to react against a UN treaty in order to implement its own sovereignty. It is happening in many other ways. If we have a problem in this country, irrespective of whether we are a republic or a monarchy, how we deal with that problem depends on the manner in which we are beholden as a sovereign country to the United Nations. It is only in the last 12 months that the Republicans in the US have said that they want to claw back that sovereignty and will do whatever they can to achieve that.

Another aspect that interests me as far as changing the constitution is concerned is the manner in which the Republicans are looking for a balanced budget. They have already brought the President back from 10 years to seven years. I believe that, if there is going to be a change in the Australian constitution, it should be in that direction. (*Time expired*)

Mr LINDSAY (Herbert—Parliamentary Secretary to the Minister for Industry, Science and Technology) (6.15 p.m.)—This is an excellent opportunity for members to talk on issues affecting their own electorates. In my case, I also wish to talk about recent developments in the portfolio of industry, science and technology. The past 13 years have seen significant reform and development in the Australian economy. The Prime Minister (Mr Keating) and the federal government have provided the leadership to tackle the impediments to reform and development. The government has also tackled the issues that the opposition found too hard.

In government the opposition avoided tariff reform. As a result the manufacturing industry was inward looking, uncompetitive and bereft of investment. Under this government, manufacturing exports have been driving economic growth. I repeat: in government the opposition avoided tax reform. As a result the biggest growth industry was tax avoidance while tax levels for PAYE taxpayers and company tax were inequitably high. Under this government the rorts were stopped and the tax rates lowered.

In government the opposition feared engagement with Asia and sought comfort and help from a distant and disinterested monarchy. This government has provided the leadership to create APEC. More than this, it has provided the integrity to make APEC a driving force for world economic reform, much to the benefit of Australia. The Leader of the Opposition, the member for Bennelong, (Mr Howard) would undermine the achievements and potential of APEC. His refusal to see a senior Vietnamese delegation typifies his approach. He is simply not capable of providing leadership for APEC. The Leader of the Opposition could not understand and would fear an organisation with the flexibility to contain the People's Republic of China, Taiwan and Hong Kong.

The historic agreement reached by leaders of APEC at Bogor has been enhanced by the recent meeting in Osaka and commended by Vice President Al Gore. The importance of this agreement to Australia cannot be overestimated. Without the achievements of APEC, Australian firms would have been isolated from huge growth and Asian markets. The estimates of this growth are staggering. For example, the Asian food market is estimated in the McKinsey report on *Asian food markets* to grow to over \$900 billion by the year 2000. A recent report from the Bureau of Transport and Communications Economics estimated at \$230 billion the accumulated Asian export market over the next 15 years. The Asian Development Bank estimates that over the decade of the 1990s around \$US50 billion will be invested in new power projects by Asia-Pacific nations.

The APEC agreements provide significant opportunities for Australian industry. But industry will also face the major challenge of having to compete in a free market environment in both regional and domestic markets. Australian industry needs to be at world's best practice in virtually every respect within 15 years in order to cope and to thrive under these circumstances.

The government has directed the industry, science and technology portfolio, particularly the department, to take a major role in achieving this objective. Government industry policy is not directed at intervention or protection of

industry; government policy is directed at fostering innovation which leads to the creation of a competitive environment and competitive firms. Science and technology make a vital contribution to innovation. The government's annual support for R&D through the portfolio has reached record levels and now stands at over \$1.2 billion.

At a meeting of OECD science ministers in September, the significance of the government's commitment to R&D stood out. Australia is one of the few OECD nations where expenditure on R&D is significantly increasing. Australia stands in the top rank of OECD nations for expenditure by government on R&D. In our traditional area of weakness, expenditure by business on R&D, Australia is making very rapid progress.

Honourable members are well aware of the extensive consultations on innovation by the Minister for Industry, Science and Technology (Senator Cook). Both industry and the research community have responded to the challenge. The innovation statement to be released by the government will further enhance Australia's capacity for innovation.

The opposition has no policies on innovation, or for that matter on any other area of industry policy. I brought this situation to the attention of my good friend the honourable member for Ryan (Mr Moore) in the debate on Appropriation Bill (No. 1) in May this year. It saddens me that the member for Ryan has, for whatever reason, been unable to provide any evidence of his thinking in this most important area of public policy. His predecessors as industry, science and technology spokespeople for the opposition showed a readiness to defend vested interests and a narrowness of outlook quite incompatible with innovation.

I caution the honourable member for Ryan, my good friend: last-minute electioneering is not a substitute for considered policy making. Industry, science and technology policy is the engine of economic growth. The Australian people will not accept a party that considers industry policy to be about handouts and political donations.

In this regard, I was deeply concerned by the debate on the matter of public importance

brought on by the member for Pearce (Mrs Moylan) last week. She confirmed my statement in May this year that popularism and prejudice are the Liberal Party's guiding principles. She appeals to popularism as her excuse and justification for having no policies in such significant areas of small business policy as 'unconscionable conduct'. The Australian people have every right to be suspicious of a party that considers popularism as a substitute for policy.

What are the opposition's policies for small business? All we can go on is its track record. When the Leader of the Opposition was Treasurer, paying tax for the wealthy became an optional extra. Is the opposition promising a repeat of its 1980s policies of greed? That is its nature. I caution small business to be suspicious of false promises. They are no substitute for the sound policies of the government that have created excellent opportunities for small business.

One of the major initiatives of the federal government to assist small and medium sized business has been the creation of AusIndustry. The effective implementation of AusIndustry is a major priority for the federal Department of Industry, Science and Technology. AusIndustry is servicing the needs of firms by providing ready access to the full range of federal and state government programs. A private sector led board of AusIndustry guides these efforts. In particular, AusIndustry is providing national leadership that has provided cohesion and quality for a plethora of state government programs. The opposition has said that enterprise improvement programs such as those administered through AusIndustry would be better handled by the states.

In the era of APEC and global business, the states do not have the critical mass to develop and provide world standard business improvement programs. Anything less than world quality is a waste of industry's time. AusIndustry is one of the most successful partnerships between the federal and state governments and the private sector. I call on the member for Ryan to provide bipartisan support for federal leadership in this critical area. AusIndustry has assisted more than

5,000 firms this year—4,230 firms have phoned the AusIndustry national hotline since its launch in June, 2,800 firms have received advice and assistance through AusIndustry's enterprise improvement programs this year and 2,200 firms have received R&D grants for tax concessions this year.

Access to government programs has also been facilitated by Bizhelp, which provides comprehensive national information on enterprise improvement programs provided by federal, state and territory governments. In particular, it is doing very well in the ACT government. Bizhelp has been widely distributed not only within government but also to business agents such as banks, lawyers and accountants. More than 1,600 government and private sector organisations currently subscribe to Bizhelp.

The business networks program is another major new initiative of AusIndustry. It has been adopted from a very successful program run in Denmark. Its aim is to help small and medium sized firms to work together in order to be internationally competitive. There are a number of examples around the country.

The industry innovation program is the most important program of AusIndustry. I would like to describe for honourable members just how this program is transforming Australia. For years agricultural production in the Ord irrigation area has lacked economic scale of production. The industry innovation program enabled an innovative high intensity mini-sugar mill to be designed and built at Kununurra. This mill has enabled an economic sugar industry to be established at the Ord. Members who take an interest in the sugar industry will know that the first crushing is under way. I can see that the member for Dawson (Mr Braithwaite) is in the chamber. I recall that when he was shadow minister for primary industries he was very keen to see a sugar industry established in the Ord, so I expect his rapt attention as I relate the success of this new federal government initiative.

Plans are now in place to expand the area under irrigation tenfold and to realise the dreams of the pioneers of north-western Australia. I see that the Parliamentary Secretary to the Minister for the Environment,

Sport and Territories, the member for the Northern Territory (Mr Snowdon), is also in the chamber. The new sugar mill and the new expansion of the Ord irrigation scheme will go into the Northern Territory and create a new sugar industry in that very important part of Australia. The value of agricultural production will increase from about \$30 million per annum prior to sugar becoming established at the Ord to over \$200 million per annum once the full potential of sugar is realised.

The industry innovation program works because it harnesses the innovative potential of Australian industry. The Ord mini-mill was the creation of the bright young Brisbane based engineering group Schultz, Tait, Grieg and Associates combined with the project management skills of CSR and the Ord District Cooperative, an outstanding partnership.

The 150 per cent tax concession area of the industry innovation program is supporting research across a wide range of industry in Australia. For example, BHP's Project M has been described by the company as the biggest single R&D project in the world steel industry. This new sheet steel process is designed to provide BHP with the technological edge to conquer rapidly developing Asian markets. More research in BHP, CRA and elsewhere is being technology supported to promote new, high intensity iron smelting. This could transform world steel making and make Australia a world leader in iron and steel production and technology.

It is not only in the resources area that Australian companies are backing research and development. Four out of the nine Australian companies spending more than \$50 million a year on R&D are in the telecommunications sector. Australia's deregulated and dynamic telecommunications market has established Australia as a world centre for telecommunications research. (*Quorum formed*) The call of the member for Moore for a quorum was the longest speech he has made in this chamber in 1995.

Let me continue with my important remarks. Last financial year the combined R&D expenditure of the top four telecommunications companies was \$429 million. The

companies included Telstra, Ericsson, Alcatel and Optus. Telecommunications is not only Australia's fastest growing industry but the fastest growing industry in the world.

The Australian government is determined to ensure that Australia's advantages and global competitiveness are recognised by international companies. To this end, we are embarking on new campaigns focusing on Australia as a regional centre for service support and R&D. The government is succeeding in establishing new regional headquarters and research centres in Australia through a combination of measures designed to facilitate international companies to establish in Australia. The program provides no benefits not available to Australian firms.

Two weeks ago I had the privilege of launching the Australian office of TMI—Tele Media International. TMI is a wholly owned subsidiary of Telecom-Italia and is one of the world's top 10 telecommunications companies—I think it is No. 6. It has been attracted to invest in Australia by the rapid growth in Australia's telecommunications market and by Australia's strong telecommunications skill base. This company will bring new skills to the Australian telecommunications industry and the ability to access new markets.

Under the policies of the federal government, Australia has become a centre for R&D for many of the world's major companies. For example, BTR Nylex, ICI, Alcoa, Effem Foods, 3M, Kodak, Merck Sharp and Dohme and Hoechst all have major R&D expenditures in Australia.

This contrasts with the record under the member for Bennelong as Treasurer. When the member for Bennelong was Treasurer, the environment for industrial research in Australia was so hostile that industrial laboratories closed and expenditure by industry on R&D virtually collapsed.

Has the opposition now learned the value the Australian people place on industrial research and its importance in promoting economic growth? Has it learned how important pure science is to the Australian economy? Not if you read the media releases of the honourable member for Ryan, who also claims to be the shadow minister for industry

and commerce. In a release dated 4 October 1995, the member for Ryan misrepresents the government's regional headquarters and R&D centres program. He refers to the program as 'a government plan to disadvantage Australian industry'. This is not the only misrepresentation of the matters, but it is quite shameful. In the body of the text the member for Ryan mischievously suggests that the Australian taxpayers are subsidising foreign multinationals and that the program puts Australian firms at a disadvantage compared with foreign firms.

This is back to the future of the member for Bennelong's 1954 attitudes towards policy on industry research and development. I suspect that the member for Ryan knows that these claims are false and that he is prepared to distort sound industry policy for his own base political purposes. These remarks demonstrate a latent hostility to foreign investment by the coalition. (*Time expired*)

Mr ABBOTT (Warringah) (6.35 p.m.)—One can take some of the points referred to by the previous speaker, the member for Herbert (Mr Lindsay), but the fact is that he needs to understand that it is companies and individuals which innovate, not governments. When governments try to get into the business of innovation themselves, when they try to get into the business of picking winners, they find themselves in the difficulties I am about to describe.

I am sure that much of the work of AusIndustry is fine, splendid and commendable work. I am sure that nearly all of those 5,000 companies AusIndustry helped deserved the help, but the fact is that AusIndustry went through a careful, rigorous process, unlike the process I am about to describe, which was simply cooked up between one businessman and the Prime Minister (Mr Keating) up there at the businessman's house in Red Hill.

There are three problems with the showground deal negotiated between the Prime Minister and Rupert Murdoch. First, it is an attempt to pick winners in an industry which is commercial quicksand. Second, it is a \$32 million gift to one of the world's richest, if even one of the more deserving, men. Third, on the face of it at least, it appears to be a

violation of most of the rules of due process. Perhaps there is a case to be made for this deal, but if there is it should be made by the government and this deal should not be snuck through, as it were, buried in a vast appropriation bill.

This government likes to boast about its commitment to the free market, about its pro-business attitude. There is much to commend in all that, but the fact is that this government has reduced tariffs on manufacturing industry, damaging the battlers, the small businesses and the workshops involved. It has reduced subsidies for agriculture, damaging and hurting many of Australia's small farmers. It has practised a form of wage restraint, inflicting on some of Australia's poorest paid workers lower real wages today than they had in 1976. It has done all of this.

It has shunned the search to pick winners when picking winners might have benefited the worst off in our society, yet it is strangely anxious to pick winners when we are talking about a business controlled by one of the world's richest men. In normal commerce, this government protests its desire to avoid the old ways of doing things, yet in one industry, the media, this government practises the art of intervention at every possible opportunity.

These movie studios that under the government's plan are going to be established at the showground are an addition to an industry which, in fact, is suffering right around the world. In the US, many movie studios are in economic trouble. The great Pinewood Studios in England are in fact in a state of semi-mothballs. Movieworld on the Gold Coast has just made its first profit after seven years. This is the industry that the government is now supporting a new entrant to—with a \$32 million handout.

We are told that this showground venture is in fact going to put Australia's movie industry on the map. When you look behind it, when you look to the fine print, it turns out that only 20 per cent of the projected revenue from this venture is going to be generated by movie making. We are told by the government that this venture is going to provide lots of jobs for Australia's fine young actors and

actresses. Well, maybe it will, but very few of them will be acting in movies and television productions. Most of them, if they are to get jobs in this venture, will be selling tickets and drinks because this is essentially a theme park, not a movie studio.

If we look at theme parks, again we see that they are struggling everywhere. Dreamworld on the Gold Coast was, I believe, recently in the hands of a receiver. Let us look at Movieworld on the Gold Coast. Not only has it only just made a profit after seven years, but it required large subsidies from the Queensland government in the form of payroll tax exemptions to get going. Luna Park in Sydney required large subsidies from the state government to get operational and that is now in receivership.

In spending what is in effect \$32 million of federal taxpayers' money, this government is venturing into commercial quicksand. There is a whiff of Brian Burke and his petrochemical plant about this. There is a whiff of John Cain and the Victorian Economic Development Corporation and Tricontinental about this. There is a hint of John Bannon and the State Bank of South Australia about this. Obviously, News Ltd is a splendid company—it is an international success story—but even good companies can make bad investments. The point is that the Australian taxpayer should not have to subsidise any commercial investment.

It is interesting. The Prime Minister likes to attack the donkeys and the lemmings, as he calls them, in the superannuation industry. If this investment is so stunningly brilliant, if this is such a sure thing, why is the superannuation industry not investing in it? Why do we have to have the federal taxpayer giving this \$32 million gift to Fox Studios? Why is this proposal going to survive and prosper? Why is this proposal a goer when the others have been so problematic? On the face of the evidence the government has provided, it looks as though it is because it is getting a bigger subsidy.

As I said, this is not really a movie studio. This is more a theme park. This is more a venue for showing pictures rather than making them. Did the government subsidise Hoyts to

knock down the Trocadero on George Street in Sydney all those years ago? Did the government clean up that site for Hoyts? If it did not do it for Hoyts, what is the justification for doing it now for Fox? Why should the government give Fox an advantage it did not give to Hoyts?

Let us look at all the other cinemas around Sydney, all the other cinemas that Fox Studios at the showground is going to be in competition with. Did those small businessmen, or even those big businessmen, get a big subsidy from the government to clean up their site and put up their theatre? Of course they didn't. What about all the battlers who currently have jobs in those picture theatres selling popcorn, ice-cream and tickets? What about them? Did the government think of them when it handed this \$32 million to Fox Studios to put a business at the showground in direct competition with them, a direct threat to their livelihood? I suspect it did not.

I am not in the business of criticising Rupert Murdoch. This is not Rupert Murdoch's fault. This is the government's fault. Rupert Murdoch is a great Australian. Rupert Murdoch is an Australian who has brought Australia to the world, as well as someone who now wants to bring the world to Australia. Rupert Murdoch, indeed, is a former employer of mine.

The *Australian* newspaper is a credit to Rupert Murdoch's patriotism. It is a credit to his dream of a national newspaper. Of course, for years the *Australian* newspaper was kept afloat because of the constant subventions from the rest of the News Ltd empire. Rupert Murdoch did not ask for \$32 million to get the *Australian* going. He did not ask for \$7 million to clean up the Holt Street site. He did all this because he realised, first, that News Ltd could make a profit in the marketplace and, second, that the *Australian* was worth supporting out of his pocket. I wonder why he is not showing the same confidence and the same faith in the Australian film industry as he showed in the Australian print industry all those years ago by supporting it himself.

I can understand the Prime Minister's desire to be on the best of possible terms with Mr

Murdoch. I think it is only sensible that an Australian Prime Minister would want to talk to Mr Murdoch, would want to have dinner with Mr Murdoch, would want to listen to Mr Murdoch's advice. Do all of those things, but do not give his companies \$32 million worth of taxpayers' money. Argue for Mr Murdoch's support, reason with Mr Murdoch, but do not try to buy it with \$32 million of taxpayers' money.

This is part of the Prime Minister's long-term and ongoing fascination with the media. Back in 1981 when he was the shadow spokesman, I think, for minerals and energy, the Prime Minister earned a few moments of notoriety by standing up at a Labor conference and saying that what the Labor Party needed was a couple of really vicious ad men to give it an advantage in its struggle with the Fraser government. Edna Carew, the Prime Minister's biographer, has talked about those long love-ins with the press gallery, those long gallery crawls of years ago when he would go through the gallery repeatedly, alternately soft-soaping the journalists and threatening them with all sorts of terrible fates if they did not say the things he liked.

Max Sutch, a celebrated Australian journalist, published his famous memorandum describing the then Treasurer's meeting with Fairfax executives in which he said that the Prime Minister's conversation was littered with threats, with references to 'our crowd' and with favours given in return for favours received. The most blatant attempt by the Prime Minister to buy himself favourable media coverage was that other infamous Kirribilli House agreement—that between Conrad Black and the Prime Minister in the lead-up to the 1993 election campaign when the Prime Minister said to Conrad Black that he would look at increasing his shareholding in Fairfax in return for what he described as balanced coverage. When asked about it later, he said, 'I, the Prime Minister, am the judge of what is balanced and being the Prime Minister gives me that right.'

The fact is that Rupert Murdoch can't be bought. Rupert Murdoch's papers will call it as they see it, regardless of any deal. The fundamental thing to say about this \$32

million gift to Fox Studios is that, from the Prime Minister's point of view, it is completely wasted money. In fact, it reflects no credit on the Prime Minister and it reflects no credit on our Australian way of doing business.

Dangling subsidies in front of Rupert Murdoch is rather akin to the British Labour government of the 1970s repeatedly dangling subsidies in front of British Leyland. It makes no sense to operate that way. It makes no sense for the government of a successful company to treat the management of a successful country in this way. It shows on the part of the government complete contempt for the modus operandi of the company. In fact, this whole deal suggests that we really do have a touch of the banana republicanism in this government, that we are not so much different from a Third World nation trying to buy our way into prestige projects with a bit of taxpayer largesse.

I entirely support government funding for the arts. The arts are a worthy and a noble enterprise, one which entirely deserves support from all sections of society, including from the government. But let's do it directly. If we want to give \$32 million to the arts, let's give it to them directly. Let's not try to launder the money through Fox Studios.

Let's suppose for a few moments that \$32 million should be spent to promote the film industry, notwithstanding the fact that there is already a perfectly acceptable movie studio in Australia at Movieworld, notwithstanding the fact that these businesses have had so much trouble making a profit in recent Australia. How would we know that this particular deal, this showground deal, is the best way of utilising this \$32 million? We wouldn't, because due process has not been followed. There were two other expressions of interest when the state government called for expressions of interest in the showground site. Perhaps they had better ideas. Perhaps they could have done it for less and would not have needed this \$32 million subsidy. We will never know because this government has short-circuited the process.

The last time a government in power tried to short-circuit due process was when the former New South Wales Premier Nick

Greiner tried to short-circuit normal public service rules and appoint his friend, his inconvenient friend, Terry Metherell to a public service job. We know what happened then. The former Premier Nick Greiner was labelled by the Independent Commission Against Corruption as 'technically corrupt'. As I said, I am not for a minute blaming Rupert Murdoch, but I am saying that by the same criteria that rendered Nick Greiner 'technically corrupt' this government should be judged. This government on this deal should wear the same label.

As we know from the good work of Senator Richard Alston, nothing like due process has been followed. I quote from an article by Alan Ramsey. Ramsey has Alston saying:

In respect of the \$7 million and the \$25 million, could you tell us on what basis those sums were determined, and when?

Senator Alston was cross-examining the head of the Department of Communications and the Arts, Mr Stevens. The article continues:

Stevens: "They were negotiated between the Prime Minister and the NSW Government, and I was not privy to those negotiations."

Alston: "Are you able to tell us when they were negotiated?"

Stevens: "I cannot give you an exact date, no."

Alston: "Approximate will do."

Stevens: "I really cannot give you it. I think it was recently."

Alston: "Recently! Are you able to tell us the basis on which those amounts were agreed? Are there any formal agreements relating to them? Any exchange of correspondence?"

The sad fact—sad for the taxpayers of Australia—is that he could not, and there were none. As I said earlier, there are echoes of Brian Burke, John Bannon and John Cain in all this. Even coming there through the background is that old farmer's voice of Joh Bjelke-Petersen, 'Don't you worry about that.' We are entitled to worry about this. This parliament has an obligation to worry about the spending of large amounts of taxpayers' money. If this all adds up, why isn't the government prepared to debate it and put in a separate piece of legislation, instead of burying this thing in a huge appropriations bill?

We have heard it said that Fox would have won anyway had there been an open tender process. I suspect that is right, once the Prime Minister had come out and endorsed it—just as I suspect the endorsement of Solly Lew's restructuring of the Coles Myer group tended to give those proposals some credibility, if you like, some power, some public recognition that they wouldn't otherwise have.

How on earth can a government expect anyone else to act openly and above board if that government itself does not do so? How on earth can the government expect other people to observe due process, to act in accordance with the rules, if it doesn't do so itself? This government's attitude is that the rules are for other people. As far as this government is concerned, the rules are not for the Placido Domingo of Australian politics.

I turn briefly to another subject. The Manly-Warringah Peninsula used to have a very successful youth access centre run by the Commonwealth Employment Service; yet it was downgraded. Its functions and staff were transferred to the Manly branch of the Commonwealth Employment Service. Recently, there has been a further downgrading so that what was once a full youth access centre is now simply one staffer dedicating a few hours a week to the special needs of unemployed youth.

I have to admit that youth unemployment in the Warringah peninsula is fairly low. But one reason at least for that could be the good work formerly done by the youth access centre. The problem with this government's approach to taking away money from a service which is doing a reasonable job is that it is penalising success, it is penalising people for their good work. The error here is not just bad policy. The real error is rank hypocrisy.

Just a few weeks ago, the Minister for Employment, Education and Training (Mr Crean) made a major announcement which was designed to win back youth votes. He said that the aim of this program is 'to give young Australians a chance to say how effective federal employment and training programs are and how they can be improved'. In my district, the message is loud and clear. Unemployed youth are saying, 'Thanks for

nothing.' They are telling this government, 'Thanks for nothing. Thanks for taking away even the little you had previously given us.'

Mr CHYNOWETH (Dunkley) (6.55 p.m.)—Honourable members will recall that last week I advised the House of concerns I have regarding a decision made by the commissioners administering the Frankston City Council. I will now take this opportunity to detail further my concerns.

In 1987, Quayside Pty Ltd was established for a joint venture development between the Frankston City Council and Galvin Construction Group Pty Ltd. Council's contribution to the joint venture was the land upon which the Quayside Shopping Centre is now built. The land was valued at \$25 million and council acquired a 49 per cent equity in Quayside Pty Ltd by virtue of taking up 49 ordinary fully paid \$1 shares. Quayside Pty Ltd borrowed \$75 million from the Commonwealth Bank to build the shopping centre.

In 1988 I expressed my concerns that Frankston City Council was unwise in committing itself to the joint venture to the extent that it did. Since this time many constituents have also expressed a similar concern to me. The fundamental issue is the fact that the residents and ratepayers of Frankston were exposed to a multimillion dollar loss of assets. At first glance it appears that Frankston city has already lost land valued at \$13 million.

A number of avenues have been exhausted in an attempt to establish the true situation regarding council's involvement in the joint venture and the extent of the financial risk to which the residents and ratepayers of Frankston have been exposed. A group of concerned local residents, which has considerable financial expertise, has made representations to the Victorian auditor-general, the Victorian ombudsman and the Victorian parliament's public accounts and estimates committee. However, not much information has been provided by the commissioners of the city of Frankston.

On Friday, 17 November this year the commissioners announced that under a settlement with the Commonwealth Bank the joint venture with the Galvin Construction Group is being wound up. They said that the Franks-

ton City Council would therefore suffer a one-off capital loss of the land contributed as its share of the joint venture in 1988, together with some administrative and legal costs, bringing its involvement in the project to an end.

The commissioners also said that they had agreed to the sale of Central Park and the Young Street car park as part of the settlement, the ultimate need for this sale being subject to the outcome of the sale of Quayside.

This decision by the commissioners raises many questions. The most fundamental question has to do with the commissioners' ability to place Central Park on the property market. Central Park, which was previously known as Lawrey's Paddock, was sold to the former shire of Frankston and Hastings in February 1945. It is common knowledge around Frankston that the land was acquired on the condition that it be kept for public use as a park and garden. However, despite many efforts I have been unable to locate a copy of the contract of sale, which would have verified its having at least 19 conditions attached to it. As I said in a previous speech, I have a solicitor's letter which mentions the 19th condition of the contract of sale of Lawrey's Paddock. What were the other 18 conditions? Were there any more conditions? We do not know. The contract of sale is not there.

Unfortunately, the current chief executive officer of Frankston city concedes that even he cannot find the contract of sale document. One has to wonder at how a document providing details of the purchase of a piece of land which in 1945 was, and in 1995 still is, the most significant piece of land in Frankston city can be misplaced. (*Quorum formed*) What we are seeing here with this calling of a quorum is the stifling of free speech—exactly the same as happens in Nazi Victoria.

I believe that the conditions attached to the sale of Lawrey's Paddock created a burden on the land which may be enforceable in equity. I have tried to get the commissioners to act and save Central Park. They have known my views for a long time. They have decided in secret and in collusion with others to sell off the land that belongs to the people of Franks-

ton without once putting forward the reason why.

Who gave them the right to do this? Who appointed them? Well, we all know who it was: it was Jeffrey Gibb Kennett. These people will get their \$60,000 to \$100,000 per year and other perks for the next year or so, sell our assets and then just walk away. They will leave a city bereft of a green Central Park, a city without a living, breathing heart. Frankston will become an extension of some shopping magnate's portfolio. Therefore, I do not believe that the commissioners have the moral right nor the legal right to place this land on the property market. I do not blame the commissioners for the mess our city is in. The blame lies with the former council officers and the people they hired for advice. Of course, the councillors of the time should share the blame. Only two objected to the involvement of the council.

Another act of incompetence occurred in relation to the cultural centre. Even in Monopoly, a game most children play, you cannot put a house on mortgaged land. However, the stupidity of council officers and advisers allowed the Frankston Cultural Centre to be built on mortgaged land. Any 10-year-old child could have told them it should not be done. I have a question. Why did the Commonwealth Bank allow them to build on mortgaged land? Was it allowed by the bank to be able to put more leverage on the council in relation to Quayside?

The commissioners keep patting themselves on the back on their good economic management. They claim a surplus of approximately \$5 million. Central Park is worth probably \$3 million to \$4 million top. Surely we can pay out the mortgage instead of the bank collaborating with, apparently, the owners of Quayside to expand a shopping empire.

I also have many questions about the financial details regarding the settlement agreed to by the commissioners. I call upon the Victorian Minister for Local Government to immediately initiate an inquiry into all matters regarding the settlement agreed to by the commissioners. I urge the minister to demand immediate answers to the following questions. The loan facility with the Com-

monwealth Bank is not due to be repaid or refinanced until 30 June 2001 and the next scheduled catch-up interest payment of \$4.6 million is not due until 30 June 1996. Therefore, why have the commissioners agreed to the liquidation of the joint venture given that, according to the due diligence report, which they themselves requested the auditor-general to conduct, Frankston city has no liability for \$4.6 million catch-up payment, and money is still available in the sinking fund to service the loan facility into the new year?

Why have the commissioners stated that they are unable to contribute further funds to the venture when Frankston City's chief executive officer has said publicly that 'evidence of council's financial strength' includes investments of \$13.8 million; that the due diligence report, carried out on instruction from the commissioners, states that 'there are significant funds totalling \$8.6 million available to the city which can be redirected'; and that Frankston City's 1995-96 budget, released by the commissioners, reveals that for 1995-96 a gross operating surplus of \$5.170 million is expected following an actual gross operating surplus of \$14.388 million in 1994-95? It has the money. Why does it not just buy out the mortgage? This is the question that should be answered.

Why have the commissioners agreed to the payment of an additional \$9.3 million in break costs in 1995 if this payment does not solve the problem of the \$4.6 million balloon payment during 1996? Why have the commissioners agreed to \$9.3 million being added to the debt now, thereby increasing the total debt to \$93 million, when the loan is not due to be repaid or refinanced until 2001? Why have the commissioners agreed to the forced sale of Quayside when the loan facility does not terminate until 2001 and Quayside is widely recognised—including by the commissioners—as a desirable investment?

Have the commissioners sought legal advice regarding the burden on the Central Park site which appears to have been created by conditions included in the contract of sale when the land was sold to Frankston? Why did Commissioner McCoy not disclose that break costs of \$9.3 million had been incurred on 30 June

1995, thereby increasing the total debt to \$93 million, when 17 days later he is reported as saying that negotiations were 'drawing to a close'?

Given that the Victorian Minister for Local Government has stated in correspondence to me that 'at no time has it been suggested that council should acquire the debts of the company', and given that the effects of deed entered into by the commissioners will be for Frankston City Council to underwrite the losses of Quayside Pty Ltd, has the minister properly fulfilled his obligations, or have the commissioners misled him too?

Given that Frankston City has no liability for the \$9.3 million break costs which have increased the amount owed to the Commonwealth Bank, why did the commissioners agree to the break costs? Why are the commissioners entering into this deed at a time when Frankston City's exposure is capped at a maximum of the land mortgaged to the bank, valued we think at \$10.8 million, and the Auditor-General's agent reports in the due diligence report that Frankston City does not have a proportional share of Quayside's liability? Our liability is the land. Why are we expected to pay any more?

Did the previous council disclose to the federal government when it donated \$3 million to Frankston City Council for the cultural centre that the site for the cultural centre was mortgaged to the Commonwealth Bank? I cannot recall any letters coming to the Commonwealth. I never saw any. You never see much from the Frankston council anyway. But would the Commonwealth have given it this \$3 million if it had known the cultural centre was to be built on mortgaged land?

Given that any such non-disclosure may have constituted misrepresentation, why did the commissioners specifically exclude 'legal exposure relating to potential actions' from the terms of reference when it commissioned the due diligence report? It is a bit like the royal commission over in Western Australia: this due diligence report had very tight terms of reference. What is the non-monetary default which has already occurred in the joint venturers' loan?

Some specific questions related to the interest rate swap terminated on 30 June 1995 are: when was the swap entered into? That is, was it at the same time or soon after borrowing from the State or Commonwealth banks? With whom was the swap entered into? What was the purpose of the swap? What are the basic terms of the swap agreement? Why was the swap agreement terminated? On whose advice was the swap terminated? Was consideration given to restructuring the swap or entering into some other transaction to minimise the losses?

Let us imagine what the CBD of Frankston would be like if Central Park were sold to the Gandel Group. This appears to be the group which will purchase Bayside, Quayside and Central Park shopping centres will all be linked by a tunnel of shops coordinated and controlled by one group. Those who have been silly enough to go into this complex will receive a contract—and I have seen one—with page after page of the smallest writing you can imagine outlining conditions like a percentage of your profits going to the owners of the centre, plus annual rental increases, CPI increases, charges for improvements of the complex—which increase the value of the assets for the owner—and all the other charges and levies for a multitude of spurious reasons.

It appears to me that this exercise we are acting out at the moment is set up for the purchase of Quayside by Mr Gandel. This is the talk around Frankston. You can see the expertise of this entrepreneur when you remember the crossover between Bayside and Quayside. He actually got the council to build the crossover to give him the shops connecting his centre to Quayside. It should have been the reverse. It shows the utter inexperience of those involved in negotiations on behalf of the Quayside group. Mr Gandel could buy and sell them before breakfast. The commissioners were out of their depth, and they are well out of their depth right now.

What I suggested some time ago was to employ a very hard-nosed financial expert who had no connection at all with Frankston or a bank and use them as an advocate for the people of Frankston. This was not done, and

it appears to me that the commissioners are putting profit first at the cost of the Frankston community.

If you look at the media kit that was given to us by them, you can see that the bank has control of Central Park. I am sure they would be using this as a carrot for the purchase of Quayside. Recently, the commissioners have stated that we will not be made aware of the details of the budget for our city. The Quayside kit has pages blanked out with 'commercial-in-confidence' written on them. How can we check the details of this deal? (*Quorum formed*)

Who owns Central Park or the land that Quayside was built on? It is the residents of Frankston, like me. Why should we not be informed about the selling of our asset? We collectively own it. We paid for it. It is up to us or an elected representative of the people to decide to sell it, not political appointees. This is a complex issue and it needs unbiased experts to give us a true picture as to what is happening.

I call on the Victorian Minister for Local Government to immediately obtain the true answers to these questions, and I urge all potential bidders of Central Park to wait for the disclosure of this information. I caution them on the purchase. From the information I have been given, there is no reason why Central Park has to be sold. Until I receive an explanation as to why, I will continue to try to save Central Park for the residents of our city. Once the park is sold, there will be no way that future generations will be able to obtain a park which was the vision of Sam Lawrey and the residents of Frankston of that time. (*Time expired*)

Mr CLEARY (Wills) (7.15 p.m.)—Last Monday in answer to a dorothy dixer about competition policy from Milton Friedman's love child, the member for Werriwa (Mr Latham), the Assistant Treasurer, the Hon. George Gear—who is probably his surrogate uncle—basked in the triumph of free market policies in the ALP. All the old icons—the Industry Commission, the Hilmer report and the national competition policy—were wheeled out by the Assistant Treasurer. All this from the same person who attempts

vainly to convince us that the free market policies of the government are in no way driving the sale of public utilities. I would like to believe that.

I bet if you asked the minister to categorically oppose the sale of electricity and gas down in Victoria, he would not be so gung-ho. I bet he would get the shakes if you put that question to him. Nor would the member for Werriwa who, if he is not a Tory rat, is surely a closet Tory. If he has not been a member of the coalition in this life, he must surely have been one in another life.

The Assistant Treasurer blithely endorsed competition policy, seemingly oblivious to the fact that the Hilmer report is splitting the labour movement as much as it is driving a wedge between the Liberals and the Nationals. The only way the ALP acolytes can defend their competition policy is by way of comparison with the so-called economic protectionism of the former Country Party leader Black Jack McEwen. The ALP Right is forced to resurrect McEwen because the devotion of both parties to free market policies is so transparent that targets are getting harder to find.

Just about every problem modern Australia faces is traced back to McEwen, who has become even more sinister in Labor mythology than Bob Menzies. This shows how vacuous and a-historical the Modern Right's view of the world actually is. Pig-Iron Bob Menzies, whose commitment to free trade in the 1930s made him a pin-up boy with the Japanese warmongers and whose attempts to destroy the communists in the 1950s made him a hero with reactionaries, could almost get a gig in the anti-collectivist right wing of the ALP in the 1990s.

The ALP's use of retrospective morality and historical amnesia to defend an essentially New Right agenda is galling and intellectually deceitful. We never see the ALP right wing devotees of globalism citing the vote on the motion to decriminalise homosexuality moved by John Gorton in 1973 as an example of the reactionary origins of the present coalition. The noes included: Katter Sr, Beazley Sr, Billy Wentworth and Keating P.J. The ayes included: Crean Sr, Jenkins Sr, Staley and

Sinclair. How about that for a weird political vote!

Maybe the revisionists would like to give us a theory about the state of mind of the current Prime Minister, the modernist P.J. Keating, 22 years ago and what that has to do with his policies today. To ascribe the birth of protectionism to Black Jack McEwen as if other countries did not practice and still do not practice it is plain stupid. To claim that the modern coalition is protectionist again is plain stupid. Funny about that—don't we all remember the current Prime Minister describing the Leader of the Opposition as Captain Zero prior to the 1993 general election? What a transformation there must have been.

A fact which the member for Murray (Mr Lloyd) is keen to have made public, one the revisionists on the other side of the House should know, is that it was Jack McEwen who in 1957 established a trade treaty with Japan. Given the hostility towards Japan which existed in Australia at the time, it would probably qualify as a radical decision. Essentially, it involved the Japanese removing tariffs on Australian wool and quotas on beef in return for Australia abolishing a discriminatory tariff on Japanese imports.

Again, it might interest the revisionists to know that it was the ALP and some in the RSL who voted against Japanese trade. Arthur Calwell went absolutely feral not long after this. It was the likes of Fred Daly, Arthur Calwell and Jim Cairns who voiced their opposition to McEwen's 1968 Customs Tariff Bill, a bill to classify industries according to whether they fell into high, medium or low tariff areas. In the eyes of the Labor diehards of the time, McEwen was beginning to act like a free trader. No matter what the right wing acolytes want to argue, everyone in this house knows that Daly, Calwell and Cairns were neither stupid nor dishonourable. They were interested in the jobs of working people and, dare I say it, the economic sovereignty of Australia.

These days no-one talks about real economic sovereignty and if they do fall on the question they seem to want to argue that replacing the monarchy with a republic will automatically bring about cultural and eco-

nomic independence. The fact that our industries are being confiscated by foreign capital at a rate of knots is never mentioned. Even today, despite what Paul Keating says about APEC, Prime Minister Mahathir of Malaysia refuses to give unequivocal support to the removal of trade barriers, the American government continues to substantially subsidise agricultural production and the Prime Minister admits that barriers, tariff and non-tariff, continue to be a serious obstacle to so-called trade liberalisation. How many countries can we cite throughout history who have removed trade barriers to their own detriment? Certainly not the Asian tigers.

The member for Herbert (Mr Lindsay), whom I know is forced to do the government's free trade bidding, must surely have trouble keeping a straight face when he tells us that the export of elaborately transformed manufactures is compensating for the loss of the domestic market. The parliamentary secretary knows that imports have gone—to use the Prime Minister's expression—gang-busters and the increase of exports of ETMs has been from a minuscule base. The problem with our approach is that it has been basically unilateral, leaving local manufacturers to compete on a playing field that is not level.

We cannot even institute social clauses into current trading arrangements. It is all very well to condemn child labour but try to do something about it and the free traders will not have a bar of it. The response from the big players such as CRA is to further deregulate the labour market and drive down wage costs. The problem is that the deregulating of the labour market and the legitimising of non-union labour started with this government and the concept of enterprise bargaining. On this score, the ACTU has a lot to answer for.

If this government is committed to pure competition, why does it protect Optus by circumscribing the charges its competitor, Telstra, can levy on domestic calls? Competition ideologues—the member for Watson (Mr Leo McLeay) and the member for Werriwa, to name two—cite lower international and STD calls in Australia ad nauseam as the consequence of competition policy. The truth

is that technology, not so-called competition, is the reason for any improvement in services. Kenneth Davidson in the *Age* of 15 April 1995 went as far as to claim that Australian telephone charges are eight per cent over the OECD average and are so because of Austel's desire to see Optus survive.

If this government is so committed to pure competition, why does it allow the public infrastructure of Telstra—infrastructure paid for by the taxpayer—to be used by Rupert Murdoch's Foxtel virtually scot-free? The truth is that Murdoch's pay TV juggernaut—a service we do not need and one that will not enhance cultural life one iota—is going to be funded out of the public purse. Murdoch's conquest of rugby league is not the by-product of free enterprise or competition policy. It is the action of a robber baron urged on by a compliant emperor who reckons he is a republican. Well may my good friend the member for Werriwa say:

Rupert Murdoch's aggressive move into the Australian market for sport content should be marked out as a first order concern for regulators.

For as his ideological mate, the Minister for Communications and the Arts (Mr Lee), retorts:

Given his propensity to argue for market forces and competition to rein in many other areas in the economy, I suspect that the allocation of codes between one media owner and another could be more difficult to implement, despite the honourable motives that are, no doubt behind it.

Allowing a Murdoch takeover of rugby league in the name of competition is one thing; allocating \$32 million towards the cost of building a Fox pay television empire at the Sydney showgrounds is another. This appropriation bill allocates \$32 million to the New South Wales government, \$27 million of which is for the relocation of the Royal Agricultural Society and \$7 million of which is for infrastructure costs associated with the establishment of the Fox film studios at the Sydney Showgrounds. On top of that, the state government will grant tax concessions to Fox of more than \$7 million.

It is no wonder New South Wales Independent MP Clover Moore described this as 'a \$70 million leg-up for a billionaire company'. If this is a government which

believes in competition and is dead against the kind of subsidies Jack McEwen dished out, why is it handing over a fistful of battler money to the Murdoch empire? Why is the opposition, which wants to quibble about Carmen Lawrence's costs in relation to the witch-hunt in WA, not attacking the obscene handout to Rupert Murdoch?

Only one coalition member, the member for Warringah (Mr Abbott), and a former member, the member for Curtin (Mr Rocher), speaking on this appropriation bill have raised the issue of the Murdoch subsidy. I must say that the member for Warringah certainly was not about to badmouth his former employer. Put this subsidy in the context of the infrastructure needs of the communities in the former Labor heartlands and all the guff about support for competition and opposition to subsidies becomes a joke. In a time of great need this government has refused to spend money in the heartlands.

One-off local capital grants gave us a leisure centre here and there back in 1993 but swimming is no substitute for a job. These capital grants, of course, were not revived in subsequent budgets. If the sort of money dished out to Murdoch was allocated to Sydney road refurbishment or to a community music centre in Brunswick, for example, we in the northern suburbs could create serious jobs and invigorate cultural life. Does our arts aficionado Prime Minister seriously believe that a Fox studio in Sydney will enhance the cultural life of Australia?

And what of the jobs? Is this venture about jobs or about a Disneyland fun parlour and a cheap pay television assembly line that will do little for, if not harm, the Australian film industry? When the Murdoch owned *Herald-Sun* set about destroying the last Victorian ALP government the Labor movement was so outraged that it attempted to mobilise a movement to boycott the *Herald-Sun* newspaper. Haven't things changed!

Rather than lampooning the past by way of retrospective morality and childish empiricism, the revisionists should be asking why this federal government is so obsequious in its dealings with the Murdoch empire and media moguls in general. It is a bit of a shame that

I could not ask these questions earlier in the debate. Maybe then the spokespersons of the Right could have filed into the chamber to answer some of the questions.

If the ALP Right is dead against tariffs on the grounds that they are an inefficient means of allocating resources and a tax on workers, how do they justify pork-barrelling the Murdoch empire? Only someone who rats on Labor principles could defend this blatant misuse of the taxpayers' hard-earned money.

The legal bill of the Minister for Human Services and Health (Dr Lawrence) is only a drop in the ocean by comparison. I have heard all the arguments as to why the minister should not receive Commonwealth funding, but they really have the terrible ring of partisan politics about them. If we adopted the coalition's position on this question, ministers would be totally vulnerable, open to all kinds of manipulation and subject to compromise. Quibbling about the issue is just another example of the selective morality which dominates this parliament.

What is more to the point is why John Halden was so enthusiastic about lodging the Easton petition in the Western Australian parliament. Doesn't he sound like a really decent kind of bloke? We have all heard about Senator Baume's predilection for personal attacks but, fair dinkum, Halden makes him look like an angel. I know that the member for Melbourne Ports (Mr Holding) will argue that John Halden had no option and that in any case it is not necessary to disassociate oneself from a petition. Everyone accepts that this explanation misses the point.

I am sure there is any number of people in this House who would have avoided lodging that petition or would have completely disassociated themselves from the petition. John Halden was not just a willing accomplice in the production of this petition; he was an agitator and an urger. I cannot believe that anyone would seriously argue that poor old John Halden was the harm in the sandwich. Everyone knows it was a classic piece of political payback and the sort of activity that only discredits the parliament. What is worse is that the minute one side does it the other side sanctimoniously shouts, 'Shame! shame!'

When the member for Kennedy (Mr Katter)—who sits behind me—accused the former senator Graham Richardson of knocking around with the bad end of town and the like, ALP members were the first to attack his integrity. It was the same when the member for Deakin (Mr Aldred) tipped a bucket on a couple of public servants. I did not fancy that either. Didn't the ALP go ballistic when that happened? But when it was one of their own using the privilege of parliament it was another matter. That is one reason why the vote for Independents will continue to increase—not because there is anything special about being an Independent, but rather that there is something unsavoury about being a tribal party hack. Being a party hack and behaving like that is not particularly global, either. We often talk about being inward looking—well, the actions of John Halden were inward looking; they were not the product of someone who was into universal ideas or who had a global view of the world. They were the actions of someone driven by a partisan payback regime that does nothing but discredit this parliament and other parliaments in Australia.

Debate interrupted.

ADJOURNMENT

Mr DEPUTY SPEAKER (Mr Jenkins)—
Order! It being 7.30 p.m., I propose the question:

That the House do now adjourn.

Australia Remembers Essay Competition

Mrs BISHOP (Mackellar) (7.30 p.m.)—Tonight it is my privilege to read to the House the essays of two young Australians who won the Mackellar Australia Remembers school essay competition. They are in the gallery tonight. Their travel has been provided by Ansett. The first essay is by Cheralynne Baker, aged 13, from Narrabeen Sports High School. Her essay reads:

This year, 1995, is the 50th anniversary of the end of the Second World War which began in 1939 when Germany first invaded Poland. A lot of the war I know nothing about but what I do know is that a lot of people died fighting for world peace against power-hungry, greedy countries. People fought to protect their countries and to have world peace. It is important that Australia remembers the

brave men and women who fought to save their country and to protect their country men and women. They are what I call heroes and I am sure a lot of people feel the same way.

All the men and women who survived that war do not want to just forget about their mates and fellow comrades who died and suffered in the war. That is why we should remember. Lest we forget.

Why did we fight? Some people may think they were crazy for putting their lives on the line but I think that was the bravest thing a person could do. The men and women who fought must feel great pride today to walk along the street on Anzac Day. Unfortunately my grandfather was killed in the war; he trod on a mine. Fifty years on, we should think of all the families that lost their husbands, fathers, grandfathers. If we did not remember these brave people it would be like forgetting their courage and the sacrifices these people made during the war.

Today, it is important to remember the past and to realise how lucky we are to have our own country, speaking our own language, living in a democratic society and enjoying the lifestyle we have today.

These are the reasons why Australia should remember. Lest we Forget.

The second essay is by Michael Hadzic, aged 12, from the Avalon Primary School. He writes:

If we did have another war there would be total destruction. Parent and grandparents would have to leave to fight and there is no chance for them to live. There would be no survivors, there would be no food. All the animals would get diseases.

Did you know there are enough bombs to blow up the world 3 times over? People would evaporate or even melt onto the footpath—some would die a slow painful death. Chances are you would run out of food. You would have to go out of your home to look for food because you would have very little money, if any. There would be no power or clean water.

The Victorian Cross was the highest medal given to people for extreme bravery. Very few were awarded this. This list of Victoria Cross has 12 names for world war I and 20 for world war II. All together the list comes to a total of 81 names. Some of the people awarded the Victoria Cross put their life on the line to save other people who were seriously wounded or seriously hurt. How many people would do those things today?

Australia Remembers . . . the men of the Australian Navy. They did a remarkable job taking stores, firearms, ammunition and soldiers to the war zone. Those ships had to sail through waters in which enemy submarines were hiding and hunting, waiting to torpedo any of our ships unlucky enough to get near them. Also the enemy airforce was ready to strike and drop bombs on to these ships.

Australia Remembers . . . the men of the Air Force. These men had to fly their planes over enemy territory dropping their bombs on enemy positions, on the land and the ships at sea, with fighter pilots engaging them in combat and anti-aircraft guns firing on them from the ground.

We also remember . . . the land Army. The women who took over from the men who went to war. They watered the soil and grew the crops to feed the nation.

We remember . . . Nurses who went into action to save our sick and wounded on the battlefield.

During the Second World War we also remember . . . the bombing by Japan of Pearl Harbour. It brought the United States of America into the war and brought the war closer to Australia. In February, 1942, Japanese aircraft bombed Darwin, killing 243 and injuring 300. Darwin also suffered another 62 air raids.

We remember . . . when 3 Japanese military submarines entered Sydney Harbour and sank the ship "Cuttawab". We particularly remember our men and women who became prisoners of the Japanese and were treated terribly.

We really remember . . . that wonderful day when peace was declared. Then our men and women eventually returned home to start enjoying a normal life.

There are no winners in war, only losers. That is why Australia or any other country should not get involved in another war like World War II.

Those are the words of two young people, aged 12 and 13, from my electorate of Mackellar. I can assure you that, with young men and women like Cheralynne and Michael, the country is in the best of hands.

Kennett Government

Mr CLEELAND (McEwen) (7.35 p.m.)— Mr Deputy Speaker Jenkins, as you come from Victoria, you would be aware that the commissars are now running local government in Victoria. It is a state where you have to have a political allegiance before you can be appointed to a hospital board or before you can be appointed to a water board. In fact, before you can do almost anything in public life in Victoria you must be a member of the Liberal Party, a member of the National Party or favourably known to such people—to the extent now that the Kennett government has hunted out and got rid of people in the rural areas who are not friendly to the Liberal Party. For example, in Castlemaine people of

strong community involvement have been thrown off the hospital board because they were not politically correct, and Jeffrey Kennett did not like that. On the Seymour hospital board, people who did not even apply for vacancies were appointed. This is the sort of thing which we now accept as common practice in Victoria.

We also know that the rights of individuals have been taken away. The constitution has been changed more often by this state government than in any previous time in Victoria's political history. By a simple majority vote in the Victorian parliament, the Kennett government removed the rights of people to access the judicial system. I want this House to think about that. There is nothing more serious than removing the rights of ordinary citizens to access the courts of our land. Yet this is common practice and is occurring more regularly than in any other state in Australia under the Kennett government.

The other day in this House I made comments concerning the chief commissioner of Victoria. At the time I made those comments there were common stories in Victoria both in the police force and elsewhere about how Mr Comrie gained employment. I had a good chat with the police commissioner today. He assured me and I accept totally that his appointment was quite above board and that there was no involvement by other people in his applying for the position of chief commissioner and obtaining that position. When I made the comments in this House I stated, and believe very firmly, that he is a man of integrity and of high moral character. That has been borne out further, because in my discussions with the chief commissioner today he clarified a few matters with me. He also mentioned that he did not sign a Kennett contract. One was put in front of him and he refused to sign it. As far as I am concerned, that puts Neil Comrie way up there.

We know that if a chief commissioner were to sign a Kennett work contract the separation of powers would be breached. That is what is happening in Victoria. Senior people sign individual work contracts and are no longer independent as statutory appointments or senior public servants. Rather, because they

are on contract they are under the control and whim of Kennett ministers. I find that absolutely appalling. But I am more than pleased to find that our chief commissioner refused to sign such a contract. As he said, he did not do so because that would have meant a breach of the doctrine of the separation of powers.

So in my view Victoria is in safe hands with our chief commissioner. He is a person who applied for the position, earned it on his own merits and deserves that position. However, that does not take away from the disastrous nature of what the Liberal Party and the National Party are doing in Victoria to destroy the doctrine of the separation of powers.

Mr Katter—It is milder than what the Labor government is doing in Queensland.

Mr CLEELAND—It is exactly what they did in Queensland. I am pleased the honourable gentleman is there because he was a member of the most corrupt government this country has ever seen, where the separation of powers—

Mr Katter—Mr Deputy Speaker, I take a point of order. I have personally been accused of being corrupt and I want him to withdraw that statement. I have been through six separate inquiries and every single one of them found me snow white.

Mr DEPUTY SPEAKER (Mr Jenkins)—The honourable member for McEwen might withdraw the offensive remark.

Mr CLEELAND—The honourable gentleman perceives that I said he was corrupt, which I did not. But if he perceives that and his hearing is bad, of course I withdraw. But I would say to him that I did not say that. It is the confusing nature of Queensland politics. No wonder the Queensland government was such a disaster, when members like the honourable gentleman were ministers in that government. So we see that in Victoria that which Fitzgerald warned Australia not to do is now standard practice. That which the Fitzgerald inquiry pointed out was not the way for governments to run we now see in Victoria. (*Time expired*)

Welfare Agencies: Funding

Mr REID (Bendigo) (7.40 p.m.)—I raise with the House this evening the funding problems that our welfare agencies are having in Australia. Fortunately the Minister for Social Security (Mr Baldwin) is at the table. In this morning's *Bendigo Advertiser* the headline read, 'Funding cuts hit Salvos.' The accompanying article stated:

The Salvation Army in Bendigo is facing a battle to raise funds to cope with a rise in demand for its services.

The army's divisional commander, Major Wesley Collinson, said right across Australia, the army's units were feeling the pinch of the recession.

As a result, funding for the Bendigo region had been cut by about 10 per cent in two years. . . .

Major Collinson said the army's Red Shield appeal raised about \$30 million this year.

Army commanding officer, Captain David Tolputt, said it was now becoming more and more difficult to raise charity dollars in Bendigo.

Captain Tolputt said a majority of Bendigo people had the misconception that the recession was over.

The recession is not over. The Minister for Social Security should take note of the issue I am raising. In 1992 on the *Sunday* program, to be exact on 6 December 1992, the Prime Minister (Mr Keating) made a promise to the Australian community. That promise was:

So let me say to you, Laurie—

I guess he was referring to Laurie Oakes, of the *Sunday* program—

that for every dollar that the voluntary agencies like St Vincent de Paul, the Smith Family, the Salvation Army collect for material assistance, the Commonwealth will match for the Christmas appeals.

That promise has never been kept. In the *Advertiser* article, Captain David Tolputt was further reported as saying:

It seemed people now thought that charitable institutions like the Salvation Army did not need as much funds as they needed in previous years.

He said people were wrong. The recession might have been over for some, but not for the thousands of Bendigo people who queued for food, clothing and other services at the army's various facilities in Bendigo. Captain Tolputt went on to say that the recession among the poor in the Bendigo region remained as crippling as before and their needs as great.

He said there was no sign of a respite.

Captain Tolputt maintained the army's family support service in Bendigo had provided food and clothing to at least 3,000 people a year.

Yet we have the Prime Minister of this nation making the public statement on the *Sunday* program on 6 December 1992:

Let me say to you, Laurie, that for every dollar that the voluntary agencies like St Vincent de Paul . . . the Salvation Army collect for material assistance, the Commonwealth will match for the Christmas appeals.

The government has broken that promise, which is an absolute disgrace. I hope that the Minister for Social Security, who is sitting at the table, takes note of not only my comments tonight but also the comments of independent persons: a major commanding the Salvation Army and the local army commanding officer, both describing the difficulties they are having with funding for very needy people in the Bendigo electorate.

O'Connor, Mr Ray

Mr CAMPBELL (Kalgoorlie) (7.45 p.m.)—Today in question time the Prime Minister (Mr Keating) made a comment which I found personally offensive in that he made snide remarks about the Burke government. I was a big critic of the Burke government, mainly on matters of style. I do not believe the Burke government was corrupt. We had a \$30 million royal commission set up that broke every rule of due process and fairness and that at the end of the day found there was no corruption in the government. People went to gaol arising out of that corruption.

I want to take up the cause of Ray O'Connor, one time leader of the Liberal people, who I believe was very unfairly gaoled. He was charged with receiving a cheque. I will not have time to read it all but I have here a letter from Brian Tennant, who is a social law reform campaigner in Western Australia. He is very well known and, it is conceded, takes a very keen interest in this sort of thing and does a good job. I want to deal here with the judge's statement and his summing up. His Honour said, with regard to cheques:

'So there is no evidence as to the cheque. There can't be. There was no longer existing any evi-

dence as to what the deposit slip said in relation to that cheque. There is nothing on the face of the cheque itself to say what account it went into—it makes one wonder.

His Honour goes on to say:

'Any lies that Mr O'Connor, if he did tell lies, and I would suggest to you that he did not . . . I would think that you should be very reluctant and slow to be able to draw any inference that Mr O'Connor is guilty because he told lies . . . There is no evidence as to what happened to the National Bank cheque drawn by the Bond Corporation. We don't know positively that it was the cheque attached to Mr Buckley's memo. There is no evidence of the cheque coming into Mr Connor's possession. Nobody said they saw the cheque handed to Mr O'Connor and Mr O'Connor had denied it. There was no evidence that the cheque was banked.'

He goes on to say:

There was no need for Mr O'Connor to steal \$25,000 to pay his income tax assessment because he made the necessary financial arrangements with his banker. There is no evidence that the cheque was banked on the 19th April and if the cheque was for a campaign account, nobody ever checked the Labor Party accounts to see if it was deposited there.

It goes on and on. The judge's references here clearly are saying to the jury: 'It is too dangerous to convict.' I would say to this House that the reason Mr O'Connor got convicted was not the evidence. The evidence should have exonerated him. He was convicted because of the feeding frenzy built up over this whole WA Inc. royal commission. It was a feeding frenzy which was prompted very much by the *West Australian* at the time.

I might just add that, while I was a critic of the Burke government on matters of style, it ought to be on the record that the Burke government's financial record was very good. It was second only to the state of Queensland. The reason that the Labor Party in Queensland was able to do so well is because Bjelke-Petersen left every government instrumentality with hollow logs stuffed with money. So in Western Australia we had enormous benefits arising from the Burke government's handling of the collapse of the stock market in time. In relation to the Burke government bailing out Rothwells, it should also be remembered that they were acting on the advice of the auditor; they were acting on the advice of those

people deemed to know something about cash flow, people like Bond and Holmes a Court.

It is to Senator Crichton-Browne's credit that he said to me that you would never hear a word out of him because in his view any government would have acted that way and if it happened again governments would do it all over again. He was, of course, quite right. Unlike many other people in the Liberal Party, Crichton-Browne kept his word. I could go on at length on the judge's view on this trial. I believe that Ray O'Connor deserves a new trial and, if I were Mr O'Connor, I would certainly have it before a judge because juries in this emotional state cannot be relied upon.

Newsgagents

Mr SMYTH (Canberra) (7.50 p.m.)—I rise to speak on behalf of Australia's 4,500 news-agencies—4,500 businesses that employ 20,000 staff and contribute \$3 billion worth of turnover to the national accounts. In the main, they are family businesses. Newsagencies add to our community, to the viability of shopping centres. If you take them away, you damage those shopping centres and all the businesses in that community. They offer community value because often the centrepiece and the character of your shopping centre is set by the tone of the newsagent. He is there at the crack of dawn delivering his papers and he is there most nights when the shops are closed.

Newsagencies offer significant public benefit. They do this through access to information at a low cost. They provide a significant range of magazines. This cannot be guaranteed under a different system. This system is viable because of its low cost—and it works. To change or modify it will destroy it and Australians will lose access to our news media.

The current system ensures access to all the news. If you live in Canberra, in the morning on the lawn you can have the *Canberra Times*, *Sydney Morning Herald*, *Telegraph Mirror*, *Age*, *Herald-Sun*, *Australian* or *Australian Financial Review* home delivered before 7 o'clock. It is on your lawn and you are informed. If that current system was to

end, you would have to deal with three or four different delivering agencies which could not provide that sort of service for anywhere near that cost. We would end up talking about monopolies and restrictions on the access of all Australians to the news.

Newsagencies provide a service and they do it at great cost to themselves. The average newsagent works 80, 90 or 100 hours a week. I am perhaps the only member of this House qualified to speak on this because my family owned newsagencies for 25 years. We delivered every day that we were charged with; and we delivered as a family business. By doing so, we built a rapport with our community that, dare I say it, helped me in the Canberra by-election.

I am here tonight to say that the coalition supports the continuation of the current system of distribution for newspapers and magazines with one accredited newsagency for a particular territory. We believe that this system provides a significant public benefit in its provision of a low cost, effective home delivery service for daily morning newspapers, as well as facilitating the widespread availability of a broad range of publications.

In the main, these family businesses do this with low profit margins. Anything that disturbs those territories that underlie these newsagencies will disturb the whole viability of a significant sector of Australian small businesses. The coalition recognises that successful small business enterprises such as newsagencies are the base from which our national recovery must be built.

I put it to this House that we should all support the newsagency system because, in the main, these ladies and gentlemen provide an honest, decent service and they do it at great personal expense in terms of the time they put in and the amount of investment they have tied up in it. Any undercutting of the certainty of the territories will destroy a particular and definite public benefit. It is up to this House to ensure that the Trade Practices Commission guarantees the rights of all newsagents to survive in their current form and guarantees the rights of all Australians to have access to their news media.

Youth Homelessness

Mr ALLAN MORRIS (Newcastle) (7.53 p.m.)—I rise to express my anger and frustration at the continuing habit of Senator Campbell of using my name, quoting me falsely and imputing false conclusions on what I have been saying in recent months around Australia. Back in June I had the privilege of tabling a report on aspects of youth homelessness from the House of Representatives Standing Committee on Community Affairs.

This report is a major document and requires detailed and complex understanding. Because of that I wrote to the minister and requested him to delay his response as it was important for the community to read and respond to the report. Since then we have had public forums in most cities—Melbourne, Sydney, Adelaide, Brisbane, Alice Springs, Darwin and, last week, Newcastle. These forums have allowed people in the community to understand the report and to go to its detail. The responses coming from the community have been quite substantial.

Senator Campbell keeps insisting that the government promised to respond in three months. He constantly attacks the government for delaying the response—and uses my name in the process. He knows that I have stated publicly on more than one occasion that I asked the minister not to respond too promptly because that would not give time for the community input which is so important. So he is aware of what I said and he is aware of what the minister was asked to do. For him to continue in this way is quite reprehensible. It indicates a lack of understanding and empathy for the youth sector.

He is also aware, as the report points out, that the major issues involved are essentially state issues. The Commonwealth has some responsibility, but it is primarily with the states. It is important to go to the dimensions of this problem in order to understand it. As at the last week in May last year, on the best figures available—from David MacKenzie and Chris Chamberlain, who are now accepted as being the most reliable sources of data—some 30,000 young Australians under the age of 18 were notionally homeless, not living with their families or in a secure relationship. Of

them, just over 20,000 were receiving the young homeless allowance. In other words, one-third of these young people were not being paid at the homeless rate.

That gives a lie to the claims by many that the homeless allowance has acted as an incentive to and has encouraged children to leave home. The report nailed that one very firmly and clearly. At the same time, the report also pointed out that in 1992-93 there were substantiated cases of abuse against 22,300 young Australians in that year, a figure which is horrific in its dimensions. It is a figure which is also greater than the number of people receiving homeless allowance. So each year a greater number of neglect and abuse cases are being produced than currently receive the allowance.

Those people who have been going around the countryside in recent weeks talking about the allowance as an incentive are apologists for abusers. What they are doing and saying is covering up child abuse, pretending it is not occurring and blaming the children who are the victims of these breakdowns.

There was a superb cartoon in the newspaper last week showing a man and a woman in a boxing ring with boxing gloves on. Beside them was a child being carried out on a stretcher. The child is the real victim of so many family breakdowns, yet when that child seeks some support from governments we are told by politicians such as the member for Farrer (Mr Tim Fischer) in recent weeks on radios around Australia that the allowance is an incentive. Whoever is doing that is apologising for abusers, denying abuse is taking place and blaming the kids, who are the victims of what is happening.

We know that this is not primarily a Commonwealth responsibility. In recent times the states have also shown that they understand that. So I am delighted to have received an invitation to address next month the Ministerial Council on Employment, Education and Youth Affairs. That makes it clear to me that the state ministers are interested in finding solutions—unlike the opposition. It means that state ministers are prepared to sit down with the Commonwealth and talk about the ways this report may be implemented in

some form. Issues contained in the report may then become relevant.

This report is a long-term report about a long-term problem and will require a long-term response. Any idea that this somehow is an instant solution is nonsense. It was never proposed that way. I am confident that over the next two or three years, if the states cooperate, we as a country can make serious progress on the cause of these problems.
(Time expired)

Power Lines

Mr ABBOTT (Warringah) (7.58 p.m.)—In Killarney Heights in my electorate Optus are going down one side of the street stringing their pay TV cable on power poles and Sydney Electricity are going down the other side of the street burying their 11,000 volt distribution lines. The good news is that the top tier of the wires on the power poles is disappearing; the bad news is that there is a new tier on the bottom from Optus and Telstra.

Optus say that they will go underground when the 240-volt delivery wires go underground, but the bad news for the people of Sydney is that Sydney Electricity have no plans—not ever, not now, not next year—to underground those 240-volt wires. We are stuck with a tangle of wires and poles far into the indefinite future. The only way that Sydney Electricity will underground those things is if local government pays for it.

I am not here to apportion blame; I am here to appeal for reason. Telstra say they cannot give Optus access to their wires at anything other than what Optus think is an extortionate cost. Optus say that they cannot afford to go underground. Sydney Electricity say they cannot put all their wires underground because the profits have to be high and the prices have to be low. If that is economic rationalism, it does not make much sense to me. I call for a local summit of Sydney Electricity, Optus and Telstra, in my electorate, to try to ensure that 21st century technology is not delivered by 19th century means.

House adjourned at 8.00 p.m.

NOTICES

The following notices were given:

Mr Filing to move:

That this House:

- (1) notes the Prime Minister's recent derogatory comments about the ability of superannuation fund managers to adequately control and maximise contributors' funds;
- (2) believes these comments have been made intentionally to destabilise the public's faith in private superannuation managers;
- (3) recognises that the ACTU is seeking to control an ever increasing proportion of the superannuation of Australian workers;
- (4) believes that the government and the ACTU are therefore actively working toward the situation where the union movement will control all occupational superannuation in Australia; and
- (5) given that:
 - (a) estimates have indicated 10 years of such control by the ACTU could effectively allow the union movement to buy, lock, stock and barrel, the 100 biggest companies in Australia; and
 - (b) past experiences with Labor's control of superannuation funds, as instanced by the WA State Government Superannuation Board—

requires the Prime Minister to apologise for, and retract fully, his statements and assure the Australian public that control of the vast pool of money his occupation superannuation policies will create will never be given over to the union movement.

Mrs Gallus to present a bill for an Act to impose a curfew and related restrictions on aircraft movements at Adelaide Airport, and for related purposes.

PAPERS

The following papers were deemed to have been presented on 27 November 1995:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposals 1995 Nos. 28, 29, 30, 31.

Christmas Island Act—Casino Control Ordinance—Appointment of Deputy Casino Controller, November 1995.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Orders—

Exemptions Nos. 91/FRS/103/1995, 92/FRS/104/1995.

Parts—

105—Amendments 1995, 31(2) October, 7, 8(2), 9, 10(2), 15(2), 16(3), 17(4), 22(11) November.

107—Amendment 24 November 1995.

Classification (Publications, Films and Computer Games) Act—

Guidelines for the classification of—Computer games, 20 November 1995.

Films and videotapes, 20 November 1995.

Printed matter, 20 November, 1995.

National classification code (Amendment) (No. 1).

Defence Act—Determinations under section 58B 1995 Nos. 31, 32, 33.

Parliament Act—Parliamentary Zone—Proposal to install additional lighting in the car parks adjacent to the Treasury building.

Public Service Act—Determinations 1995 Nos. 147, LES 32, LES 34, LES 35.

Veterans' Entitlements Act—Instruments 1995 Nos. 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391.

ANSWERS TO QUESTIONS

The following answers to questions were circulated:

Australian Service Medals: Requirements (Question No. 2587)

Mr Abbott asked the Minister for Defence Science and Personnel, upon notice, on 28 August 1995:

(1) What are the eligibility requirements for the (a) current Australian Service Medal and (b) Australian Service Medal 1945-75.

(2) Which categories of service personnel would qualify for the Australian Service Medal 1945-75.

(3) Are there differences between the eligibility requirements for the Australia Service Medal 1945-75 and current Australian Service Medal; if so, (a) what are they and (b) why.

Mr Punch—The answer to the honourable member's question is as follows:

(1) The current Australian Service Medal accords recognition for service in non-warlike military operations which occurred after 1975. The Australian Service Medal 1945-75 recognises military service in prescribed peacekeeping or non-warlike operations for the period 1945-75 where recognition has not previously been extended through an award.

(2) All Service personnel who meet the eligibility criteria for the various Clasps to the Australian Service Medal 1945-75 will receive medals. Details of Clasps which have been approved by the Government for the Australian Service Medal 1945-75 are:

(a) Clasp 'Japan' to recognise Australians who served during the occupation of Japan from 3 September 1945 to 28 April 1952. The eligibility period is 90 days service.

(b) Clasp 'Korea' to recognise service during the period 1953-57. The eligibility period is 30 days service.

(c) Clasp 'Thailand-Malaysia Border' (later changed to be called clasp 'Thai Malay') to recognise Australians who served on anti-terrorist operations between 1 August 1960 and 16 August 1964 in the Thailand Malaysia border area. The eligibility period is 30 days service.

(d) Clasp 'Thailand' to recognise Australian personnel serving at the Royal Thai Air Force base at Ubon and the members of 2 Field Troop

RAEME and other Australians who participated in Operation 'Crown'. The eligibility period is 30 days service.

(e) Clasp 'PNG' to recognise service in the Territory of Papua New Guinea from the formation of the Pacific Islands Regiment on 16 February 1951 until the independence of Papua New Guinea on 16 September 1975. This applies to Australian nationals of all Services, including RAN personnel posted to *HMAS Tarangau* and attached vessels. The eligibility is 180 days service.

(f) Clasp 'Kashmir' to recognise service from 13 August 1948 to 13 February 1975 with the United Nations, including the Military Group in India and Pakistan and the United Nations India/Pakistan Observer Mission. The eligibility period is 90 days service.

(g) Clasp 'W. New Guinea' to recognise service from 3 October 1962 to 30 April 1963 for Australian personnel serving with the United Nations Temporary Executive Authority force in West New Guinea. The eligibility period is 30 days service.

(h) Clasp 'Indonesia' to recognise service from 1 August 1947 to 1 January 1949 and from 1 January 1949 to 30 April 1951 for Australian personnel serving with the United Nations Good Offices Commission and the United Nations Commission for Indonesia. The eligibility period is 90 days service.

(i) Clasp 'Middle East' to recognise service in various United Nations Peacekeeping missions in the Middle East during the Period 1948 to 1964. The eligibility period is 90 days service.

(j) Clasp 'Berlin' to recognise Australian involvement in the Berlin Airlift during the period 26 June 1948 to 30 September 1949.

(3) The Australian Service Medal 1945-75 and the current Australian Service Medal both accord recognition for service in non war-like operations. Differing periods of eligibility apply for different Clasps to the Medals to reflect the differences in both types of service and the conditions associated with that service.

JobSkills Program

(Question No. 2625)

Mr Wakelin asked the Minister for Employment, Education and Training, upon notice, on 20 September 1995:

(1) Are participants in the JobSkills Program who are married without dependent children financially disadvantaged by their participation.

(2) What proportion of JobSkills participants are financially disadvantaged by their participation.

(3) What is the standard allowance for (a) JobSkills and (b) New Work Opportunity participants.

(4) If the allowances referred to in part (3) differ, why.

Mr Crean—The answer to the honourable member's question is as follows:

(1) and (2) No participants in the JobSkills Program who are married and without dependent children are financially disadvantaged by their participation. Both members of an unemployed couple are treated as individuals and can establish a personal entitlement to Job Search Allowance (JSA), Newstart Allowance (NSA), Youth Training Allowance or Partner Allowance.

(3)(a) \$300 a week.

(b) New Work Opportunities (NWO) program participants are paid a training allowance with the level of allowance depending on the skill level of tasks being undertaken on the project. The weekly training allowance rates for adults are \$270 at skill level C, \$315 at skill level B and \$333 at skill level A.

(4) The differences in the allowances payable to JobSkills and NWO participants reflect the differences in the programs. Adult participants in NWO projects must have generally been unemployed and in receipt of JSA/NSA for at least 18 months. The JobSkills program caters for participants 21 years of age and older and is generally available after 12 months unemployment and receipt of an income support benefit from the Department of Social Security. In addition, to suit more disadvantaged clients, there are more flexible training options available under the NWO program.

Zito, Mr Francesco

(Question No. 2662)

Mr Pyne asked the Minister for Communications and the Arts, upon notice, on 27 September 1995:

(1) Has his attention been drawn to the case of Mr Francesco Zito of Hillcrest, South Australia, who suffers from asbestos claimed to have been

contracted as an employee of Telstra, formerly Telecom.

(2) Is it a fact that Telstra has accepted responsibility for Mr Zito's condition but has refused to pay him a lump sum compensation or an ex gratia payment.

(3) What action will he take on Mr Zito's behalf.

Mr Lee—The answer to the honourable member's question is as follows:

(1) No. I have not received representations from Mr Zito or his legal representatives on this matter.

(2) Yes. Telstra has advised that under the provisions of the Safety, Rehabilitation and Compensation Act 1988 (SRC Act), it accepted liability for Mr Zito's condition. Telstra continues to make compensation payments for medical and like expenses.

Telstra has also advised that, under Section 24 of the SRC Act, there is no provision for a lump sum permanent impairment payment to be paid to Mr Zito. Telstra, as a licence holder under the SRC Act 1988, has no alternative but to comply with the provisions of the Act.

Telstra has further advised that it will not make an ex gratia payment to Mr Zito because Telstra considers such a payment would be in breach of its obligations under the SRC Act and its conditions of licence.

(3) Telstra is responsible for the day to day running of its affairs, including compensation related matters and makes its own commercial and management decisions within the context of legislative requirements and Government policies.

Telstra has advised me that, Mr Zito is entitled to seek a hearing before the Federal Administrative Appeals Tribunal to review the decision of Telstra's Reconsideration Delegate that there was no entitlement under the SRC Act for Mr Zito to receive a lump sum payment.

Given that there are formal avenues available to Mr Zito in this matter there is no basis for me to intervene on Mr Zito's behalf.

**Tweed Valley Fruit Processors:
Enterprise Agreement**

(Question No. 2670)

Mr Bradford asked the Minister for Industrial Relations, upon notice, on 28 September 1995:

Is the Government objecting to the enterprise agreement involving forgone entitlements to sick leave in return for increased wages which 29 employees of Tweed Valley Fruit Processors entered into after protracted negotiations; if so, why.

Mr Brereton—The answer to the honourable member's question is as follows:

Yes. The Commonwealth intervened in an appeal by the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union against the approval of the implementation of an enterprise flexibility agreement (EFA) at Tweed Valley Fruit Processors Pty Ltd on the grounds that the Commissioner at first instance failed to apply the "no disadvantage" test correctly.

A Full Bench of the Australian Industrial Relations Commission quashed the approval of the EFA on 26 October. In doing so it agreed with the Commonwealth submissions that the Commissioner at first instance incorrectly applied the "no disadvantage" test. The Full Bench noted that the Commissioner erred in finding that the approval of the EFA would not result in a reduction in any entitlements or protections. In addition to paid sick leave, the Full Bench identified a large number of reductions in award entitlements. These included changes to bereavement and jury service leave, overtime rates, annual leave loading, meal breaks, hours of work, wages for junior employees, public holidays and redundancy pay.

Of particular concern to the Commonwealth was the provision in the agreement which allowed for the prospective cashing out of sick leave. The Full Bench decided, consistent with Commonwealth submissions that whilst it is possible under the "no disadvantage" test to trade off award entitlements as part of an overall package, the public interest element of the test was intended to protect well established and accepted community standards, such as sick leave.

Kamppi Constructions Pty Ltd

(Question No. 2692)

Mr Moore asked the Minister for Housing and Regional Development, upon notice, on 18 October 1995:

Did the Minister's Department or its agencies make payments to Kamppi Constructions Pty Ltd (ACN 008 600 628) in any year between 1984-85 and 1994-95; if so, (a) what sum was paid in each year and (b) for what purposes was it paid.

Mr Howe—The answer to the honourable member's question is as follows:

The information you have sought prior to 1988-89 is not available as portfolio expenditure records have been destroyed, as permitted under the Archives Act 1983.

No payments were made to Kamppi Constructions Pty Ltd by my Department or its agencies in the years 1988-89 to 1994-95.

Kamppi Constructions Pty Ltd

(Question No. 2705)

Mr Moore asked the Minister for Human Services and Health, upon notice, on 18 October 1995:

(1) Did the Minister's Department or its agencies make payments to Kamppi Constructions Pty Ltd (ACN 008 600 628) in any year between 1984-85 and 1994-95; if so, (a) what sum was paid in each year and (b) for what purposes was it paid.

Dr Lawrence—The answer to the honourable member's question is as follows:

The information you have sought for before 1988-89 is not available as portfolio expenditure records have been destroyed, as permitted under the Archives Act 1983.

In respect of the years 1988-89 to 1994-95 there is no record of any payments being made by my Department or its agencies to Kamppi Constructions Pty Ltd.

Kamppi Constructions Pty Ltd

(Question No. 2707)

Mr Moore asked the Minister for Veterans' Affairs, upon notice, on 18 October 1995:

Did the Minister's Department or its agencies make payments to Kamppi Constructions Pty Ltd (ACN 008 600 628) in any year between 1984-85 and 1994-95; if so, (a) what sum was paid in each year and (b) for what purposes was it paid.

Mr Sciacca—The answer to the honourable member's question is as follows:

No payment was made to Kamppi Constructions Pty Ltd between 1989-90 and 1994-95.

The information you sought for 1988-89 and earlier years is not available as the departmental expenditure records have been destroyed, in accordance with the provisions of the Archives Act 1983.

Mines: Production and Export

(Question No. 2713)

Mr Cleary asked the Minister representing the Minister for Defence, upon notice, on 18 October 1995:

Does Australia produce and export mines and mine components; if so,

- (a) to which countries are mines exported,
- (b) in what quantities are they exported and
- (c) what part does the Minister's Department play in the trade.

Mr Punch—The answer to the honourable member's question is as follows:

Australia does not manufacture or export landmines and there are no records of the export of landmines from Australia. Landmines can be made from a wide variety of common materials like steel or plastic, and may incorporate components like detonators and explosives with both military and non-military application. Australian exports of military detonators and explosives are controlled under Regulation 13B of the Customs (Prohibited Exports) Regulations.

This Government is committed to the elimination of all anti-personnel landmines as an ultimate goal. However, in the absence of widespread international support for a total ban as evidenced at the Inhumane Weapons Convention Review Conference held in Vienna from 25 September to 12 October 1995, the Government is advancing a number of other proposals, which include tight restrictions on international transfers of mines and a complete moratorium on the export of the long-lived anti-personnel landmines that are killing and maiming civilians today.

Senior High Schools

(Question No. 2715)

Mr Price asked the Minister for Schools, Vocational Education and Training, upon notice, on 19 October 1995:

(1) Has his attention been drawn to the success of senior high schools throughout Australia, in particular in New South Wales.

(2) Does the Commonwealth recognise the role of senior high schools in providing a halfway house between the discipline of high schools and the freedom of universities and TAFE.

(3) Do senior high schools provide greater subject choice and diversity for students than Year 7-12 high schools; if so, to what extent is greater choice advantageous to students.

Mr Free—The answer to the honourable member's question is as follows:

(1) Yes.

(2) While the Commonwealth has an important role in identifying national priorities and strategies for schooling, the States/Territories and non-government school authorities are in the best position to determine the most appropriate structure for upper secondary schooling in their jurisdiction. In many States, this comprises a number of options including senior high schools. Providing options for senior students would contribute to higher Year 12 retention rates.

(3) A study, 'Subject Choice in Years 11 and 12', conducted by the Australian Council for

Educational Research in 1993 indicated that there was an association between the number of students in Year 11 & 12 and the extent to which students were able to study the subjects which they wished. In particular, the study found that larger schools provided a wider choice of subjects for students. However, the data also suggested that most schools (except for the very small) provided coverage across all Key Learning Areas.

Private Schools: Funding

(Question No. 2716)

Mr Price asked the Minister for Schools, Vocational Education and Training, upon notice, on 19 October, 1995:

(1) Does the Commonwealth provide capital and recurrent funding to private schools dependent upon annual funding from other sources.

(2) Has his attention been drawn to major changes proposed for John Paul II Senior High School at Marayong, NSW.

(3) Is the Commonwealth consulted about major changes to schools similar to those referred to in part (2).

(4) Has his Department been consulted about the changes referred in part (2).

(5) Is it a condition of the provision of Commonwealth funding to private schools that parents and students be consulted about major changes: if not, why not.

Mr Free—The answer to the honourable member's question is as follows:

(1) The Commonwealth does provide capital and recurrent funding for non-government schools. For more than 70 per cent of non-government schools, the Commonwealth is the major source of recurrent funding.

(2) and (4) The New South Wales Catholic education authorities have notified the Department of Employment, Education and Training under the Commonwealth's New Schools Policy of a possible restructuring of secondary schools within the Diocese of Parramatta to take effect from 1998. Notifications for 1998 were required by 31 October 1995. However, formal applications are not required until February 1996 and no application has been lodged at this time in respect of the notification.

(3) The approved authorities for all non-government schools in receipt of Commonwealth funding are required to give advance notification to the Commonwealth and later lodge a formal application for funding of changes such as extension to another level of education, relocation to a new site and opening a new campus. Such changes are assessed for funding eligibility. Changes such as amalgama-

tion with another funded school or separation to form two schools are also required to be notified but they are generally not the subject of a formal application nor assessed for funding. The assessment for eligibility for Commonwealth recurrent funding of non-government schools proposing to undertake changes looks at matters such as the demographics of the catchment area and the likely impact of the change on existing schools in the catchment area.

(5) The Commonwealth is not involved with the internal management of schools so consultation with parents and students is not a specific requirement. It is unlikely however that significant changes could be successfully implemented without the support of the school community.

Elonpark Pty Ltd

(Question No. 2743)

Mr Moore asked the Minister for Industrial Relations, upon notice, on 26 October 1995:

Did the Minister's Department or its agencies make payments to Elonpark Pty Ltd in any year between 1984-85 and 1994-95; if so, (a) what sum was paid in each year and (b) for what purposes was it paid.

Mr Brereton—The answer to the honourable member's question is as follows:

No.

Elonpark Pty Ltd

(Question No. 2747)

Mr Moore asked the Minister for Tourism the following question, upon notice, on 26 October 1995:

Did the Minister's department or its agencies make payments to Elonpark Pty Ltd in any year between 1984-85 and 1994-95; if so, (a) what sum paid in each year and (b) for what purposes was it paid.

Mr Lee—The answer to the honourable member's question is as follows:

Department

The Department does not hold records for the period 1 July 1984 to 26 December 1991 as the Department was created on 27 December 1991.

No payments have been made by the Department to Elonpark Pty Ltd between 27 December 1991 and 30 June 1995.

Australian Tourist Commission

No payments have been made by the Australian Tourist Commission to Elonpark Pty Ltd between 1984-85 and 1994-95.

Elonpark Pty Ltd

(Question No. 2749)

Mr Moore asked the Minister for Human Services and Health, upon notice, on 26 October 1995:

(1) Did the Minister's Department or its agencies make payments to Elonpark Pty Ltd in any year between 1984-85 and 1994-95; if so, (a) what sum was paid in each year and (b) for what purposes was it paid.

Dr Lawrence—The answer to the honourable member's question is as follows:

The information you have sought for before 1988-89 is not available as portfolio expenditure records have been destroyed, as permitted under the Archives Act 1983.

In respect of the years 1988-89 to 1994-95 there is no record of any payments being made by my Department or its agencies to Elonpark Pty Ltd.

Elonpark Pty Ltd

(Question No. 2751)

Mr Moore asked the Minister for Veterans' Affairs, upon notice, on 26 October 1995:

Did the Minister's Department or its agencies make payments to Elonpark Pty Ltd in any year between 1984-85 and 1994-95; if so, (a) what sum was paid in each year and (b) for what purposes was it paid.

Mr Sciacca—The answer to the honourable member's question is as follows:

No payment was made to Elonpark Pty Ltd between 1989-90 and 1994-95.

The information you sought for 1988-89 and earlier years is not available as the departmental expenditure records have been destroyed, in accordance with the provisions of the Archives Act 1983.