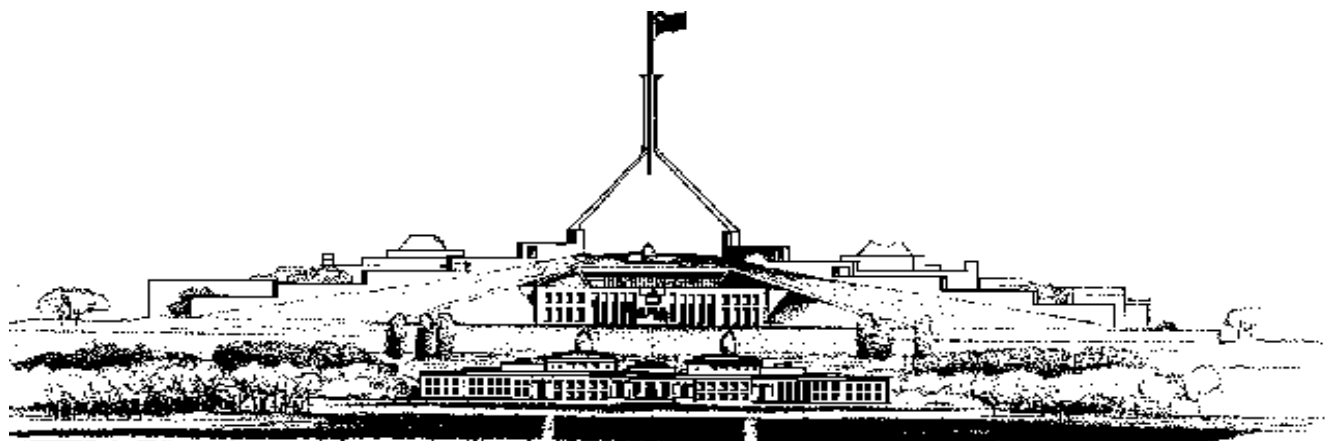




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

Official Hansard

No. 2, 2003

THURSDAY, 13 FEBRUARY 2003

FORTIETH PARLIAMENT
FIRST SESSION—FOURTH PERIOD

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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SITTING DAYS—2003

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May	13, 14, 15, 26, 27, 28, 29
June	2, 3, 4, 5, 16, 17, 18, 19, 23, 24, 25, 26
August	11, 12, 13, 14, 18, 19, 20, 21
September	8, 9, 10, 11, 15, 16, 17, 18
October	7, 8, 9, 13, 14, 15, 16
November	3, 4, 5, 6, 24, 25, 26, 27
December	1, 2, 3, 4

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<i>ADELAIDE</i>	972 AM
<i>PERTH</i>	585 AM
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Thursday, 13 February 2003

The SPEAKER (Mr Neil Andrew) took the chair at 9.00 a.m., and read prayers.

PERSONAL EXPLANATIONS

Mr BALDWIN (Paterson) (9.01 a.m.)—Mr Speaker, I wish to make a personal explanation.

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

Mr BALDWIN—I do.

The SPEAKER—Please proceed.

Mr BALDWIN—Yesterday in the Main Committee at 9.51 a.m. the member for Hunter made some statements which misrepresented my position. The member for Hunter said that in relation to my home site I had illegally excavated not only my land but also a neighbour's land. Both of these statements are incorrect and, on checking with council records, there is nothing to substantiate anything to do with my neighbour's lands in relation to me. Secondly, the member for Hunter said that the plans that I had put to council would make it impossible for me to meet my commitment to repair the damage on my block of land. That damage is being repaired.

Thirdly, he mentioned Councillor Geoff Robinson as being the contractor who excavated my site. Geoff Robinson is not a contractor to my site, in excavation or in any other way. It was also claimed by the member for Hunter that I had used my power as a councillor and federal member to stand over and threaten council staff to get what I wanted. I have only ever had two meetings with the council staff in relation to my property: one on site and one in the general manager's office. At both times, the general manager and council staff were present. There has been no pressure put on anyone.

The other thing that he claimed is that no other development approvals have been granted in the precinct in which my land sits. I have never objected to any singular housing development in my electorate, so that is a misstatement as well. Mr Speaker, I put to you that the member for Hunter has misled this House.

Mr King—He should apologise.

The SPEAKER—I must just qualify this: the only facility that personal explanation allows the member for Paterson is for him to indicate that he has been misrepresented. An accusation of misleading the House does not belong in the personal explanation bracket.

**WORKPLACE RELATIONS
AMENDMENT (COMPLIANCE WITH
COURT AND TRIBUNAL ORDERS)
BILL 2003**

First Reading

Bill presented by **Mr Abbott**, and read a first time.

Second Reading

Mr ABBOTT (Warringah—Leader of the House) (9.03 a.m.)—I move:

That this bill be now read a second time.

It is necessary for the functioning of the federal workplace relations system that officers and employees of registered organisations abide by the rulings of the system's institutions. Unfortunately, there have been some instances of blatant disregard for orders of the Australian Industrial Relations Commission and the Federal Court.

Violations of court and commission rulings include instances where the commission has ordered that industrial action cease or not occur, and instances where the Federal Court has issued injunctions to enforce orders to stop industrial action. In a number of cases, those disobeying the orders have gone entirely unpunished for their failure to comply.

Failure to punish law-breakers encourages law-breaking. If such behaviour goes unpunished then it is likely to be repeated.

The government believes that further enhancements to the legislative framework are required to ensure that the integrity of the system is not undermined by failure to comply with court and commission rulings.

The **Workplace Relations Amendment (Compliance with Court and Tribunal Orders) Bill 2003** will amend the principal act to provide more effective sanctions against those who flout the authority of the Australian Industrial Relations Commission and the Federal Court. Whilst noncompliance is concentrated amongst unions and their repre-

sentatives, the provisions of the bill will also apply to employer organisations and their officials and employees.

The bill will establish duties on officers and employees of registered organisations to comply with orders and directions of the Australian Industrial Relations Commission and the Federal Court. Where those duties are breached, the minister can seek orders from the Federal Court that financial penalties be imposed. Where court orders are breached, these new powers do not affect the existing powers of the court to deal with contraventions of its orders and directions.

Officers and employees of registered organisations who are fined by the court for failing to comply with court and commission orders would generally be disqualified from holding office in registered organisations, under provisions contained in the bill. Registered organisations and their representatives have significant rights and privileges conferred upon them by the Workplace Relations Act, but with those rights come significant responsibilities. Those who neglect their responsibilities by wilfully or recklessly disregarding the authority of the commission or the court should not, in most circumstances, retain the privilege of being able to exercise authority as an officer of a registered organisation.

The bill provides flexibility in the application of sanctions. Office holders and prospective office holders found to be in breach of their compliance duties will be able to apply to the Federal Court for leave to hold office. For the purposes of exercising this power the court would have to consider a number of matters, including the circumstances of the contravention and the nature of the person's involvement in the contravention. The bill would also safeguard an organisation from financial damage suffered as a result of an officer or employee of that organisation contravening their duties, where the court is satisfied that the organisation took reasonable steps to prevent the contravention.

The Commonwealth has a duty to the community and the national interest to ensure that its laws are respected and upheld, particularly where this may prevent unlawful

industrial action which threatens business performance, international competitiveness and jobs.

On 19 December 2002, I announced that the Commonwealth would take a much more active role in taking legal action and pursuing penalties against people and organisations that fail to comply with Federal Court or commission orders in workplace relations matters. The government will make full use of existing laws to seek penalties where there is compelling evidence that a person or organisation has defied orders and it is in the public interest to take the legal action. The government will take contempt of court action where Federal Court orders, and in particular orders against industrial action, are defied. The government will use existing law plus the measures in this bill to seek penalties against parties who fail to comply with return to work orders of the commission or other orders designed to ensure the effective operation of the workplace relations system.

In appropriate cases, the government will refer cases of failure to comply with return to work orders of the commission to the Director of Public Prosecutions for prosecution for 'contempt of the commission'. To that end, I foreshadow that I will be introducing legislation to codify section 299 of the Workplace Relations Act so that all conduct that amounts to 'contempt of the commission' is expressly identified. These amendments will also bring the maximum penalties into line with Commonwealth policy for offences of this kind. Complete codification of the offence will provide enhanced certainty and will complement the provisions contained in this bill.

The government believes that registered organisations and their representatives should act in a responsible manner and respect the rule of law.

The proposed measures will increase confidence in the system. They should also reduce the harm to business, jobs and the economy associated with defiance of the workplace relations law and its guardians.

I commend the bill to the House and present the explanatory memorandum.

Debate (on motion by **Mr McClelland**) adjourned.

**WORKPLACE RELATIONS
AMENDMENT (PROTECTING THE
LOW PAID) BILL 2003**

First Reading

Bill presented by **Mr Abbott**, and read a first time.

Second Reading

Mr ABBOTT (Warringah—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (9.09 a.m.)—I move:

That this bill be now read a second time.

The **Workplace Relations Amendment (Protecting the Low Paid) Bill 2003** proposes that the objects of the Workplace Relations Act be amended to specify a primary focus on the low paid and their needs in adjusting the safety net.

It is the intention of the Workplace Relations Act 1996 that awards should provide a safety net of fair minimum wages and conditions without discouraging agreement making for award workers above that safety net. The federal workplace relations system is now firmly focused upon the setting of wages and conditions of employment at the enterprise level. Agreement making gives employers and employees the opportunity to increase the productivity and competitiveness of Australian enterprises. This in turn ensures a stronger and more resilient economy with healthier employment prospects. In this way agreement making at the workplace level offers rewards for employees, employers and for Australia as a nation.

A key part of the principal object of the Workplace Relations Act is that actual wages should, as far as possible, be determined by bargaining at the workplace or enterprise level. A central feature of the legislative framework is the Australian Industrial Relations Commission's role in encouraging bargaining. Decisions of the commission on the adjustment of rates of pay in awards need to be consistent with and reinforce the safety net role of awards. This is important to ensure genuine safety net standards, to encour-

age agreement making and to meet overall economic objectives.

This bill is part of the government's continuing effort to protect the employment prospects of the low paid and to reduce the prospect of unemployment for vulnerable low-skilled workers. While unemployment has fallen substantially from the highs of the early 1990s and Australia is weathering the economic effects of international uncertainty, many people still find it difficult to gain employment.

The bill proposes that the objects of the Workplace Relations Act be amended to specify the needs of the low paid as a primary focus in adjusting the safety net. It is further proposed that section 88 of the Workplace Relations Act be amended to require the commission to consider the following matters when adjusting the safety net:

- the primary consideration of the needs of the low paid, including their need for employment;
- the employment prospects of the unemployed; and
- the capacity of employers to meet increased labour costs.

In introducing this bill the government is demonstrating its ongoing commitment to maintaining a safety net of minimum wages and conditions for low-paid employees, as well as enhancing the employment prospects for the low paid, low skilled and unemployed. The bill is also consistent with the government's commitment to create an appropriate framework for pay and working arrangements to be determined at the workplace level.

I commend the bill to the House and present the explanatory memorandum.

Debate (on motion by **Mr McClelland**) adjourned.

**ENERGY GRANTS (CREDITS)
SCHEME BILL 2003**

First Reading

Bill presented by **Mr Slipper**, and read a first time.

Second Reading

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (9.13 a.m.)—I move:

That this bill be now read a second time.

This bill establishes an Energy Grants Credits Scheme that provides for payment of a grant to persons who are entitled to an off-road or on-road credit.

The bill gives effect to the commitment made by the government in May 1999 under Measures for a Better Environment to replace the Diesel Fuel Rebate Scheme and the Diesel and Alternative Fuels Grants Scheme with a single scheme called the Energy Grants Credits Scheme.

Under the provisions of the bill, a person will be entitled to an off-road credit when purchasing diesel fuel for use in eligible activities that are the same as those activities currently eligible for a rebate under the Diesel Fuel Rebate Scheme. Similarly, a person will be entitled to an on-road credit when purchasing fuel for use in activities that are the same as those activities that were eligible for a grant under the Diesel and Alternative Fuels Grants Scheme. In this way the Energy Grants Credits Scheme will maintain benefits equivalent to those available under the existing schemes.

The Energy Grants Credits Scheme will be administered under the administrative and compliance framework contained in the Product Grants and Benefits Administration Act 2000. Claimants will be responsible for correctly self-assessing their entitlements and maintaining records to substantiate their entitlements.

The Energy Grants Credits Scheme will apply from 1 July 2003.

The Measures for a Better Environment package also noted that the Energy Grants Credits Scheme will provide encouragement for the conversion to cleaner fuels. The government is committed to pursuing options to achieve this and is doing so by examining the issue as part of the consideration of alternative fuels within the Energy Task Force.

Full details of the measures in this bill are contained in the explanatory memorandum.

I commend this bill to the House and present a combined explanatory memorandum for the Energy Grants (Credits) Scheme Bill 2003 and the Energy Grants (Credits) Scheme (Consequential Amendments) Bill 2003.

Debate (on motion by **Mr Rudd**) adjourned.

ENERGY GRANTS (CREDITS) SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2003

First Reading

Bill presented by **Mr Slipper**, and read a first time.

Second Reading

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (9.17 a.m.)—I move:

That this bill be now read a second time.

This bill is a companion bill to the Energy Grants (Credits) Scheme Bill 2003.

The purpose of this bill is to amend or repeal a number of acts to facilitate the enactment of the Energy Grants (Credits) Scheme Act.

Full details of the measures in this bill are contained in the explanatory memorandum already presented.

I commend this bill to the House.

Debate (on motion by **Mr Rudd**) adjourned.

TAXATION LAWS AMENDMENT BILL (No. 4) 2003

First Reading

Bill presented by **Mr Slipper**, and read a first time.

Second Reading

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (9.18 a.m.)—I move:

That this bill be now read a second time.

The measures contained in this bill amend various taxation legislation.

Schedule 1 addresses a problem in the current income tax law which leads to the double counting of superannuation benefits where pensions or annuities are commuted

and rolled over within the same fund or annuity provider.

The changes will treat such internal rollovers as eligible termination payments, bringing them under the application of the provisions of the income tax law. This will allow internal rollovers to be reported to the Commissioner of Taxation and the reasonable benefit limit rules to operate (as they do with external rollovers) to avoid double counting of the benefit when it is eventually paid out of the system.

Schedule 2 contains technical corrections and amendments to the uniform capital allowances system to ensure it operates as intended and interacts appropriately with related provisions. In particular, there will be finetuning of the provisions relating to mining capital and mining transport expenditures to ensure that these provisions operate as the government intended.

Schedule 3 formalises the treatment of income that is neither assessable income nor exempt income. Such amounts are not included in taxable income and do not reduce tax losses. Amounts of non-assessable non-exempt income have been in the income tax law since 1992 but this measure will, for the first time, bring them together in a single, coherent treatment, simplifying and improving the presentation of the law.

The measure also incorporates some technical amendments and corrects some anomalies in the existing law.

Schedule 4 makes minor corrections and consequential amendments to the rules concerning the carry forward and refund of tax offsets in the income tax law so that these rules operate as intended.

Schedule 5 introduces new withholding obligations to apply to certain payments to foreign residents. These new obligations are part of the next stage of business tax reform measures and will improve the compliance of foreign residents with their Australian tax obligations.

The new withholding obligations will apply to certain payments made to foreign residents that will be prescribed in regulations. The new provisions set out when withholding will be required and from whom a payer

will be required to withhold. Withholding will also be required by an intermediary who receives an amount on behalf of a foreign resident. The amounts withheld will be available as a credit against the income tax assessment of the foreign resident. These new withholding obligations will minimise the compliance burden on Australian businesses by requiring withholding only for specified payments.

Schedule 6 makes amendments to ensure that the 'no Australian Business Number' withholding event will apply to enterprise-to-enterprise transactions in Australia. This resolves a technical problem that arose from the unintentionally narrow definition of 'carrying on an enterprise in Australia'.

This schedule also amends the 'no Australian Business Number' withholding rules to have the same geographical application as the ABN act. These amendments will ensure that the 'no Australian Business Number' withholding provisions are consistent with the A New Tax System (Australian Business Number) Act 1999, and that the original objectives of the 'no Australian Business Number' withholding provisions are fully implemented.

Lastly, in schedule 7, from 1 April 2003 the government will provide a fringe benefits tax exemption for certain payments to approved worker entitlement funds. The fringe benefits tax exemption applies to payments to approved worker entitlement funds that are required under an industrial instrument and are for the purposes of ensuring that an obligation to make a leave payment or payments when an employee ceases employment are met.

A worker entitlement fund will be approved if it is either a long service leave fund established and operating by or under Commonwealth, state or territory legislation, or if prescribed by regulation. Before a fund can be prescribed by regulation the Commissioner of Taxation must be satisfied that it meets certain criteria concerning the level of employer control, the use of fund assets, the types of payments that the fund can make and the maintenance of individual worker entitlement accounts.

The bill also provides an automatic capital gains tax rollover to a fund that amends or replaces its trust deed in order to be approved as an approved worker entitlement fund. The start date of this measure is also 1 April 2003. Full details of the measures in this bill are contained in the explanatory memorandum. I commend the bill to the House and present the explanatory memorandum.

Debate (on motion by **Mr Rudd**) adjourned.

**MIGRATION LEGISLATION
AMENDMENT (CONTRIBUTORY
PARENTS MIGRATION SCHEME)
BILL 2002**

Cognate bill:

**MIGRATION (VISA APPLICATION)
CHARGE AMENDMENT BILL 2002**

Second Reading

Debate resumed from 5 December, on motion by **Mr Ruddock**:

That this bill be now read a second time.

upon which **Ms Gillard** moved by way of amendment:

That all words after "That" be omitted with a view to substituting the following words: "whilst not declining to give the Bill a second reading, the House:

(1) notes that:

- (a) the Howard Government slashed the number of visas available for parents seeking to migrate to Australia to join their families to 500 in 1998;
- (b) through this savage cut in visa numbers, the Howard Government has deliberately created a queue of over 20,000 parents seeking to migrate;
- (c) the deliberate creation of this queue has caused stress and suffering for the families involved;
- (d) having created this crisis, the Howard Government's only answer is a new visa class which requires the payment of a \$25,000 fee which will be beyond the means of many; and
- (e) while Labor has historically supported sponsoring families making a contribution to the health and welfare costs associated with the migration of parents, the system needs to be equitable

and not cause undue hardship; and therefore

- (2) calls on the Government immediately to introduce a fair system of parent visas, which will stop families in the current queue suffering additional stress and hardship and will meet Australia's needs into the future".

Mr FARMER (Macarthur) (9.25 a.m.)—The **Migration Legislation Amendment (Contributory Parents Migration Scheme) Bill 2002** will create four new classes of visas for migrant parents and help reunite thousands of families in this country. The bill will provide 4,000 places in addition to the 500 places already available each year for parent migrants and will reduce the waiting list significantly. It will do this by introducing a new contributory parent migration visa category. By paying a one-off health charge of \$25,000 per adult applicant, the applicant who meets all the existing requirements will be granted a permanent visa.

As part of the new visa class, there will be an extended assurance of support for the period of 10 years instead of the current two years, and there will be the increased assurance of a support bond of \$10,000 for the main applicant and \$4,000 for other adult dependants. These payments will help meet more of the cost to the government of the parent's migration to Australia. There will also be the option of applying for a temporary visa, which will require a payment of \$15,000 per adult applicant. Two years later these people will be able to apply for a permanent visa by paying the remaining \$10,000 per parent applicant. Those on temporary visas will have access to Medicare and work rights. Those in the existing parent pipeline who wish to transfer to the new category will not be charged again for the lodgment of the application.

Some may argue that this bill is only about letting the wealthy migrate to Australia. This is clearly wrong. It is about striking a fair balance between the benefits of parent migration and the cost to Australian taxpayers of parent migration. Until now, the existing parent migration stream allowed only 500 parent migrants into the country each year. This might sound like a very small number but, if you look a little closer at the

cost that parent migration has on public health and welfare programs, you will see that this is a very responsible figure. The health charge of \$25,000 represents about 12 per cent of the gross cost of a single cohort of entrants, while the existing charge is about 0.5 per cent of the cost. The Australian taxpayer simply cannot afford to continue to do this and increase the numbers.

As the government report says, this new visa category will increase the contribution parent migrants make to their lifetime health costs from 0.5 per cent, which it is at the moment, to around 12 per cent. The proposed \$25,000 health charge payable on the new contributory parent visas will only recover 12 per cent of the actual health costs of these parent migrants, leaving the remaining 88 per cent to be met by the government. The government report notes that a health charge of over \$200,000 per parent migrant would be required to cover the average total cost incurred by the Commonwealth for these parents. This is a huge shortfall, which is met by the Australian taxpayer. It shows very clearly how important it is for the government to balance the benefits of increased parent migration with the need to ensure a fair deal for Australian taxpayers. This is why parent migration has been capped in the past, and this is why it is now being expanded to make sure that those coming to Australia make a larger contribution to the actual costs they incur to the Australian economy.

Australia is not alone in this approach. The United Kingdom allows parents to migrate only if they are wholly or mainly financially dependent on their children living in the United Kingdom, they are without other close relatives in their own country to turn to and their children can support them and provide accommodation without help from public funds. Parents of New Zealand citizens or residents can migrate if their sponsor undertakes to provide accommodation and financial support for the first 24 months. In Canada, parents are eligible to migrate if a sponsoring relative signs an unconditional undertaking with the Minister of Citizenship and Immigration to provide all financial support for the next 10 years.

This legislation is part of the government's election commitment to reunite more parent migrants with their families in Australia. It shows this government recognises the social benefits that come when families are reunited and the contribution that they make to Australian society. We all know the history of migrants in this country and the contribution that they have made to infrastructure projects. The magnificent Snowy Mountains Hydro-Electric Scheme and the Sydney Harbour Bridge are just a couple of examples of how migrants have helped leave a lasting legacy to all Australians.

But there is also a very different side to migration—a very human side to it all. From my personal experiences, I know just how important grandparents are to parents and their children and how important it is to have them around. However, in this debate it is important that we look at the balance of what we can afford in this country. As I mentioned earlier on, there are only so many taxpayers—only so many people earning enough money to be able to pay tax that can then be distributed around our health schemes and many of the other services that are available. We all love to call this a great country, and we know that we are very lucky to be living in it. We know that if we are born here we have a fantastic opportunity to have our parents around us.

Migrants settling in Australia need to understand that in order to live in this country they need to contribute to it. In my community alone, I represent people of about 30 different nationalities. I have been able to assist many of these people with the parent migration scheme already in existence, and this is just a responsible way for the government to look at how they can up the numbers from the existing 500 people and still afford for the parents to be in this country. I have heard people from the opposition say that, unfortunately, there are people in other countries who are waiting in line. They are waiting so long to come into Australia that, unfortunately, they simply do not make it or they give up on it. Sadly, that is just the way that things are.

As a member of this parliament, I will always do everything in my power to assist my

constituents—the people who elected me—and, indeed, to assist all Australians to try to be reunited with their parents. However, if we simply cannot afford to give them the benefits that all Australians take for granted, then there is no benefit in them being here. It is for that reason that I strongly commend the Migration Legislation Amendment (Contributory Parents Migration Scheme) Bill 2002 and the Migration (Visa Application) Charge Amendment Bill 2002 to the House. I believe that they are responsible bills, which will help to reduce the pipeline of 22,000 parents already waiting to migrate to Australia. These bills will enable them to do that without overburdening the taxpayer.

The DEPUTY SPEAKER (Mr Jenkins)—I invite the Minister for Science to apologise to the House for the ringing of his mobile phone during the member for Macarthur's contribution.

Mr McGauran—I wish to apologise for that government member—not me—who left his mobile phone to ring embarrassingly in the House. I think I know who it belongs to; I will not embarrass the parliamentary secretary, but I will have a quiet word to him on your behalf.

The DEPUTY SPEAKER—Minister, I thank you for your cooperation to the House.

Mr WILKIE (Swan) (9.35 a.m.)—I rise to speak on the Migration Legislation Amendment (Contributory Parents Migration Scheme) Bill 2002 and the Migration (Visa Application) Charge Amendment Bill 2002 and to support with great pleasure the amendment moved by the member for Lalor. According to the figures of the Department of Immigration and Multicultural and Indigenous Affairs, there are currently 22,200 parents waiting to migrate to Australia. Of those, approximately 12,000 are in the queue. These people have been processed and are waiting for their turn. A further 10,000 are waiting to be processed so that they can join that queue. One of my constituents has worked out that, based on these figures, her mother, who is already queued, will be able to enter Australia legally in about eight years. The mother is currently 74 years old, so if she is lucky—and still alive—she can join her daughter, son-in-law and grand-

children, and possibly her great-grandchildren, on about her 82nd birthday.

The Migration Legislation Amendment (Contributory Parents Migration Scheme) Bill 2002 is, according to the Minister for Immigration and Multicultural and Indigenous Affairs, an improvement to what went before. I remind the minister that in the last intake year under Labor, 1995-96, the number of parent visas issued was 8,900, not the meagre 500 that we have arrived at under the Howard government. On coming to office, the Howard government took the cut and slash approach to fix what they saw as a problem with the migration system. Now they are trying to use the long waiting queue and the list to coerce the parliament to pass this new bill, which is neither fair nor equitable. If entry on a parent visa is only going to be available to the rich, then it makes a mockery of the social purposes of family reunion. By slashing the parent visa numbers to 500 per year, the Howard government have created a crisis. Among other things, they have caused families to wonder whether they will ever be reunited, and they have put considerable pressure on immigration officers working both here and overseas.

The rationale behind this huge reduction in parent visas was the cost to the country in health care that would be incurred by aged relatives. I should not need to point this out but I will do so anyway. Any migrant has the potential to be a burden on the health care system. None of us has a crystal ball that will tell us whether a healthy migrant will remain healthy for the rest of their lives. It is not beyond the realms of possibility that a person could get off the plane at Perth airport for example, clear immigration, get a permanent resident visa endorsed on their passport, clear customs, walk out of the terminal and get run down by a motor vehicle.

Another scenario which is far more likely is that a young couple migrating decide to start a family once they arrive here and take up their right to use the Medicare system for the management of pregnancies and then use the public hospital system for the deliveries of their babies. Thankfully most of these pregnancies will go well and a healthy baby will result, but what if the pregnancy has

complications? Are Mr Howard and his government going to complain that these people should plan things better or are they going to decide that we should start to take a health services charge from young couples migrating? I doubt it. Even the government can see that these people are assets to Australia and that their children will be Australians.

It is obvious to most of us that migrants of all ages are going to be assets, bringing with them benefits for Australia that will far outweigh any costs. The Howard government, however, has ignored any benefits that parent migrants bring to the Australian community—benefits such as taxes paid on income earned, goods consumed and voluntary service. There are other benefits that are impossible to measure but are nevertheless invaluable, such as the contribution migrants make through their diversity and cultures. I hear many valid reasons from constituents regarding parent migration and what it means to both the parents and the sponsoring children. Some of these benefits include the children getting to know their grandparents and grandparents who are able to help with child care. One woman, who is a single parent and has an autistic child, feels that her mother's presence would obviously support her and help with the care of her son, allowing her to be employed and thus taking a burden off the government. It also means that people would not only be able to share in their new country with their parents but also reap the benefits of having a complete family. In today's stressful environment, the presence of parents and grandparents to give support and advice to families is priceless.

Earlier I mentioned a mother who, at the present rate of migration, could expect to be allowed to come to Australia in around eight years time. This particular constituent originally arrived as a migrant from Britain and fortunately, to date, her mother has had no difficulty in arranging a visa each year to visit her daughter. She is also fortunate that she can afford the cost of visas and travel to and from the UK. Another constituent, an Australian citizen and a doctor of medicine who works at one of our leading teaching hospitals in Western Australia, would also like his mother to visit, just for a month. Her

application for a visa has been refused. This mother only wants to visit her son and see how well he is doing. She does not want to live here. She has a husband who is not well enough to travel and will be remaining at home. You may wonder what the difference is between these mothers. Is one a criminal? Did one overstay a previous visa? No, one is from Britain and the other from Pakistan.

The question that the doctor wanted me to answer was: why is he being discriminated against? He considers himself to be a good Australian citizen who works hard, has a nice home and money in the bank. He has offered to pay a bond. He has even offered the entire contents of his bank account, a substantial amount of money by anyone's standards, as a bond, but he was still refused the right to have a visit from his mother at Christmas—a time that is supposed to be when families get together to celebrate. The reason that he was given was that, on the balance of probabilities, his mother would overstay her visa and not go home. This woman has a husband in Pakistan who is too sick to travel or he would also have applied for a visitors visa. Both the mother and father have travelled together to America to visit family and have travelled to Australia previously, and they have never overstayed on a visa. Notwithstanding this history, the sponsor has offered a substantial bond on his mother's behalf.

This is how the Prime Minister, the immigration minister and the government treat our citizens and their families. Now they want to have a policy of the haves being able to get their parents here but the have-nots missing out. The costs and benefits of parent migration should not be assessed on the basis of economic analysis. We should also look at the benefits of this form of migration. This present policy does have tangible costs. One such cost, if we do not address the problem of parent migration and make it more accessible, is the flow-on effects on other migration areas. We are not going to be able to attract skilled migrants if they know that it is impossible for their parents to migrate or, in some cases, even to come and visit. These skilled migrants, who gained their skills at either their own cost or the cost of the gov-

ernment from their country of origin, will take their skills elsewhere, to countries where they know that their parents will be welcome.

By coincidence I have an email that arrived in my office the other day from a constituent. I will read you the text of a few extracts from that email:

I am writing to you with concern over the current government's parent immigration intake.

As my elected MP in the House of Representatives I would like to ask you for your feedback on what can be done regarding the current situation of my mother being placed in a queue, some 8000 applicants long, with an annual intake of only 500.

This constituent's mother had applied through the London office. He goes on to say:

We have since been told to expect lengthy delays in an approval being granted as the government minister for immigration, Mr Phillip Ruddoch, has limited the intake of approved migrants to 500 per year.

I find this situation most unacceptable as my primary responsibility is to the welfare of my family ...

... I find it incredibly two-faced that this country accepted my immigration application some 12 years ago, following my graduation as a Physicist from Aberdeen University when it appears this suited Australia's needs, yet now I'm being told that my mother is not welcome, that she "would be a burden to the State" to quote Minister Ruddoch.

The writer states in his letter that his mother will be in receipt of a UK pension, and has funds from life insurance. His letter goes on:

Why, when I have come to this country with a university education paid for by another country, a burden shouldered by another 'State', is this government so obsessed with not sharing any responsibility or gratitude that immigrants families have contributed to the wellbeing and economic status of the nation today? I am working today at the forefront of this nations technology within CSIRO, enhancing the perception of science within the State and internationally, both professionally and though my self-funded PhD studies, yet I am told that I am not allowed to care for my mother because she'll be a burden on the State.

It also appears morally offensive to place 'parents' in a queue that basically has no inkling of

hope of ending up with their loved ones. To be frank, if my mother is in a queue of around 8000 and the Minister for Immigration does not allow the intake to be increased from 500 per year, then my mother can expect to be waiting in line for 16 years, a time it would appear, would most likely see her to her end. It would appear to be a convenient method of getting around the parent immigration issue—allow the applicants to sit in the queue so long that they either withdraw their application in defeat or in death.

Imagine how this constituent would feel if he knew the real number of people in the queue is 12,000 and not the 8,000 that he mentioned. The reality is that, at the present rate of 500 per year, this view of a 16-year wait-list for his mother is indeed extremely optimistic on his part. My constituent goes on to say:

Would it be better for this nation that I sell up my assets and move back to the UK to honour the responsibility of taking care of my mother there? Leave my career and, together with my Australian partner, the two of us take our lives, our savings and our potential earnings back to the UK? It is a question that we will have to seriously consider over the next year if this government is not prepared to have more insight into the anguish it's current policy on parent migration is having.

My partner and I are considering starting a family soon, hopeful that my mother can assist in the upbringing of her own grandchildren; assisting in the family responsibilities of caring and giving, allowing my partner and I the opportunity of having a family with quality input from a member of another generation; allowing us the choice of having a family in this day of career needs and financial insecurity. One of us will have to give up our careers should my mothers application take 16 years to approve, effectively placing either myself or my partner as a burden on the State and in a position where more child-care allowances are claimed as a result. Does this situation not further compound the issue of an ageing population by virtue of limiting the number of children, if any, couples like myself and my partner can have?

Not content with creating massive waiting lists due to the small quota allocated to parent visas, the government now proposes a fix by creating visa classes that give those with financial resources a far better chance of migrating than those without. I have discussed with this constituent what might be the case if he had to put up some \$38,000 in order to

get his mother here. Even on his high income, he would find that an exceptionally hard burden to bear. I ask: why would he have to do it, given the contribution that he is making to our nation?

Parent migration should not be something that only the rich can aspire to. What about the Australian concept of a fair go for all? Yesterday, the member for Canning said in his contribution to this debate that the ALP immigration scheme amounted to allowing in people from areas that would vote Labor or creating areas that vote Labor, thereby ensuring a building of the Labor vote. Whilst I find this notion amazing in the extreme, a person could, using the same logic, argue that if only the wealthy can afford to migrate to Australia this would reflect in the Liberal voting figures. Of course, I am not suggesting that this migration legislation is a conspiracy on the part of Mr Ruddock and the Liberals to get more votes. I am suggesting, however, that it would take only a Liberal to think of it, because it is such an inequitable system to manage and a terrible way of dealing with parent migration. It is a little bit like education. Under the current government, only those who can afford to buy it, get it; those who cannot afford it, do not.

Mr ANDREN (Calare) (9.48 a.m.)—Much of the debate on the [Migration Legislation Amendment \(Contributory Parents Migration Scheme\) Bill 2002](#) and the [Migration \(Visa Application\) Charge Amendment Bill 2002](#) has been focused on the principle of equity. The Labor opposition does not dispute the principles of a user-pays system or mutual obligation, and this is reflected in its failure to make any substantial amendment towards improving the equity of the proposed migratory system, save a meagre second reading amendment. Further, as I understand it, there will be no amendments moved by the opposition when this bill goes to the Senate, because of the supposed deal that has been done between the Democrats and the government. But why not at least try to back up its rhetoric with suggested improvements here in this place?

I have been following this debate with a lot of interest. Most opposition members, while recognising that some contribution is

required from potential migrant parents, say that this bill nonetheless remains an outrageous attack on migrant families, in the words of the member for Greenway, as I recall. If it is such an outrageous attack on new Australian families, why then has the opposition declined to make any attempt here in this place to redress the inequity it recognises is inherent in this bill?

Under the new scheme, a parent who wishes to migrate can pay \$25,000 as an additional visa application charge, as well as provide a \$10,000 bond for 10 years to guard against possible use of the social security system. This is in addition to the \$1,175 initial visa application charge. A second parent applicant pays both visa charges in full and provides an additional \$4,000 bond as support assurance. So, for a parent couple, a brand new visa can be bought for \$66,350. Under the existing scheme, the visa charges amount to \$2,225—not an insubstantial amount in itself—with a \$3,500 bond for two years and \$1,500 for any second applicant. If you are struggling to afford the \$9,500 to bring your parents to Australia under the current scheme, you will not have a hope of gaining entry under the new system proposed in this legislation.

On the government side, at least members are sticking to their position, however inequitable and economically discriminatory it may be. They rightly recognise that there is a considerable backlog of applications to be processed, with applicants waiting on average almost six years to receive their visas. This is a considerable problem for aged parents in particular, waiting to join their families. According to the government members, the new classes of user-pays visa will give those who can afford it the opportunity to leave this existing queue and therefore speed up the process. In this way, the new visas are good for everybody—so goes the government's argument.

What is really required is to deal with both of these problems—to redress the inequity and to speed up the processing. Therefore, I will propose an amendment, which is being circulated in my name, in the consideration in detail stage. This amendment will specify that the minister, while retaining the power

to decide the number of visas available for each particular class, must determine that the number of visas available under the existing non-contributory parent visa scheme is equal in number to those visas available under the new class of user-pays visas to be introduced under this bill.

It is a simple change that will achieve what both sides of this debate believe is desirable in this new parent migration scheme. It will speed up the queues, and it will provide equality of opportunity for those who can afford a new contributory visa and for those who cannot. In relation to cost, which I anticipate will be the basis on which the government will oppose my amendment, I remind the government that its proposal of a \$25,000 health services charge, which is the crux of the user-pays scheme, represents an estimate of 12 per cent of the costs involved in looking after aged citizens. The Government Actuary describes this figure as '12 per cent of immeasurable costs'. I invite my colleagues to make of that what they will. But if we accept this figure as the basis of the government's calculations, it leaves 88 per cent of health services costs still to be borne by the Australian taxpayer.

If we can afford to bear 88 per cent of the health costs of 3½ thousand people who can pay for their visas, we can afford to pay the costs of the same number who cannot afford to buy their way in. This is all the more pertinent in light of the fact that the government is relying on figures that were decided apparently so arbitrarily, evidenced by the fact they are based on 'immeasurable costs'. I urge that this amendment be given serious consideration both in this House and the other place. Without it, I am unable to support the bill as it stands, nor am I able to support the opposition's second reading amendment.

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (9.54 a.m.)—I thank the shadow minister and all those members who have spoken and contributed in this debate on the *Migration Legislation Amendment (Contributory Parents Migration Scheme) Bill 2002* and the *Migra-*

tion (Visa Application) Charge Amendment Bill 2002. These bills seek to implement the government's policy for parents who wish to migrate to Australia.

It was very clear from the shadow minister's contribution that, with something like 25 per cent of Australians overseas-born, there are a lot of parents. There is something about Australia; it always seems to be the case that when people want family reunion they want it in Australia. There are some difficulties about how you can accommodate all of those demands and meet them in a fair and equitable way. I acknowledge that the former government made a number of decisions, and they were not easy decisions. I supported them when they had to make those decisions. I did not try to undermine their position when they made those decisions, as difficult as they were. The balance of family test was a difficult decision to make. What they were saying is that, unless the preponderance of your family are living in Australia, you are not going to be able to obtain family reunion—that is, parents with their children. Of course, we saw the same situation when the then government were faced with the same dilemma that we face now. There is no doubt from all the economic studies—and you do not have to go overseas to find them; theirs are not as compelling as ours and ours are far more comprehensive—that skilled migration is highly beneficial. Family migration costs the Australian community, and the humanitarian program costs the Australian community a lot.

Just because it costs money does not mean that you do not endeavour to accommodate it. I am a staunch defender of the humanitarian program, notwithstanding the cost. But if I am going to go out and advocate that we bring more people to Australia on humanitarian grounds, I have to find more money, with all of the implications that that carries. It is not always easy when you are in government to find those resources, as former governments found. That is why they moved to introduce assurances of support and bonds. What they were really saying was: if people are in a position to be able to make some contribution towards supporting their

family, it is not unreasonable to ask them to do so.

I think that is where we are in relation to the debate. I have some very comprehensive notes here that would enable me to go through all of these matters at length, but I will not try to do that. We have tried to strike a balance, recognising the enormity of the cost. The opposition almost jeopardised these arrangements, from the point of view of getting government support, because they had the Government Actuary prepare an analysis—and that was at the request of one of the members who has contributed in this debate. It brought the information out; the bills were even larger than we thought. We have sought to strike a fair balance. That balance is to provide a contingency reserve of 4,000 places in a full year to accommodate those people who are in a position to make some further contribution, and we have done that. It is a contribution. I am always afraid of pointing it out with the utmost clarity; I might find that there is enormous opposition in the wider community if people understand with clarity the nature of that contribution. We are talking about hundreds of thousands of dollars, if people live their full life, claim their benefits, forsake their bond and ignore the assurances. Of course, on the medical side, all they are being asked to pay is a contribution of \$25,000 to have full access to Medicare for the rest of their life. It is a very generous measure. We are asking those people who are in a position to make some contribution to do so.

I have thought about this, because it came through in the debate very clearly as I listened to the honourable members who spoke. They told me, 'Parents will bring benefits—intangible benefits. They are going to child-mind and support their families. Isn't that a good thing?' I say, 'Yes, it is a good thing.' And then I find out that in a family situation it frees up both mum and dad to be in full-time employment. So the family will have much more in the way of resources because they now have somebody here to play a parenting role. Some might say that that is their entitlement, but not every other family has that—sometimes there are separations, sometimes there are deaths and there are all

sorts of interventions that mean that not all Australians have that as an automatic entitlement.

In putting together these proposals, we also decided that we would increase the number of what one might say are the fully subsidised places. Those places that are available for 500 people will go to 1,000 per year. This means that this arrangement, rather than being anti-family, will provide a range of opportunities for families as they are able to afford. Those who can afford the up-front contribution and the bond will be able to get a new place. They will probably be already in the system, and we have prioritised. I think we have briefed you on the arrangements for trying to prioritise those who are going to transfer from the existing pipelines to the new places. As they come out of the existing queue, the existing queue will shorten and other people will be able to access the 1,000 places more quickly. They are some of the benefits that will arise from this.

I have consulted extensively on these matters. I know that there were people who thought that politically, if you kept it going long enough, the pressure would be such that sufficient fully subsidised places would be found for everybody; this has become clear. We have gone six years with the cap and queuing arrangements—nothing was going to change. It was not a matter in which, other than for the particular groups, there was a great deal of community interest, but I wanted to find a reasonable way in which people could make a contribution. As I have talked to people, I have found that there is an increasing recognition that this is a fair and equitable approach.

I am not always able to work with the Democrats—I have been able to work more often with Labor than the Democrats in the past; I hope you do not feel jilted—but on this occasion the Democrats have indicated that they see these arrangements, although they are probably as critical as you are of them, as the best deal that they can make. For you and your colleagues there is always an opportunity to put a lot more detail into your policy, and I will cost it very carefully and let you all know what the implications of it are. If you think there is another way, you

can always offer that and see whether or not the support is there for it.

The only other comment I wanted to make was in relation to the observations that came from the member for Rankin. He suggested that we should be more generous with parents to improve our competitiveness in attracting skilled migrants. There is no evidence of that in what has been happening in relation to the skilled migration program. I acknowledge all he had to say about competition for skilled places. The fact is that we have a situation now in Europe where countries who were never seeking migrants are now looking for migrants. Surprise, surprise: they are not looking for family reunion and they are not looking for refugees but they are looking for skilled migrants. Traditional areas of migration—New Zealand, Australia, Canada and the United States—still have a focus on skilled migration. All my interlocutors say that is where they are looking.

Skilled programs have not been growing elsewhere. The Germans have not been able to fill their aspirations for skilled migration program. The Brits are starting to talk about it, but the numbers are very modest. The fact is that we have been able to grow our skilled migration and we now have a healthy pipeline of skilled migrant applicants. In other words, there is nothing to suggest that, in relation to the number of people who are seeking to come to Australia, we are struggling because there are people who want to come but say, 'No, we elect not to because our parents cannot migrate.' I do not think anybody has brought it into the debate, but, if you look around the world to find which countries have parent migration schemes, I think you will find that they do not exist. I think the only country that has arrangements which would be comparable to ours would be Canada. I have not heard about the Brits and the Germans looking at parent migration, spinning off family reunion.

I do not see that our skilled migration program is suffering because of the approach that we have taken. It may benefit from the fact that we now have these sponsored places, because I suspect that those who come through the skilled migration program would be better able to use the sponsorship

arrangements in any event. That means, I think, that we are well able to manage the existing queue, even with the sorts of numbers that we are appropriating now and over time. But I suspect that the arrangements we have implemented will be seen in such a positive light that we will see a new queue emerging. In other words, my expectation would be that a queue for sponsored places will develop over time, and many more people—as they see that there are opportunities for parent migration—will come in and look for places rather than perhaps being deterred, as they are at the moment.

I understand the dynamics in relation to this debate. I think it has been a sensible and measured debate, and I want to assure the House that we are looking very thoroughly at how we might be able to manage these arrangements effectively and fairly, given the very extensive interest in them. I know there will be a second reading amendment. I know there will be an amendment from my colleague the member for Calare, and I have to say that we will not be able to accept that amendment; he looks surprised—I understand that. However, we have made arrangements to accommodate these places in the short and longer term and we do not see any reason to vary those arrangements. I welcome the debate. As a last-minute appeal, I invite all members to support the measures.

The DEPUTY SPEAKER (Mr Jenkins)—The original question was that this bill be now read a second time. To this the honourable member for Lalor has moved an amendment that all words after 'That' be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question.

Question agreed to.

Original question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr ANDREN (Calare) (10.09 a.m.)—I move:

Page 4, after schedule 1, insert the following schedule

Schedule 1A - Limit on visas

Migration Act 1958

1. Section 85

Omit the section, substitute:

85 Limit on visas

- (1) Subject to subsection (2), the Minister may, by notice in the *Gazette*, determine the maximum number of:
 - (a) the visas of a specified class; or
 - (b) the visas of specified classes;

that may be granted in a specified financial year.
- (2) The Minister must determine that the maximum number of visas that may be granted for Parent (Class AX – Migrant) and Aged Parent (Class BP – Residence) applications is equal to the total of the maximum number of visas that may be granted for Contributory Parent (Class CA – Migrant), Contributory Parent (Class UT – Temporary), Contributory Aged Parent (Class DG – residence) and Contributory Aged Parent (Class UU – Temporary) applications.

I will be very brief. I heard the words of the minister at the table rejecting this amendment outright, even before I had indicated what the amendment was. That is one way of conducting business in this place, I suppose, but I do not know whether it is necessarily an acceptable one.

My amendment specifies that the minister, while retaining the right to decide the number of visas in each class, must designate that the number of visas under the existing, non-contributory parent visa scheme be equal to the number of visas available under the new user-pays visa scheme. As I said in my speech during the second reading debate, this will still speed up the queues but will essentially retain the fairness of opportunity that has been a hallmark of our immigration program for more than 50 years. We do not have to think too far back over that period to see what a wonderful contribution people from all corners of the earth—rich and poor—have made to this nation and to see the opportunities they have grasped and the contribution they have made to our economy. They brought nothing with them; they had

brought nothing with them; they had only a couple of pesos, a couple of centavos, a couple of deutschmarks or whatever in their pockets when they arrived. It has been a 'fair go for all' immigration program for all of those years, as the member for Swan said. I would suggest that we run the risk of seriously compromising that reputation if we do not send a signal to the world that our immigration program still offers equity of opportunity to what is the greatest country on earth.

Family reunion is something that the minister alluded to, and it is an issue of great importance. The minister alluded to the fact that it frees up the parents to go to work. Then, in their own way, they are continuing to contribute in a substantial way to our tax revenue by the very work they are doing. Of course, they all want to be in Australia. A lot has been said about economic migrants on the refugee queues. Here we have the reverse: favouring economically-advantaged migrants at the expense of downgrading the numbers of those who cannot afford to access this very expensive means of coming to Australia as parent migrants. At a dangerous time in the world, our message should be that migration is non-discriminatory. I do have grave concerns that this legislation sends the wrong message.

The parenting role should not be devalued. Unlike many countries, Australia's lack of extended families is a social problem. We do not have the extended family that many of the European countries have traditionally had. I would suggest that that sort of thing adds a very positive element to forming a real fabric within this community. I ask the minister to respond to those points as I move this amendment and urge all members to consider it seriously. I will be taking every step to see whether or not it can be reconsidered in the other place.

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (10.13 a.m.)—I will just let the honourable member know that I was informed of his amendment when I made the comments. I was aware of the genesis of it. But I confirm now, having

the formal document in front of me, that the government rejects the amendment.

Can I say in relation to the migration program that it is not discriminatory, but it does have selection criteria. We cannot take everybody—I know there are people who see no limits, but the fact is that there are limits. There are selection criteria, whether it is for skilled migrants, refugees, humanitarian migrants or family reunion migrants; some people will get a yes answer and some people will get a no answer. What we are talking about is selection criteria. The government believe that what we have done is fair. We have provided a doubling of the number of places in what one might say are the fully subsidised places. That is what we have done. What the honourable member wants us to do is to not quadruple—I do not know what eight times more is—

Mr Billson—Stacks!

Mr RUDDOCK—Stacks! I have not gone into this at any length, but I am told that, if we were to implement the proposal that the honourable member is seeking, over a 20-year period the additional cost to the Australian community would be \$4 billion rather than \$2 billion. It is always very easy to argue the case when you do not have to have regard to the broader economic issues.

I recognise that parents make a tangible contribution and an intangible contribution. I understand that, particularly as, in my own case, I have had the willing assistance of my parents and parents-in-law to enable me to fulfil my responsibilities in public life. I miss my own mother dearly now that she has passed on, but when my children were young she was of enormous help. I recognise that. I recognise that it is not an economic aspect; it is a broader aspect. That is why we are trying to make these accommodations. The fact is that many people will benefit substantially economically if their parents are there and are able to assist with child rearing.

One of the substantial reasons that people want to have parents around is that two marriage partners can be in the work force. All I am saying is that, if you are going to get that substantial economic benefit, it is not unreasonable to expect that a contribution of, say,

\$25,000 to a balance of lifetime health cover could be made. I think a family would be in a very strong position to be able to meet that. Of course, the assumption is that the parents come with no assets of their own, yet I suspect that when they leave the country that they have lived in they may well have been able to sell property, to sell a home. Not everybody could—I acknowledge that—but in many cases they could. All we are saying is that, if you get that additional benefit as well, you may be able to make some contribution. If you are in a position to afford to do so, you will get one of the contributory places. If you are not in a position to do so and you perhaps elect to wait a little longer, you can possibly have one of the fully subsidised places. I think the government have got the balance right and the measure is worth supporting without amendment. The government oppose the amendment.

Question negated.

Bill agreed to.

Third Reading

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (10.18 a.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

MIGRATION (VISA APPLICATION) CHARGE AMENDMENT BILL 2002

Second Reading

Debate resumed from 5 December 2002, on motion by **Mr Ruddock**:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.

Third Reading

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (10.19 a.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**BROADCASTING LEGISLATION
AMENDMENT BILL (No. 3) 2002**

Debate resumed from 10 February.

Second Reading

Mr VAILE (Lyne—Minister for Trade)
(10.20 a.m.)—I move:

That this bill be now read a second time.

The **Broadcasting Legislation Amendment Bill (No. 3) 2002** makes various amendments to the Broadcasting Services Act 1992. These amendments:

- change the HDTV quota from a weekly to an annual quota;
- clarify the requirements for program content to be counted towards the HDTV quota;
- allow advertising and promotional material to count towards the quota; and
- delay the commencement date for the statutory review of HDTV quota arrangements.

These changes give effect to the government's 2001 election policy that it would consider amendments to the digital broadcasting regime in relation to HDTV arrangements.

The Broadcasting Services Act 1992 currently requires broadcasters to transmit 20 hours of HDTV content per week from two years after the commencement of the simulcast period in their area. The Broadcasting Legislation Amendment Act (No. 1) 2002, introduced to parliament last sittings, will have the effect of delaying the commencement of the HDTV obligations in mainland state capitals until 1 July 2003.

There is currently no provision for meeting the quota requirements by averaging content over a longer period than one week. This bill amends the requirements so that broadcasters are required to transmit at least 1,040 hours per annum of HDTV content—this is the annual equivalent of 20 hours per week. This will provide greater flexibility to broadcasters in the way in which they meet the quota and avoid situations where programming decisions that are not commercially sensible are made simply to satisfy the

quota. At the same time, it will ensure that HDTV programming is available for people who wish to purchase HDTV receivers.

The current legislation does not indicate how non-HD material included in HD programming is to be accounted for in the HD quota. The bill makes it clear that, where only part of a television program meets the requirements of a HDTV program, only that part should be considered a HDTV program for the purposes of the HDTV quota obligations. In cases where HDTV programs contain an insubstantial amount of archival material, that material may be counted towards the total requirements for HDTV programming.

In addition to this, the bill also includes provisions making it clear that any advertising and sponsorship, community service announcements, station or program promotions, news breaks or weather bulletins or similar material broadcast during a HDTV program or part of a HDTV program can be counted for quota purposes. This is consistent with the administration of similar obligations under the Australian content standard.

The amendments contained in the Broadcasting Legislation Amendment Act (No. 1) 2002 mean that HDTV transmissions will not be required to commence until 1 July 2003. There would be very little experience on which to base the review if it were conducted at the time currently required, 1 January 2004. This bill therefore proposes that the review into HDTV quotas required by 1 January 2004 be delayed until 1 July 2005, two years after the commencement of HDTV requirements.

The government remains committed to HDTV as an important component in the digital television regime, and believes that it will continue to be one driver in the take-up of digital television. These amendments, in conjunction with the Broadcasting Legislation Amendment Act (No.1) 2002, provide broadcasters with the flexibility required to meet commercial and programming demands.

The government will now be looking to broadcasters to provide a range of HDTV

programming for consumers who wish to take advantage of the high quality viewing offered by HDTV. The onus will be on broadcasters to ensure that such programming is available on a consistent basis throughout the year. When it comes to review the HDTV regulatory arrangements, the government will consider the quantity and quality of HDTV programming which has been provided under these new flexible arrangements, and how this is meeting the expectations of existing and potential digital television viewers. I present the explanatory memorandum to the bill.

Mr TANNER (Melbourne) (10.25 a.m.)—The **Broadcasting Legislation Amendment Bill (No. 3) 2002** does a range of things with respect to the government's digital TV regime, particularly with regard to the introduction of high definition television. It changes a number of the arrangements that were put in place in the legislation in 1998 regarding the introduction of digital TV and the mandating of high definition television as the primary means by which Australian consumers will be able to receive digital TV.

The high definition TV quota which applies to the main commercial broadcasters, which is currently set at 20 hours per week, will be annualised from July this year. In other words, broadcasters will be able to comply with that quota by broadcasting 1,040 hours per year rather than 20 hours per week—therefore giving them much greater flexibility in their broadcasting schedules. This legislation will also enable partial high definition TV content programs to be counted towards the quota—archival material, community service announcements, advertisements and other material. This legislation will also enable the review that is statutorily provided for high definition TV to be put off from the period ending 1 January 2004, which currently applies, to the period ending 1 July 2005. In other words, we have a process of gradual relaxation of the high definition obligations and, parallel with that, a deferral of the high definition review that is provided for in the digital broadcasting legislation.

The opposition supports this legislation, although somewhat reluctantly. Because the

legislation does relax the commitment to high definition TV and, in particular, the strength of the mandating of high definition TV, we do not oppose it. I will, however, later move a second reading amendment, which will indicate some of the opposition's concerns about the government's digital TV regime and, in particular, outline what we see as the gradual disaster that is emerging with respect to this country's transition to digital television.

Our digital TV regime, which was legislated in 1998, is slowly disintegrating. We all know of the government's disaster in datacasting. The government created a unique category of broadcasting in this country. Nobody else in the world has it; nobody else in the world has even heard of it. Datacasting was a particular genre of broadcasting use, but datacasting was not to be because the restrictions on what could be broadcast and in what form were so severe. The idea was that we would have some kind of electronic content to be used by people via their TV screens, but it would not be able to compete with the existing broadcasters, hence the title datacasting. The restrictions proved to be so severe that the auction for datacasting licenses ultimately collapsed because there were no serious bidders.

We have had a similar problem with the extent of take-up of set top boxes or digital receivers. I notice that the government now claims that there are somewhere around 35,000 Australian households capable of receiving digital TV through a set top box or a receiver—there are no reliable figures available. I suspect that that is probably a very generous estimate, but let us assume for the sake of the discussion that that is the case. That means that, still, only a very tiny percentage of Australian households are able to receive digital TV, because people have no incentive, no reason, to make the transition—to pay the hundreds of dollars for a set top box or the thousands of dollars for a digital TV receiver.

On the issue of multichanneling—the option of allowing the existing broadcasters to use the spectrum that they have to broadcast several signals rather than just the one that they currently broadcast—the government

has been all over the place. On numerous occasions, Senator Alston has taken the position to cabinet seeking some kind of endorsement to allow the commercial broadcasters to multichannel to broadcast several signals. The commercial broadcasters themselves are split on whether this is a good or bad idea. We see articles in the newspapers indicating that the government is about to approve multichanneling and then, a week later, that it has knocked it on the head. This has happened several times. The government appears to have no clear view on whether multichannelling should be permitted and, if so, in what circumstances, for what kind of broadcasting material and by whom.

Finally, just to complete the total picture of chaos in digital TV policy making, we have the backing away from high definition TV. The opposition do not regard this necessarily as a bad thing, because we believe that the original decision to mandate high definition TV as the technology that would be applied, that would be imposed upon Australian consumers and TV viewers, was a flawed decision. No other nation in the world has mandated high definition TV. No other nation in the world has said to its consumers, 'You must make the transition to this particularly expensive form of digital broadcasting.' Australia stands alone. Most other nations have had the good sense not to mandate a particular technology. Most other nations have had the good sense to allow some degree of consumer choice.

In Australia, we have taken a different approach. That approach has been to say that there shall be digital broadcasting and it shall occur through a particular kind of technology—a very expensive technology. It is a technology that does produce very nice pictures, without doubt. But it is a technology that is very expensive and out of the range of the vast majority of Australian consumers at this present time—and is likely to be out of the range of most people for some time to come. This bill is a tacit, belated recognition that that mandating of high definition TV is a mistake. The government is now slowly edging away from this part of its digital broadcasting regime, but without any broader coherent strategy for fixing the big-

ger problems in digital broadcasting. So, although it is fiddling with particular aspects of the regime, it has failed to develop a big picture—pardon the pun—approach to digital broadcasting that will solve the several problems that exist in the policy regime that has been in place now for five years. The government's digital policy is incoherent; it is contradictory; it specifies particular technologies, thereby denying consumer choice; and, as a result, is distinctly unfriendly for Australian consumers.

But the real issue that we need to consider today when confronting the government's digital broadcasting approach is: how is policy being made? How is the government going about dealing with the problems of digital broadcasting, of how to ensure better television for Australian viewers and of how to ensure that we make an effective transition to the new digital world? How is the government going about ensuring that we are able to exploit all of the opportunities that digital broadcasting opens up—the capacity for a much more efficient use of spectrum, higher quality broadcasting, interactivity and all of the things that digital broadcasting offers? How is the government going about making those policy decisions? What kind of approach have the Prime Minister and Senator Alston taken to informing themselves and to dealing with all of the complicated issues associated with digital broadcasting? Perhaps the way they have done that might help to explain why the digital broadcasting policy is such a mess.

We found some answers to these questions over the course of this week. On Monday and Tuesday we discovered that both the Prime Minister and Senator Alston have been enjoying—in their homes, for periods of five to six months—the benefits of a \$10,000 plasma digital television provided free of charge by Telstra. These TV sets are pretty unusual. They are 42 inches wide, produce sensational pictures, are of the highest quality and are out of the reach of the vast majority of Australian consumers. Most Australians can only dream of having a \$10,000 TV set in their lounge room. The minister has had his since September last year, for five months. With a straight face, he

says that he has had it in his lounge room to enhance his understanding of the benefits of digital television, to enable him to develop policy and to understand more fully all of the issues associated with digital broadcasting. In his declaration of interest, this was described as a short-term loan—five months have gone by and there is no sign of it being returned yet. It was described coyly as HDTV equipment, and no mention was made that it was going to be in his lounge room in his private home.

The Prime Minister approved this gift, this use of a high standard luxury TV in the minister's home. On the same day that these issues started to unfold we discovered why the Prime Minister approved: because he already had one himself. He was already sitting back in Kirribilli watching the cricket courtesy of the Telstra-provided luxury plasma digital TV—again, \$10,000 or so worth. He already had his snout in the trough; he was already on the gravy train. It is hardly surprising that when Senator Alston checked with him about whether it was okay for him to get one the Prime Minister said, 'No, go right ahead, Richard. It is an excellent idea. We need to inform our digital policy making a bit more. You need to spend some serious quality time in front of the TV set. But not just any ordinary TV set—you need to get in front of a really good one, a 10 grand one, a plasma digital TV set. I want you hard at work. I want some serious late-night sessions, some serious homework. I want you to make sure that you understand every pixel on that screen. I want to make sure that you know, in full detail, what digital TV is all about.'

The Prime Minister's loan was supposedly for three months. On 2 August he notified a declaration of interest that said he had this TV for three months loan. His spokesman told a journalist, probably several journalists, that he has not got around to returning it yet. Almost 6½ months have gone by, but the Prime Minister has not got around to returning it. He just has not had time; he is too busy. We can understand that; the Prime Minister is understandably busy. He has a war to pursue and a range of other issues that he has to deal with. What I do not understand is why anyone would envisage that he him-

self would be returning the TV set. I assume he has staff. I understand that various people are employed both at the Lodge and at Kirribilli. I do not really anticipate that, when the time comes for the set to be returned, if it ever is returned, the Prime Minister will hop outside one Saturday morning, get the prime ministerial ute, the family ute, back it up to the french doors at Kirribilli, open the doors, walk out with the TV set—maybe with somebody helping, because he is not a very big person; he probably will not be able to carry it by himself—put it in the back of the ute and toddle off down to the local Telstra outlet—perhaps one where they rent out TVs, although it is the first time I have heard of Telstra being involved in that—and return the set.

The DEPUTY SPEAKER (Mr Lindsay)—Order! Member for Melbourne, I am having difficulty seeing how this relates to the Broadcasting Legislation Amendment Bill.

Mr TANNER—Mr Deputy Speaker, I suggest you actually look at the legislation. The legislation is about changes to the high definition television regime.

Mr Anthony interjecting—

Mr TANNER—Mr Deputy Speaker, I ask you to exercise the responsibilities of your position.

The DEPUTY SPEAKER—Member for Richmond, you will observe standing order 55.

Mr TANNER—Mr Deputy Speaker, I suggest to you that we have had the Prime Minister and the Minister for Communications, Information Technology and the Arts over the course of this week explaining that they have these televisions in order to make digital TV policy, which is what this legislation is about, so I am being directly relevant to this legislation by talking about their behaviour.

The DEPUTY SPEAKER—I thank the member for relating it back to the bill.

Mr TANNER—The Prime Minister has said that it was a three-month loan. More than six months have gone by and the TV is still at Kirribilli. But let us consider the government's defence. Let us think about the

government's defence on this issue because its defence is that it needs these beautiful high definition TV sets in the lounge rooms of the Prime Minister and the minister for communications in order to ensure that they make decent policy and in order to ensure that the legislation before us today is of the highest possible quality and the highest calibre. Let us consider that defence. Senator Alston said on radio:

Unless you have some understanding of digital television, you really aren't competent to make policy judgments.

What I would like to know is: how long does it take you to work out that, on a 42-inch, \$10,000 luxury plasma digital TV, you get really good pictures? That is all there is to it; that is about the extent of it—you get fantastic pictures on these TV sets. How long does the ordinary, half-intelligent, vaguely competent minister need to work that out? How many hours of viewing do you need? How many re-runs of *Days of our Lives*? How many one-day cricket games? How many football matches? How many episodes of *Big Brother*? How much do you have to watch in order to work out that these TV sets are really good?

This principle that has been introduced into ministerial responsibility by the Prime Minister and Senator Alston this week would be interesting if extended into some other portfolios. For example, Senator Alston, if he is lucky enough to get promoted to minister for health when the Treasurer takes over, might be able to get a bit of cosmetic surgery in order to see what he is regulating. Cosmetic surgery is pretty expensive, but he needs to understand, if he is minister for health, the sorts of issues that are involved there, so perhaps he is entitled to a facelift free of charge from one of the major private hospitals. Perhaps if he is minister for tourism he is entitled—

The DEPUTY SPEAKER—Order!

Mr TANNER—This is directly relevant to the issue at stake here, Mr Deputy Speaker.

The DEPUTY SPEAKER—Order! Member for Melbourne, I would appreciate it

if you would return to the substance of the bill.

Mr TANNER—I am talking about the substance of the issue, Mr Deputy Speaker.

The DEPUTY SPEAKER—The member for Melbourne may make passing references to ministers but should not concentrate on the affairs of ministers. There are other processes of the House to allow that to occur. Please return to the substance of the bill.

Mr TANNER—If ministers are to get free benefits of this magnitude reflecting their portfolio responsibilities, a range of absurd and ultimately corrupt situations will arrive. We will have the minister for industry getting a free BMW in order to enhance his policy on tariff protection. We will have, maybe, state ministers for liquor licensing getting a crate of Chivas Regal sent round once a week in order to ensure that they understand the full impact of the liquor licensing laws. And so the list goes on. Imagine the minister for tourism's opportunities. He could go to the Greek islands maybe once a year for a couple of months to make sure that the extent to which they compete with Australia's industry is not enhanced. These are the sorts of things we are talking about here—outright, ultimately corrupt behaviour. We are talking about ministers and the Prime Minister feathering their own nests, taking the opportunity to misuse their positions to benefit themselves and trying to clothe it with the dignity of decision making of this parliament—and trying to suggest that somehow it is connected with parliamentary decisions about digital broadcasting.

It is also extraordinary that Senator Alston chose to make one public appearance about this issue to defend himself and it was on John Laws's radio program. What occurred there was one of the most supine, sycophantic performances in the long and inglorious history of grovelling journalism. Mr Laws spent most of the interview complaining about the ABA inquiry into his own behaviour but managed to put such incisive challenging questions to the minister as, 'If you're to be instructed on digital television, you've got to be able to see it, haven't you?' That was the sort of difficult and challenging question that Mr Laws put to the minister.

Why would the minister choose John Laws for the one serious appearance that he took to defend his conduct? John Laws is sponsored by Telstra to the tune of hundreds of thousands of dollars a year. How likely is it that a broadcaster who is paid hundreds of thousands of dollars—huge sums of money—to promote Telstra is going to ask hard questions of the minister about allegations of impropriety and misbehaviour by the minister for communications and Telstra itself? It was hardly a coincidental choice by the minister. It was a cowardly decision to not front up to the Australian people and to not front up to serious questioning. Senator Alston chose to defend himself on one media outlet only; the one where he knew he would get a very soft go. And what a soft go it was—what a grovelling, sycophantic performance it was. This minister cannot defend the indefensible. The real position is that the Prime Minister and the Minister for Communications and Information Technology have their snouts in the trough like two-bob spivs. In fact, their snouts are in so deep that they are in danger of suffocating.

The DEPUTY SPEAKER—Order! The member for Melbourne is defying the chair. I invite him to return to the substance of the bill.

Mr TANNER—I am talking about the substance of the bill, Mr Deputy Speaker.

The DEPUTY SPEAKER—The member for Melbourne will not reflect on other members or senators.

Mr TANNER—The defence of the Prime Minister and the Minister for Communications and Information Technology against the claims that they were improperly receiving these televisions from Telstra was that this was enabling them to make digital TV policy—which is what this bill is about—and I am criticising that defence. It is directly relevant to the bill. They have been sitting in their lounge rooms, wallowing in luxury, with \$10,000 TVs that are out of the reach of the vast majority of Australians, watching the cricket, with no intention of returning the TV sets. Senator Alston was even arrogant enough to boast about how good the football season is going to be. He was even inviting opposition senators to come around to his

home to watch the football on his TV. The Prime Minister has had the arrogance to say that he will return the television in a few weeks. It is just a coincidence that the World Cup is on at the moment. I have no doubt that he will get around to returning the TV at the end of March, after the World Cup has concluded.

Why are we considering this bill today if the Prime Minister and the minister for communications have not finished their deliberations? It would appear, given that they intend to keep the television sets for a while, that their deep research, their arduous homework into digital television late at night at home, is unfinished. It would seem that they are still there on the job, working hard and considering in great detail—with great effort and with many hours of arduous work—the merits of digital television. I am a bit puzzled as to why we are here in the House today considering this bill if they have not finished their work. Perhaps it would be appropriate to adjourn consideration of this legislation until the Prime Minister and Senator Alston have had their fill of their luxury \$10,000 plasma digital TV sets, until they have finally worked out that these are pretty good TV sets and until they have actually determined where they think digital broadcasting policy should go.

Of course the reason we are considering the bill today and the reason they are not deferring it is that their defence against the claim that they are wallowing in luxury and that they are simply feathering their own nests and exploiting their power over Telstra by having Telstra provide them with free luxury TVs in order to enhance their decision making, in order to enhance their development of policy, is patent rubbish. It is complete and utter nonsense. We are proceeding with digital TV policy making and decisions about these issues here and now, but they are still happy to keep these television sets in their lounge rooms. The greed and arrogance that this behaviour reveals go right to the very heart of this government. It is one rule for Liberal ministers and one rule for everybody else—for the ordinary people of Australia, the vast majority of whom can only

dream of spending \$10,000 or more on a TV set.

It would seem that Telstra has a new marketing strategy. Instead of the old hoary approach of buy one, get one free, it has a special deal: get one free, get one free. But it is only available to ministers in the Howard government. Or maybe it took the approach of 'join up a friend'. John Howard got his free TV set, provided he let Telstra also give a free TV set to Richard Alston. The real digital television policy of this government is magnificent television reception in the lounge rooms of the minister for communications and the Prime Minister, and nothing for everybody else. The government are treating Telstra as if it were their own private Radio Rentals; that they can just dip in and grab the highest quality, most expensive and most luxurious consumer electronic equipment for use in their own private homes.

At the same time as they are treating Telstra as their own private plaything that is showering them with gifts, they are in breach of the ministerial code of conduct. Do members remember the ministerial code of conduct? It vaguely rings a bell in my mind; it seems to have been mentioned once or twice in recent years. But it is now so decrepit, so discredited and so ignored that you would need to be committing mass murder in order to be in breach of the code, in order for the Prime Minister to take action. His behaviour with this television set reveals why—because he is in breach himself. Both he and Senator Alston have breached the provision of the ministerial code of conduct which requires that ministers shall not receive gifts which create an appearance of improper benefit. So they are in breach once. Secondly, they are in breach by failing to amend their statements of interest at an appropriate time. The standing orders require that amendments must be made with 28 days of a change of circumstances or a new benefit occurring. The Prime Minister recorded his so-called loan as being for three months. More than six months have gone by, but he has not amended that declaration of interest. Senator Alston described his as a short-term loan. We are now heading towards six months for his

so-called loan, and he has not amended that declaration.

But the most important aspect of the breach of the ministerial code of conduct—and something that is of great interest to Australian consumers and to people who are out there earning an ordinary, fair day's pay and trying to buy themselves some reasonable consumer goods to make their lives a little more enjoyable—is that ministers are prohibited from receiving gifts of more than \$500. This is an entirely appropriate rule; it is just a pity it is not being enforced. They have a choice. If you, as a minister or as the Prime Minister, receive a gift that is valued at more than \$500, you are required either to return it or to pay the difference—between \$500 and the total value of the gift—to the government. In this case, the value of the gift that the Prime Minister and Senator Alston have received is in the vicinity of several thousand dollars.

We rang Harvey Norman and asked what the rental figure for a TV of this kind was. They said that they did not rent them out on a short-term basis but that they did have rental plans for two and three years. The three-year figure was \$476 per month. The two-year figure was some \$630 per month. So, if the cheapest available rental figure is \$476 per month and you multiply that by five or six months, you would have a benefit worth several thousand dollars. Both Senator Alston and the Prime Minister have received a free gift—the value of that TV, which is worth several thousand dollars, way above the limit for ministerial gifts—and they should be paying back that money.

The final observation that is relevant to this is about the role of Telstra. This behaviour by Telstra is absolutely reprehensible. It is inexcusable. Telstra does not manufacture digital televisions; it does not retail them. Telstra has no involvement in the distribution of digital TVs. Although Telstra is part of the Foxtel consortium, the issues associated with digital television that provide the flimsy excuse—the complete fig leaf—for the Prime Minister and the Minister for Communications, Information Technology and the Arts receiving these TV sets relates to free-to-air broadcasting, not pay TV. The hardware that

people have in their homes, the TV sets which are also used and connected to Foxtel, Optus or Austar, are driven by free-to-air broadcasting policy. In spite of its occasional ambitions to buy a free-to-air network, Telstra is not involved in free-to-air broadcasting. So we might well ask what on earth Telstra thinks it is doing providing for free luxury TV sets to the Prime Minister and the Minister for Communications, Information Technology and the Arts, when it has no direct involvement in the sector for which the purported reason for having these sets relates to. We could draw the conclusion that the cosy, incestuous relationship between Telstra, the Prime Minister and Senator Alston is all about privatisation.

The senior management of Telstra are absolutely gung-ho for privatisation, because they know that their remuneration will skyrocket when Telstra is privatised. They know that they will be able to pursue a whole range of crazy adventures and get more into the dotcom world and things like that if Telstra is privatised. They know that they will not have to worry so much about their obligations to ensure that all Australians have decent telecommunications services regardless of where they live or what their income is—the sort of boring old public sector obligations that Telstra has had throughout its history and that it should continue to have. They want to get rid of those things, so they are desperate for Telstra to be privatised. The government wants to privatise Telstra, and now you have the management of Telstra giving the two key people in that decision making process, for free, luxury \$10,000 TV sets for their indefinite use. If that is not creating a perception of improper benefit, improper influence and conflict of interest, I do not know what is. The only proper thing for the Prime Minister and the Minister for Communications, Information Technology and the Arts to do in this situation is to return the TV sets immediately—do not hang around waiting for the footy season or the World Cup cricket; return these television sets immediately and pay the difference. It is fair enough to take \$500 worth—we can live with that—but they should pay the difference that they have effectively received in benefits. They have received several thousand dollars worth of

benefit from these free televisions. They should pay for that and apologise to the Australian people. I move:

That all words after “That” be omitted with a view to substituting the following words:

“whilst not seeking to deny the Bill a second reading, the House condemns the Government for:

- (1) further fiddling with its disintegrating digital television regime without addressing the overall problems inherent in the regime;
- (2) refusing to acknowledge that its digital television regime is failing, particularly with respect to the very poor consumer take up of digital receivers and the lack of consumer interest in high definition television;
- (3) creating confusion in the broadcasting sector by constantly changing its position on multi channelling;
- (4) maintaining a failed datacasting strategy which has been completely rejected by the media sector;
- (5) mandating high definition television against worldwide trends, but then tinkering with the high definition quota to make it easier for broadcasters to meet this requirement; and
- (6) encouraging consumers to purchase high definition television but then reducing the broadcaster’s obligation to provide regular high definition content”.

The DEPUTY SPEAKER (Mr Lindsay)—Is the amendment seconded?

Mr Snowden—I second the amendment.

Mr CIOBO (Moncrieff) (10.56 a.m.)—Before I begin to discuss the various benefits that the Australian people will enjoy as a result of the [Broadcasting Legislation Amendment Bill \(No. 3\) 2002](#) and this government’s commitment to introducing one of the best high definition television standards in the world, I would like to address some remarks to what the shadow communications minister, the member for Melbourne, has been speaking about for the past 25 minutes. I need to highlight one thing, which is really quite telling of the Australian Labor Party today. The shadow communications minister had 30 minutes to outline ALP policy on why the government’s high definition TV legislation was wrong and why our regime for digital transmission was wrong. He had that opportunity for 30 minutes. But, for 25

of those 30 minutes, or 85 per cent of the shadow communications minister's speech, what did we hear? We heard an absolute diatribe and nothing but vitriol about the Prime Minister and the Minister for Communications, Information Technology and the Arts. Stringing all of this together was the promulgation by the shadow communications minister that the government's policy for digital TV came down to this:

It is about brilliant reception for the minister and nothing for anyone else.

That is the position of the Australian Labor Party. The Australian Labor Party say that the government's policy on digital television transmission is all about providing 'brilliant reception for the minister and nothing for anyone else'. What absolute rot! What a telling indictment of the Australian Labor Party it is that in this chamber the shadow communications minister should use 85 per cent of his speech to do nothing but engage in this kind of foolishness. It really speaks volumes about why the Australian people rejected the Australian Labor Party at the last election and why I am sure, if they maintain this course, they will be rejected at the next election. That is because, fundamentally, they are an opposition without any direction and an opposition that is a complete and total policy vacuum.

I notice that the member for Blaxland is going to speak on this legislation. I look forward to hearing a more robust contribution from him about what the Australian Labor Party's policy actually is on this matter. We certainly have not heard it from the shadow communications minister. Let us hope that we get something more robust from the backbench members of the Australian Labor Party. I certainly hope that the captain of the ship does not set the standard. I also have to say that I am concerned to hear that they have gone back to playing wedge politics, the politics of division—the typical Labor Party trump card. I will throw in some of the vernacular that was used by the shadow communications minister. As part of his 25-minute diatribe we heard references to the Prime Minister and the Minister for Communications, Information Technology and the Arts 'wallowing in luxury', 'feathering

their own nests' and 'exploiting their power', and we heard indications that 'all they are concerned about is greed and arrogance'.

This is absolutely disgusting behaviour from someone who would like to consider himself a member of the alternative government. Does the policy position of the alternative government amount to simply slinging mud at the communications minister and the Prime Minister? We have seen that approach in the debate on Iraq, and now we have seen exactly the same approach to digital policy. When you are in opposition, you are duty bound to provide an alternative vision—a vision about what your policy would be if you were in government and about ways in which you believe the government is doing things wrong and what you would do to fix them. In the absence of all of that, it must be very easy for the Australian Labor Party to sit there on the benches and not actually put forward any ideas about whether standard definition television or high definition television is better or about why we should or should not have annualised quotas for program content. But we get none of that. Even the amendment that was put forward by the shadow minister makes no reference at all to what the Australian Labor Party would do. Let those listening to this debate be very aware that the only party in this chamber—and, indeed, in this parliament—that is putting forward a position on digital television broadcasting is the coalition. All you are getting from the opposition is diatribe.

We saw the failed policy that the Australian Labor Party used to have on pay television. Australia was one of the very last countries in the world to have access to pay television, because of the failed policies of the Australian Labor Party. This government, when it was elected originally in 1996, moved to quickly redress that through a comprehensive and detailed communications policy, which was brought about through long consultation with consumers and stakeholders in the industry. We have many things to be very proud of with respect to the coalition's communications policy. Regarding digital broadcasting, the coalition has been implementing a framework that allows for the gradual transition to digital television.

We are seeking to do this to ensure that Australian consumers have access to the enhanced television that is offered through digital broadcasting technology. Through the more efficient use of spectrum, digital television provides better sound, better vision and wide-screen effects. It is our expectation that, eventually, it will also provide interactive services.

We have moved to gradually implement digital broadcasting over the next eight years. We did this because we recognise that a case needs to be made to the Australian people that it is worth while. We demonstrate that it is worth while by doing two things. We let those who are more technically advanced and who are willing to spend money on new technology go out and purchase set-top boxes and wide-screen televisions or digital televisions. No-one is disputing for one second that the purchase of this type of equipment is expensive at the outset. Like any emerging technology that goes onto the market, it is generally expensive at the outset. No-one disputes this. What the Australian Labor Party fails to see—but, importantly, what we know the Australian people do not fail to see—is that in time the costs of all these products and materials will decline. The costs will reduce as there is greater take-up of this technology around the world.

The slow uptake of HDTV is not unique to Australia. I note that the member for Blaxland is laughing. No-one is disputing that it is not exactly rapid. But why would it be? Why does the Australian Labor Party put forward the point of view that everyone should take their televisions, throw them in the garbage bin, race out to their local Harvey Norman store, or some other store, and buy up new digital television technology? Of course they are not going to do that. But as people, through attrition, slowly get rid of their existing analog televisions, or put them into the second bedroom and those types of things, they will purchase the new technology—the new digital televisions, the new wide-screen televisions. They will do it because they recognise the superior benefits that flow from it and, as more of them do it, there will be a growing critical mass of people that will help bring down the unit price

on each of these types of items. As that unit price comes down, there will be even more incentive for more Australians to invest in this type of technology. Through its communications policy, the coalition has put in place a very reasonable framework that combines long-term vision with a reasonable expectation that, over the long term, people will switch to the superior benefits of HDTV.

Another part of the coalition's communications policy is that we have been looking at and working on making a financial commitment, as well as an effort commitment, to enable the ABC and SBS to switch to digital but also to provide multichannelling in genres that provide an alternative to the commercial and subscription broadcasters. Further, because we have this eight-year phase-in period of digital TV, not only have we ensured that consumers have time to adapt to the new digital environment but we are also requiring that broadcasters, over time, begin simulcast transmissions of analog and digital formats and slowly increase that over the same time frame. In addition, it is part of our policy to ensure that existing broadcasters offer additional TV services to areas of Australia with only one or two commercial television stations. We have introduced captioning for prime time television shows, news and current affairs, and we have also provided funding of \$260 million, as part of the regional equalisation plan, to facilitate the conversion of television broadcasting from analog to digital in regional and remote Australia. The coalition has most certainly met its commitment to rural and remote Australia, as well as to metropolitan areas.

All these policy platforms were incorporated when we went to the last election with our 'Broadcasting for the 21st century' policy document. It is a lot more than we saw from the opposition. After this debate, despite the fact that the Labor Party is supporting this legislation, let us hope that this support also translates to an actual policy position from the Labor Party. Let us hope that it matures enough to make a contribution to the debate rather than engage in mud-slinging.

The legislation that is immediately before the House works to ensure that, with regard

to HDTV, the quota for digital television includes a change from a weekly quota to an annual quota. It also incorporates provisions which allow for advertising and promotional material to count towards this quota. It also delays the commencement date for the statutory review of HDTV for the purposes of quota arrangements. I will deal with each of these matters in turn.

I will start with the last one, which is the delay of the commencement date. This government, through previous legislation, extended to 1 July this year the time for the simulcast of digital television broadcasts. We also looked—and this is what this bill does—at altering the date upon which we review the success or otherwise of the quota as it is introduced. What is the opposition's position on this? The opposition's position was to say, 'We want to bring the date for the review forward, not push it back.' I have to say again that this, to me—and, I am sure, to most people—makes no sense whatsoever. Effectively the Labor Party's position on this is that we should be conducting the review within months of the transmission commencing. What is the purpose of conducting a review within several months of it actually commencing? It is far better to take a longer term view over a year or two and look at what has been the success or otherwise of the introduction of the quota and of HDTV. It is a more rational position to take and it is also one that makes good commonsense.

This legislation delivers on the government's election policy that we would consider amendments to the digital broadcasting regime with regard to HDTV arrangements. The reason we have looked at shifting the current 20 hours per week quota to an annual quota is that it was clear that broadcasters needed the flexibility to have an annualised quota arrangement rather than a weekly quota arrangement to take into account that they are also required to make commercial decisions. The government are about letting the free market operate as much as possible. The free market would dictate that it is far better that commercial decisions be made about what is appropriate in terms of HDTV content on the broadcast than it is in terms of mandating that it be a quota of 20 hours per

week. It is very reasonable that a consequence of that could be that non-commercial decisions are made by broadcasters because they need to comply with the 20 hour per week quota. By introducing this more flexible arrangement we have ensured that, because it is now 1,040 hours per year of HDTV programs, broadcasters have the flexibility to make commercial decisions whilst at the same time meeting the quota.

With respect to making HDTV programming more readily available, we believe that the introduction of this more flexible regime will result in HDTV programming being more readily available. This will also go to the heart of addressing the problem by ensuring that there is quality content on HDTV that helps to trigger the demand in the marketplace for consumers to purchase set-top boxes, digital TVs and the like. It becomes a vicious circle otherwise. People are not willing to purchase digital TV because there is not enough HDTV content, and broadcasters are not willing to invest in HDTV programs because there are not enough consumers to watch the programs. By mandating this quota we overcome that problem by creating the incentive and by putting the onus on broadcasters to broadcast 1,040 hours per annum, which in turn will trigger and help grow the demand in the marketplace for HDTV programming.

The other particulars with respect to this legislation deal with what may or may not be included in terms of the quota. We do, where it is appropriate, allow for ads, sponsorship, news and weather breaks, and the types of things that are broadcast to be included as part of the quota arrangements. This is entirely reasonable. I think the assertion made by the shadow communications minister that we are going to have a whole range of foreign advertisements, for example, that are in HDTV format being used by broadcasters to fill their quota is preposterous.

Mr Hatton—It is part of the bill.

Mr CIOBO—It is part of the policy, I say to the member for Blaxland, and part of the comments that have been made by the shadow minister in the past that foreign language and foreign-sourced advertisements would be used. Does the Labor Party genu-

inely expect the Australian people and those in the industry to believe that we would be using these types of things to fill the quota? That we would use advertisement after advertisement just because we want to try to reach the 1,040 hours per annum? It is absolutely absurd.

I am pleased to commend this legislation to the House. It goes a long way towards ensuring that the government's comprehensive policy position with respect to communications—which sits in stark contrast to the Australian Labor Party's policy vacuum—results in tangible benefits not only for Australian consumers but also for those seeking to invest and make the most of this new technology. The Australian people will be richer for it. The Australian people will be richer for the leadership that is displayed by our communications plan.

I say this in the full knowledge that on the Gold Coast, the region that I am pleased to represent, there is a growing demand for exactly the types of programs that we have been talking about today. There is a growing demand for the types of initiatives that the coalition government has been making not only with, for example, digital television but also with TV black spots. Residents in my electorate in the suburb of Parkwood are some of the principal beneficiaries of the \$35 million television black spot program that the coalition government introduced. This is just one limb of a comprehensive communications plan, another limb of which is the legislation we are discussing here today with respect to quotas.

I would say the proof is in the pudding. When you look at the fact that the coalition government have also committed to fully fund the ABC's digital transmission and distribution costs, which we expect over the next decade will amount to in the vicinity of over \$600 million, you see that the government are not just engaging in rhetoric and broad generalisations but also putting money where our mouth is. I have to say that I am pleased that this legislation is another concrete step forward that the coalition government have made towards ensuring that the people of Australia enjoy a rich cultural programming content that is available through

digital television but not available through analog television. In conclusion, I would hope, as we hear from Labor members opposite, that we hear a more comprehensive outlining of their policy when it comes to ways in which the Australian Labor Party believe communications policy should be shaped in the future.

Mr HATTON (Blaxland) (11.16 a.m.)—I rise to speak on the [Broadcasting Legislation Amendment Bill \(No. 3\) 2002](#). I accept the challenge from the member for Moncrieff. In fact, we get lots of opportunities in the House to outline Labor's policy in regard to HDTV, multichannelling and datacasting because the government keeps changing policy on a regular basis. Here is another example of where the original decisions taken by the government were faulty. The last time I spoke on this bill was back on 5 December 2002—not long ago—which was the last time we were dealing with the Broadcasting Legislation Amendment Bill. A number of members spoke in relation to that, including the person who is currently in the chair, and spoke to some effect in regard to the fact that the take-up rate of HDTV was very low. The member for Herbert in fact argued—quite cogently, I think—that the take-up in DVD Australia-wide might just create the basis for the eventual take-up of HDTV. I think he observed at the time, and I observed in my speech, that that may in fact be a quite unexpected driver.

Certainly we know that the take-up of DVD players is staggering. It is the fastest take-up ever, and Australians are very quick adopters. Why? You have just got to look at quality and price points. The Chinese are pumping out DVD players at about \$299 or even less. If you go to Aldi, as my family has done, you can pick them up for about \$150 now. The capacity of these machines is not restricted to that of the \$500 one that I bought in the first place—I was in too early—because these now can play MP3s, MPEG1, MPEG2 and almost anything that you can throw at them. So, for \$150 or \$160, it is no wonder that people are doing that.

What are they playing, though? They are playing DVD material that has come into Australia in a flood—despite the fact that we

have still got the serious problem that, the world having been divided into four regions, we are in region 4 together with South America, although there is not that much of a Spanish-speaking population in Australia. We are still hampered with delivery of product into Australia. Despite that fact, and the fact that those major distributors, those owners of product, in the United States, Japan and elsewhere, have insisted on this regime operating, people have turned to it very readily. Why? Essentially, I think because of the high quality of the image. We are seeing-beings. We may not have the eyesight of eagles, but it is an extremely important part of us as human beings to take in information through our eyes and to do that in as rich a way as possible. All of the technologies that we have cannot encompass the capacity of our stereoscopic vision. Even HDTV and MPEG2, which is the basis of that and the basis of DVD production, is not as good as our capacity to see. We will, I think, eventually get to a point where we will have much better systems, much higher definition and much broader scope in what is available.

There are some central public policy problems in the manner in which the initial legislation was introduced and in the manner in which there have been a series of changes to it. I can understand the minister for communications' problems. All governments have problems with legislation that they put forward, particularly in the area of new technologies. We know that there is a common complaint—it was there in December—in regard to the close-down of the analog phone network and the determination that Australia should be covered by GSM. That was considered to be faulty at the time, certainly by some commentators and certainly by the then opposition, and the argument rested on the fact that there was a critical problem within country Australia. We have seen the introduction of CDMA as a digital alternative to the analog system. There are still some that argue, in fact, that analog has a better coverage and better reach. Why? Because it is a wave formation. If you have got relatively flat land, as you have in Australia, the analog waves can run for a very long distance. There is a significant problem, though, in terms of digital transmission, whether it is

GSM or CDMA; it has a much shorter span. You only get a certain distance around country towns, and then you are gone.

So there is still an old argument. Analog is not coming back, as far as we know. What we do know is that the capacity of CDMA as it will be expressed through CDMA 2000 will increase. What we also know is that these decisions—the design problems and the fundamental decisions about what you are going to adopt—have an enormous effect. In that area, we still have to come to terms with the G3 spectrum coming into play and a range of other things that need to be done. It is not easy; it is always difficult—but sometimes you can make relatively better decisions rather than relatively worse decisions. I think, in the HDTV area, a relatively conservative government should have been pretty conservative about the way they went about it, and they were not. There were a series of reasons why that is the case, some of which I may go to. I might say that it is an interesting conjunction to actually be having this debate and having these changes brought before us right now when there is a virtual stream of confetti coming out of the media in regard to what the shadow minister spent some time covering, and that was the situation with both the minister for communications and also the Prime Minister.

So the context changed. With regard to the plasma TVs that are still on loan from Telstra to the minister for communications and the Prime Minister, I note that they are all down as \$10,000 plasma TVs. Why did they get the bottom of the range, one might ask? Why did Telstra not give them a loan of ones that cost a bit more, because we know that—and the member for Moncrieff alluded to this—once you start to get increasing demand, there is a kick-down in terms of price. As more TVs are produced at a lower cost, the cost of TVs is dramatically decreased. We know that when they were originally introduced into Australia, the cost level for wide screen HDTVs was about \$30,000. We have seen that effectively halved, I think late last year, down to about \$14,000 or \$15,000 at Harvey Norman or other places. There are still HDTVs that cost significantly more than \$15,000 or so, but there are some that have

come in now at the lesser end. When Samsung entered the market fairly heavily with the LG models, that started to impact on the market with prices heading down towards \$10,000. That could accelerate, as the member for Moncrieff has indicated, and they might be working their way down to \$5,000. The market certainly will move in that direction, but when these offers were taken up I think we would have been closer to \$14,000 or \$15,000 than \$10,000.

We have seen the minister explaining his circumstance that, years on from when this initial decision was made, he had to have a good look at the technology. Even though he has had a good look at it before, he needs to look at it now, essentially for sport. But it is not good for the government to have 'Alston gets the picture' as a headline in the *Launceston Examiner*, or for Matt Price to be talking about Senator Alston and John Laws both being in receipt of largesse from Telstra. That is not good news for the government nor is it really good news for the *Age* to be heading up a short piece from Annabel Crabb on the fact that 'Free TV doesn't rate'. The *Age* headed up their editorial with 'Alston in error' and pointed out that there are significant problems with the manner in which this has progressed. The *Daily Telegraph*, another Murdoch publication, has the headline 'It is a poor image'. You have got to give it to the subbies: they are really good at working out what the headlines should be—almost as good as the people in our departments when we put reports together.

As far as the PM is concerned, he might be making news with George W. Bush worldwide and Tony Blair, but he is certainly making news back here. In the *Courier-Mail*, of all papers, Malcolm Cole's article has the very large headline 'PM under siege over digital TV', because the Prime Minister signed off on Senator Alston's. I wonder who signed off on the PM's—probably himself with his own code of conduct.

The DEPUTY SPEAKER (Mr Lindsay)—Order! Under standing order 76, the member for Blaxland will not impugn the motives of members or senators.

Mr HATTON—With respect, Mr Deputy Speaker, I was not attempting to do that. I

was simply wondering aloud who, in fact, was responsible for signing off for the PM.

The DEPUTY SPEAKER—I suggest that the member for Blaxland does not wonder aloud.

Mr HATTON—Mr Deputy Speaker, I do that often. I will attempt to continue. In the *Daily Telegraph*, Tory Maguire's article has the headline 'PM also has plasma TV: Code of conduct 'a mockery''. The headline in the *Australian* reads 'PM under hot lights of Telstra TV perk'. The headline in the *Herald Sun* reads 'Kirribilli House borrows \$10,000 digital set'—but of course we have heard that the Prime Minister is too busy to watch much TV, although I know that he watches the cricket during the summer—and continues 'PM tunes in to free Telstra TV'. We have some other conjunctions in the *Age* and other newspapers about new furniture in the Prime Minister's offices in Sydney.

In the new context, that is what is in the media; it is not just what is coming from the Labor Party. The media can pick up on these issues. The fundamental, core problem with the government and the bind that they are in is that they went for HDTV. I do not think that they went for HDTV on the basis of what the Prime Minister, the minister for communications or anyone else thought about the quality of HDTV—although for Mr Deputy Speaker and the member for Moncrieff, and for me as well, being a normal human being there is a natural attraction to the vividness of that quality; but it comes at an enormous price. A lot of people tend to wait until things have changed. But why was that mandate in there? Personally, I think you have the normal confluence in Australian broadcasting—that is, you go to who the chief players are. SBS and the ABC are not the chief players. They have been dealt with in a different way. The chief players in the free-to-air area are PBL with the Nine Network, Kerry Stokes with the Seven Network, and Channel 10. You have also got the confluence of Foxtel and so on.

It is a big decision to make to run from analog to digital. The costs are enormous. People have played it safe worldwide—the United States, Japan and Europe. They have played it safe and gone for the standard

digital TV. It would have been smart of us to do so, but there was a bigger play here. The play was based around Australia's obsession with sport, the fact that you could produce sport and present it in a high definition way, and the fact that that could pull in more value to the free-to-air networks and their associates—and this is where Telstra is mixed up with Foxtel and so on. But, of course, they did not want to pay for it themselves. They effectively said to the government, 'This is a big deal. You have decided you are going to look at digital TV. If you are going to go to HDTV, then the costs of that have to be amortised in such a way that we can absorb them properly.' That makes reasonable commercial sense, but effectively this decision has been driven by the desire for high quality—related to sport primarily, and that has taken up most of the time. That is to be the great drawcard to drag people away from their DVDs and the expensive wide-screen analog TVs they watch them on—because they have not been taking up the digital ones—and to bring them back to the marketplace.

But the Australian people as a whole should not be running the cost of that by default. Where are we heading? This bill represents continuing moves toward standard digital TV as the core technology in Australia. Looking at the provisions closely and the manner in which things are redefined in this bill, there will be ways to fill up 1,040 hours a year of HDTV. There will be ways of filling it because there are a series of definitions of HDTV. There are ways to use 16 millimetre or 35 millimetre material—such as broadcast versions of home movies. I noticed they did not include eight-millimetre materials, which they could have done—a number of bios could have been done for people around the House and elsewhere—but they have not included eight millimetre. It is 16 millimetre and 35 millimetre that was the normal stock used through most of the motion picture industry's history. You can convert that stock for commercial television by running it through a telecine—if it came out the other end as an MPEG2 standard production, you could include that as HDTV. So you could run through all those Alan Ladd films, *Hercules*, dreadful things like the Ital-

ian stuff from the fifties and so on and say, 'We'll whack that in.'

These provisions say that the breaks during any HDTV program can also be included as HDTV. So what does it mean? You can actually include the commercials in your count. We know that commercials run for six to seven minutes in the hour—and that will be included in the count. The member for Moncrieff made a point regarding overseas commercials. The reality is that this government has legislated for overseas commercials to be allowed to be played in Australia, without any quota or any control. We have already seen the substitution of home-grown and home produced commercials by multinational companies, who can produce a commercial once instead of producing it a number of times by dubbing it into Australian or getting Australian actors—it is cheaper for them. We are getting an increasing enculturation of standards and American language. It is quite right that—having allowed that and, in fact, endorsed it—commercials will be counted as HDTV. Anything produced locally is treated the same way. It also means that you can throw in a news break or anything you can find to make up the 1,040 hours a year instead of 20 hours a week.

Although I do not think they will actually be inclined to use it—the ABC might, but I think they may be more sensible; certainly the commercials probably will not—there is a ready source of broadcast material pumping through all these TV cameras here in the House of Representatives at the moment. If they wanted to pump out the 20 or 21 weeks of our parliament that run each year, they would actually fill up the HDTV quota. I do not think that was actually the original intention of the people who pushed this idea, nor of the government or any sane opposition. There has always been an argument that broadcasting parliament in one way or another may in fact be for the public good—certainly most of us might see it that way—but there is a core problem that it is expensive to produce HDTV content.

Given that the commercials, the ABC and the SBS have had to sign up to change to digital, given the enormous amount of band-

width that is taken up by HDTV, and given the promises and the compromises that were evident back in December and which are evident in this bill, you have to wonder even more about the original policy. As I said in December, when these changes were mooted it was not just the Labor Party who were knocking on the government's door and saying, 'Hang on, you'd better be a bit more sensible about what you're doing here.' We know that the cost of this will not be borne just by the television stations who are urging you to go straight to HDTV.

The Productivity Commission—no friend of the Labor Party, certainly, and no friend of lots of governments, because they come up with very uncomfortable information—laid it out very straight. They said that the take-up would be awful and there would be significant problems in all of that bandwidth being used for just HDTV. Look at the experience of the rest of the world: if you provide the ability to choose multichanneling—and, we would argue, datacasting as well—with a standard digital TV, you will end up with a lower entry cost, because the TVs themselves can be at a lower cost. Or, people can take those analog wide-screen TVs that they are buying now to play DVDs on and use a set-top box at a much lower price. That way, you can have standard definition digital TV, which is pretty good. It is not as great as HDTV and not as great as what they would be expecting, but they can have much more flexibility.

That is the core of the Labor Party's approach and that is the core of what the Productivity Commission said. If you go back to the last parliament, when the member for Perth was the shadow minister, when we were dealing with the datacasting issues we said that much greater flexibility and much more productivity was possible if you operated on a standard regime. We said that this was a bad investment for the broadcasters, that it was a bad investment for the Australian public at large and that it was poor public policy because it was not well-grounded. If we can be condemned for trying to have GSM Australia-wide when we were in government, this government can be condemned for a dumb decision made at the urging of a

series of broadcasters who want to corner the market again. I think they should rethink. We know that it is dissolving in front of the government's very face.

Mr NEVILLE (Hinkler) (11.36 a.m.)—I came in today thinking that I was going to hear some really good policy alternatives from the ALP. The previous speaker, the member for Blaxland, would know I am passionate about television, particularly digital television, and the potential of it. In 50 minutes of presentation from the first two speakers from the opposition we saw about seven or eight minutes maximum where anything was said about the [Broadcasting Legislation Amendment Bill \(No. 3\) 2002](#). This pathetic—and I say pathetic—amendment before the House shows that there has been a lot of flabby toing-and-froing on the opposition side about the issue but that they have not come to any firm policy decisions on it. You, Mr Deputy Speaker Lindsay, are an expert in this medium. You must have sat there in all your neutrality trying to shut out things that you might otherwise wish to speak about.

I have a great deal of respect for the shadow minister for communications, the member for Melbourne, but I tell you what: it was severely dented today. This was a real opportunity for the opposition to put up some sensible amendments, to try to come to grips with a vision of what we want for the Australian people and to not use 40 or more minutes of a 50-minute presentation from two speakers to denigrate the Prime Minister and the Minister for Communications, Information Technology and the Arts. There was absolute denigration, and it had all the invective and colour that could be put into it by the shadow minister: 'wallowing in luxury', 'feathering their own nest', 'exploiting their power', 'greed and arrogance'. That went for 40 out of 50 minutes from these two speakers. I do not think that is good enough.

It was even extended to asking, 'Will this be used as a justification for the tourism minister going to the Greek Isles?' That raises a very interesting point. That cites a very extreme case, and I certainly would not approve of that. But I, having worked in the industry for many years as a regional devel-

opment practitioner, would hope that our tourism ministers would know what familiarisation with the industry is all about. I would expect a tourism minister to be able to go to Australian resorts, tourist attractions, heritage sights and the like and to have a very good understanding and comprehension of what was there and how that should be marketed domestically and internationally. If he stayed a night or two at one of those resorts—be it Kakadu, Kingfisher Bay or wherever—or if he had a meal or a few meals and saw the quality of the meals, I would not get myself so het-up with the politics of envy to expect that minister to be sneered at in the parliament. We have heard a lot of rhetoric because Telstra has loaned two plasma TV sets to the Prime Minister and the communications minister. ‘A terrible business,’ says the shadow minister.

How many members on both sides went to the Olympic Games as guests of various companies? Some would argue that they went with marginal conflicts of interest. Is that true? Didn’t members from both sides of the House go to the Olympic Games? Those people went to the Olympics, it was said, as part of their national duty as members of parliament to support the Australian team, to know the extent of international events in this country and so on. They justified it. What is the difference between someone going to the Olympic Games and seeing a national event in the flesh and another being given a plasma TV screen to see it in their home? The morality is no different. In fact, some would argue that the acceptance of tickets to the Olympic Games was probably a worse manifestation of it. I think we saw politics of envy and degradation for over 40 of those 50 minutes; they were trying to get a cheap shot at two ministers while totally ignoring the substance of the bill. I do not want to fall into that trap. I think this is far too important a subject.

The member for Blaxland said we have rushed into these decisions. That is not true. Not only the ministry but backbenchers on this side—and I was amongst them, as were you, Mr Deputy Speaker, in your role as the member for Herbert, and Minister Hardgrave, who was on the House of Representa-

tives Standing Committee on Communications, Transport and the Arts in the previous parliament—went to Channel 10, Channel 9, Channel 7 and the ABC in Sydney years ago, before people even talked about digital television or what it might deliver, and familiarised ourselves with the medium. This government do not have to apologise to anyone for trying to set the highest possible standards for Australia. At that time, the world was grappling with this. If I had a criticism of us as a government, it would be that we may have been wise to wait a little longer to see how things developed around the world—as we did in the past with black-and-white TV and colour TV—and to set our standards after having seen some of the pitfalls that other countries fell into. But we were up the front of the pack, and that carries with it certain dangers and the necessity at times to amend and set agendas to encompass the technology that is available and to take into account the costs that are involved.

I previously referred to the introduction of high definition television into Australia when I was speaking on the [Broadcasting Legislation Amendment Bill \(No. 1\) 2002](#) last year. That bill, amongst other things, allowed broadcasters a period of grace. Originally they were required to provide 20 hours of high definition digital transmission within two years of the simulcasting of analog and digital TV. The period of delayed commencement of high definition television obligations has now been extended until 1 July 2003. That poses the question: why? I think we all have to realise that we are moving into a new era of television entertainment. Digital television is quite different from black-and-white television; it is quite different from colour television. Although it has some elements of the wide-screen televisions that are in stores today, it is still quite different again in its picture clarity and enhanced sound. It is a picture of high resolution and infinitely better clarity, and it is broadcast in a wide-screen format in the nine to 16 ratio. It has the capacity for subsidiary channels, multichannelling and interactive services. It will eventually deliver different forms of data-casting which will extend the function of our

television sets. It will have many of the features of a computer. Of course, some people will be looking for multifunctionality. They will want the different channels and choices. They will want to be able to look at the enhancement channel when they are watching the football, the cricket or the motor racing. Others will be looking for a high-resolution picture and a sound quality infinitely better than anything we have experienced before.

All this reaches its ultimate expression with high definition television—HDTV, as we call it. Why should the government baulk at trying to deliver the best to Australia? Why should the opposition want to denigrate it because there are difficulties with its introduction? As the member for Blaxland said, it is not unique to Australia. It has happened all around the world. Should we just dumb down Australian HDTV to a poor international standard, perhaps like the British standard, or should we try to achieve something better? We should not confuse HDTV with standard definition television, SDTV. As the member for Blaxland said quite rightly, it will deliver a much better picture than we experience now and generally better reception. But it is not the ultimate expression of the medium. This bill gives effect to reasonable and workable changes to the quota system that broadcasters must adhere to in terms of the quantity of high definition programming made available to viewers.

There are six aspects of this bill: four major ones and two minor ones. The bill replaces the current requirement that national and commercial television stations must transmit 20 hours of high definition television programming per week. It clarifies what constitutes a high definition program yet provides that the HDTV programming may include a limited amount of archival material. It provides that HDTV programs may include commercials, station announcements, promos and weather and that such material within the program is counted as part of the quota. I do not know why there is all this emphasis on overseas television commercials—I just think that muddies the water when the principles in this bill are very clear. Finally, the bill provides that a review of HDTV quota arrangements which was sup-

posed to have occurred on 1 January 2004 will move out to 1 July 2005.

We see here simple arrangements that soften an otherwise inflexible set of rules which may not have been in the best interests of either the television stations or the viewers. The inflexibility of having to provide 20 hours per week is replaced by an annual minimum requirement of 1,040 hours. Obviously, there will not be a lot of high definition television around for a number of years. It might be four or five years before there is a fair quantity of it around, so you would like to think that where you did have high definition television available it would be at the best times for the maximum audience reach. What we are trying to do, then, is balance the requirement of television stations showing enough high definition television to attract viewers to the new medium with the ability of the networks to provide that material.

There are times of the year—for example, holiday time—when a number of major programs, many of which will be in high definition format, will be in recess. If we had not moved these amendments, we would have been tying down those television stations to showing any high definition television and not necessarily something that was very entertaining or edifying. At other times there will be a surfeit of high definition programming. We need to recognise that, to encourage the networks to invest more heavily in high definition television, they need to be able to maximise the commercial return in the formative years of the medium's existence. There will not be any less high definition television over the two-year phase-in. There will still be 1,040 hours or more, but it will not have to be confined to the rigidity of 20 hours in any given week.

The bill will clarify the status of foreign-sourced news clips and outside broadcast segments, which may be used in high definition programs even though those particular segments may not be in high definition format themselves. It will allow for archival material to be used in a high definition program. For example, if we are watching the Anzac Day march, there may be segments from parades of 20, 30 or 50 years ago. There may be archival material, for example,

from the Second World War, Vietnam or Korea inserted into that. There may be some of those seminal moments and some of Damien Parer's material, for example, which will enhance that program but quite obviously will not be in high definition format. At an AFL grand final, we might see some segments from the old VFL grand finals. Of course, that is just sensible enhancement of a program. We might have archival material of Bradman, Tallon, Miller, Chappell, Taylor or Border, who all played their cricket before we had high definition television. We should not be prevented from seeing that sort of material in segments within a high definition program.

Another thing the bill will do is define the status of advertisements, sponsorship and community announcements, and weather bulletins when they occur within a HD presentation. Because the start-up date has been delayed until 1 July this year, and the intention is that it should be trialled for two years, obviously the review cannot take place until 1 July 2005. I think these are sensible measures. As I said earlier, for the presentation of high definition television to be attractive to audiences we have to find a balance between, on the one hand, giving viewers sufficient incentive to invest in digital and high definition television and, on the other hand, giving broadcasters sufficient flexibility to maximise the impact of the limited amount of material available in the early stages.

As the member for Blaxland said, high definition televisions have mixed fortunes around the world. Many countries are still grappling with the format and the costs of the new sets. But if we move in this orderly fashion I think we will see both standard definition and high definition television sets fall in price, because these measures will encourage a take-up of both subsections of the medium—the SDTV and the HDTV. As the member for Blaxland said, 18 months to two years ago we paid between \$500 and \$600 for DVD players. Today you can buy them in shops—perhaps not those of the greatest quality with all the bells and whistles—for about \$150 to \$170. That is because the medium is well used. If we can encourage HDTV to be well used, I think we

will see that experience repeated with the cost of these sets. If we play this game well, as the price of these receivers drops, it may well be that Australia will have one of the best HDTV regimes in the world. We will be able to engage a high proportion of Australians in this extraordinarily exciting extension of the medium of television. It will be something that will enhance both Australia's quality of public entertainment and our technical expertise.

I for one commend this bill to the House. I deplore the opposition's amendment, even though it will not be moved against the second reading of the bill. I think it is a reflection of their lack of policy; it shows how policy devoid they are in relation to this medium. I also deplore the fact that two previous speakers used 40 of the 50 minutes in which to speak to this bill to do nothing but try to take a cheap shot at the Prime Minister and the Minister for Communications, Information Technology and the Arts. This is a much more important issue than that, and the parliament should be focusing on it in a much more mature way.

Mr McGAURAN (Gippsland—Minister for Science) (11.56 a.m.)—I thank the member for Moncrieff and the member for Hinkler for their constructive and impressive contributions to this debate on the **Broadcasting Legislation Amendment Bill (No. 3) 2002**. The member for Moncrieff has made something of a splash in the federal parliament since being elected over 12 months ago now. It is very gratifying to see that he is prepared to tackle complex but vitally important areas of government administration, with wide economic, social and cultural implications, such as telecommunications. The member for Hinkler is experienced in this field and has devoted a great deal of his 12 years of service to the federal parliament in immersing himself in the finer details of telecommunications and communications policy on behalf of his rural constituents. As a result he has had a major influence on government policy in the area of telecommunications and has therefore been a major voice on behalf of rural Australians. I again thank those members for what they have contributed to the preparation of the bill before the

House and for their commentary on it. Their worthwhile contributions to the debate stand in stark contrast to those made by members of the Labor Party.

The member for Melbourne has something of a problem. He cannot lay a glove on Senator Alston, the Minister for Communications, Information Technology and the Arts, on any aspect of telecommunications and communications policy. He was today reduced to demeaning himself and the opposition by making mere personal attacks on the minister for communications and the Prime Minister.

Mr Neville—For 25 out of 30 minutes.

Mr McGAURAN—For 25 out of 30 minutes he raved on this particular issue and left only five minutes in which to make some passing reference to the legislation, which is of great importance. This is a highly technical, newly emerging technology which will revolutionise much of the daily and commercial life of our community. But he could not resist the temptation. He cannot score points in a policy sense—and that is a testament in itself to Senator Alston and the government's sensible, balanced decisions on a range of communications subjects and issues. It is also a reflection of his own frustration that he has been unable to make inroads on Senator Alston's administration of communications policy.

What it boils down to is simply this: Senator Alston and the Prime Minister, after much consideration and discussion between themselves and within their own offices, accepted on a temporary basis the loan of the special new TVs. They declared them—in Senator Alston's case, to the Clerk of the Senate and to the Prime Minister under the Prime Minister's code of practice; and, in the Prime Minister's case, to the Clerk of the House as the Registrar of Members' Interests. It was all above board and there was nothing hidden, nothing kept private or secretive. That is the first thing; they fulfilled their public and parliamentary obligations.

The second thing is that in this parliament we are discussing extraordinarily important legislation dealing with digital television, which is still in its infancy. Senator Alston

and the Prime Minister are the two primary influencers and shapers of public policy in this area. Of course they have to experience first-hand the possibilities, limits, ranges and the like associated with television and communications of this kind; it stands to reason. Nothing could underline that point more than the fact that we are debating today revolutionary television communications throughout Australia with huge economic implications—for the consumer first and foremost, but also for industry itself. The member for Melbourne's personalised attacks are not worthy of him or the opposition, nor are they worthy in light of the public policy importance of this bill.

There has been some claim that the take-up of digital television in Australia and throughout the world is slower than predicted by commentators. I do not find that surprising because it will take time for high definition technology, like other emerging technologies, to grab the interest or imagination of the public—leaving aside the very high cost to average men and women in Australia of taking up the technology in the first place. But it has to be said that interest in HD technology is building, as are sales of digital TV equipment. We know there is an expanding level of interest in HD in the United States—most prime time productions are filmed and released in HD, and cable companies are broadcasting an increasing amount of HD content, particularly sport, drama and movies. HDTV is being pursued in Canada, Japan and Korea. There is also growing interest in the United Kingdom and Europe. In Australia, I am advised, one broadcaster is already providing 20 hours per week of HD content and another intends to broadcast HD content 24 hours a day, seven days a week.

The basic policy principles underlying the digital television conversion framework are clear. They are: a conversion from analog to digital television with the minimum of disruption to viewers; stability and certainty for the television industry; the introduction of a range of new services; and a range of options for viewers in terms of equipment, capability and price, including lower cost entry products. The government will continue to

monitor both local and international progress in take-up of digital television, including scope to improve outcomes for consumers. It is entirely appropriate for the government to monitor developments and respond, where appropriate, to an evolving commercial landscape. We are looking, always, for improvements to policy in the interests of the general public. This bill makes sensible amendments to the legislative framework for the introduction of digital television, but it supports the basic policy principles that I have outlined. It does not move away from them; it reinforces and builds on them and expands their reach.

Finally, therefore, I would say again—unlike the member for Melbourne, his colleagues and the Australian Labor Party—that digital television offers benefits to Australia, if properly managed. Digital services have commenced in metropolitan state capitals and a number of regional areas. The government remains committed to ensuring the transition from analog to digital broadcasting is as smooth as possible for viewers—they are our primary concern. This bill will continue that overall approach of ensuring a steady transition. I commend it to the House.

The DEPUTY SPEAKER (Mr Wilkie)—The original question was that this bill be now read a second time. To this the honourable member for Melbourne has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question.

Question agreed to.

Original question agreed to.

Bill read a second time.

Third Reading

Mr McGAURAN (Gippsland—Minister for Science) (12.05 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

WORKPLACE RELATIONS AMENDMENT (SECRET BALLOTS FOR PROTECTED ACTION) BILL 2002 [No. 2]

Second Reading

Debate resumed from 13 November 2002, on motion by **Mr Abbott**:

That this bill be now read a second time.

Mr McCLELLAND (Barton) (12.06 p.m.)—I rise to speak on the **Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002 [No. 2]**. The opposition oppose the second reading motion. We think the legislation is overdramatic and is not justified, on the basis of available evidence. Essentially, this legislation seeks to make it mandatory, in each case before protected action occurs, that there be a secret ballot—and a secret ballot through very complex and convoluted procedures. We believe that those procedures are unnecessary and may well, on the one hand, lock in industrial organisations to the taking of industrial action despite negotiations progressing. On the other hand, they may absorb the resources of the Australian Industrial Relations Commission in terms of their main charter—that is, resolving industrial disputes and developing measures to enhance Australia’s productive and workplace capacity; and, as is their traditional role, ensuring that is done in a manner that is fair to working Australians.

I will just outline the complexity of the legislation. I appreciate it will be painstaking but I wish to do that for the sake of showing just how painstaking these procedures would be if the bill were passed. Firstly, an employee or union must, if the legislation goes through to the Australian Industrial Relations Commission, apply for an order for a secret ballot to be held. If no union is present, the employee cannot even make an application unless doing so has the support of a prescribed number of employees. If there are fewer than 80 relevant employees, the prescribed number is four. If there are between 80 and 5,000 employees, the prescribed number is five per cent. If there are more than 5,000 employees, the prescribed number is 250. So we move from prescribed numbers to percentages back to prescribed numbers.

Unfortunately, the bill does not make clear what constitutes 'support' for an application, so again there is fertile ground for litigation in that issue alone. The application must then set out the question or questions to be put to the relevant employees in the ballot, including the nature of the proposed industrial action, details of the types of employees who are to be balloted and any details required by the rules, which rules have yet to be made by the government. The application must be accompanied by a notice initiating the bargaining period, particulars accompanying that notice and a declaration that the proposed industrial action does not relate to an objectionable provision. Certain sections of the act relate to that, including section 89A, for instance. Once all this is done, there might be a valid application for a secret ballot and then the commission must give the parties the opportunity to make submissions, again absorbing further resources of the commission.

We are now up to clause 170NBCB, if you can remember that—imagine being an advocate before the commission and referring to clause 170NBCB and then the subclauses of that; this is part of the complexity of presenting arguments. We still have some ground to cover before we reach clause 170NBDE and the various subclauses and subparagraphs of that. But, pressing on, the commission must then satisfy itself that the applicant for the ballot has genuinely tried and is genuinely trying to reach agreement with the employer. It must also consider whether or not the proposed ballot is inconsistent with the object of establishing a transparent process which allows employees directly concerned to choose, by means of a fair and democratic secret ballot, whether to authorise industrial action supporting or advancing claims by employees or organisations of employees and whether or not the applicant has, at any time, contravened the secret ballot provisions of the act—a fertile range of arguments that would bog down the commission and the parties.

If the commission has satisfied itself of all those things, after argument and after reference to these tremendously long sections, it must then frame an order for the ballot. That

order has to specify the name of the applicant or agent, the types of employees who are to be balloted, the voting method, the timetable for the ballot, the name of the person authorised by the commission to conduct the ballot and the name of the person authorised by the commission to be an independent adviser for the ballot. All these procedures would, at the very least, on our calculations—even if the commission were able to hear these matters instantaneously when the application was made—take no less than 15 working days. Assuming that mailing would be required with respect to at least anything other than small workplaces, more likely than not you would be looking at a procedure that would take place six to seven weeks ahead of the action occurring, during which time negotiations would of course be ongoing. It is crazy and impractical.

All those complexities that I have mentioned are in the context of existing safeguards contained in the act—firstly, in terms of the commission already having the ability, if requested, to order that a secret ballot occur if the commission thinks that is going to assist in resolving the dispute, and already in terms of those procedures that are contained in the act for protected action to occur in support of a bargaining stance. At the risk of being painstaking again but to emphasise the point, I want to indicate what those procedures are under the current provisions. Firstly, a bargaining period would have to be validly initiated. As part of that, the commission has to be satisfied that the dispute claim is made in accordance with the organisation's rules, which rules themselves must provide for the control of committees of management by members of the organisation—a democratic procedure already being in place. Secondly, employers or employees are required to give at least three days written notice of the nature of the proposed action. Thirdly, the industrial action has to be preceded by an attempt to reach agreement. Fourthly, industrial action by an organisation of employees has to be duly authorised by the organisation's committee of management. Fifthly, the industrial action cannot involve personal injury, wilful or reckless damage to property or the unlawful taking or use of property—things we would agree with. Sixthly, if the In-

dustrial Relations Commission has seen value in ordering a secret ballot of employees, such industrial action has to have been approved by a majority in the ballot—again, referencing this last point to the current powers of the commission.

If you supplemented those procedures with the complexities of these 34-odd pages of legislation and the complexities of those provisions that I initially referred to, they would simply bog the commission down in respect of its primary role of avoiding industrial disputes, assisting the bargaining process and generally fostering a climate of more cooperative industrial relations in the interests of the Australian economy and Australia's working people. Again, to emphasise it: the legislation is quite disproportionate to that which is necessary, given that the commission already has the power if it thinks it is appropriate to direct that a secret ballot occur.

Just to indicate the extent of that disproportionality, I want to refer to a decline in strikes. The government will say that their harsher industrial relations legislation—or more draconian legislation in many respects—has resulted in a decline in strikes. In fact the evidence indicates that, since the accord process in 1983, accelerated more dramatically in 1993 with the enterprise bargaining legislation that was introduced by the former Labor government and progressively with legislation introduced by the government, the rate of industrial disputation has dramatically declined. For instance, ABS data indicates that working days lost due to industrial disputes in the 12 months until October in the years 2000, 2001 and 2002 respectively have been 627,000, 379,000 and 259,000. That is across the entire economy.

A report by Josh Healy, from the National Institute of Labour Studies, has analysed the dramatic decline that is occurring in Australia. He said that the decline in working days lost due to industrial disputes over the 1990s was 43 per cent for Australia, compared with 12 per cent for the US, 30 per cent for the OECD and 42 per cent for the European Union. He said that New Zealand had remarkable results, with a 75 per cent decline. But, aside from New Zealand, Australia is

still up there with a rapid decline in the rate of industrial disputation. A number of reasons could be advanced as to why that has occurred. But to put it in its context, Josh Healy said:

This means that an average of just 0.05 working days were lost per employee in 2001—an amount equal to 23 minutes of working time per employee *in the year*—less than most of us take for lunch on a single working day.

That is the extent of this dramatic industrial disputation that the government continually wants to beat up so that Australians will think that is the mode of operation of trade unions. Those figures show that, in this day and age, industrial disputation is something of last resort rather than of first resort. Indeed, the President of the Australian Industrial Relations Commission stated on 6 February this year:

Viewed in historical terms the level of industrial disputation had never been lower than it was in the 1990's. In 1970 around 550 working days were lost per 1000 employees and in 1980 around 650. During the decade from 1991 to 2000 the highest annual total by far was 240 working days lost in 1991 and in the year 2000 there were just 83 working days lost per thousand employees.

That is an acknowledgment by the President of the Australian Industrial Relations Commission himself. The complexities that I referred to earlier are, as I keep emphasising, totally disproportionate to the ill to be addressed—that is, that no-one likes to see industrial action occurring. It is counterproductive to lose productivity and it is counterproductive for employees to lose pay packets. However, it is a course of last resort, not a course of first resort, and the fallacy in the government's reasoning is that, by bogging down the commission in these complex technical procedures, you are preventing them getting down to their core function of resolving disputes, getting parties the best outcomes and then getting on with a decent and cooperative relationship. That is a point that should be made.

The other point that needs to be made is that this bill focuses on a secret ballot required at the bargaining stage—that is, at the stage where unions are putting in their claims for additional wages, variations in working hours and so forth. But that is not the source

of most of the disputation, the disputation which I have indicated is rapidly declining. The greater source of industrial disputation is in fact in respect of managerial policy. Josh Healy also said in his article:

Interestingly, 'managerial policy', which includes disputes over terms and conditions of employment and work practices, was the stated cause of 60 per cent of lost working time in 2001. This was well above the amount attributed to wage issues—a relatively meagre four per cent.

That is where industrial disputation is taking place. We have seen that in response to the substantial industrial disputation that occurred in respect of the waterfront dispute in recent years and in respect of BHP's Western Port facility in Hastings, when managerial decisions to restructure work—contracting out and so forth—resulted in a reaction by the work force. Again, on Josh Healy's analysis, these reactions in Australia tend to be short-term protest strikes. This legislation does not address that scenario. It applies it at the technical wage claim stage in respect of the commencement of bargaining periods.

As I have indicated, even if you reject the arguments I have put about this being a disproportionate reaction to the level of disputation, the government still has to explain why the current remedies contained in the legislation do not address the situation. For instance, sections 135 and 136 of the current act already empower the commission to direct that a secret ballot occur if it thinks it is in the overall interests of resolving the dispute. Under section 135 the commission can order such a ballot to occur if it is for the purpose of finding out whether, in relation to a matter, the attitudes of employees whose employment will be the subject of the proposed agreement might help to prevent industrial action or might help the settlement of matters giving rise to a resolution of the dispute. That power, or a power akin to that, has been in the legislation since 1928. Yet, although those powers are in there, that remedy is seldom accessed.

To refer to some figures again: in 1996-97 there were 4,300 applications for a bargaining period—the commencement of the negotiating process for an enterprise agreement. In that year, there were two orders for secret

ballots to occur. I will not go through all the years since then, but in 2000-01 there were 6,625 applications for bargaining periods and there was only one order for a secret ballot. Indeed, Western Australia has provisions that are not dissimilar to those proposed by the government. My researchers have not been able to find one instance where an employer accessed that remedy that was provided for under the Western Australian legislation. Indeed, in my discussions with employers, they substantially think this is a non-issue.

There are already safeguards in place for individuals. Firstly, individuals can access the commission under section 136. An individual also has the right to choose whether or not they wish to be in a union. Even then, if they are part of a decision making process and vote against the taking of industrial action, they do not have to take industrial action. If there is any coercion, victimisation or other pressure brought to bear on an individual for that fact, those bringing the pressure or seeking to victimise or coerce them face very serious penalties under the provisions of the Workplace Relations Act.

The reality is that to get workers to go out on strike these days requires very persuasive arguments indeed. There are a number of factors in that. First and foremost—this has not been the subject of research; it is my assessment—families these days are too heavily geared with their mortgages, which are at an unprecedented level in terms of the unaffordability of housing. There was an article in the *Sydney Morning Herald* on Saturday about that. Housing affordability is now at its lowest level historically. It is more difficult now for an Australian worker to be able to afford a house for their family; it is a constant struggle. With the bank manager drumming his drum, people are almost going to work these days for the bank manager. To lose even a day's pay, when families are so highly geared, can set them back dramatically. There is also the aspect of paying for kids' braces or for them to go on camps, or whatever else it may be.

All those pressures are such that very few Australian workers will simply down tools and take industrial action. For industrial action to be taken, as a matter of practical real-

ity a union must really put its case as to why it is necessary to go to that point. The government would like to characterise Australian industrial relations, and indeed the conduct of trade union officials, according to the archetypical cloth-capped shop steward that we saw on the TV show *On the Buses*—if you can remember it—where the shop steward would say, ‘Right lads, out we go!’ That simply does not occur now. People are thoughtful about these issues, reluctant to lose income and very reluctant to take industrial action.

The final point that I will make is one I touched on earlier. I recognise that a substantial amount of the cost of the ballot itself will be met by the government, but not the administrative cost. The complexity and expense of administrative time and of general processes associated with the ballot being conducted, such as the communication to members of respective cases and so forth, absorbs a tremendous amount of not only the Australian Industrial Relations Commission’s time but also that of the industrial organisation or the trade union. When those matters were considered in Senate inquiries, arguments were made that there is a danger that you will lock in industrial action. If a union goes to the trouble, the difficulty and the expense, and obtains an affirmative vote, they are more likely than not to say, ‘We have gone through the expense; we have an affirmative vote and we are effectively locked in to the course of action that we are following.’ That could be even though, during the following period—which may have been three weeks at a minimum but is more likely to have been six or seven weeks—there is progress in the negotiations and a coming together of the competing positions.

I will refer to a quote from Senator Murray on legislation that was considered in this House earlier in the week. I think he has succinctly and fairly put the proposition. Referring to the availability of remedies currently in the act in sections 135 and 136, he said:

However, the new provisions—

that is, the provisions we are considering today—

pose great dangers of actually escalating conflict, lengthening disputes, and making for more litigation.

Senator Murray referred to submissions to the Senate Employment, Workplace Relations and Education Legislation Committee from Professor Isaac and Professor Ron McCullum, who is now dean of the Sydney University law school. He continued:

The committee heard evidence concerning the poorly designed Western Australian secret ballot laws, forced through their compliant upper house before the Coalition lost control of it. They have been an utter failure.

In short, the provisions of this Schedule add little to industrial democracy and add greatly to impediments to unions to undertake legitimate industrial action, while opening up the prospect of longer disputes and litigation.

This schedule should be opposed outright. It does not add to industrial democracy.

I think Senator Murray is absolutely correct in his analysis. It does not add to industrial democracy. For instance, as a result of provisions in the Workplace Relations Act, trade union rules, as I said earlier, must already contain mechanisms for members of the organisation to control decisions made by management committees of the union. That includes the ability to call meetings or to call into question a decision made, through conducting a plebiscite and so forth. Unions today simply do not, and for that matter cannot, turn up on a workshop floor and say, ‘All right, we’re going out.’ They do not do that and, indeed, the ACTU indicated in their submission that their policy is for ballots to be conducted before any industrial action occurs. As a matter of course, many unions these days arrange for that ballot to be a secret ballot. This is something that the ACTU encourages and promotes—but a secret ballot conducted through the procedures of the trade union, not according to the convoluted 34-page document that we are looking at today.

In question time on a number of occasions, the government has said, ‘Why don’t we take a leaf out of Tony Blair’s book on these matters.’ But comparing the British legislation—for instance, section 203 of the Trade Union and Labour Relations (Consolidation) Act 1992, which is the basis of the

British legislation—with what the government is proposing is, quite frankly, like comparing chalk and cheese. All that is required under British legislation is that, at some time before industrial action is taken, members of a trade union are issued with a ballot paper that includes either the question ‘Are you prepared to take part in strike action?’ or the question ‘Are you prepared to take part in industrial action short of a strike?’ That indication is expressed back to the union, which then has the liberty of taking such action as is deemed appropriate in the context of the negotiations. Clearly, if those negotiations are progressing smoothly, no action at all is taken. They still have flexibility.

The Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002 [No. 2] is not a mechanism that is consistent with enhanced democratic control of decisions made within trade unions. It is a gross overreaction, and an extremely complex one, that is simply going to bog down the Australian Industrial Relations Commission in technicalities and bog down the resources of trade unions in technicalities at a time when they should really be doing homework on the business structures of the employers with whom they are negotiating. This bill will not enhance existing provisions in the act or procedures that are already mandated by legislation in trade union rules to ensure the democratic control of trade unions by members. For all these reasons, the opposition simply cannot support this bill.

Mr LINDSAY (Herbert) (12.35 p.m.)—I rise to speak on the [Workplace Relations Amendment \(Secret Ballots for Protected Action\) Bill 2002 \[No. 2\]](#). In his address to the parliament, the shadow minister has in many ways made the government’s position sustainable. Through an interesting confluence of ideas, the opposition, in opposing this particular bill, uses arguments that actually support the government’s sensible suite of legislation, in particular the bill before the parliament. The shadow minister made quite a point about the number of working days lost in this country and the fact that industrial action is declining so that there are many fewer strikes than there have been in days,

years and decades gone by. This is true, and it is a good outcome. But why is it happening? It is the result of good government policy. It is a result of the current government and its industrial relations policies, which have brought a breath of fresh air to the relationships between employees and employers in Australia today. But you can always do better.

The shadow minister made the point that it is already pretty low. In fact, it is at historically low levels, which is a great result for the government, working Australians and people who employ working Australians. But you can always do better. We should always strive as a government and as a nation to be as good as we can be in the world today. If we are not, some other nation is going to come along, it is going to be better and it is going to capture markets and jobs. Nobody wants to see that. It is sensible and prudent for the government to consider ways to run industrial relations better in this country and to put forward, for the parliament’s consideration, workplace relations amendment bills that have that aim in mind.

Secondly, the shadow minister indicated that no-one likes to see industrial action occur. I think that is a very sensible and prudent statement for the shadow minister to make to the parliament. I do not see any disagreement with that. The shadow minister and the opposition should, in fact, seriously consider the government’s legislation which is aimed at satisfying that particular philosophy. The shadow minister said that to lose even a day’s pay can set an employee back. He was referring to the way that people highly gear themselves these days because of the high cost of housing. I do not know how people can afford to live in the metropolitan areas anymore and, in fact, this might be a driver that sees more decentralisation happening in this country, because it is so expensive to own your own home in the capital cities these days. I do not know how people can afford these very high mortgages. The shadow minister said that employees can find it very distressing to lose a day’s pay, and I agree. That is one of the things that this bill seeks to protect employees and members of unions from.

There should be secret ballots to decide the outcomes of industrial action proposed by unions in bargaining periods. Surely that is a sensible thing to do. It is eminently sensible that unions are ultimately accountable to their members. The key decisions should be authorised by the members. They should be authorised in a non-threatening, clear-headed way, without emotion, where employees are free to take everything into account and make a sensible decision in their interests and hopefully in the interests of their employment, their job and their employer.

The government is clearly determined to continue to try to get this bill through parliament. The bill was introduced into the House in February 2002 and again on 13 November 2002. The government will continue to do what it can to chip away despite the frustration that it faces. It is, nevertheless, a proper process. If the opposition have an alternative view then they should exercise it, and the government should try to convince the opposition and the Senate that this is in the interests of employees, unionists, employers and the country.

Of course, Labor continues to oppose the bill. The Democrats have an interesting position: they oppose the bill but they have previously offered amendments. The Democrat amendments that have been previously offered—and I assume that we will see the same thing when this bill reaches the Senate a little down the track—would have meant that a secret ballot was not a mandatory precondition to protected industrial action. That means that union members would not have been protected from possible coercion or intimidation in requesting a secret ballot prior to industrial action. My message to the Democrats is: open your eyes and look at what is happening in the real world; have a look at the evidence that has been presented to the Cole royal commission. If you have not been on an industrial site, as I have, go and have a look; go and talk to the employees on industrial sites.

I well remember when, before I became the member for Herbert, my business secured a relatively significant contract to install all of the sound reinforcement systems in the

Townsville Entertainment Centre. This was a very big job. I had a small company of about 13 people and we all needed to go and work on the site. I did not understand when the union rep on the site came to me and said, 'You are management; you cannot work'. I said to the union rep, 'We are a small company; it is important that we all pull our weight. There is no room for me to sit and push a pen. I have to be on the job with my people and we have to work hard.' I was told in no uncertain terms that the site would stop if I did not put down my tools. I could happily be on the site but I was not actually able to use a screwdriver or a pair of side-cutters. That is antiproduktive; it reduces the productivity of this country. It is also anti-worker, because if my business did not survive my employees would not have a job. It brought home to me the significant power of unions on workplace sites.

I also experienced the situation in the Sun Metals dispute. Sun Metals in Townsville is the largest Korean investment in Australia. It is a zinc refinery. It was an interesting aspect to the dispute that the dispute was actually between two unions. It was not between employees and employer; it was a union turf war. It was amazing to think that the coercion, the intimidation and the threats that went on on that site in that particular situation could happen in this day and age. It certainly underlines the fact that these things do happen in industrial relations. Employers, employees and the system have to be protected against it.

This bill was introduced on the premise that a secret ballot is a fair, effective and simple process for determining whether a group of employees at a workplace want to take industrial action. What could be wrong with that philosophy? Why shouldn't a secret ballot be available to employees to decide whether they want to take action? It is intended in this bill to ensure that protected industrial action is not used as a substitute for genuine discussions during a bargaining period and that the final decision to take industrial action is made by the employees directly concerned. How sensible is that? Surely there cannot be anything wrong with the employees directly concerned being able

to make the final decision. The reason that the government insists on secret ballots is that secret ballots do not impede access to lawful protected action but provide a mechanism to ensure that protected action is a genuine choice of the employees involved.

That comes back to the question of coercion and intimidation. Under secret ballot conditions, you will always get a genuine choice. Of course, that in turn protects jobs. That is a pretty key outcome of this legislation. It protects jobs by avoiding unnecessary strikes. Under the new provisions, a union or employees would be required to apply to the commission for an order that a protected action ballot be held—a pretty simple process. The commission would not be able to order a ballot unless a bargaining period were in place and the applicant had been genuinely negotiating to reach an agreement. There are several other points in relation to how ballots can be conducted, how bargaining periods can be initiated and so on, but the bill sets out simple and practical ballot requirements that guarantee the opportunity for employees to democratically decide whether to take industrial action.

It is our view that the government indeed have a mandate to present these bills to the parliament. I guess that industrial relations has been one of the hallmark achievements of the Howard government in bringing better conditions and very significant increases in real pay levels for employees because of our sensible and non-confrontational approach to industrial relations. This bill is part of a suite of legislation that underlines the government philosophy to try and help the ordinary employees on the ground in an industrial situation. It is also a philosophy to ensure that employees have the power to look after their own destiny. It comes with other bills which have covered choice in award coverage, award simplification, termination of employment and so on. In that sense, it deserves the consideration and the acceptance of the parliament. This bill also demonstrates the government's commitment to ensuring democratic decision making on job-threatening strikes. I certainly commend the bill to House. I confirm that the government will continue to try to get our legislative pro-

gram through the parliament, because we are determined to do the best we can for the employees of this country.

Mr HATTON (Blaxland) (12.49 p.m.)—The member for Herbert has just spoken for 10 minutes or so regarding the government's approach to this. As our shadow minister indicated, we are up here looking at the *Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002 [No. 2]* yet again. It was knocked over in the Senate last year. The government chose not to take up any Labor Party or Democrat amendments. In fact, the Labor Party disagreed with the Democrat amendments that Senator Murray put up. The core argument that Senator Murray was trying to put forward was that there are some unions in Australia which have secret ballot provisions as the normal course of the way in which they conduct their business and that those unions, of their own volition, have determined that that is the best way for them to go. That is not a universal practice, so what Senator Murray suggested was that, if his amendments had been accepted, that would have effectively taken the core of the government's approach out of the bill—as he said, 'gut the bill'—and in its place would have been the set of arrangements where the facility for having a secret ballot would be available to all Australian unions and they could choose whether or not to take up that facility.

One of the reasons that the Labor Party disagreed with Senator Murray's amendments is that it is basically the system that is available before us now. In his argument in this place today, the shadow minister for workplace relations argued, quite rightly, that, if you look at the current situation and at sections 135 and 136 of the Workplace Relations Act, that is provided for. There can be a direction from the Industrial Relations Commission that a secret ballot be undertaken before protected action takes place, and that is provided for in the current act.

The core of what this bill is about, as I indicated when we last spoke about this in June 2002, is the taking away of flexibility from the Industrial Relations Commission, the unions and the employers who are involved in the employment process. This will

mean taking away their flexibility and imposing a rigid and inflexible determination that, before any protected action can take place, you must have a secret ballot. The reason that we think this is a really silly thing to do is that, if you cast your mind back through a 100 years or more of industrial history in Australia, you will find that wherever you had inflexible regimes in industrial relations there was an encrustation of difficulties both for employers and employees. Where people have attempted to use the courts to batter down the unions or to direct employers in certain ways, you get significant problems with working out disputes. All disputes, no matter how grave, no matter how difficult, no matter how uncertain they might be and no matter how long they may be in time, have to be settled in the end.

To argue that you can virtually take no action at all, because before you took action you had to have a secret ballot, and that you should take out any flexibility whatsoever—and to have a presumption that unionists in any activity in any industry must always be in a position where they do not want to take any strike action at all—is a big call. But that is what this bill effectively does. It says that in the government's opinion and the minister's opinion there is one group of people in Australia—those people who are in unions and their union officials—who cannot be trusted with anything. That is a pretty narrow approach to industrial relations or workplace relations. It is a pretty narrow approach, because in the whole history of this Commonwealth, in examples of what the majority situation is, the majority of workplaces, the majority of unions, the majority of employers over time and throughout the length and breadth of the Commonwealth have been able to work effectively together. They have been able to sort out the disagreements between workers and employers. They have been able to sit down at the bargaining table—whether it is under the enterprise bargaining aegis or previously under the entirely central system of the Industrial Relations Commission—and they have been able, through either conciliation or arbitration, to sort their problems out.

There will never be unanimity between all employers, all employees, all unions and all employer organisations as to how industrial relations should operate in this country. But, for the key practitioners—those in the metals industry, for instance; we know there have been strong and active unions throughout the history of that industry in Australia—and for the companies that have been involved in employing people, we know that the practicalities are that the strengths of the business, its productivity, its ability to continue to push out products and to be competitive on the world market are not conditioned by whether or not there are secret ballots. They are conditioned by the attitude of the employers to their employees; they are conditioned by the attitude that those people who choose to be unionists take to their officials and to their work. The reality is that striking is not a common practice in Australia's industrial relations history. There have been wildcat strikes in the past; there have been concerted campaigns on a range of issues predominantly, throughout most of the history of the Commonwealth, directly related to workers' pay and their general conditions of service.

In Australia, we have seen a fundamental, direct attack on the conditions of workers since 1996. That fundamental attack has been launched by this coalition government, which is anti-union and proud of it. The opposition have always supported the Australian union movement. We have not supported wildcat strikes; we have not supported stupid actions in the industrial relations area. We have underlined the fact that Australians have a right to organise themselves into unions, because there is an inequality between employees and employers. By their very nature, those people who have to work for a crust day in and day out have very little in the way of savings; those who have to look after their families, their education and their health do not have much in the way of savings.

If you look at the historical disputes, employees were wary of going on strike unless there were fundamental and key reasons behind it in the broad. We know of the stupid strikes, the wildcat strikes, the silly strikes and the strikes where groups of officials may

have decided to run a campaign for a particular time. We know that a number of those have hurt union members and union employees, but they are very much in the utter minority. The vast bulk of our experience is with cooperative relations between employers and employees, despite the ongoing tussle for better conditions of service.

There is a point of view, and it is linked to the way that the government approaches this matter, that that kind of observation about Australia's industrial relations history is fundamentally false; that there really is a conspiracy of silence in the industrial relations area; that employers, by and large, are too dead scared to speak the truth; that the truth, as far as they see it, is that employers are always being hammered over the edge of the table and have to give away too much, that the unions are putting too much pressure on them and that they have to give in to the unions otherwise they will not be able to run their businesses—it is like the old revolver at the head; and that therefore the only way to protect these employers is to adopt an absolute prescription that you must have secret ballots before protected action. All the flexibility in the AIRC, that view would argue, is really there to protect this fundamental conspiracy that people want to cover up; and that it is almost always in the interests of the employers to cover it up, because they are so frightened.

You can argue about the Cole commission and about a series of other commissions. We know where there has been malpractice, we know where there has been a series of difficulties from one state to the other, and we know that in all those instances inappropriate practices need to be stamped out—practices not just by individual unionists or officials but by employers as well. We know not only from our experience but also from experience in the United States that, if you walk an inflexible path where an iron-fisted government is determined to support an iron-fisted employer or groups of employers against normal working people, you can end up with the situation that occurred in the Ford plants in Michigan in the 1920s: real violence on the streets, people's rights being ripped away, working people being put to one side

and a gang of other people being brought in, and real war between capital and labour.

The initial breakthroughs that Henry Ford made in better working conditions in his factories compared with the small shops that had been operating in probably the first 15 years of his operation were completely shattered by the approach that he took in conjunction with those American governments that supported him, the Hoover administration in particular. There are plenty of practical examples in the past: that is, by underlining inflexibility, incorporating it into your approach and really seeing the issue in utterly ideological terms from the right or the left, you can be so obsessive about your approach to industrial relations that you have a system that simply cannot work at all and is unsustainable.

The original better pay, better jobs legislation—the composite bill that was put up—was knocked down in the Senate. We have had a fragmentation or fracturing of that bill into the 12 constituent parts that the minister has tried to sneak through this place, saying, 'If you don't accept this bit, maybe you will take that bit.' We know that there is already a course for a double dissolution based on the first of those bills being knocked over twice last year. This is another. It is identical to the previous bill and it will be knocked over because nothing has changed. The bill seeks to be entirely unfair and inflexible. It seeks to drive a greater wedge between Australian employers and employees and to deny Australian workers the most fundamental minimum protections and award conditions. It is Reithism advanced by the new minister. There has been a segue from Reith to Abbott—how can you tell the difference?—from one minister to another.

The fundamental driving force here, though, is ideological obsession. It is at the very core of the Liberal Party—I do not know about the Nats; they are always a bit different in some of these things but they are trailing along—and it is a core obsession of the Prime Minister. If you look at his entire history in this place since 1974, on a whiteboard or blackboard you can tick off one after the other the things which he could not get up as an industrial relations advocate, in

terms of policy, through the Fraser Liberal government. Those days were almost halcyon days, given the flexibility and breadth of view of that government. It was not our view at the time, certainly, but the comparison, not only of time but also of space and actuality, with this tight, controlled, confined and inflexible government, is enormously compelling.

When he was Treasurer, what the Prime Minister tried to do in imposing a GST he could not get through a Fraser cabinet. Almost all the changes to the financial system that had been put forward were denied to him as Treasurer—he could not sell them. From 1996, one after the other we have ticked off obsessions of the Prime Minister, the member for Bennelong. He has got up the GST—a 1960s tax of socialist governments in France, but he was won over to it as a simple way of taking more money out of people's pockets. He still wants to sell the rest of Telstra and he will pursue the achievement of that obsession as far and as hard as he can.

This bill, one of about 12 now, goes to the Prime Minister's other core approach. His dad may have run a service station in Earlwood. He may have gone to Canterbury Boys High School, which was in a relatively working-class area at the time. There was not much industrial relations going on in the service station, even though there was a bit of driveway service at that time, but in his experience and his approach he has concentrated on seeing two critical things: one, the subordination of employees in the workplace; and, two, the stripping away of the gains that they had made through not just industrial action but the Conciliation and Arbitration Commission over almost 100 years—the commission came into being in 1904; we are almost up there for the century. The Prime Minister would like to see the Industrial Relations Commission effectively entirely gutted by the time we get to 2004.

This obsessiveness goes to a core view. It is part of the 19th century approach which I have mentioned before and will mention here again. The relationship between employer and employee in the model in the mind of the Prime Minister and members of his party—

not all, but the core advocates of this heavy industrial relations approach—is basic master-servant stuff. This is the idea that, in a hierarchical society, those who have control of capital should be protected and encouraged because they are the real job creators. Also there is the idea that the power of people to organise, to unionise and to seek some capacity beyond their individual capacity through organised labour, to sit down at a table and say, 'We have agreed amongst ourselves as workers that this is a problem; we need an increase in salary or better working conditions,' and the successes of that approach, which had been manifest in increased productivity throughout the 20th century—we have seen it in the 21st as well—should be shattered and broken.

Going back to industrial Britain in the 1870s is really not an industrial relations model for the late 20th or early 21st centuries, and neither is the period from the 1860s to the 1990s in Reconstruction America a model for modern industrial relations. The world has changed. We now live in a mixed economy in advanced industrial democracies where the core voting power is with the majority of the people. That was not the case in 1870. It was not the case when the master-servant act was put into effect in Britain as an extension of their previous relations in the agricultural area.

This bill has a long lineage, not only through this minister and the previous one but also through the Prime Minister in terms of a core and fundamental approach to things. The other key, if you look at all the arguments that have been put forward by the Prime Minister previously in this regard, is that the other big problem in Australia has been that wages were too high for workers, we were unproductive because of that and they really need to be pulled back into order. The obsessions of the Prime Minister—and he is the driving force in this, because he has been the entirely consistent thread that brought us to these attempted changes, that brought us to the industrial relations confrontation that we had on the waterfront—go to an increasingly inflexible approach that would deny Australian workers a simple right to decide for themselves whether they

were going to have a secret ballot and to decide, under the aegis of the Industrial Relations Commission, what the appropriate behaviour to take is, given the particular circumstances of the dispute. (*Time expired*)

Dr SOUTHCOTT (Boothby) (1.10 p.m.)—I am asked from time to time what possible argument there is against a secret ballot for protected action. I have often been stumped by this question. It is not really my role to explain why the Australian Labor Party opposes such a fundamental element of our democracy as a secret ballot but, from what I have heard, the argument is essentially that it is too difficult—it is too hard; it is impractical. If you extended that argument into the way we conducted elections then you would not have a secret ballot for state and federal elections, and that is the cornerstone of our representative democracy. It has been a feature of Australian electoral democracies since the 1850s.

There is a man whose name is not being mentioned here at all. In the last fortnight—the first two sitting weeks of the parliament in 2003—we have rarely heard from the opposition of someone they used to talk quite a lot about: Tony Blair. The member for Werriwa used to talk about Tony Blair and the third way all the time. Tony Blair has no problem with a secret ballot for industrial action. Tony Blair, a successful British Labour Prime Minister, a successful British Labour leader, had no problems with standing up to the trade unions in the United Kingdom and introducing a secret ballot for industrial action.

I rise to support the [Workplace Relations Amendment \(Secret Ballots for Protected Action\) Bill 2002 \[No. 2\]](#), which has important implications for Australian workers. The bill ensures industrial democracy so that the workers who will be most affected by going on strike will have an unfettered say about whether they want to do so. The opposition's concept of industrial democracy is to have a show of hands to decide if the workers want a secret ballot. That does not go to the point of why you would have a secret ballot. A secret ballot is very simply done. It is a vote taken by a group of employees to determine whether they want to take industrial action.

The point of a secret ballot is that it empowers individual workers. It allows individual workers to express their views in a democratic way, without any pressure being brought to bear by their peers or by union representatives.

Currently, a decision on whether to take industrial action or to strike is made very quickly, by union representatives reading out a motion and then calling for a hands-up vote during a union meeting. A decision is made on this show of hands. The problem with this show of hands is that it requires instant commitment and requires members to make a decision about taking industrial action in an environment where they may be subjected to considerable pressure. Workers can easily feel pressured into simply going with the flow—voting yes to a proposed action—to avoid being criticised or even vilified by their work mates.

In South Australia last year we had our 50th state election. Uninterrupted, that is quite a long time to be a democracy. The first state election was held in 1856. On 2 April, South Australia enacted a law which introduced a democratic reform—the secret ballot. It had been adopted about two weeks earlier in Victoria. The South Australian Electoral Commissioner at the time, William Robinson Boothby, pioneered this reform, which was based on ballots which were pre-printed with candidates' names, much like the ones which are widely used now. The voter would mark the form in secret and place it in a sealed box from which the ballots were collected and counted, so no-one could be identified by their voting paper.

Before this time, elections in Australia followed the English practice of a voter assembly which was conducted on the voices. They would call out the name of a chosen candidate and the choice was then entered on a register. The problem with this public process was that it made the voter vulnerable to both bribery and intimidation, which caused wide concern. William Boothby, who was the eldest son of South Australian Supreme Court Justice Benjamin Boothby, was the electoral commissioner for South Australia in charge of every parliamentary election from 1856 to 1903. Boothby's system was

adopted for use in the federal government elections which started in 1901. The federal seat of Boothby—which of course I have the honour and privilege to represent—was named in his honour, as he was also the state returning officer for the first House of Representatives election in 1901.

Victoria and South Australia were two of the first places in the world to introduce a secret ballot. The system spread to the United States and to Europe. In 1892 Grover Cleveland became the first United States President elected by Boothby's system, which was universally referred to as 'the Australian ballot' for nearly a century. I am indebted to the web site of the South Australian Constitutional Museum, which contains that information.

So it is an important part of our democracy to have a secret ballot. It is very hard to argue against. It empowers employees, and that is the same approach we have taken to our workplace relations system—that employees, rather than a centralised tribunal, should be able to make decisions about their working arrangements. Currently there are no specific provisions for secret ballots. The absence of secret ballots denies a fair say to workers and gives an unfair say to a small group, specifically union representatives. The introduction of pre industrial action secret ballots will ensure that employees, not union officials, make decisions about whether or not industrial action is taken. This places decision making where it belongs—at the workplace level, in the hands of the employees directly involved.

Existing secret ballot provisions in the Workplace Relations Act do give the commission discretion to order secret ballots, but these provisions are rarely used. Over the past eight years the Department of Employment and Workplace Relations has been able to identify only seven secret ballots ordered under the existing Workplace Relations Act provisions. Even then, only some of these ballots related to taking industrial action. Often, those that do relate to taking industrial action are held while the industrial action is going on and therefore do not seek approval prior to the industrial action commencing. There is no guarantee that all workers are

consulted about, or genuinely support, taking industrial action. This is another anomaly that this bill would remove. The existing provisions have not provided enough protection to workers who feel pressured into taking industrial action. The proposed changes to the Workplace Relations Act will ensure that a decision to take industrial action is both democratic and genuine.

In opening, I talked a bit about the Blair Labour government in Britain. The British Labour government, led by Tony Blair—whose name has been so conspicuously absent from the Australian Labor Party's contributions to the debate on Iraq—has had the courage to implement secret ballots. He had the courage to stand up to the unions, to introduce one vote one value within his party and to introduce democratic principles in the workplace. As he told the trades union conference on 9 September 1997:

Better to let a ballot decide the issue rather than an industrial dispute which is the present law. We are not going back to the days of industrial warfare, strikes without ballots, mass flying pickets and secondary action. You do not want it, and I will not let it happen.

But the current Leader of the Opposition in Australia is not interested in standing up to the unions. Compare Blair's courage in standing up to the unions who previously controlled his party to that of the Leader of the Opposition. On 25 November, the Leader of the Opposition confidently predicted, 'The influence of trade unions necessarily has to wane.' That was reported in the *Australian Financial Review* on 26 November 2001. Two days later he attended a closed door meeting at ACTU headquarters, after which he emerged to declare:

I'm not Tony Blair and I won't forget where I come from ... I'm not interested in the Third Way.

You have a different message for different people. The problem, as was so clearly articulated by former Labor senator Chris Schacht on *Lateline* last year, is that the trade unions have the power of veto over preselection of ALP candidates. The big fight in the Labor Party at the rules conference last year was deciding whether the trade unions would have 60 per cent of the councils or go down to 50 per cent. In South Australia we already

have a 50 per cent rule. There are two officials from two unions—one a right wing union, the SDA; the other a left wing union—and together they can control the Labor Party's candidates in South Australia.

This bill has a number of fair provisions, including the provision that, if an employee wishes to remain anonymous, they may appoint an agent to initiate the bargaining period, represent them during the application for a ballot and provide notice to the employer of industrial action. In a secret ballot as proposed by this bill, at least 40 per cent of the relevant employees must vote—or a lesser percentage if ordered by the commission—and more than 50 per cent of the votes must approve the action. The action must commence within a 30-day period beginning on the later of either the date of the declaration of the ballot or the latest nominal expiry date of any existing certified agreements.

Appeals to the courts against the validity of ballots will be limited so that the conduct of ballots, and any industrial action authorised by ballots, is not delayed by legal challenges. A secret ballot is a fair, effective and simple process for determining whether a group of employees at a workplace want to take industrial action. It is an accepted part of elections all around the world. It was pioneered in Australia and it is a great cornerstone of democracy. Having a secret ballot will protect union members and employees from possible coercion or intimidation. It protects jobs by avoiding unnecessary strikes, enhances freedom of choice for workers and strengthens the accountability of unions to their members. I support the bill.

Debate (on motion by **Fran Bailey**) adjourned.

COMMITTEES

Publications Committee

Report

Mr RANDALL (**Canning**) (1.21 p.m.)—I present the report from the Publications Committee. Copies of the report have been circulated to honourable members in the chamber.

Report—by leave—adopted.

AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT BILL (No. 2) 2002

Report from Main Committee

Bill returned from Main Committee without amendment; certified copy of the bill presented.

Ordered that the bill be considered forthwith.

Bill agreed to.

Third Reading

FRAN BAILEY (**McEwen**—Parliamentary Secretary to the Minister for Defence) (1.22 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

COMMONWEALTH ELECTORAL AMENDMENT (MEMBERS OF LOCAL GOVERNMENT BODIES) BILL 2002

Report from Main Committee

Bill returned from Main Committee with an unresolved question; certified copy of the bill and schedule of the unresolved question presented.

Unresolved question—

That further proceedings be conducted in the House.

FRAN BAILEY (**McEwen**—Parliamentary Secretary to the Minister for Defence) (1.23 p.m.)—I move:

That further proceedings on the bill be made an order of the day for the next sitting.

Question agreed to.

MINISTERIAL STATEMENTS

Iraq

Report from Main Committee

Order of the day returned from the Main Committee with an unresolved question; certified copy of the statement and schedule of the unresolved question presented.

Ordered that order of the day be considered forthwith.

Unresolved question—

That the question be now put.

Question put:

That the question be now put.

The DEPUTY SPEAKER (Ms Corcoran)—As there are fewer than five members on the side for the ayes in this division, I declare the question negatived in accordance with standing order 204. The names of those members who are in the minority will be recorded in the *Votes and Proceedings*.

Question negatived, Mr Andren, Mr Organ and Mr Windsor dissenting.

The DEPUTY SPEAKER—The original question was that the motion be agreed to. To this the honourable member for Calare moved as an amendment that certain words be added to the motion. The honourable member for Barton moved, as an amendment to that amendment, that all words after ‘and’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted from the amendment moved by the member for Calare stand part of the question.

Mr GRIFFIN (Bruce) (1.29 p.m.)—Before I was to some extent abruptly and rudely interrupted last night, I was about to make some additional comments on the matter of Iraq. I am pleased to be able to continue my contribution to this debate in the main chamber. Given the time of day and the circumstances, I will paraphrase some of my remaining comments. This is not a subject that can be easily dealt with in a 15-minute speech, but I am certainly glad that members who have not yet had the opportunity to speak are being given that opportunity today.

I mentioned last night the circumstances we face in relation to the issue of weapons of mass destruction and that the weapons inspectors ought be allowed more time to consider that matter. I also said that we may be dealing with an issue here that for some is about regime change. Although I have no love at all, as I said earlier, for the regime of Saddam Hussein and would be very keen to see it change, I once again ask: is this the time for a regime change? Are these the circumstances and is this the way to achieve that objective? Would more time allow for more change? That question can be legitimately asked and considered. As I said earlier, on the question of civil and human

rights, there have been numerous and flagrant breaches of the rights of the people of Iraq by Saddam Hussein and his regime. That is appalling but it is not new. That has been going on for a long time and action should be taken in this area. But for some to say that this has happened in just the last several years is more than false.

It has also been suggested that this proposed war is about US oil interests in the Middle East. That is a legitimate charge to lay and it ought be considered very seriously, because there are issues of double standards in relation to aspects of regimes in the Middle East and elsewhere. There is also the issue of whether we are really dealing here with some unfinished business from George Sr to George Jr. If that is the case, that is not grounds to head down this path of conflict at this time.

As on so many other occasions, we are dealing here with the questions of costs and benefits. There are a range of benefits with the removal of Saddam Hussein for the future of Iraq and the region, but there are also a range of potential costs that have to be considered and weighed up in those circumstances. One thing is clear: we will be dealing with a situation of significant civilian casualties. The question is not ‘Will there be?’ but ‘How many?’ What that will mean in the consideration of Iraq’s future is difficult to analyse and weigh up. No doubt we will be talking about some casualties to the armed forces of allied nations which will be involved—and we know that in the circumstances of our own country that will mean our own troops. That also weighs heavily upon my mind in terms of action being taken at this time.

Who will be right about those issues? I fear we are about to find out. I fear that we will find ourselves in a situation where we will be moving down a track when we really should have considered whether that was the way to go at this time. What do we know? We know from the Prime Minister that we are committed. We know that, at the very best, it has been a circumstance of our saying, ‘Nudge-nudge, wink-wink, say no more; we are heading down there; we are with

you.' I equate the question to being on a slide.

As you would note, Madam Deputy Speaker, a man of my size going down a slide is not something that happens very often or is pretty to watch. When I play with my children on a slide, there are places you get to on it where, once you have moved so far down, the only way to go is down—and that is what I believe we are dealing with here. It is a situation where, although the explicit choice may not have been stated, the fact is that it has been made. That removes flexibility and actually raises questions about our own basic sovereignty in these circumstances and about consultation with the Australian people.

I will also comment briefly on where I think the situation with the US ambassador presently stands. Although an ambassador, as a representative of a country, has the right to defend the interests of that country on an ongoing basis, I think the interventions that have occurred in recent days from Ambassador Schieffer are plainly unprofessional. I note that he is a friend of President Bush, and I understand his feelings and concerns about those matters. However, the fact is that we have a history of having ambassadors to this country for whom this has not been their calling but something that they have done towards the end of their careers. I think that we are seeing that in some of the comments and in the way that this ambassador has behaved. It brings him no credit and it certainly does not help the argument.

We are also in a situation where we have a range of issues in our own backyard. I do not believe we are dealing with the issue of terrorism properly. I do not think fridge magnets are the answer in these circumstances. I think more can and ought be done closer to home. We need a second UN resolution to ensure that there is proper debate and proper consideration of these issues—and even then I fear the actions that may come. (*Time expired*)

Mr ROSS CAMERON (Parramatta—Parliamentary Secretary to the Minister for Family and Community Services) (1.35 p.m.)—The pattern of debate has very thoroughly covered the issues of Iraq's history of

noncompliance with United Nations Security Council resolutions on weapons of mass destruction, with its dragging of its feet and deliberate obstruction and obfuscation. I accept that there are people of good faith on both sides of the argument. Indeed, a significant number of Australians are yet to be convinced of the merit of the course which the government has adopted. I regard that as a positive aspect of the Australian psyche. We are a pacific people; we are not a belligerent people. We do not share the instinct of Alexander the Great, who wept because there were no worlds left to conquer. We are weighing up here a difficult, complex and morally hazardous decision and one which we have to make a clear-cut judgment on one way or the other. As one commentator suggested, this is not the time for a middle-of-the-road outcome; the middle of the road is a place for yellow lines and squashed armadillos. While we Australians are not necessarily familiar with the armadillo, we are familiar with the yellow line and the squashed marsupial.

I endorse the government's position, but I do so with a great deal of soul-searching. The previous speaker, the member for Bruce—newly elevated to Labor's front-bench—observed that we are on the threshold of endorsing the use of military force—either with the unequivocal endorsement of the United Nations Security Council, as sought by the member for Calare, or, potentially, without it—in a conflict in which it is probable that unarmed civilians will lose their lives. I accept that. Today, I rise with a kind of fear and trembling at the prospect of sharing in some measure the culpability and responsibility for a series of decisions which will place the lives of innocent civilians at risk. I do so because I believe we have been elected to make difficult decisions. Even though I am on the periphery of this decision, I nonetheless have the opportunity to speak today, and do so as a matter of conviction to defend the series of positions which my Prime Minister and government have adopted.

I do this without any hostility to the country of Iraq. Indeed, I do it with a sense of considerable indebtedness to Iraq. In the

midst of all of the argument about what has taken place under the Baathist regime of Saddam Hussein, we can obscure the great contribution which the Iraqi people have made to civilisation unless we cast our minds back more than the last couple of decades. Most archaeologists agree that Iraq was the place where human beings first gathered together cooperatively in urban clusters which we would today call towns or villages. Certainly Iraq produced the world's first city, the city of Ur. Iraq produced the world's first beer, the world's first cold storehouse and the world's first hotel. It also produced the patriarch of the world's three great religions, Abraham. He was an Iraqi.

Iraq produced many of the core ideas which have become central to Western civilisation. The creation myth which we observe from the book of Genesis was heavily adumbrated by people of the Iraqi culture—the Sumerians, who first produced a creation myth very similar to that which Jews, Christians and, indeed, Muslims look to in the book of Genesis. The epic of Gilgamesh, likewise, was a precursor to the Noahic story of flood and forgiveness. Critically, we would say the rule of law is one of the defining characteristics of a Western liberal democracy. The first culture ever governed by a comprehensive civil and criminal code was in Iraq, the culture of the Babylonian king of Hammurabi, who produced Hammurabi's code, now contained in a pillar, I think, in the Louvre in Paris, setting out a clear-cut code of behaviour, with crimes and punishment for civil and criminal law. That was 400 years before Moses and the Ten Commandments.

We can look to Iraq for inspiration and with much gratitude. Some say that the greatest symbol of civilisation is the printing press, because of its power to push knowledge out from the centre, from the elites, to the masses. I know this is a great concern of the member for Werriwa, who is at the table. We would not have had the printing press had we not had the alphabet, and the alphabet was first conceived in the form of stamps. These were agreed symbols for the conveyance of meaning between citizens that

were used by the Sumerians and later developed and refined by the Phoenicians.

All of those great achievements come to us from Iraq. There is a sense in which I see the government's movements in recent weeks as an attempt to rescue the high peaks of culture and civility which Iraq gave as a gift to the world when human beings first began to cooperate under what we would today call the rubric of civilisation.

A lot of the debate goes to this question: when is it appropriate to employ violence for the sake of a political outcome? There is a school of thought which says it is never acceptable to use violence to achieve a political goal. Indeed, our principal denunciation of terrorists around the world is their willingness to use violence to achieve political purposes. In my view, there are two schools of thought among those opposed to war under any circumstances. One is the less noble; it is what I call self-serving and is often the timid or cowardly view. In effect, this is the defence of the status quo school of peace. It says, 'Don't challenge the status quo, no matter how evil it is, no matter how oppressive, no matter how many are dying, no matter what other consequences will flow from leaving the status quo in place—it must not be challenged.' People who hold that view are the cowardly advocates of peace, and I have no regard or respect for them.

Then you have what I regard as the robust bona fide peace advocates who follow in the tradition of people like Jesus of Nazareth, St Francis of Assisi, M.K. Gandhi and Martin Luther King, who took the doctrine of non-violence and combined it with resistance. They made non-violent resistance—what Ghandi called Satyagraha—an active doctrine of engagement and challenge to oppression wherever it existed. It was employed to great success to expel the British Raj from India and to advance the rights of African Americans in the civil rights movement. Some would say that the crucifixion of Christ was the single most emblematic act of non-violent resistance in the history of our culture.

Nonviolence is a doctrine that involves courage. It says that you must have every bit as much courage as the voluntary soldier

bearing arms because you must be prepared to put yourself in harm's way in order to attack not the military capability but the conscience of your opponent. That is an entirely respectable philosophy; indeed, I find it a very challenging and engaging philosophy of nonviolence and peace. I have great respect for those who are prepared not just to advocate it but to live it. But I do not regard those describing themselves as human shields as being in that tradition. They are going to Iraq to defend the status quo and to seek to preserve the regime of Saddam Hussein. The opposition and Iraqi dissidents around the world have denounced the so-called human shield for precisely that reason.

But that proposal is not really the proposal on the table. There are those who are saying we should allow more time for weapons inspections. We have had 12 years of sanctions. We have had four years of weapons inspections. We have had Dr Hans Blix say:

Unlike South Africa, which decided on its own to eliminate its nuclear weapons and welcomed the inspection as a means of creating confidence in its disarmament, Iraq appears not to have come to a genuine acceptance, not even today—

that was 20 January—

of the disarmament which was demanded of it and which it needs to carry out to win the confidence of the world and to live in peace.

Unlike South Africa, unlike Kazakhstan—which destroyed 25 per cent of the world's nuclear weapons with the collaboration of United Nations weapons inspectors—we have here a regime which has continually obstructed those measures.

I am here reluctantly, having come to the same view I think the American administration did. There was a view after September 11 that patience had worn out with the United Nations and with Iraq, and that the United States should simply go in, with or without its allies. Under the influence of advocates like John Howard and Tony Blair, and supported by Secretary of State Colin Powell, President Bush agreed to put the proposition to the Security Council that Iraq should be given one last chance. That one last chance became resolution 1441. It was in relation to that resolution that Hans Blix said that Iraq had not come to a genuine accep-

tance, not even today, of its obligation to disarm.

Therefore, I believe we have no alternative. There are no bona fide cards in our hand left to play. The choice is either to allow the status quo to remain or to challenge it by force. We would prefer that that force came with the sanction and blessing of the United Nations, but we are not prepared, as the member for Calare proposes, to place the most vital and difficult strategic decisions of the sovereign nation of Australia in the hands of Russia, China, France or any other power. I endorse the government's decision and the government's policy. I conclude with a thought from John Stuart Mill, who said:

War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse. The person who has nothing for which he is willing to fight, nothing which is more important than his own personal safety, is a miserable creature and has no chance of being free unless made and kept so by the exertions of better men than himself.

Mr MARTYN EVANS (Bonython) (1.49 p.m.)—I thank the House for the opportunity to continue this debate and for opposing the motion of those who seek to close down the debate and deny those like me the opportunity to continue to discuss this most important of topics before the parliament and the country at this time.

To understand the conflict that potentially faces the country and the world at the moment, I think it is very important that we understand the history of the situation before the United Nations concerning Iraq. To do that we have to look back to the first Gulf War and the issues that precipitated it. Obviously, the coalition partners that fought the Gulf War back in the early 1990s did so on the basis of the UN Security Council resolution that followed the Iraqi invasion of Kuwait—that totally unprecedented invasion of a neighbouring country for no reason other than to seize assets which that country had and which the Iraqi regime wanted for itself. The United Nations Security Council responded quite properly to that invasion by authorising coalition forces to mount an operation to forcibly remove the Iraqi regime from Kuwait by military means if necessary,

and that of course turned out to be the only way to do so.

Following that successful military operation, the coalition partners stopped at the mandated borders of Iraq—the proper borders of Iraq. That is where the operation ceased. The cease-fire that followed that operation—which the Iraqi government agreed to, quite willingly, in order to end the war—allowed unfettered access by United Nations inspectors to all and any places within Iraq in order to successfully conclude the disarmament of Iraq and the destruction of all weapons of mass destruction within that country. The very basis of that resolution in the early nineties—which, as I say, the Iraqi government completely endorsed—was unfettered access by the inspectors to all places within the country that they required access to in order to successfully destroy any weapons of mass destruction they found.

As we now know—as history has revealed to us—the inspectors were able to find quite a number of weapons. When the inspectors left the first time, in December 1998, a sizeable part of the program had been destroyed—some 39,000 chemical munitions, 690 tonnes of chemical agents, 3,000 tonnes of chemical agent precursors and 420 pieces of production equipment. The inspectors had also dismantled or accounted for 817 Scud missiles which might have been used to take those chemical agents to Iraq's neighbours. That was the result of the extensive work of the UN inspection teams.

Iraq's cooperation declined to the point where, in 1997, the inspectors reported to the United Nations that they were unable to continue their task with any degree of success. The UN continued its diplomatic efforts to maintain that course of inspections, but that was unsuccessful and the inspectors withdrew in 1998. A further resolution was passed by the UN Security Council in 1999 following further diplomatic activity and an extensive military build-up. The 1999 resolution was completely ignored by the Iraqi government. Kofi Annan, the Secretary-General, personally intervened. He undertook extensive negotiations with Saddam Hussein but finally reported that he had reached an impasse—he was unable to con-

clude that the Iraqi government was in any way serious in its efforts, so there was no way that successful inspections could continue. It is even more interesting that, despite the extensive efforts of the inspectors, for an extended period of years they completely failed to note any biological weapons development by the Iraqi regime.

It was only as a result of the defection of Saddam Hussein's son-in-law in 1995 that the existence of the extensive biological weapons program was discovered. Without the defection, the United Nations inspectors would have been totally unaware of the development of extensive biological weapons in Iraq. These included anthrax bacteria, carcinogenic aflatoxins, agricultural toxins and the paralysing poison botulinis toxin. For those who are unaware, botulinis toxin is one of the most poisonous substances known to humankind. It is an extremely hazardous bacteriological poison. Anthrax is very much before us at the moment in the context of the vaccine program. One gram of anthrax spores is capable of holding one trillion spores. If it were dispersed properly—which is extremely difficult—it could infect one hundred million people. It is quite difficult to disperse one gram, but it could be grown in vats into quite substantial amounts. These chemicals and biological weapons are extremely dangerous.

Despite four years of inspections, the UN inspectors were unable to detect that program, which had been successfully hidden for the whole period the inspectors were there. Despite their active work, they were not aware of it until the defection of Saddam's son-in-law. Hence, inspections cannot always be relied upon, which is why this time around the UN Security Council has insisted on the most stringent disclosure provisions in resolution 1441. The Security Council has not proposed that the inspectors must find everything. The difficulty with that is now well known, because the biological weapons program was hidden for all that time.

The UN Security Council has wisely demanded that the Iraqi regime disclose these programs. Ultimately, that is the only successful way to ensure that all the chemical,

biological and nuclear weapons programs are found. It is the only way we will ever know what the regime has hidden for all of these years. It is the only way we will ever know whether programs have been developed in the intervening period since the inspectors left, after the failure of the Secretary-General's negotiations. One cannot attribute that failure to him; one must attribute that failure to the Iraqi regime. One cannot say that it is a failure of the UN process; it is clearly a failure of the regime to cooperate with the United Nations. That failure is indicative of Iraq's ongoing failure to cooperate with the United Nations—its intransigent attitude. The Iraqi regime caused the deaths of nearly one million people during the Iran-Iraq war. It used chemical weapons on the Kurds, which resulted in the deaths of tens of thousands of people. Iraq is the only modern regime to use chemical weapons on its own countrymen—in fact, on any large-scale population.

Parties of the social democratic tradition—indeed, any political party—must support the United Nations as it pursues the issues through its own processes. The United Nations must strengthen its own role in the Security Council. This is not an argument for war; this is an argument for the United Nations to act strongly as a united and coordinated group to insist that regimes like Iraq and North Korea respond to the international community. These countries must respond to a strong and united international community that is prepared to act with strength through organisations such as the United Nations Security Council. The response should leave no doubt that the international community is united in its desire to achieve through its existing mechanisms a peaceful outcome but that the Security Council can organise a military outcome if necessary. The military option must be there, but it must be organised by the Security Council. And that is what the Labor Party supports—a Security Council that acts with strength.

The SPEAKER—Order! It being 2 p.m., the debate is interrupted in accordance with standing order 101A. The debate may be resumed at a later hour and the member will

have leave to continue speaking when the debate is resumed.

SOCCEROOS

Mr ANDERSON (*Gwydir—Acting Prime Minister*) (2.00 p.m.)—On indulgence, Mr Speaker, I congratulate the Socceroos on their historic win against England. At Upton Park in London earlier today, the Australian team defeated England 3-1. That win was the first for Australia against England. It was also the first time an Australian soccer team has played against England on English soil. Congratulations to coach Frank Farina and all the members of that team on a fantastic victory.

Mr CREAN (*Hotham—Leader of the Opposition*) (2.00 p.m.)—On indulgence, I want to join the Acting Prime Minister in congratulating the Socceroos on a historic win—the first win against England, before a crowd of 30,000 people. That is no mean feat, because the English side fielded their best, particularly in the first half. The win of 3-1 was an even more satisfying result given the strength of that English side. I, too, want to add my congratulations to coach Frank Farina, captain Paul Okon and goal scorers Tony Popovic, Harry Kewell and Brett Emerton. I am sure that all of us will revel in the replays of those—they will be celebrated by all Australians. The whole team, along with its support staff, deserves congratulations from the Australian people. Well done on a great win.

SHERWIN, MR ALISTAIR

Mr SWAN (*Lilley—Manager of Opposition Business*) (2.01 p.m.)—On indulgence, I want to pay tribute to Alistair Sherwin, the PLO. I think this is his last sitting day in the House; he is leaving us. We have all appreciated the very constructive role that he has played and wish him well in his new life with more dignified working hours.

Mr ABBOTT (*Warringah—Leader of the House*) (2.02 p.m.)—On indulgence, obviously I would join with the comments of the Manager of Opposition Business. The PLOs are some of the unsung heroes of this place. Without their work, our business would not be transacted as smoothly as it is. I thank

Alistair very much for his work over the last two years. I thank his support staff, who have helped him greatly. I wish him all the best for the rest of his Public Service career.

The SPEAKER (2.02 p.m.)—The member for Watson—a former occupier of the chair and whip—the present whips and I would want to be identified with the sentiments expressed by the member for Lilley and the Minister for Employment and Workplace Relations. The role of the PLO is an unenviable one. We thank Alistair for what he has done and wish him every success.

QUESTIONS WITHOUT NOTICE

Iraq

Mr CREAN (2.03 p.m.)—My question is to the Acting Prime Minister. Acting Prime Minister, can you inform the House as to the government's assessment of any changes to the threat assessment to Australians in South-East Asia arising from Australian military participation in Iraq in the absence of a UN Security Council mandate?

Mr ANDERSON—At this point in time that is plainly hypothetical. Those threat assessments are constantly upgraded, constantly reviewed by ASIO and the relevant Australian authorities. They provide that assessment and their advice to the government, and the government responds accordingly and in due course.

Mr Crean—The Prime Minister didn't say that the other day.

The SPEAKER—Leader of the Opposition! Standing order 55.

Iraq

Mr CADMAN (2.04 p.m.)—My question is addressed to the Acting Prime Minister. Would the Acting Prime Minister update the House on the latest situation in relation to Iraq?

Mr ANDERSON—I thank the honourable member for his question. After completing his trip to the United States, the Prime Minister is now meeting Prime Minister Blair and other senior members of the British government. He will be taking the opportunity presented by his time and meetings in London to express the Australian

government's great appreciation for the strong, determined and principled stand that the British government has taken on Iraq. Australia and the United Kingdom stand together in seeking to ensure that Security Council resolution 1441 is enforced and that Iraq's weapons of mass destruction are destroyed.

Prime Minister Blair, frankly, is to be commended for his leadership on this difficult issue. He has not allowed divisions in his own party to deter him from taking a principled stand. Nobody wants military conflict and nobody has a monopoly on hatred of war, but there are very important issues at stake here—issues which the international community has to face up to. Iraq has refused to adhere to its international obligations for 12 long years. Iraq continues to pursue weapons of mass destruction, which poses a threat to its neighbours and the entire international community. The world must now face the prospect of the twin evils of weapons of mass destruction and international terrorism coming together. We must prevent this eventuality from happening. Unless that is understood and acted upon, the international community may well in time pay a truly terrible price for having failed to act.

It is for these reasons that the governments of the United Kingdom and Australia, along with the United States, have been calling upon the international community to speak with a single voice, expressed through the United Nations. As the Prime Minister has put it so well, Iraq will be encouraged and emboldened if it sees a world divided. The reality is that, to the extent to which we lack resolution and lack unity in the face of the current difficulties confronting us, Saddam Hussein will play all of those chinks in our armour for all that it is worth. His skill in this regard is second to none; his track record, his form, is well recognised and long documented. We would be very unwise—indeed, naive—to ignore those realities. Only if the world speaks with one voice will there be any hope that Saddam Hussein will hear our demands and act accordingly. This is the only hope for the peaceful outcome that I believe we do all sincerely want. This is the

challenge that the United Nations Security Council now faces—the challenge to face up to its responsibility for maintaining international peace and stability.

Iraq

Mr CREAN (2.07 p.m.)—My question is again to the Acting Prime Minister, and it relates to his last answer. Acting Prime Minister, are you seriously suggesting, given that Australia is now part of the US led coalition of the willing, that the government does not have in its possession a formal threat assessment for Australians in South-East Asia arising from Australian military participation in Iraq in the absence of a UN Security Council mandate?

Mr ANDERSON—I have answered the question. We receive constant, ongoing reviews as they are conducted and the assessments are based on those reviews. Of course that is the case, but of course I am not going to elaborate on them in this place.

Iraq

Mr ANTHONY SMITH (2.08 p.m.)—My question is to the Minister for Foreign Affairs. Would the minister inform the House of the position of the British government on the issue of Iraq's serial defiance of UN resolutions and update the House on the forthcoming meeting between Prime Ministers Blair and Howard in London? Also, is the minister aware of any domestic commentary on the British approach to Iraq?

Mr DOWNER—I thank the honourable member for Casey for his question, because I know he is one of many members of this House who admire the position that Tony Blair, the Prime Minister of Britain, has taken on the issue of Iraq. As the Acting Prime Minister made clear, the Prime Minister is meeting with Prime Minister Blair this evening, Australian time, in London following on from his discussions in Washington and New York. Clearly, although the two Prime Ministers will discuss a number of issues, Iraq—and, in particular, how to maintain Security Council pressure on Saddam Hussein to disarm—will be the focus of their discussion. We on this side of the House believe that Prime Minister Blair has proven to be an extraordinarily courageous

and principled leader in this debate. The meeting between the Labour and the Liberal Prime Ministers will, I think on this issue, be a genuine meeting of minds.

Tony Blair has recognised from the start that the global threat posed by Iraq's weapons of mass destruction, and the important role the United States must play in leading international efforts to disarm Iraq, is very real and fundamental. In answer to the honourable member's question, I think he would be interested in something Mr Blair said. He said the other day:

Some people think I'm going down this path because Britain is a strong ally of America and I don't want to divide off from America. It is worse than that. It is that I genuinely believe it. If America were not doing it, I would be saying to them, 'You should be doing it.'

Those are the words of a leader who has the strength of his convictions, who does not hide behind process and who is prepared to confront—that is, he is prepared to do something that I have not seen much of in the sister party of the British Labour Party—antiAmericanism within his own party. In part, what drives Tony Blair's concern is clearly the intersection between terrorism and weapons of mass destruction. Again, I quote him. Tony Blair, the leader of the British Labour Party, said:

It is only a matter of time before these threats come together in a devastating way.

The Australian government certainly shares that view. Like the Australian government, the British government recognises that the pre-deployment of military force has been essential in keeping the pressure on Saddam Hussein to comply with Security Council resolutions. Indeed, it is noteworthy that the United Kingdom has deployed 30,000 personnel, which includes a range of different ships, different types of aircraft and other commitments. As Prime Minister Blair said:

If the process of disarmament can't happen through the United Nations inspectors then it will have to happen by force.

Let me finally make this point, because I know the honourable member is interested in this: like the Australian government, the British government is unapologetic about its alliance with the United States. Let me re-

mind the House of what Tony Blair has said on that matter:

I will defend that relationship absolutely and solidly, because I think it's important for us and for the wider world. I do not think it right that the United States is made to face these issues alone.

That is the leader of the British Labour Party. The honourable member asked me if there was any domestic commentary on Tony Blair. There certainly is from this side of the House, but I notice an eerie silence coming from the other side as I talk about Tony Blair. Usually, when you stand at the dispatch box, there is a fusillade of abuse, but this time there is an eerie silence. There is an eerie silence as we speak of Tony Blair. So too was there an eerie silence during the speeches of opposition members during the debate on Iraq. We have counted 75 speeches by opposition members—that is, in both the Senate and the House of Representatives—and I understand that George Bush was unceremoniously mentioned some 275 times. That is not all that many more times than Saddam Hussein, but it is more times—interestingly, since it was meant to be a debate about Iraq—than Saddam Hussein. How many times did the name 'Tony Blair' spill out of any brave opposition member's lips? It happened 24 times—not 24 members and senators—and 24 times in 75 speeches is not a lot. We know that, of those members sitting over there, who sit in front of us day by day, just about all of them think, hour by hour, day by day and week by week, 'I wish we had a leader like Tony Blair.'

Aviation: Airport Security

Mr MARTIN FERGUSON (2.15 p.m.)—My question is to the Minister for Transport and Regional Services and the Acting Prime Minister. I refer to his answer to the member for Braddon yesterday, when he boasted about his announcement of 'a very substantial increase in screening and security at the nation's airports'. Isn't it a fact, confirmed in Senate estimates, that only four extra airports will get screening as a result of your announcement? Acting Prime Minister, why are you spending \$20 million of taxpayers' money on fridge magnets instead of providing greater protection for

Australians by substantially increasing the security screening in our nation's airports?

Mr ANDERSON—I thank the honourable member for his question. The very extensive further increase in aviation security screening arrangements at the 29 categorised airports across Australia is very much on the public record. As for this constant campaign—because that is what it is—from those opposite in relation to the advice that we have put out to Australian households on terrorism, I can only say that our advice is being very well received. The campaign being run by those opposite for people to return their material is not washing. Only a small number are being returned. But what I have been very interested to learn today is that a very large amount of extra material—more pamphlets and more information—is being sought. This is not a waste of money. Any lives saved, any terrorist attack averted or any suspicions reported which result in arrests of those who would engage in or support terrorism will have made every last red cent of it a very valuable investment indeed, and I would be very careful about prejudging it if I were the Labor Party.

Employment: Statistics

Mr CIOBO (2.17 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the January labour force figures released this morning by the Australian Bureau of Statistics?

Mr COSTELLO—I thank the honourable member for Moncrieff for asking a question about the economy. I do not think we have had a question about the economy from the opposition this year and they are apparently not all that interested in employment and the labour force, so I appreciate the fact that the member for Moncrieff does take an interest in the future of the Australian economy and jobs. I can inform him that the labour force figures for January showed that in the month the number of jobs in Australia rose by 111,000—that is, an additional 111,000 people were able to obtain a job in the month of January. The unemployment rate declined again to 6.1 per cent, and most of those jobs were in fact full time—there were about 72,000 of them.

The Australian Bureau of Statistics also announced that it was changing the sample size, so we must note that a sample change is going on and will have to work its way through the system over the forthcoming months; there may be some statistical quirks. But the last three months have shown sustained employment. Given that the international economy is weak and we are in the middle of probably the most severe drought in 100 years, the fact that employment is still rising shows that there is an underlying strength in the Australian economy. In fact, growth in employment over the year to date has already exceeded the government's forecast for the 2002-03 year.

Since the coalition was elected in 1996, there have been 1.2 million new jobs created in Australia. That is the benefit of good economic management. We are now coming up to the May budget, and the Expenditure Review Committee is already meeting and putting together that budget. Whilst we are putting together the budget for this May, the measures from last year's budget have still not passed the Senate. The Australian Labor Party still refuses to pass key measures from last year's budget. Even worse, it refuses to pass welfare reform measures from two budgets ago. We are now in the seventh year of Labor in opposition, and over those seven years the Australian Labor Party has not stood for one new policy—other than oppositionism, other than Senate obstructionism, other than a desire to try and prevent this government from giving better opportunities to young people and to people who are looking for jobs. There may have been a worse opposition in the history of the Federation, but it is hard to name what it was. This is an opposition which is mindlessly opposing for the sake of it, which stands for nothing, which has no leadership, which cannot even determine last year's budget as we come up to this year's budget and which, if it had had its way, would have stood in the way of all of the economic advances that have been made over the last six or seven years. This side of the House believes that strong economic management is good because it gives people job opportunities—1.2 million new jobs in Australia since 1996. If the Labor Party would get out of the way in

the Senate, there would be more opportunities for more Australians.

Aviation: Airport Security

Mr MARTYN EVANS (2.21 p.m.)—My question is to the Minister for Transport and Regional Services and the Acting Prime Minister. Despite heightened security concerns, can the Acting Prime Minister confirm that, still, not all luggage going into cargo holds is being screened?

Mr ANDERSON—Since September 11 all luggage going into cargo holds in flights destined for sensitive parts of the world or high risk assessment areas, including America and Britain, has been screened. I announced recently that we would be moving to 100 per cent checked bag screening for all international flights, complemented by the automated baggage reconciliation system—procedures which will ensure that all hold bags will be accounted for and authorised for carriage. Legislation is coming forward for this. There is an obvious attempt here to raise concerns, to intimidate the travelling public, to denigrate our risk assessment authorities in this country.

The reality is that—as has been confirmed by none other than the ANAO—since September 11, this country has had a very comprehensive set of aviation safety arrangements in place, plainly based on very high quality risk assessment. Never has aviation security in Australia, in relation to internal and international flights, been higher. Again, I say that we have a whole series of ASMs—additional security measures—which can be tripped on the basis of upgraded information, increased alerts or heightened security arrangements as those would be forthcoming. If these arrangements became necessary, they would extend so far as to effectively curtail all activity by our airlines and airports. This narrow obsession with aviation security—

Opposition members interjecting—

Mr ANDERSON—Hang on.

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition must understand his obligations under standing order 55. The same obligations apply to the Acting Prime Minister.

Mr ANDERSON—This obsession with aviation security and the transport sector fails to recognise—interestingly enough, because I think the objective is to scaremonger—that there are a whole range of areas—

Mr Swan—Mr Speaker, I raise a point of order. I find that comment by the Acting Prime Minister offensive and I ask him to withdraw it.

The SPEAKER—I do not believe the comment made by the Acting Prime Minister was unparliamentary.

Mr Swan—Mr Speaker, I raise a further point of order. Under standing order 76 as well as standing order 144—and given your ruling in this House two days ago about imputations—I do not think that it is wrong to ask for a withdrawal. This is a clear imputation against the opposition that we are not genuine in our concern for national security. I find his comment completely offensive, as does every member on this side of the House, and we ask that it be withdrawn.

The SPEAKER—I am very happy to apply the standing orders as the member for Lilley requires. I think he will then find, however, that the debate throughout the rest of the day and year is considerably constrained. There was not a comment made by the Acting Prime Minister that was unparliamentary. I have so ruled. I do not intend to require him to withdraw it. That does not mean that the remark was desirable.

Mr ANDERSON—Mr Speaker, I can only conclude that any genuine concern with international and national security affecting the safety of Australians now and in the future would have seen the opposition concentrating over the last two weeks on the real issues confronting us internationally. We would have actually heard a debate about Iraq and the problems of disarming Iraq.

Mr Zahra interjecting—

The SPEAKER—The member for McMillan is warned.

Mr ANDERSON—We would have heard some mention of the activities of the British Prime Minister. We would have actually had a probing of how it came to pass—

Mr Beazley—Mr Speaker, I raise a point of order, which goes to relevance. A serious question was asked that affects the safety of everybody who travels by aircraft. There is an obvious obligation on the minister responsible to answer it so that we know when everything is going to be properly covered and inspected. That is all the question was about. He is now discussing the situation in Iraq and our alleged attitude to it.

The SPEAKER—The question of security is, of course, a very broad issue. The Acting Prime Minister's answer was relevant.

North Korea

Mr BRUCE SCOTT (2.27 p.m.)—My question is addressed to the Minister for Foreign Affairs. Would the minister inform the House of last night's International Atomic Energy Agency decision concerning North Korea and the next steps to be taken by the United Nations Security Council? Is the minister aware of any alternative approaches?

Mr DOWNER—First, I thank the honourable member for Maranoa for asking me a question on North Korea. That is the second question this week I have been asked on the issue of North Korea. From recollection, I have been asked two other questions on North Korea in the life of this parliament. I may be wrong, it may be three; it may be one; I think it is two. I also note that the opposition spokesman for foreign affairs has said that the issue of North Korea is much more immediate and serious than the issue of Iraq. But the opposition have not asked me questions on North Korea all year; I do not know quite why that is.

The International Atomic Energy Agency board of governors has made a decision to report North Korea's failure to comply with its nuclear nonproliferation obligations to the security council, and I welcome that. As an influential member of the board, Australia was clearly deeply involved in preparing the ground for this decision. The resolution expressed deep concern over North Korea's actions and called upon the administration in Pyongyang to remedy urgently its noncompliance. This does send a very strong mes-

sage that North Korea's failure to comply with its nonproliferation obligations will be met by firm international resolve. It registers more generally that noncompliance with safeguard obligations is an extremely serious matter demanding the highest international attention.

We look to the Security Council as another avenue for seeking a peaceful diplomatic solution. Other bilateral and multilateral efforts will continue to move in parallel. I explained to the House yesterday, in answer to an earlier question, the active role that Australia has been playing in trying to take forward the process of ensuring that North Korea draws back from the nuclear program that it has. The Security Council has a full range of options open to it, fairly obviously. We expect the immediate priority would be for the Security Council to register its concerns about North Korea's actions, calling upon it to reverse its nonproliferation treaty withdrawal and to comply with its safeguards obligations. We do not expect, for example, that sanctions will be part of any initial response that comes from the Security Council.

I think this development clearly puts substantial increased pressure on the administration in Pyongyang, on North Korea. We are aware that North Korea says that ultimately it wants to have bilateral negotiations with the United States. We said to the United States administration that we think it is not unreasonable for the United States to talk with the North Koreans and see what can be achieved. So we hope that in the fullness of time, in an appropriate circumstance and under appropriate conditions, such bilateral discussions may take place.

DISTINGUISHED VISITORS

The SPEAKER (2.31 p.m.)—I inform the House that we have present in the gallery this afternoon Mr Andras Barsony, a member of the Hungarian Parliament and the Secretary of the Hungarian Ministry for Foreign Affairs. On behalf of the parliament, I extend to our guest a very warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Iraq

Mr CREAN (2.31 p.m.)—My question is to the Acting Prime Minister. I ask if he is aware that in an interview yesterday US Secretary of Defense Mr Rumsfeld again acknowledged that Australia was a member of the coalition of the willing.

Mr Lloyd—So what!

Mr CREAN—So what?

The SPEAKER—The Leader of the Opposition has the call.

Mr CREAN—Acting Prime Minister, given this further confirmation by Mr Rumsfeld that Australia is a member of the coalition of the willing, why haven't you and the Prime Minister been honest with the Australian people and admitted that Australia has been a signed-up member of this coalition of the willing since 23 July last year?

Mrs Crosio—Should we adjourn the House and just wait for your presence?

The SPEAKER—I apologise to the House. I always note—

Honourable members interjecting—

The SPEAKER—If there are some who would like to be instantly dealt with they will continue to behave as they are behaving. I am extending an apology to the House for the delay. I, in fact, had noted wrongly that the question was addressed to the Minister for Foreign Affairs, and it was for that reason that I had not proceeded with the question. The question apparently was addressed to the Acting Prime Minister, and I recognise him.

Mr ANDERSON—Plainly, the imputation behind the Leader of the Opposition's question is this: that we have signed up to something called the coalition of the willing and that our membership of the coalition of the willing commits us, whatever the UN might decide, to military action in the Middle East. That is right?

Mr Crean—That is right.

Mr ANDERSON—Terrific. So the question then becomes: what is the coalition of the willing?

Mr Swan—It's what George Bush says it is.

Mr ANDERSON—The coalition of the willing, we have just heard, is what George Bush says it is. The next point I want to establish is that the high authority on the coalition of the willing would be the President of the United States—would it not?—because he is the man who you got so excited about who confirmed we were part of it. As a matter of fact, what we did not read into the quotes in this place the other day was George Bush's definition of the coalition of the willing. He actually gave it in that interview. I will read it out. We will go through it. Here is the famous part that you all got so excited about. The journalist said:

Could you tell us whether you count Australia as part of the coalition of the willing?

President Bush replied:

Yes I do.

Come on! Get excited. Act like you always do. Then he said—and we have read this bit in ad nauseam as the evidence that President Bush knows that we have not yet made any military decision and has acknowledged it:

You know, what that means is up to John to decide.

He then went on to describe what he understood to be, and how he defines, the coalition of the willing, when he said:

But I certainly count him as someone who understands the world changed on September 11, 2001.

Mr Speaker, President George Bush's understanding of the coalition of the willing is very plainly set out in his response to that question:

... someone who understands the world changed on September 11, 2001.

Mr Crean—I seek leave to table the transcript of interview in which Secretary of Defense Donald Rumsfeld says that we are a member of the coalition.

Leave granted.

Mr Crean—I seek further leave: I mean the definition of the coalition of the willing which Mr Rumsfeld put, not that concocted one that the Acting Prime Minister has just put.

Leave granted.

Trade

Mr SECKER (2.36 p.m.)—My question is addressed to the Minister for Trade. Would the minister inform the House what rural and regional families can expect as a result of the informal meeting of WTO trade ministers taking place in Tokyo this weekend?

Mr VAILE—I thank the honourable member for Barker for his question and acknowledge the serious interest he takes in our efforts to try to improve the global trading circumstance for Australia's farmers. What do we want to see? We want to see a fairer global trading regime for Australia's farmers for the products that we sell in the global marketplace. As stated yesterday when we released our white paper on foreign affairs and trade, the WTO remains the government's No. 1 trade objective. The meeting this weekend in Tokyo is the second in what will be a series of informal mini ministerial meetings to continue to energise the agenda as far as the Doha Round is concerned, a round that needs a positive outcome on agriculture to be successful. There is no doubt about that, and there is broad agreement on that fact. We will certainly be pursuing that at the table this weekend, both as Australians, individually, and as the chair of the Cairns Group. Since I mention the Cairns Group and the white paper, it was interesting to look at the transcript of an interview that was done yesterday, following the government's release of the white paper, with the member for Griffith—who is leaving the chamber—and the member for Rankin in response to that white paper. It was an excellent paper that was developed, and it has been quite well received by the broader community and the commentators in the media.

Dr Emerson interjecting—

The SPEAKER—Member for Rankin!

Mr VAILE—It was also interesting to note the unusual circumstance that the member for Griffith did less talking than the member for Rankin. But it was interesting to read the transcript. The member for Rankin was asked a question about our policy perspective on competitive liberalisation—that is, pursuing multilateral objectives and bilat-

eral objectives at the same time—and the journalist was saying that the Labor Party's attitude to this was flawed. The member for Rankin responded:

I mean, how can Mark Vaile look the other members of the Cairns Group in the eye and say that on the one hand I want to lead you as a group as a powerful third force in negotiations in the global trade negotiations but at the same time do a preferential deal with the United States?

Very simply, the answer is that it is very easy, because all the members of the Cairns Group agree with Australia on this issue. In case the member for Rankin has not noticed—

Dr Emerson interjecting—

The SPEAKER—Order! Throughout this week I have reminded the member for Rankin of the obligations he has. He believes that if he simply avoids looking at me those obligations are excused. The member for Rankin will observe standing order 55.

Mr VAILE—The point that I was about to make, and obviously it is one that the member for Rankin does not want to hear, is that the members of the Cairns Group agree with this perspective. As a group, we have been pursuing for many years a fairer deal for the farmers of the world who are locked out of the markets of the world, and we have been frustrated by that. The Labor Party should put their hands up and plead guilty to signing away the interests of Australian farmers in the Uruguay Round, which they did. The members of the Cairns Group—

Mr McMullan interjecting—

Mr VAILE—It is a fact.

The SPEAKER—Member for Fraser!

Dr Emerson—He's given up, Mr Speaker; let's move on.

The SPEAKER—I warn the member for Rankin! The member for Fraser will withdraw that interjection.

Mr McMullan—Mr Speaker, if I have made an unparliamentary interjection I withdraw it.

Mr VAILE—The point that the member for Rankin was raising in his media interview following the release of the white paper yesterday was that members of the Cairns

Group do not agree with Australia in terms of our perspective on our trade policy at the moment. The fact is that they do because they are pursuing similar objectives. Chile has just concluded a free trade agreement with the United States of America, and South Africa has a preferential agreement with the European Union. Indonesia and Malaysia are members of the AFTA agreement, the free trade agreement of South-East Asia, and all the Latin American countries are currently negotiating the free trade agreement of the Americas with America. So they are not mutually exclusive. As indicated in their questions yesterday, the journalists completely understand the objectives that the government are pursuing to give every opportunity for Australian farmers and Australian exporters to do better in the global markets. We will continue to do that. Unambiguously we will argue that case. I will argue that case in Tokyo this weekend. The European Union and the Japanese have not been very ambitious at all. They are still locked away back at the Uruguay Round. But we are not; we are prepared to be ambitious. We will lead the Cairns Group in that argument. We will argue the case on behalf of Australian farmers in the national interest as well as in their interest, and we will seek support from the Labor Party to do that as well.

Taxation: Executive Remuneration

Mr McMULLAN (2.43 p.m.)—My question is to the Treasurer. Can the Treasurer confirm that the \$33 million golden handshake to the former chief executive of Colonial First State Funds Management is fully tax deductible to the Commonwealth Bank? Doesn't this mean that Australian taxpayers are effectively paying almost \$10 million of this excessive payment? Will the Treasurer ensure that taxpayers do not continue to subsidise these excessive golden handshakes to chief executives?

Mr COSTELLO—I welcome the question from the member for Fraser, and I look forward to a question on the economy shortly. I have said already today, and I will say it again: I find it impossible to believe that an executive is worth \$32 million. That \$32 million belongs to the shareholders of the Commonwealth Bank. And it is the

shareholders of the Commonwealth Bank who have the ability, through their influence on directors, to ensure that they receive value for the moneys that they have invested in that company. I would urge those shareholders to look very carefully and to demand an explanation from the directors of that company as to what was actually entered into. From what I have read in the newspaper, the payment is fully taxable—that is, that it will be fully taxed and the tax to be paid will be in the hands of the person who received the payment. In relation to a company, the situation is, and always has been, that a company is taxed on its profit. Profit is income less expenses. The Commonwealth Bank is taxed on its profit in full, and the person who received in their hands the \$32 million payment, if it is remuneration, is taxed in full. That is the way in which the tax system operates and always has operated in this country. As for the matter of whether or not the amount is something that the shareholders are receiving value for, I find it hard to believe. We have disclosure rules which require this to be disclosed to shareholders so that shareholders can make their views known to the directors who are elected by them and who are accountable for their decisions. As I have said earlier today, I would thoroughly recommend to those shareholders that they take up all of the options that are available to them.

Zimbabwe

Ms JULIE BISHOP (2.46 p.m.)—My question is addressed to the Minister for Foreign Affairs. Would the minister inform the House of Australia's position regarding Zimbabwe's status within the Commonwealth?

Mr DOWNER—I thank the honourable member for Curtin for her question. I know how interested she is in Zimbabwe, bearing in mind that she was a leading figure in the Commonwealth Observers Group for the so-called elections in Zimbabwe which, as we know, did not reflect accurately the will of the Zimbabwean people. Zimbabwe's suspension from the councils of the Commonwealth following the expiry of the 12-month period in March was a major point of discussion between the Prime Minister and the Secretary-General of the Commonwealth, Don-

ald McKinnon, in London yesterday. These discussions between the Prime Minister and Mr McKinnon were held against the background of presidents Obasanjo and Mbeki expressing a view that a troika meeting would not be necessary and that Zimbabwe's suspension should be lifted at the end of the 12-month period—the end of the 12-month period being on 19 March.

Australia's view is that it does not agree that the suspension would dissolve automatically on 19 March. Indeed, on the contrary, it is the view of the Australian government that, without the consensus of the troika, the suspension will automatically continue until the next full meeting of Commonwealth heads of government, which is to take place in Abuja, the capital of Nigeria, in December. I note that the Commonwealth Secretary-General has discussed this with the Prime Minister. During their discussions, the Prime Minister once more emphasised that there would be no automatic lifting of the suspension in the absence of progress in Zimbabwe. That is a view with which I understand the Commonwealth Secretary-General has some sympathy.

Zimbabwe, let us remember, was suspended on the basis of that Commonwealth Observers Group report, with which the honourable member for Curtin is so familiar. The troika set itself a program of comprehensive engagement with Zimbabwe covering electoral reform, sustainable and transparent land reform and interparty dialogue, particularly dialogue between the governing party of President Mugabe's ZANU-PF and the Movement for Democratic Change, the main opposition party. The simple fact is that Australia sees no evidence whatsoever of any improvement in Zimbabwe.

Mr Wilkie—What about the cricket team?

Mr DOWNER—That is a good question. The Mugabe government has rebuffed efforts by the Commonwealth Secretary-General to discuss free and fair elections. Farm invasions and evictions still continue without compensation. The majority of so-called redistributed commercial farms lie unoccupied, clearly very substantially exacerbating the country's tragic food crisis, and many of

those commercial farms have been transferred to friends of the regime—to party apparatchiks, as they would say—and not to the rural poor, the people who we are told are to get the land. Laws that impede freedom of speech and association continue to be abused by the Mugabe government in order to stamp out dissent, and the Mugabe government has shown that it is not interested in any serious dialogue with the main opposition party, the Movement for Democratic Change. As honourable members will know, it is in fact quite the contrary: harassment of opposition supporters and MDC officials—arrests and the like of sitting MPs—continues apace.

As the Prime Minister said the other day, to readmit Zimbabwe to the councils now would reflect poorly on the Commonwealth. Remember that at the very heart of the Commonwealth is the Harare declaration—ironically. The Harare declaration outlines the core principles of the Commonwealth: the principles of democracy and human rights. The fact is that Zimbabwe does not uphold those principles of democracy and the rule of law. It does not apply those principles. They were not applied in Pakistan when the coup took place, and Pakistan was suspended from the councils of the Commonwealth. The same thing happened when there was a coup in Fiji. There is no case whatsoever for bringing Zimbabwe back into the councils of the Commonwealth.

Finally, I note that the England cricket team has made a decision not to play in Zimbabwe. I think one of the honourable members interjected regarding the cricket team. We have expressed the view on many occasions that we would like the International Cricket Council to transfer all matches from Zimbabwe to other parts of Africa—presumably, to South Africa. I wrote to Malcolm Gray recently expressing that view, and Mr Speed has written back expressing the view that the International Cricket Council wishes to persist with the games in Zimbabwe. As many honourable members will know, there have been one or two games played there already. As we have said all along, at the end of the day this is a matter for the International Cricket Council and, in Australia's case, for the Australian Cricket

Board, but we regard it as regrettable that cricket matches are proceeding in Zimbabwe as part of the World Cup campaign.

Business: Executive Remuneration

Mr COX (2.53 p.m.)—My question is to the Treasurer, and it follows his previous answer to the question from the member for Fraser. Is the Treasurer aware of the comments of the Minister for Employment and Workplace Relations today that 'shareholders have been too passive in the face of high-handed executive actions' and that 'these are matters which are appropriately in the hands of shareholders'? Can the Treasurer explain why on Tuesday he rejected Labor's proposed law to provide shareholders with a right to a vote on executive remuneration at annual general meetings? Treasurer, does your action to block Labor's amendments to strengthen the hands of shareholders against board and management greed show that your outrage at Mr Cuffe's payout is just empty words?

Mr COSTELLO—No.

Automotive Industry

Mr CHARLES (2.54 p.m.)—My question is to the Minister for Employment and Workplace Relations. Would the minister inform the House of any threats to continuing jobs growth in the car industry? Would the minister also inform the House of the government's response to those threats and of its policy to protect the jobs of Australian workers in the car industry?

Mr ABBOTT—I thank the member for La Trobe for his question. The car industry is one of the great success stories of Australian manufacturing. It was a virtual basket case 15 years ago. Now it exports some \$5 billion worth of high-quality product per year and employs nearly 100,000 Australians, which is an increase of some 20,000 in the last seven years. The car industry has rarely been helped by the activity of the Australian Manufacturing Workers Union. Last year, strikes orchestrated by the AMWU cost the industry some \$400 million in lost production and resulted in tens of thousands of workers being stood down. The industry's strike rate is six times the national average. Last year the AMWU gave \$818,000 to our

friends opposite, and the AMWU has three representatives in this parliament to protect their investment, including the member for Grayndler.

Now the AMWU is ramping up what it calls Campaign 2003. This is a campaign for an 18 per cent pay rise and a 36-hour week—more pay for less work. Not only that, but it wants workers' entitlements to be paid into a union-controlled trust fund, even though statutory and community standard entitlements are guaranteed by this government. I regret to inform the House that Campaign 2003 has already begun, with a series of strikes and bans directed against a Victorian components manufacturer in defiance of an industrial commission recommendation. This campaign is now threatening to destroy the viability of this company and destroy the jobs of its workers. It is also threatening to lead to thousands of stand-downs in the car industry next week.

I think it is important to make a few things clear. When unions are not genuinely bargaining and when strikes are threatening to shut down Australia's most important manufacturing industry, this government will intervene in industrial commission proceedings. If union officials and others break the law, they will face prosecution by this government. I have to say that for too long workplace relations have been a province of law without order. For too long, we have had too much legal process and not enough law enforcement. The era of industrial law without an industrial policeman is now over. This government will not stand by and see the great industries of Australia vandalised, and we will certainly not allow the jobs of decent, honest Australian workers to be sacrificed on the altar of union power.

Business: Executive Remuneration

Mr McCLELLAND (2.58 p.m.)—My question is again to the Minister for Employment and Workplace Relations. Minister, on a day when yet another corporate executive has walked away with a \$33 million golden handshake, why have you introduced legislation to suppress wage rises for Australia's lowest paid workers? Isn't it the case that an Australian on the minimum wage would have to work for 1,500 years to earn

the \$33 million this banking executive got just for quitting his job? Minister, shouldn't you be trying to rein in the greed of corporate executives instead of taking a stick to Australia's lowest paid workers?

Mr ABBOTT—The member for Barton will be pleased to know that I entirely share the disgust which has been expressed by people such as the Treasurer about this kind of payment.

Honourable members interjecting—

The SPEAKER—The member for Ballarat is warned!

Mr ABBOTT—I think, along with all members of this House, that millions of Australian workers are entitled to feel badly ripped off by this decision to award so much money to an executive. But the important thing to note is that shareholders and directors of companies have responsibilities, and I very much fear that the directors of the companies concerned have let down their shareholders in allowing this kind of package to stand.

The SPEAKER—The member for Bass is warned!

Mr ABBOTT—On the subject of doing the right thing by workers, I am proud to say that this government has created 1¼ million new jobs since 1996. This very day we know that job numbers are at an all-time record, full-time jobs are at an all-time record and participation is at an all-time record. Not only that, but the workers of Australia are enjoying unprecedented wage rises. Average weekly full-time earnings are up by 13 per cent in real terms under this government. Basic award earnings are up by five per cent under this government. Under the former government, basic award earnings actually fell by three per cent. Let me make it very clear. Under the former government, executive salaries were not controlled and workers' pay fell. We do not believe in imposing a Stalinist regime on anyone's pay. Workers' pay has increased under this government and it will continue to increase.

Aerospace Industry

Mr McARTHUR (3.02 p.m.)—My question is addressed to the Minister for Industry, Tourism and Resources. Would the minister

inform the House of recent developments in the Australian aerospace industry? What contribution is this industry making to the strength of the Australian economy?

Mr Crean—There is a stranger in the House.

Mr IAN MACFARLANE—I thank the member for Corangamite for his interest in, and support for, the aeronautics industry in Australia—particularly his support for the Avalon Airshow, which showcases many industry achievements. Whilst the member for Corangamite showed his support for Avalon, it was disappointing to see the member for Corio use it as a place to stage a demonstration. I am not sure what sort of message that sends to the aviation and aeronautics industry in Australia. I also thank the member for Corangamite for his question, because these days we have to rely on this side of the House for questions on industry and innovation. The Treasurer has expressed his frustration that there are no questions from the other side of the House on the economy. There are no questions on innovation or industry either.

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition will withdraw that statement. The Leader of the Opposition has persistently interjected, against standing order 55. I ask him to withdraw the remark he made in the latter part of his statement.

Mr Crean—I withdraw, Mr Speaker.

Mr IAN MACFARLANE—This week it was my pleasure to be part of the official opening of the Australian International Airshow and to announce the 2002 winner of the Lawrence Hargrave award. This award is Australia's most prestigious aerospace award. It was named after one of Australia's aeronautical pioneers, Lawrence Hargrave, who used box kites to test and develop aerodynamic principles later used in rotary engines. Australia has a very proud history in aeronautics. Australians were the first to fly over virtually all the major oceans of this world, and a previous winner of the Lawrence Hargrave award, Dr David Warren, is the inventor of the black box flight recorder—a remarkable effort. The recipient of

this year's award, Dr Gordon Long, helped develop a stress test for the FA18 Hornet tail section. This work is worth millions of dollars to the RAAF and is an outstanding achievement for the Australian aerospace industry.

The Australian aerospace industry continues to punch well above its weight and has a one per cent share of the world market, worth some \$2 billion. It employs some 11,000 people in companies as small as CEA Technologies, which produces the world's best radar systems right here in Fyshwick, Canberra. There are, of course, other major aerospace companies operating in Australia—including Boeing, BAE and Raytheon, to indicate just a few. Australia is world renowned for its strengths in engineering design and development, particularly in the area of advanced composite materials. Australia stands at the cusp of a great opportunity with the \$400 billion joint strike fighter program. There is little doubt in our minds that, with the full support of the government through our innovation programs and research and development programs, Australia will continue to take a major share of that.

Mr Latham interjecting—

The SPEAKER—I warn the member for Werriwa!

Mr IAN MACFARLANE—Thank you, Mr Speaker; that has made my day. Australia will continue to have a major place in the aerospace industry and will go on to turn great Australian ideas into jobs for Australians.

Veterans: Gulf War

Mr EDWARDS (3.06 p.m.)—My question is to the Minister for Veterans' Affairs. Can the minister confirm that the Gulf War health study was originally scheduled to be completed in December 2000? Can the minister also confirm that she received the final report last year and had promised veterans groups that the report would be released last year? Minister, why can the government fast-track the deployment of troops to the Persian Gulf yet continue to conceal the contents of this important report, which covers their health and wellbeing? Minister, when will you release this health report?

Mrs VALE—I thank the honourable member for Cowan for his question. As this issue is causing a great deal of interest in the media at the moment, I would like to read through a short chronology of the events.

Opposition members interjecting—

The SPEAKER—The member for Melbourne is warned. The member for Griffith is warned.

Mrs VALE—We are not sitting on this report and it will be released shortly, as I said in the MPI last week. Earlier last week I was given a briefing by my senior officials from DVA on the preliminary aspects of the report, which I covered in my speech on the MPI last week. I want to assure the member for Cowan and run through the chronology of this important report, because this is one of the most comprehensive health studies on Gulf War veterans that has been undertaken.

On 5 July 1999 the then Minister for Veterans' Affairs, Mr Scott, announced that there would be a health study of Gulf War veterans. On 30 December 1999 the scientific advisory committee was appointed. On 3 July 2000 a contract was signed with Monash University to undertake the independent study. On 2 August 2000 a study pilot commenced and the first medical appointment was made for a pilot in Melbourne. On 27 September 2000 the pilot was successful and recruitment packages were sent to approximately 3,700 participants, 1,862 of whom were listed on the Gulf War veterans nominal roll. On 15 October 2002 the draft findings were presented to the consultative forum. On 23 October 2002 the draft findings were presented to the scientific advisory committee. Between 13 and 31 January this year there was reformatting and editing of the report. On 16 January this year updated information was provided by Monash University. Late on Friday, 31 January 2003, publication arrangements were made. These arrangements continued to 7 February this year when a further correction to the text was actually made by Monash University. This required further changes and refinements to the report. As I said, the report will be released as soon as possible. I table this chronology in the House.

Environment: Climate Change

Mr BILLSON (3.10 p.m.)—My question is to the Minister for the Environment and Heritage. Would the minister advise the House if the government is aware of criticism of the climate change scenarios—

Honourable members interjecting—

The SPEAKER—Order! The member for Cowan. The member for Fowler is skating on very thin ice. The member for Cowan is well aware that, while I did not hear his interjections, and while they were in response to interjections that were no less responsible from the Minister for Regional Services, Territories and Local Government, both will desist.

Mr BILLSON—As I said, would the minister advise the House if the government is aware of criticism of the climate change scenarios of the Intergovernmental Panel on Climate Change by former Australian Statistician, Mr Ian Castles? Would these criticisms significantly affect climate change policies and what are they?

Dr KEMP—I thank the honourable member for Dunkley for his question. I am aware of the criticisms that Mr Castles has made. Ian Castles is the former Australian Statistician and a man with a long and distinguished career dealing with issues of economic growth. Ian Castles has raised a number of issues in relation to the methodology used by the Intergovernmental Panel on Climate Change in its *Special report on emission scenarios*, a key assessment of future economic paths and associated emission scenarios through to 2100.

This report from the IPCC is the basis for modelling the long-term effects of climate change. It led the IPCC to the conclusion that global warming from 1990 through the 21st century to 2100 would range from a 1.4 to a 5.8 degree Celsius increase in global temperature. Mr Castles contends that the assessment is based on unrealistically high emission scenarios, which are in turn the result of implausibly high economic growth rates in the developing countries. These come about, according to Mr Castles, from the use of inappropriate market exchange rates rather than the correct use of the pur-

chasing power parity approach in comparing income levels in different countries.

Australia has facilitated the discussion of Mr Castles' analysis at the IPCC. I am happy to report that the intergovernmental panel has extensively discussed Mr Castles' criticisms at a recent workshop in Amsterdam and is proposing to organise some further meetings on the issues later in the year. The key objective of this is to ensure that our understanding of the threat posed by climate change is based on sound analysis and sound science. Global climate change is a serious issue. Australia is keen to ensure continued and enhanced high standards of scientific integrity, credibility and usefulness of the IPCC as the authoritative, international source of advice on climate change issues.

Whether Mr Castles is correct or not, it is important that we recognise that there is no argument that Australia will be affected even by small changes in temperature. Leaving aside the question of the impact of global climate change on the current drought, the Bureau of Meteorology has concluded, for example, that the more severe impact of the current drought arises from the relatively higher temperatures during 2002 compared with earlier droughts such as those of 1982 and 1994. In fact, figures from the bureau show that the average daytime maximum temperatures during 2002 were at record levels. In fact, they were 1.22 degrees higher than the long-term average, compared with the previous record of 0.91 degrees.

This illustrates that even very slight increases in temperature put great pressure on our communities and producers, our ecosystems and species and increase instances of skin cancer. The government are going to continue to work very closely with industry to ensure that Australia makes its contribution to the reduction of greenhouse gases, and we have already put in place a \$1 billion program. Measures already taken under that program will be reducing Australia's greenhouse gas emissions by some 60 million tonnes of CO₂ by 2010, which is equivalent to taking the entire Australian car fleet off the road. In contrast, we are yet to see any sensible proposal by the Labor Party, which is approaching the end of seven years in oppo-

sition with no sign of any cogent policy whatever.

Mr Kelvin Thomson interjecting—

The SPEAKER—Member for Wills!

Dr KEMP—The contrast is—

Mr Kelvin Thomson interjecting—

The SPEAKER—Member for Wills!

Dr KEMP—that the Labor Party is concerned with empty symbols, with the signing of international agreements—

Mr Kelvin Thomson interjecting—

The SPEAKER—I have no choice but to warn the member for Wills!

Dr KEMP—and it has not a single constructive policy to help Australia reduce its greenhouse gas emissions. Our government will continue to take a responsible attitude internationally and to ensure that our policies are based on sound science.

Health: Fuel Emissions

Mr KATTER (3.16 p.m.)—My question is to the Minister representing the Minister for Health and Ageing. Is the minister aware of the position papers and advocacy of Professor Batts, Professor Dawson and Dr Kearney, at various Sydney universities, and of international pollution expert Dr Streeton? Is the minister aware that these papers and numerous others delineate the causal relationship between petrol emissions and cancer and lung diseases? Can the minister assure the House that the Department of Health and Ageing will become proactive in the fight to enforce lower levels of these offending, life-threatening emissions resulting from high aromatic levels and to lower these levels to those of Europe and the US by following their lead and replacing aromatics with ethanol?

Mr ANDREWS—I thank the honourable member for Kennedy for his question. I also commend him on his support for a viable ethanol industry in Australia. This is something which this government supports, as the minister for agriculture pointed out in answer to a question in this place just this week. Can I also indicate to the honourable member that one of the major commitments of the Australian government is to the health and well-being of the citizens of this country. That is

why, for example, we have in place laws in relation to emissions. That is why we have in place laws in relation to antipollution. If, when I have read the learned articles that the honourable member has referred me to, there is anything else I can add by way of answer, then I will do so.

Drought

Mr JOHN COBB (3.18 p.m.)—My question is to the Acting Prime Minister. Would the Acting Prime Minister inform the House of the drought situation in Australia? Is there any new meteorological information on the likelihood of a break in the drought this autumn?

Mr ANDERSON—I thank the honourable member for his question. It goes to the heart of a very important issue, particularly for the very large number of Australians who live in the regions. They are in fact directly confronting one of the greatest threats to their economic security in the nation's history. I think we are at that point. It goes well beyond the impact on farmers. It is now potentially massively impacting on food processing, the abattoir sector, the transport sector, the tourism sector and, indeed, in some parts of the country, heavy industry. Some reports indicate that a very significant number of jobs in the small business sector as well are at risk—potentially as high as 70,000. Every one of us hopes that these grim forecasts do not come to reality and that we get as early a break as possible.

I have sought advice today on this important matter. The best forecasts remain those that say that the end of March is the most likely time for a significant break, but I think we need to be realistic and say too that the summary that the met office has presented to me for the next three months remains, frankly, very concerning. Its estimates are that there is only a 50 to 65 per cent chance of more than median rain in the south-west half of Australia over the next three months, that the rest of the country has less than a 50 per cent chance of higher than median rainfall and that there is quite a low chance of median rainfall for north-east Queensland. Worryingly, in New South Wales, the outlook to April is only a 45 to 50 per cent chance of median or better falls in the north-

west and 55 to 60 per cent over the south-west. There is a better than even chance of continuing higher than normal temperatures, which, as the minister for the environment pointed out, can in fact be an equally serious problem along with a lack of actual precipitation. In Queensland, whilst there have been some very welcome falls, the outlook is estimated to be about a 30 to 45 per cent chance of being drier than normal until April and a 70 to 75 per cent chance of being hotter than normal.

The situation with the water storage system, particularly in the Murray-Darling Basin, is now very serious indeed. Irrigation storages are at about 30 per cent capacity and, at current depletion rates, will be exhausted by the end of May. In the rest of New South Wales, the northern areas will have no allocations next season if the drought persists. All reserves in the south have been used, except for a small amount for the Murrumbidgee that could give 10 to 15 per cent allocation for the 2003-04 irrigation season for some rice planting. In Queensland, if the drought continues, most systems will be without water in 2003-04. Stream flows are very low. A number in central and south-east Queensland have stopped flowing. In Herbert and on the Atherton, stream access is on the toughest ever restrictions at 10 to 25 per cent of normal. In the Wimmera and Mallee in Victoria, there have been no allocations this year. Without rain next year, the areas may well run out of domestic and stock water altogether. The Goulburn-Murray started this year on 54 per cent allocation and could be down to 10 per cent next year. In South Australia, we are told some areas may not receive their first allocation for the first time—given they are very conservative allocations anyway in that state—in 100 years.

This is a very sobering national outlook. The federal government are seeking to be sympathetic and responsive in the way we handle this and are seeking to help people through. At this stage, we are estimating \$1 billion or so will flow from the applications for exceptional circumstances assistance that are before us. We hope sincerely that the drought breaks; there is no substitute at all

for a substantial rainfall event. But we are fortunate in this country. The reality is that, in many societies throughout history, this sort of event would have had the nation very worried about something as basic as food security. But such is the surplus production by our farmers in this country that we are not at any point contemplating such an outcome.

I would say to the House that I think all Australians affected by this should know that we are concerned indeed. I cannot help but note, though, that over the last two weeks while the very important matter of Iraq has been before this House all we have seen from the opposition is the pursuit of a conspiracy theory. That has been denied, of course, not only by the Prime Minister and the government but by General Cosgrove and the President of the United States as well. Worse than that—and I do not know what the country mayors who were in the audience yesterday thought—at the height of the most serious problem confronting a huge slab of the Australian economy and the people dependent upon it, is that not one question on drought has been asked over the last fortnight.

Opposition members interjecting—

Mr ANDERSON—If I am accused on that basis of being a complete disgrace, that might as well be recorded in the *Hansard*—

Mr Swan interjecting—

The SPEAKER—Member for Lilley!

Mr ANDERSON—because I should think that it is a disgrace that the Labor Party has not asked a single question about drought over the last few weeks.

Mr Swan interjecting—

The SPEAKER—I warn the member for Lilley!

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

PERSONAL EXPLANATIONS

Mr BALDWIN (Paterson) (3.24 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Paterson claim to have been misrepresented?

Mr BALDWIN—I do.

The SPEAKER—Please proceed.

Mr BALDWIN—Today in the Main Committee, the member for Hunter stated:

... the member for Paterson threatening and bullying council officers in his capacity as a federal member sitting in this place to get his way on his development in his local electorate.

I have just received a statement from the General Manager of Port Stephens Council. It says:

Port Stephens Council general manager Peter Gesling has responded to the allegations in federal parliament ... that council staff had been stood over and threatened by Councillor and Federal Port Stephens MP Bob Baldwin.

“At no time have staff reported any untoward conduct by Councillor Baldwin.

The SPEAKER—The member for Paterson has indicated where he has been misrepresented.

Mr BALDWIN—The statement continues:

Nor does the action required and taken by staff in relation to the unauthorised works on Councillor Baldwin’s land suggest that council officers have treated this matter with anything but independence—

The SPEAKER—The member for Paterson cannot elaborate on an argument. He can indicate where he has been misrepresented, but that is all.

Mr Swan—Mr Speaker, I rise on a point of order. The member for Paterson is completely out of order. I ask you to sit him down.

The SPEAKER—The member for Lilley will resume his seat. What ought to have been self-evident to the member for Lilley, and easier for him to see than me, was that I had taken the very action he has sought.

Mr BALDWIN—Further, the member for Hunter stated:

There have been two parcels of land in Palanda Court which have been unlawfully cleared—

inferring that I owned one and excavated the other. They are on opposite sides of the road; one has no connection with me.

Mr Rudd—Mr Speaker, I rise on a point of order. The member for Paterson already

made this statement at the beginning of battling this morning. This is a repeat—

The SPEAKER—I remind the member for Griffith of his status in the House. Further frivolous points of order will be dealt with. Matters of personal explanation are frequently brought to the chair's attention. Anyone who cares to exercise the integrity of checking yesterday's *Hansard* will find that the liberty extended to the member for Paterson is not only within the standing orders but parallels that which was offered yesterday to members on my left. The member for Fraser is, I am sure, conscious of this.

Mr BALDWIN—These statements were made after I made my explanation. Finally, the member for Hunter stated that Councillor Geoff Robinson had carted away the excavated works and illegally dumped them in the sand dunes at Anna Bay. He also said he took the rock away and illegally dumped it under the sand dunes. I refute that—

The SPEAKER—Member for Paterson, I am not here to argue the toss with anyone in this House. The member for Paterson must be aware that a point of personal explanation must be with respect to where the member has been misrepresented. The latter one indicated a misrepresentation of a councillor.

Mr BALDWIN—It concerns me, Mr Speaker.

The SPEAKER—I wish the member for Paterson had indicated that earlier in his remarks.

Mr BALDWIN—I was paraphrasing what the member for Hunter had said. I have a letter from Robinson's Earthmoving stating that they have had no contract or arrangement with me and have never excavated or transported any material from my block of land. I seek to table the letters from Robinson's Earthmoving and Port Stephens Council which will clarify these facts.

Leave granted.

Opposition members interjecting—

The SPEAKER—If I could identify who made the remark, I would require it to be withdrawn.

Mr Fitzgibbon—On indulgence, Mr Speaker: it might assist the House if the member for Paterson—

The SPEAKER—As the member for Hunter, who has had a great deal of experience in the House, will know, this is an unusual item on which to grant indulgence. I will listen closely to what he is saying. I obviously do not expect the matter to be abused.

Mr Fitzgibbon—It might assist the House if the member for Paterson clarified whether there were illegal excavation works or whether he is now denying that.

The SPEAKER—The member for Hunter will resume his seat.

Mr ALBANESE (Grayndler) (3.30 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Grayndler claim to have been misrepresented?

Mr ALBANESE—I do, Mr Speaker.

The SPEAKER—Please proceed.

Mr ALBANESE—I claim to have been misrepresented by the Secretary of the Department of Family and Community Services, Mr Mark Sullivan, yesterday in the Senate Community Affairs Committee's additional estimates hearing and in reportage of that in AAP, the *Financial Review* and in advanced briefing of journalists. Mr Sullivan yesterday quoted a press release I put out on Tuesday headed 'Labor Saves Youth Funding', which said:

We fought this unfair round every step of the way and we are proud that the Department has decided to side with the Labor Party about this.

Mr Sullivan went on to say:

The government did not get it wrong. Quite simply, it is the department that has made mistakes. We regret those mistakes and are working hard to restore the process and the confidence of the sector.

Mr Speaker, I make no apology for holding the government accountable for its policy decisions and ensuring the ongoing funding.

The SPEAKER—I need to know where the honourable member for Grayndler was misrepresented.

Mr FITZGIBBON (Hunter) (3.31 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Hunter claim to have been misrepresented?

Mr FITZGIBBON—I certainly do.

The SPEAKER—The member for Hunter may proceed.

Mr FITZGIBBON—This morning in the House the member for Paterson successfully sought leave to make a personal explanation. Within that personal explanation, he accused me of misleading the House on a range of matters. I thank you for your protection, Mr Speaker—you pointed out to him that that would require a substantive motion. I will not go through all of those points now, because it would take up too much of the House's time. I will, though, simply again seek leave to table a letter from—

The SPEAKER—The member for Hunter must indicate where he has been misrepresented in a comment, and I am still waiting to hear an area in which he has been misrepresented.

Mr FITZGIBBON—I have with me a letter from Port Stephens Council to the Nelson Bay Precinct Committee which says, amongst other things:

There have been two parcels of land in Palanda Court which have been unlawfully—

Mr Baldwin interjecting—

The SPEAKER—The member for Paterson will withdraw that remark.

Mr Baldwin interjecting—

The SPEAKER—The member for Paterson will rise, recognise the chair and withdraw the remark or excuse himself from the House!

Mr Baldwin—I withdraw, Mr Speaker.

The SPEAKER—I point out to the member for Hunter that what he is currently bringing before the chair is not a personal explanation. He seeks, I am aware, to table documents. There are other facilities of the House that would enable him to do just that, but the facility of a personal explanation must indicate where he has been in some way misrepresented. I have listened closely

to him, and I have not heard an indication of him being misrepresented.

Mr FITZGIBBON—The member for Paterson misrepresented me by claiming that I misled the House. The letter says:

There have been two parcels of land—

The SPEAKER—The member for Hunter will resume his seat. Before I recognise the member for Mackellar, who will also resume her seat, I point out to the member for Hunter that the chair took instant action at the accusation made. There was no misrepresentation consequent, because of the action by the chair. If the member for Hunter seeks to table documents, he will use facilities in the House other than a personal explanation.

Mr FITZGIBBON—The member for Paterson has been up on a number of occasions claiming that I was wrong to suggest that there had been illegal clearing.

Mr Abbott—Mr Speaker, I think it is unseemly for both members to prosecute this matter the way they are, but, given that the member for Paterson has been given leave to table documents, I am happy to give the member for Hunter leave to table his document.

Leave granted.

QUESTIONS TO THE SPEAKER

Parliamentary Language

Mrs CROSIO (3.35 p.m.)—Mr Speaker, my question is to you for advice, and I suppose it also involves the Deputy Speaker of this parliament. Yesterday, the Deputy Speaker sitting in your chair during the MPI said, on page 709 of *Hansard*:

Before I call the Minister for Children and Youth Affairs, I will remind the House—because it seems that most members have forgotten—that the words ‘you’, ‘your’, ‘he’ and ‘she’ should be expunged from your vocabulary in these debates, because it makes the debate personal.

Straight after that debate, the Minister for Children and Youth Affairs took the floor and used ‘you’ 15 times, ‘your’ once, ‘he’ twice and ‘she’ 13 times. Mr Deputy Speaker used ‘you’ twice, ‘your’ twice, ‘he’ twice and ‘she’ once. The member for Lindsay used ‘you’ once, ‘your’ four times and ‘she’

nine times. While I understand and appreciate the standing orders with respect to referring to people by their correct titles and not indicating 'you' or 'your' through the chair, I would like to know how 150 members in this parliament are going to debate any issue without 'he' or 'she' being in their vocabulary. I refuse to call anyone an 'it'.

The SPEAKER—Let me reassure the member for Prospect, the Chief Opposition Whip, that her indignation is largely unfounded. The *Hansard* record does not reflect the number of exchanges that occurred during the MPI. The Deputy Speaker came to my office expressing concern about the fact that he had had occasion to call a number of people on both sides to order over the use of the term 'you'. It was clearly a matter of concern to him. I think, on reflection, he would recognise that his inclusion of the words 'he' and 'she' was in error, and we all—heaven knows—make errors in this chair.

Everyone is aware that we need to direct our remarks through the chair. That is sometimes easier when looking at one occupier of the chair than another, but the facts are that you should address the remarks to the chamber as if you were addressing the chair. That will therefore mean that, generally speaking—not always but generally speaking—the use of the word 'you' is inappropriate. The use of the words 'he' or 'she' is rarely, if ever, going to be inappropriate in that context. That is understood; it is understood by my colleague the Deputy Speaker. I must say once again to the Chief Opposition Whip that the *Hansard* record does reflect the number of occasions when the Deputy Speaker quite rightly drew the attention of those who had the call to their use of the term 'you'.

Questions on Notice

Mr DANBY (3.38 p.m.)—Mr Speaker, under section 150 of the standing orders, will you write to the Minister for the Environment and Heritage and ask him to provide an answer to my question on notice No. 1191 of 4 December? Similarly, would you mind writing to the Minister for Revenue and Assistant Treasurer to get an answer to my question on notice No. 1196 of 5 December; and to the Minister for Family and Commu-

nity Services to facilitate an answer to question on notice No. 1197 also of 5 December?

The SPEAKER—I will follow up the matter raised by the member for Melbourne Ports, as standing order 150 provides.

PAPERS

Mr ABBOTT (Warringah—Leader of the House) (3.38 p.m.)—Papers are tabled as listed in the schedule circulated to honourable members. Details of the papers will be recorded in the *Votes and Proceedings* and I move:

That the House take note of the following papers:

Native Title Act—Native title representative bodies—

Gurang Land Council (Aboriginal Corporation)—Report for 2001-02.

Kimberley Land Council—Report for 2001-02.

Ngaanyatjarra Council (Aboriginal Corporation)—Report for 2001-02.

South West Aboriginal Land and Sea Council—Report for 2001-02.

Yamatji Barna Baba Maaja Aboriginal Corporation—Report for 2001-02.

Debate (on motion by **Mr Swan**) adjourned.

Mr ABBOTT (Warringah—Leader of the House) (3.39 p.m.)—by leave—I move:

That the House take note of the following papers:

Productivity Commission—Report No. 25—Review of automotive assistance;

Takeovers Panel—Report for 2001-02;

Industry Research and Development Board—Report for 2001-02; and

National Environment Protection Council—Report for 2001-02.

Debate (on motion by **Ms Macklin**) adjourned.

Mr ABBOTT (Warringah—Leader of the House) (3.40 p.m.)—I present a paper on the following subject, being a petition which is not in accordance with the standing and sessional orders of the House:

Opposition to Australia's participation in a US led military attack on Iraq—from the member for Mayo—3212 Petitioners;

Opposition to military and other action in Iraq—from the member for Franklin—2860 Petitioners;

Provision for a Magnetic Resonance Imaging Unit for the Bendigo Health Care Group—from the member for Bendigo—7053 Petitioners.

MATTERS OF PUBLIC IMPORTANCE

National Security

The SPEAKER—I have received a letter from the honourable Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The incompetent handling and mismanagement of Australia's national security interests by the Government at a time of international crisis.

I call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the standing orders having risen in their places—

The SPEAKER—Before I recognise the Leader of the Opposition, I would remind all members on both sides of the House of the statement made by Speaker Sneddon about the use of such words as 'deceit' and 'lies'. I have already been facilitated by the Clerk with a list of the number of occasions in the last 20 years when speakers from both sides have required them to be withdrawn. Speaker Sneddon's particular admonition was brought to my attention again yesterday by the member for Lilley, and I think it would be helpful if we recognised that the use of the terms, either individually or in a group sense, is inappropriate. More tolerance was granted than was probably necessary in the censure motion. This is not a censure motion.

Mr CREAN (Hotham—Leader of the Opposition) (3.41 p.m.)—We just saw in question time today another example of the government's mismanagement of Australia's national security. The Deputy Prime Minister, currently the Acting Prime Minister, was asked on two occasions today—given that we have proven that Australia is in George Bush's coalition of the willing—what formal threat assessment has been received by the government in relation to Australians who are in the region. The Deputy Prime Minister ignored answering that question on the first occasion, and I asked him again: does he seriously believe that the Australian people

will accept that this government has received no formal threat assessment in the likelihood of going to war in Iraq, which clearly the coalition of the willing is committed to, in the absence of a second UN resolution? The Deputy Prime Minister was not able to answer that question in the affirmative. What sort of a country is it, what sort of a government, that seeks no formal threat assessment and commits itself to the circumstances of a coalition of the willing that is committed, if necessary, to go to war against Iraq without a UN resolution? It is just another example of the incompetence of this government in addressing Australia's national security.

Two days ago in this chamber, I moved to censure the government for the massive deception that it has been engaged insofar as the Australian public is concerned. The Prime Minister has committed to President Bush's coalition of the willing, but he continues to deny it. We know that from what President Bush said at the meeting in Washington a couple of days ago when asked the question, 'Do you count Australia in the coalition of the willing?' He said, 'Yes, I do.' We have had evidence in the Senate estimates from the Chief of Defence Forces, General Cosgrove, who confirmed that the National Security Committee of Cabinet—comprising amongst others the Prime Minister, the Deputy Prime Minister and the Treasurer—made a decision on 23 July to involve Australian military personnel in planning with the US for military operations against Iraq. Again, yesterday we had Secretary of State Rumsfeld in an interview confirming that Australia is in the coalition of the willing.

What have we had from the government? For two weeks in this House, in question time after question time, the government has denied that it is part of the coalition of the willing. The Prime Minister, of course, is not here this week to answer those questions but his Acting Prime Minister has continued to deny that fact. Where did we get the truth? We got the truth through the Prime Minister going to Washington and President Bush confirming the fact. Our Prime Minister had to go to Washington for the nation to get the truth about the commitment. This is the

Prime Minister who did not have the courage to tell the troops what he was prepared to tell President Bush, and that is a massive deception of the Australian people.

On the evidence that we have had over the last few days, my further charge today is that the government delayed the anthrax inoculations for our troops to maintain the deception by the Prime Minister that we were not committed to a war with Iraq. Understand what this House has established by way of evidence on this point. On 10 January, the government through the Prime Minister announced it was deploying troops in preparation for circumstances in the Gulf. On 11 January, the Minister for Defence, Senator Hill, actually said that we do have vaccine available and that any forces in an area of operations in which there is a threat scenario that suggests an anthrax problem will be fully inoculated. This is an inoculation that takes four to six weeks once it is administered to have maximum effect, yet the decision to inoculate our troops was delayed another 26 days until 5 February—two days after the *Kanimbla* sailed from Darwin but 26 days after the Prime Minister announced it would be deployed.

What did the Prime Minister tell the troops they were being deployed for? He said they were deployed to be part of the multinational interception force in the Gulf, when we know that they were deployed as part of the coalition of the willing. If that were the case, hasn't the government's delay with the inoculation put our troops at risk? That is the question that this parliament has to ask itself. From all of the speculation that has been going on, we know that this is a war that could be on in a fortnight; yet the inoculation was not administered to our troops until 5 February. The only reason the government made the political decision to delay the inoculation was so that John Howard could maintain the fiction longer that they were not being sent to a war against Iraq.

Just imagine the stress and hardship for the families, let alone the sailors of the *Kanimbla* and the others that are in the Gulf. They are at sea and they are told whilst they are there, 'You're going into an area in which there is the possibility of a threat. You must

be inoculated. If you're not inoculated, you must go home.' I know of the stress and concern of these families because people have written to me about it. Yet this government refuses to answer why the delay was made and refuses to explain to the House why our troops have been put at risk by the decision to delay that inoculation. It is a shameful decision by the government, and it is another part of the deception that we have been alleging about this government.

I do not mind if this government makes the decision to commit the troops to war. I can argue with it about that, but what I do object to most strongly is that the government has not got the courage to face the troops, to tell them exactly what they are being committed to and, in the process of doing it, to ensure that they go in the safest of conditions—by ordering the inoculation and by requiring it at the appropriate time. Why couldn't it have been done on 10 January? Why couldn't it have been done on 11 January? Why couldn't it have been done at any time when the *Kanimbla* was sailing from Sydney, where we farewelled it at Garden Island, up to Darwin on manoeuvres? Why did the government wait until 5 February? The inoculation was delayed so the Prime Minister's continuing deception about this war could be maintained.

This is not just about deception and the failure to have the courage to tell the truth to our troops and the Australian people; it is also about the incompetence of this government. Let us just look at the way the government has approached the alliance. For John Howard, the Prime Minister, the alliance with the US is everything. Our alliance with the US is fundamental—I accept that. Labor is, and all of its life has been, committed to the Australia-US alliance. At all stages Labor has supported it. From Curtin to Crean, Labor has supported the US alliance. Indeed, I have argued many times in relation to the Iraq conflict that so much do I rely on the US-Australia alliance that I know the first article of it specifically says that international conflict is to be resolved through the United Nations.

But, as much as I understand the importance of the Australia-US alliance, it is not

everything and it should never be one-way traffic. An alliance is a partnership. With a robust partnership you have to be honest, you have to be frank and you have to be forthright, not compliant. It is compliance that we have been getting from the Prime Minister, not the courage to go to the President of the United States and say, 'Our alliance means we've got to sort this out through the United Nations, not unilaterally.' And rather than talk war, seek to secure the peace; that is the requirement of honest, courageous leaders, and we have not seen it from our Prime Minister. You can be a good ally but still have an independent foreign policy. They are not mutually exclusive but John Howard thinks they are. In failing to chart that independent foreign policy, the government has again failed the Australian national interest. Not only has it failed to chart that independent course but its mishandling on other fronts has left us exposed.

Let's just understand this: the largest combat force ever since the Vietnam War has just been deployed from this country, out of our region, at a time when we have never been more vulnerable within our region. Not only was our predeployment precipitous, the size of it was unnecessary. Back in 1991 we, along with 30 other countries, supported the US in the Gulf War with significantly less of a deployment—in fact, one-third of this government's current deployment. We were thanked; it was seen as significant and appropriate.

Why have the government gone overboard on this occasion? They have never explained to this parliament or to the people why they have sent the size of the force they have—too many and too soon. He should have waited. The fact that he did not wait means that he has locked us into an irreversible commitment; we know that from the leaked documents of Minister Downer. Again today we have seen an example of our vulnerability further worsened through failure to act on the domestic front. On the day that we see tanks surrounding Heathrow Airport because of the heightened security in that country, what do we—as a nation in that coalition of the willing—do?

We have raised in this parliament today questions relating to why airport security has not been increased, why ground staff are still not being screened before entering secure airport sites, why all luggage going into cargo holds is not screened, and why there are not more X-ray machines. This government will spend \$20 million on fridge magnets for everybody, but it will not spend the money needed to secure our airports. When these questions were asked today in the parliament, the member for Brand got up in this place and said that the Australian public is entitled to know what steps have been taken in terms of their security. What did the member for Herbert say? He said, 'That's why these questions shouldn't be asked.' This is their view of the way in which these issues should be addressed—not at all. And they have got the gall to talk about the fear campaign. What do you think they have been doing with the \$20 million marketing exercise 'be alert, be aware'? This is a government that is only playing on fear; it is not addressing the fundamental concerns about our security in our region or at home.

We have got significant indications of concerns about security in the region from the Singaporean government and from the Indonesian government, who say that our involvement in a war in Iraq, based upon just the US coalition of the willing, threatens to undermine efforts to combat militant Islam in the region. Why hasn't the government convened a regional meeting of leaders in the area, as I suggested after the Bali bombing, to actually address this as a collective? It is the same sort of principle that we argue so strongly for in relation to the United Nations. We want to live in a region peacefully and securely, but we will not get it by threatening unilateralism.

This is a government that has deceived about its commitment, and it has exposed Australia in the process. This is a government that has exposed our troops in the war by not enabling them to be inoculated earlier. This is a government that has done nothing about airport security. This is a government that has done nothing in the region in terms of securing a collective commitment to fight terrorism. This is a government that talks up

fear but fails to take any action. This is a government that has made Australia vulnerable and, if it continues to go down the path, Australia will suffer as a consequence. We want a commitment to support the UN processes and secure peace. (*Time expired*)

Mr WILLIAMS (*Tangney—Attorney-General*) (3.57 p.m.)—Unlike the opposition, the government considers the issue of national security to be a matter of real public importance—not something to be used for cheap political point scoring. Unlike the opposition, the government are committed to doing everything possible to protect Australia and Australian interests against terrorism. We have significant runs on the board in terms of actually delivering increased national security.

In preparation for this MPI today, one might have anticipated that there would be a range of questions relating to national security. But what did we get? We got two questions about the existence or non-existence of a very narrowly based threat assessment and we got a question about the screening of baggage at airports. In his speech just delivered, the Leader of the Opposition barely touched upon those issues. Let me respond to the Leader of the Opposition in relation to the threat assessment.

As the Acting Prime Minister explained, the threat assessment process is virtually a continuous one. We have heard recently questions about whether we should introduce a colour-coded alert system like that which is in place in the United States. As our system currently works, we provide more detailed information. Our system works in relation to information and response; it takes into account events that may occur, but it does not engage in speculation.

We have provided as much information as possible to the public in relation to threats to security within Australia and we have made it clear that we have been on a heightened security alert level since September 11 2001. The threat levels are kept under constant review by security agencies and we will always keep looking for ways to improve the public's access to information—information that is useful and informative, not just colourful. Where we have had additional infor-

mation that would be useful to the community, we have provided it. For example, we issued a general alert the Christmas before last; we issued one last year in relation to a possible threat against energy infrastructure in Australia; and, on 19 November last year, the government issued a security alert based on credible information of a possible threat over the holiday period.

This information is more useful and more detailed than a colour code and allows for more specific action, for example, in relation to energy infrastructure. It also allows for specific assessments to be made in respect of specific threats; for example, Australian interests overseas are in some situations given a higher threat level than those within Australia, and some foreign interests within Australia are given a higher threat level than other interests within Australia. If we had specific information that related to a terrorist threat, we would of course advise the Australian public as much as possible of the nature of the threat and of what they should do.

The Leader of the Opposition, in his comments about the threat assessment, highlighted that there are risks to Australians within the region. The suggestion, however, that the government is focused on Iraq to the detriment of countering terrorism in the region is simply nonsensical. I want to state categorically to the parliament and to the people of Australia that nothing could be further from the truth. The government takes the threat of terrorism extremely seriously and is doing everything it can to protect Australians and Australian interests from the threat of terrorism, both domestically and abroad.

The government continues to place a high priority on working closely with countries in our region. To this end, Australia has been working hard to promote regional counter-terrorist cooperation. We are expanding our network of counter-terrorism memoranda of understanding. Already, bilateral MOUs have been negotiated with Indonesia, Malaysia and Thailand. Other MOUs are currently being negotiated with the Philippines and Fiji, and yet others are in the pipeline. The MOUs are aimed at fostering cooperation on a range of issues related to combating ter-

rorism, including shared intelligence, law enforcement cooperation, training and education and official to official contact. Close cooperation also continues in the intelligence area. Perhaps the best example of the success of the cooperative efforts with our neighbours against terrorism is the cooperation between the Australian Federal Police and the Indonesian National Police on the Bali bombings investigations. The joint investigation team continues to work closely with the Indonesian National Police on this investigation. The relationship is working extremely well. This augurs well for the future of the investigation, which will still take considerable time and resources to complete. There are numerous other examples of what Australia is doing to address the threat of terrorism in the region and to cooperate with our neighbours in combating it.

The Leader of the Opposition, with the conspiracy theories that he has propounded over the course of this past week, consistently has suggested that the timing of the anthrax vaccinations of the defence forces on the *Kanimbla* was designed to conceal from the Australian public a commitment—a non-existent commitment, I add—to combat. This is completely untrue. My colleague the Minister for Veterans' Affairs has advised me that the vaccine in question has in fact been in the possession of the Australian Defence Force for some time. In order to meet the Defence Force's duty of care to its service personnel, ADF medical authorities sought additional assurances regarding the efficacy of the vaccine from the UK manufacturer. While the *Kanimbla* was provided with the vaccine on 23 January, the assurances from the manufacturer were not received at the Headquarters Australian Theatre until late January. On 4 February, all ships were categorically instructed to administer the vaccine. *Kanimbla* departed Darwin on 3 February and educational briefings and inoculations began on 4 February. The medical advice of the Director-General of the Defence Health Service is that vaccinations are best administered when ships are under way rather than during periods of high physical activity of the personnel, such as when a ship is preparing to sail. I am advised that it is

normal practice to conduct vaccinations en route.

The Leader of the Opposition made his now monotonous allegations about Australia being the lackey of the United States and accused the government of not having an independent foreign policy. These sorts of allegations and accusations had to be responded to ad nauseam by the Prime Minister before he departed and by the Acting Prime Minister. I do not propose to say anything more about it. The Leader of the Opposition said that the Australian forces being deployed to the Middle East in relation to Iraq made up the largest combat force deployed overseas outside wartime, and suggested that this was too many and too soon. Again, this sort of accusation has been dealt with on many occasions. The combat force, if it is going to be involved in combat, needs to be prepared and acclimatised. It is for the safety of the people in the Defence Force who are deployed overseas that they are pre-deployed rather than having to wait until there is a decision to take military action. Again, the opposition's conspiratorial accusation that there has been a decision to commit Australian forces to military action is repudiated.

The Leader of the Opposition referred to the fact that the British government has deployed tanks and other forces around Heathrow airport. There has been extensive media coverage today of action taken in the United States and the United Kingdom in relation to the assessed threat of terrorism in those countries. Action taken by authorities in the United States and the United Kingdom is in fact based on information specific to those separate countries. For example, the deployment of troops around Heathrow airport is a precautionary measure based on the assessed threat level to aviation interests in the United Kingdom. The information that the United States and the United Kingdom are relying upon is specific to them. There is no information of a similar kind specific to Australia that would warrant similar action here. Each country assesses its own threat levels. Other countries are not going down the same route as the United States or the United Kingdom,

as the information is, as I said, specific to those two countries.

Advice from Australia's security agency, ASIO, is that there is no specific information that would lead us to raise the level of alert further in Australia at this time. It is important to remember that we have been on a heightened threat level since 11 September 2001, and the alert issued on 19 November last year remains current. The level of counter-terrorism alert is constantly reviewed. If we had information of a specific threat of terrorist activity, we would of course advise the Australian public as much as possible of the nature of that threat and of what they should do. We will not be blindly following the examples of the United States and the United Kingdom without ensuring that they are appropriate to our own environment, our own threat levels and our own community.

The Leader of the Opposition also referred to the checking of luggage at airports. Let me advise the House that the information coming from the Acting Prime Minister and Minister for Transport and Regional Services is that the government has substantially tightened Australia's domestic counter-terrorism arrangements in relation to aviation security. We have introduced tighter passenger and carry-on baggage screening and extended it to more regional airports. Over 150 additional Protective Service officers have been deployed at 11 airports throughout Australia. Air security officers have flown on thousands of domestic flights since the end of last year. The minister announced on 11 December a major package of security measures. The government will require all airports that handle scheduled jet operations to screen all passengers and their carry-on baggage, including those flying on propeller services. The decision will not result in screening being withdrawn from airports where jet services are replaced by propeller services. As a result, the number of airports where security screening is required will increase. In addition, we will introduce screening for passengers and carry-on baggage at additional locations where an airport operator or airline requests that security standards should apply. The airport operator

or airline would cover the cost of the screening facilities.

In the longer term, it is now appropriate to introduce 100 per cent checked bag screening for all international flights. The Department of Transport and Regional Services will work closely with the industry to bring it into effect by 31 December 2004, a full year ahead of the deadline imposed by the International Civil Aviation Organisation. The government will also require the operators of Australia's major domestic terminals to introduce checked bag screening for domestic services on the same timetable. More recently, the government has decided to tighten access to airside areas. The requirement to carry an aviation security card will be extended to more airports, and there will be a national reissue of airport security cards in 2003-04.

The Leader of the Opposition asserted that we should be spending the money being spent on the public information campaign on other security measures. It is very important that the Australian public be taken into the confidence of the government on the threat of terrorism. We have been up-front with the Australian public about the threats we face and, to the extent we are able without compromising our intelligence sources, we have told them what we know about those threats. The government take the threat of terrorism and our responsibility to inform the public about the heightened state of alert very seriously. Unlike the opposition, the government believe the community has a valuable role to play in assisting the government to detect and prevent terrorism. That is why the government have embarked upon an extensive public information campaign. (*Time expired*)

Mr RIPOLL (Oxley) (4.12 p.m.)—The real test of any government comes in a time of crisis. It comes at a time when governments have to make hard decisions. It tests their character, but, more broadly and more importantly, it demonstrates how honest governments will be with their own people and how they will react in those times. What we have seen from John Howard, the Prime Minister, and this government is a very dangerous game. They have based this game on two things: one is a curious mix of the PM's

doctrine of the deputy sheriff of the region, and the other is the short-term domestic political game of wedge politics that he has become renowned for—a la *Tampa*. The Leader of the Opposition, Simon Crean, this week moved a motion of censure of the Prime Minister. He charged the Prime Minister with a range of offences, mostly of deceit and of misleading not only the Australian people—

The DEPUTY SPEAKER—Order! The member for Oxley heard the Speaker advising the parliament before he left that that word will not be tolerated and will be withdrawn.

Mr RIPOLL—They were the words of the censure motion itself.

The DEPUTY SPEAKER—It will be withdrawn.

Mr RIPOLL—The Prime Minister was charged with deception and misleading the Australian people and our troops—extremely serious charges. If this place were a courtroom, the jury would now be returning and delivering a verdict of guilty. ‘Your Honour,’ they would say, ‘we find the government and the Prime Minister guilty as charged on all counts.’ This government are responsible for the incompetent handling and the mismanagement of Australia’s national security interests at a time of international crisis. Last year we saw the PM and the foreign affairs minister play this game of accusing Labor of appeasement. Why would somebody do that? Why would the government engage in this sort of behaviour? What was our crime that was so bad that the government would accuse us of appeasement? They did this on the basis that we were calling for the UN process to be fully used, that international diplomacy should be fully explored and exhausted before there were any other moves and that a second resolution should come forward before any action took place. That was the reason this government accused us of being appeasers. How treacherous that might seem to them but how rational that must appear to the majority of the rest of the world.

For Australia, it was a Prime Minister leading the debate, leading the charge ahead of the US and ahead of Britain. In full bra-

vado, we saw the Minister for Foreign Affairs, Mr Downer, the Prime Minister and the Minister for Defence, Senator Hill, out there egging on a war. They were actually out there ahead of the game. We saw Australian politicians actually trying to direct what would be taking place in an international crisis in the Middle East. A clearer case of incompetence we have never seen, because since that day the government has had to slowly back-pedal—to slowly come to our position, to the position of the US itself and to the position of the rest of the world. What took place in this long liturgy of incompetence should truly define the ideology of the PM and the government.

At that point, John Howard and the government unilaterally decided that, to secure our regional security, they should go to our neighbours and tell them that, if we believed there was some sort of security threat in our country, we would just attack theirs. That was the message sent out by our Prime Minister to give confidence to the Australian people about regional security. We had the Prime Minister and the Minister for Foreign Affairs talking about changes to the United Nations charter that would allow a preemptive strike on the basis of a belief that John Howard might have that there may be a threat of terrorism in our country. If you use that logic and you actually look at what it means—apart from the fact that it is extremely dangerous—they have probably set back relations in our region by at least 15 years. They were actually out there promoting unilateralism. They were out there using the international situation for domestic political gain. Again, if this were a courtroom, the jury would come back and say, ‘Guilty as charged.’

Of course our relationship with our neighbours is extremely important. It is important for a variety of reasons, but most importantly it is strategically important for us to make sure that we are secure. If we are going to fight against terrorism in our region, we have to be certain that our neighbours will be out there helping us; that we can exchange information and be confident that, if they know something, if their intelligence organisations have information come to hand, they will

share it with us. But, under the policy of this government, that is never going to be the case. They have created an atmosphere of suspicion and fear that we are the ones who are going to act against our neighbours. It is a ridiculous situation if you consider the horror and tragedy of Bali; that, if this government had had some sort of information, we would have struck Bali, that we would have gone into Indonesia and made some sort of pre-emptive attack. Who would you attack? This is a ridiculous position, but this is the sort of ideology and the sorts of thought processes that the government were putting forward. It is the catch-22 of regional security: the Prime Minister says, 'We'll be tough; we'll stand on our own two feet. We'll pre-emptively strike against you,' sending the message to the others that, if we were to do that, they could do the same to us. What we saw at that point in time was a tremendous lapse of reason and diplomacy from our government.

But it does not end there. The opportunity to correct this huge gaffe was presented to the government in question time in the very next parliamentary sitting, but it was not taken. Instead, the Prime Minister took the opportunity to act tough again. To him, it was more like the *Tampa* issue and the refugee issue. It was about how tough he would appear on this foreign policy initiative, again striking fear and suspicion into our neighbours that we were not serious about regional security, that somehow we were looking further afield than our own neighbours and our own region as to what we would do for security. That probably explains to a lot of people why the Prime Minister is hanging onto the coat-tails of the US for support.

So whilst the rest of the world moved on and started supporting the UN process—moving closer and closer to what Labor's position had been since early April 2002—the government continued their charade. They continued the incompetence, and they continued the mismanagement and the deception in this place. And they have continued it to date. There is no doubt that John Howard, the Prime Minister of this country, has not yet walked into this place and made a declaration about the true

commitment of our troops. Everybody out there understands the commitment of our troops, because they are in the Gulf now. But have we heard one word from the Prime Minister in this place in a statement that outlines the exact truth of what has taken place? We have not. Instead, we have seen the Prime Minister go to the US and, through US officials, get the message back to Australians. He told US officials before telling the Australian public. That is how this Prime Minister dealt with this issue.

We hear from the US that we are included in the coalition of the willing. Rumsfeld went out and said that Australia was part of the coalition of the willing. What does that mean? Do you think the United States of America, Britain and the other members of the coalition of the willing have deployed over 200,000 troops in the Gulf region just for an exercise? They are there because something is about to happen. Australia has sent the largest contingent of troops since the Vietnam deployment. Two thousand of our troops have been deployed, as well as a range of other resources. Again, the troops are not there on an exercise. Evidence of that is what has just taken place with the anthrax inoculation issue. The government made an announcement back in January that the troops would be going, but they waited until a month later, two days after they had already left Darwin, to tell them, on board the ship, that they needed to be inoculated against anthrax. The government knew all along that the troops would be deployed; in fact, they knew as far back as July 2002 that troops were to go out there. You would have to assume that any competent government—because that is what this charge and this MPI are all about: their incompetence—would have put in place contingency plans to look after our troops. If they did not, why not? Because they were being deceitful about what was taking place.

The DEPUTY SPEAKER (Hon. I.R. Causley)—The member for Oxley will withdraw that word.

Mr RIPOLL—Thank you, Mr Deputy Speaker. This deception from the government is a case of deception gone wrong, because the Australian people know what is

actually taking place. I say to the government and to the Prime Minister: tell the truth; come clean. We all know that our troops are there and that if a war takes place they are already committed: come clean, tell the truth and do it in this place.

Mr JULL (Fadden) (4.22 p.m.)—The prime reason for the existence of government is for the security of its land and its people. I do not think that we have seen a government in recent years that has taken its responsibility more seriously than this one. I think it is a great shame that at the end of this two-week sitting period we have this charade from the opposition, in terms of this matter of public importance, just so they can stay on the message for the week. What they have been talking about this afternoon has, in reality, had very little to do with the actual subject of this particular MPI.

I made mention of the fact that I do not think there has been another government in recent years that has made more effort to secure this country than we have. I think it is a very great benefit that we have had a government which, after September 11, realised the world would never be the same again and immediately moved to make sure we had adequate facilities, adequate agencies and adequate international cooperation so that the security and protection of its people could be provided. Mr Deputy Speaker, I ask you to cast your mind back over the last couple of years. How many times have we introduced security bills into this particular parliament? How many times have we made sure that the facilities of our security agencies were upgraded? How many times have budgets been increased for those security organisations so that they can meet any threat of terrorism that may befall us?

This government has made every effort to be a strong and cooperative neighbour. I am afraid that I get very upset when the member for Oxley starts misquoting what the Prime Minister said in an interview about what may or may not be done if there were a major terrorist threat against Australian interests in a foreign country. Of course, the member for Oxley swallowed the line of Malaysia that is being peddled by some people who have no particular regard for Australia. The reality is

that the answer to that question was that if foreign governments did not cooperate with Australia, and Australians or Australian interests were under threat, there would be every chance that we may have to take a very difficult decision to go in and save those Australians. That is what it was all about. If you read the transcript of that particular interview, you will find that that is in fact true. It is an absolute disgrace that the opposition comes into this place and starts throwing these furrphies and misquotes around the place as part of their justification for a very second-rate MPI.

The reality is that if you look at what Australia has done in terms of its regional cooperation, it has been nothing short of magnificent. It has been Australia that has really led the way in bringing our Asian neighbours together to provide security protection not only for Australians but for their people too. We heard the Attorney-General make mention of the memoranda of understanding between Singapore, Indonesia, Malaysia and Thailand, and the fact that work was still going ahead with other countries in the region to make sure that that cooperation was there. We have taken our responsibilities very seriously indeed in terms of shared intelligence with those neighbours and law force cooperation, training and education, and official-to-official contact. There is very close cooperation with our neighbours in terms of intelligence sharing.

Perhaps the best example of what can be achieved is the post-Bali cooperation between the Indonesian national police and our own forces. In fact, I understand that we still have something like 45 members of the Australian Federal Police in Indonesia with those ongoing investigations in Bali. Let us also not forget that we worked very closely with Indonesia to make sure they could develop their draft law for the elimination of terrorism. That was funded by the Australian government with an AusAID program. Don't forget also that only in December last year it was Australia that cohosted with Indonesia in Bali the very successful regional conference on money laundering and terrorist financing, which was attended by no fewer than 33 countries. That was a magnificent

contribution, because if you are going to stop terrorism then, frankly, the first thing you have to do is cut off the money.

The fact that we had that conference, and the fact that we also went to the Pacific island states and helped them with their March 2002 conference—which Australia cohosted with the United States—made a contribution to making sure that we cut out the cancer of terrorism in our own particular area. There was another conference that was held in October 2002 in Samoa. We made sure that there was a special financial action task force established through that and financed by Australia to ensure that the detection of foreign money or money that might end up with terrorist groups would be stopped.

I also get very concerned when we hear references to the public education campaign that this government is presently undertaking. The plain facts are that if you look around the world, and you look at some of these terrorist situations that are being countered, more often than not it is by information from the general public that that is achieved. We heard today the reference to the situation at Heathrow airport. It is true that that intelligence information is specific to the UK government, as is the specific information to the US government and what is being done around Washington at the moment. There has been another incident today in London at Kings Cross railway station, where there was an unguarded van. The station was evacuated and the area was closed. That information was given by a member of the public. The van was taken away and the situation was resolved. But that was with the help of the public.

The public information campaign is already starting to work. One of the things that is being pushed in that particular education campaign that is going around at the moment is the establishment of a hotline where any situation that may look suspicious can be identified and details phoned through to the hotline people so that the appropriate authorities can check it out. Since that hotline came into operation on 27 December last year, no fewer than 4,000 calls have been received. To say that this particular campaign is a farce is really quite a nonsense. The

public know what has to be done. The public take their responsibilities very seriously. One would hope that the opposition can take its responsibilities seriously too. We all remember, in the closing days of 2002, sitting in this House for 27½ hours straight trying to get the increased provisions of the ASIO bill through this place. And what happened? Time and time again it was knocked back by the opposition, to the point that it has to sit on the table for three months. The irresponsibility in this is coming from the opposition. The government is committed to making sure that full protection and full security is provided to the people of Australia.

ADJOURNMENT

The SPEAKER—Order! It being 4.30 p.m., I propose the question:

That the House do now adjourn.

Paterson Electorate: Dairy Farmers

Mr BALDWIN (Paterson) (4.30 p.m.)—I rise to speak about local dairy farmers in my electorate of Paterson and their struggle for survival. While many farmers across the country are facing one of the worst droughts in 100 years, dairy farmers in areas such as Raymond Terrace, Dungog and Gloucester are also struggling to survive post deregulation. Over the last two months, I have met with many dairy farmers in the area, including those at a crisis meeting at the Dungog RSL in December that was attended by around 350 people. The problem that these dairy farmers are facing is that the cost to farmers to produce milk is far greater than the price they are receiving at the gate. It is costing farmers 50c per litre to produce their milk and yet some are only receiving 30c per litre for it. This in turn has caused tremendous hardships for local farmers and their families.

There are stories of people who have lived on the land for years having to sell their properties and, worse still, some farmers have taken their own lives. I have also heard from farmers who are worried about the health of their stock. As a result of poor prices for milk and the drought, farmers are having to cut costs and, for some, that means no money for vaccines or drenches. The drought has also meant a dramatic reduction

in fodder stocks at a time when farmers would usually have feed supplies on hand. Instead, many have been forced to feed their animals by hand. For many farmers, getting out of the industry is untenable. Some have plans to expand not only the number of animals they have but also their infrastructure to try to stay afloat. But for others expansion is completely out of reach, and some are just struggling to pay the bills and look after their own family. There is also considerable concern about the number of young people leaving the land and the industry. Farmers in my electorate have been hit with a double whammy, and many are hurting beyond anything they have ever experienced before.

At the Dungog meeting, the first point to strike people as they walked through the door was the variation in drink prices. At the front table stood a 600 millilitre carton of milk, a 600 millilitre bottle of coke and a 600 millilitre bottle of water, and the price of each item was shown for all to see. The cost of the 600 millilitres of milk was \$1.10, the cost of the 600 millilitres of coke was \$2 and the cost of the 600 millilitres of water was \$1.25. It was a statement that needed no further explanation, and it shows how ridiculous this problem is. No-one complains when the cost of a bottle of coke goes up and, regardless of the price, it remains a very popular drink. Ten years ago, who would have thought that a bottle of water would be as popular as it is now and that people would be willing to pay handsomely for it? And yet when it comes to milk, dairy farmers are getting a raw deal. Why is it that when you go to a supermarket there are enormous variations in the price of milk between different brands? Why is it that you can have one brand of milk at one price when a carton of milk next to it costs \$1 more? The profit-taking in this industry really concerns me, and it leads to questions about who is making the big profit in milk and why more money is not being passed on to farmers.

On the night of the crisis meeting, a number of milk processors were invited to share their views. Unfortunately, some did not come after obtaining legal advice and some did not show up, with no explanation at all. It was interesting that generally processors

failed to see that the prices they are paying farmers for milk are too low. We heard a great deal of hoo-ha about the prices being set by competition and international markets, but we heard very little about keeping the industry alive. Who can operate a business when it costs you 50c to produce your product and you only get 30c for it? The reality is that no-one can. With prices like these, there is no question that more farmers will go out of business.

Dairy farmers have been knocking on the door of processors saying that they need more money for their milk, but the plea has repeatedly fallen on deaf ears. If dairy farmers do not get a fair and decent price for their milk, how do processors expect them to keep producing milk? In the end, if they are not given a fair deal, there will not be any local dairy farmers to produce the milk. The companies that are making a profit out of dairy farmers and their labour, such as the processors and the supermarkets, should be giving more of their profits to the farmers to make the industry sustainable. It is unacceptable in times like these, when farmers are struggling through deregulation and the current drought, that a fair deal cannot be reached on the price of milk. I ask for this, in support of our dairy farmers.

Economy: Performance

Mrs IRWIN (Fowler) (4.34 p.m.)—When the Treasurer congratulates himself on the performance of the Australian economy, as he did in question time this week, and when he spreads his ‘you’ve never had it so good’ message across the country, I feel like bringing him a touch of reality to let him see what is happening in the real world. Instead of arriving at a black tie dinner in downtown Sydney, I wish that his driver might lose his way one night so that the Treasurer ends up in the electorate of Fowler. Then he might see the other side of the coin. He might see an electorate where his economic miracle is not trickling down to working families. From the time this government came to office in 1996 up to the 2001 census, the median family income in Fowler increased from \$653 to \$714. That is an increase of less than two per cent each year. Over that time, the consumer price index rose by 14 per cent, but the me-

dian family income in Fowler rose by only nine per cent. That is five per cent less than the rate of inflation. No wonder families in Fowler tell me they feel like they are falling further and further behind. But the Treasurer must be looking at the big end of town. I am happy to see the member for Wentworth in the chamber. In electorates like Wentworth, in the eastern suburbs, median family incomes have increased by 32 per cent. In North Sydney, they have increased by 22 per cent.

For many people in Fowler, the only way to make ends meet is to take on more and more debt. Household debt in Australia has more than doubled since the Howard government came to office. And it is plain to see why. We have just seen the release of the Reserve Bank figures for credit card debt for December. Credit card debt increased by nearly \$500 million. That is how people across Australia were able to pay for Santa's visit last year. But repaying those debts at rates of 16 or even 18 per cent places great stress on family incomes.

This means families must seek help from welfare agencies when debt repayments have taken up all the weekly income. Financial institutions are less and less forgiving of families buckling under the pressure of household debt. But the Treasurer keeps telling us that we have never had it so good. The truth is that, while average weekly ordinary time earnings have increased by 18 per cent, many of the jobs taken up by the people in Fowler are part-time jobs and many are low paid. We now have what is described as an hourglass work force: there are some jobs at the highly skilled, highly paid end; and there are a lot of jobs in the low-skilled, low-paid end. In fact, in recent years the work force is becoming more pear-shaped than hourglass.

While the Treasurer quotes figures that show the economy is going gangbusters, he is a bit like the statistician who drowned wading across a river with an average depth of one metre. In areas like Fowler, people are wondering where all this prosperity has gone. If things are getting tougher for wage-earners in Fowler, the actions of agencies like Centrelink are making life impossible

for families dependent on benefits. The Wild West tactic of breach first and ask questions later is hurting many of our poorest families.

Supporting parents are breached and lose income when a former spouse or malicious neighbour makes an unfounded report. It can take up to six weeks to restore benefits. In the meantime the family has to struggle to meet rent payments and bills and to provide food for the family. Try telling the lease agent that you cannot pay the rent because Centrelink stuffed up your payment this week. When the Treasurer tells us that things are getting tougher I worry about the effect on the people in my electorate. The people in Wentworth might have to cut back on the odd bottle of good wine but many families in my electorate are already cutting back. The member for Wentworth thinks it is funny. They are cutting back on basic food items and even essential medicines.

Bushfires

Mr SCHULTZ (Hume) (4.39 p.m.)—On 20 February last year, I rose in this place to talk about the very serious fires that affected sections of the Hume electorate and more importantly many areas in New South Wales. Once again I rise to talk about bushfires in New South Wales and more specifically the fires that occurred in January this year. When I first raised this issue in January last year I made some very pertinent points. They were meant to be constructive criticisms about the mindset within the rural fire service about the use of fixed-wing firebombing aircraft. Nothing has changed, despite a number of recommendations from various coroners over the years.

I am specifically referring to a situation on 8 January—that is, 10 days before the terrible fire that raced through Canberra—where lightning started a number of fires in the Kosciuszko National Park in particular. There were 11 fixed-wing firebombing aircraft available for tasking. None of them was called. On 17 January five fixed-wing bombers—three Thrush and two Air Tractor AT802s—were tasked to Lithgow. One M18 Dromader, ex-Cowra, was tasked to stand by at Wagga Wagga. It had no loading equipment. There was one M18 Dromader, ex-Tasmania, tasked to stand by at Goulburn. It

had no loading equipment for three days and it was only when the pilot asked, 'What if there is a fire?' that the loading equipment was supplied.

On 18 January—the day that we all remember—two M18 Dromaders were tasked to stand by at Camden. Two Air Tractor AT802s with proper fire doors were sent to Victoria on contract as the owner had had enough of the inaction and the clowns—as he described them—in New South Wales. One AT802 had not moved since 12 December, while ill-equipped and inferior aircraft were used in preference. Then, as we know, on that same day the fire devastated Canberra.

Between 8 January and 17 January, all the aircraft that I have mentioned and a fully mobile foam retardant loading facility could have been used effectively from a number of airstrips within a very short distance from the Canberra fires. Tumut, having possibly the best retardant air base in New South Wales, would have been ideal for the Brindabella fire using the faster aircraft. No attempt was made to use these aircraft. There were six rural airstrips within 20 nautical miles of the Bookham, Burrinjuck, Wee Jasper and Kosciuszko fires and there were nine rural airstrips within 30 nautical miles of Canberra. That is what I am talking about—but it does not stop only with the aircraft.

I had occasion to talk to a number of volunteer rural fire brigade captains and rural fire brigade volunteers who told me that, because of the comments they had made leading up to and during the fire about the deficiencies that had occurred at an administrative level within the rural fire service and in the Canberra area, they were put on the black list. They were contacted by the rural fire service and told that they had been put on the black list and that they were no longer required when volunteers were called upon by the rural fire service. The point I am making here is that there are many operators, both agricultural aircraft operators and rural firefighters, who are afraid to speak up because of fear of reprisal. A classic example is just what I have described, where they have been detasked—that is, they are taken out of a situation and they receive no money. Un-

fortunately, there are others simply afraid to speak up because, as they see the fires getting bigger, they see it as a way of making bigger dollars. That is a pretty harsh statement to make, but that is the reality of it. I also have a personal view that these issues border on criminal negligence, and it is about time that we had a national inquiry on this issue—right throughout this country.

Iraq

Ms PLIBERSEK (Sydney) (4.44 p.m.)—Today I looked up the Parliament House addresses of our Minister for Foreign Affairs and our Minister for Immigration and Multicultural and Indigenous Affairs, and they seem to be only about half a dozen offices apart. This led me to a great deal of confusion, because they seem not to be speaking at all. I am confused by the fact that the Minister for Foreign Affairs has been telling us all week that the Iraqi regime is so bad that we need to bomb Baghdad back into the Stone Age. At the same time, the Minister for Immigration and Multicultural and Indigenous Affairs is saying that it is perfectly safe for Iraqi asylum seekers to return. Do they not talk?

As Mike Secombe wrote in the *Sydney Morning Herald* this week:

Seven women, separated from their husbands, denied contact, imprisoned without having committed any crime and without recourse to legal representation, psychologically tortured and facing forced resettlement. They are living in degrading conditions, without running water, on one meal a day and have been unable to wash for weeks at a time.

They are held by the Australian Government in Nauru.

An excellent *Dateline* program, which should see journalist Bronwyn Adcock nominated for a Walkley for her determination to show what Australia is doing to the women and men hoping to escape from the torture foreign minister Downer is describing in parliament every day, showed the conditions for these asylum seekers on Nauru.

In fact, the husbands of the women I referred to are genuine refugees, and the fact that the Minister for Foreign Affairs asserts that family members of defectors are tortured seems irrelevant in deciding whether their

wives should be able to join them as refugees. Minister Downer told us this week about one general who fled Iraq in 1995 and five years later was sent a video recording of a female relative being raped. I cannot understand why Minister Ruddock is not listening to these tales of horror. Perhaps we could use the Minister for Foreign Affairs' statements in question time when asylum seekers whose claims are rejected go to the Refugee Review Tribunal. We will present them with a copy of *Hansard*.

The obvious hypocrisy of the crocodile tears in this respect does not exhaust the catalogue of the government's double standards. This government has had many chances to do something about the torture and rape of women overseas, which it has ignored. What action has the government taken, after helping overthrow the Taliban regime, to ensure that women in outlying areas of Afghanistan are accorded basic human rights? The short answer is none. While the situation for women in Kabul has improved markedly, the situation for women living outside Kabul is as bad as or worse than it ever was.

This is attention deficit disorder government. One minute, the Taliban is the greatest abuser of women; the next minute, Australia no longer cares about Afghani women. We have a new worst enemy, and we have a new best friend. Countries such as Pakistan and Saudi Arabia are our new best friends. They have appalling records on women's rights. Honour crimes—the murders of women who are thought to have behaved immodestly—are routinely not prosecuted. Women who are raped and who approach the police are often subsequently locked up for adultery. Any reading of Amnesty International records on the torture and arbitrary arrest of people in Saudi Arabia is indeed harrowing reading. In fact, just a few weeks ago, a French woman in Dubai was locked up after approaching the police after being raped by three men. She was locked up for adultery and faces a jail term of 18 months.

The Howard government has repeatedly rejected international mechanisms which would make the prosecution of rape as a war crime easier. We saw how difficult it was to

convince some members of the government of the importance of signing on to the International Criminal Court. This government has not ratified the CEDAW optional protocols. In the past, Australia has always been a leader in advancing women's rights around the world. The signal that this sends to countries where women's rights are not as advanced as in Australia is indeed a very damaging message.

We have been silent about Iraqi human rights abuses although we have known about them for decades, including the use of chemical weapons against Iranians in the 1980s. I am as appalled by these human rights abuses as anyone, but I would like this government to at least have a consistent position. If we say that regime abuses the human rights of its citizens, then we should not be sending those citizens back to face those human rights abuses.

Maranoa Electorate: Drought

Mr BRUCE SCOTT (Maranoa) (4.49 p.m.)—I rise in the adjournment debate tonight to talk about the drought that has been ravaging so much of Australia and, in particular, the effects that it is having on my electorate of Maranoa. I have lived in western Queensland all my life. I have seen droughts come and I have seen droughts break, but I have never seen one that has extended well into the second year and well past Christmas before there were some signs of a break in the season, even of a patchy nature. That was the situation as we returned to this parliament almost two weeks ago. In western Queensland and so many parts of southern Queensland in my electorate, there had just not been any relief at all from the relentless nature of the drought.

The farmers and graziers have had to deal with rising costs of fodder. Day by day, as they went out to try and keep stock alive, they knew that one day it would rain—but it was only hope that was keeping them going as they went out each day to try to keep their core breeding flocks and herds alive. Water was becoming a critical issue for many of them. Many of them, with all dams dried up and underground water unavailable to them, were in fact carting water in to their livestock operations. The horticultural people as

well were being affected in the south-east corner of my electorate, around Stanthorpe and the Granite Belt, and they too are feeling the effects of the prolonged drought. Of course, this is having an effect not only on the incomes of those farmers but also on the towns that depend so much on the income that is generated and the wealth that is created by the farm community in my electorate.

I want to put on record my thanks to AgForce in Queensland, because they have been largely responsible for putting together an application on behalf of the communities in western Queensland and other parts of Queensland. They have been doing the work that the state Labor government should have been doing in Queensland, quite frankly. I think the Labor minister up there just abdicated his position as the minister responsible, and it has been left to the industry organisation to put these applications together. I want to thank the members of AgForce, from the president right through to the staff, because they have been outstanding with the limited resources they have. They should not have had to do this sort of work because the state government and the Department of Primary Industries have, under the minister's direction, not been doing their work.

This government recognises that we have to get behind our farmers in this time of severe drought. The exceptional circumstances provisions that were announced by the minister over the last couple of weeks, and the interim EC provisions that were announced prior to Christmas, were certainly welcomed by the farming and grazing communities out there. The extension of exceptional circumstances drought support to small businesses that have been affected by this exceptional drought is something that is certainly going to go a long way towards helping them. I was in Blackall on 26 January, Australia Day, in the west of my electorate. An operator came up to me and said that they had not had an income since September of last year because their business is dependent on the work that they can get from the pastoral properties near Blackall. A mustering operation was back 40 per cent in the last six months. That sort of work is not being done

up there at the moment, so those people are also being affected by this drought. Of course, the extension of the exceptional circumstances provision to the small business sector has certainly been welcomed by them.

Finally, there has been some relief rain in the electorate this week. I guess the irony of all this is that in some parts of the Tambo shire there has been some exceptional rain, up to 14 and 15 inches, and people have been out there in helicopters this week shooting livestock which were weakened by the drought and were bogged down in the mud. That is the tragedy of so much of rural Australia. I know that we have to be behind these people in the recovery phase because they, too, after feeding stock for so long are out there having to now destroy stock because they have been bogged in the mud after this exceptional cold rain. I am sure you, Mr Speaker, would understand the effect that that would have on livestock after the prolonged drought that we have had.

Airservices Australia

Mr WILKIE (Swan) (4.54 p.m.)—Civil air traffic control services for Australia and the associated flight information region are provided by two major centres: one in Melbourne and another in Brisbane. Terminal control units are located in Adelaide, Cairns, Perth and Sydney and a number of regional towers. The Perth terminal control unit at Perth airport provides air traffic control services within 36 nautical miles of Perth airport. Twenty-three controllers provide this service. The controllers have an average of 18 years experience in air traffic control. Airservices Australia, the provider of civil air traffic control services, is currently pursuing a project of relocating Perth, Adelaide and Sydney terminal control units to Melbourne.

Airservices have argued that relocation of the terminal control units would have a consequent improvement in efficiency. They have suggested that this assumed efficiency improvement would be gained by a reduction in air traffic controllers and the consequent reduction in expenditure on salaries. Of the 23 controllers in Perth, three are retiring this year and there appears to be no plan to replace them. Airservices have stated that, af-

ter consolidation, only 18 controllers would be required in Melbourne. They have been unable or unwilling to state how they provide the current service or what the service reduction would be after a staff reduction from 23 to 18. There has also been no explanation of how it is possible to staff the Melbourne unit with fewer people than the number required in Perth, and this is at odds with what staff in Melbourne are advising. They believe it would be necessary to have one more person on night shifts than is currently rostered in Perth, which would require an increase in staff by one.

No staff in Perth have indicated that they will relocate to Melbourne with the terminal control unit; therefore, they will be made redundant. Airservices will have to employ and train 18 new controllers to staff the function in Melbourne. Also, the placing of air traffic control in two centres has the potential to compromise national security. Provision of air traffic services from two centres provides high-profile and vulnerable targets, and the disabling of these facilities would have an immediate and long-term effect on national security and the economy. With dispersed terminal control units, there is a greater ability to provide safe air traffic control over the majority of Australian airspace in the event of any loss by whatever cause. This was demonstrated when industrial action effectively stopped services at the Melbourne centre early in 2002, and the terminal control units only remained in operation due to the support of other units.

This is not a time when we should be considering compromising the security of Australian air space; this is a time when we should be looking at increasing security. Furthermore, there is no current plan or study that details how air traffic services would be recovered for the airspace controlled by Melbourne centre, including Adelaide, Perth and Sydney, in the event of a catastrophic failure of the Melbourne centre. This again would have an immediate and long-term effect on the business and safety of aviation and passengers in Australia.

During daylight saving, the Eastern States and Western Australia have a three-hour time difference. Relocation of the Perth terminal

control unit would result in controllers in Melbourne controlling Perth airspace with a three-hour dislocation from local time in Perth. Therefore, these controllers will be controlling significantly busy periods of traffic during periods of their lowest mental efficiency after midnight. The traffic controllers will have no local knowledge of the Perth area. Local knowledge is essential to the safe provision of an air traffic control service during the critical stages of flight—that is, during the initial climb and the final descent.

A study commissioned by Civil Air, the Air Traffic Controllers Association of Australia, into the relocation of Adelaide terminal control units to Melbourne indicates that they would spend between \$4 million and \$8 million in capital outlays in the first year and would have higher recurrent costs than if they were optimised in situ. This study can be considered as indicative of the situation in Perth as the terminal control units are of similar size and the airports have similar traffic levels. If the government, the minister for transport or Airservices are serious about an improvement in efficiency and safety in the airspace surrounding Perth airport, Jandakot airport, one of the busiest airports in Australia, and RAAF Base Pearce, the busiest RAAF base in Australia, a solution could be the integration of the management of the services provided at these three airports into one unit using the present Perth terminal control unit. This would bring real benefits to the area due to improvements in equipment compatibility, access to airspace and a less complicated Pearce—Perth's airspace boundary.

There seem to be no benefits, either financial or otherwise, in the disbanding of the Perth terminal control unit and the potential loss of more than 20 experienced air traffic controllers from Perth. Airservices is an organisation that prides itself on its safety record; therefore it should not countenance any proposal that could result in a reduction of safety. (*Time expired*)

Sherwin, Mr Alistair

Mr LLOYD (Robertson) (4.59 p.m.)—In the few seconds left this evening, I would like to record on behalf of all the whips in this place our appreciation of Alistair

Sherwin, the Parliamentary Liaison Officer, who is leaving that position after 2½ years. We have all greatly appreciated his efficiency, his advice, his friendly good humour and his diplomacy at all times. It is a job in which you work under a great deal of pressure, and, along with his colleagues, Helen and Sharyn, they do a magnificent job. I know that his replacement in that position will have very large shoes to fill. Alistair will be missed by all the whips, and I am sure by all the parliamentary officers in this place. It is a very important role, and we wish him well in the future.

The SPEAKER—I know that the Chief Opposition Whip would want to be associated with all of the remarks made by the Chief Government Whip.

Mrs CROSIO (Prospect) (5.00 p.m.)—On behalf of the opposition, I support the words and sentiment of the Chief Government Whip. We are going to miss Alistair, but we wish him well.

The SPEAKER—Order! It being 5 p.m., the debate is interrupted.

House adjourned at 5.00 p.m.

NOTICES

The following notice was given:

Mr Adams to move:

That this House:

- (1) notes that there is a critical shortage of doctors in areas that have been deemed under the Rural Remote Metropolitan Assessment Index (RRMAI) scheme as level three and lower and yet are in rural catchment areas;
- (2) notes that requests from Tasmania to review the RRMAI scheme have been ignored, despite Tasmania as a whole being in a remote location;
- (3) recognises that the health of rural communities is diminishing because of lack of access to medical services, especially in times of shortages such as during summer; and
- (4) calls on the Government to review immediately the RRMAI as it affects Tasmania and similar rural and regional areas around Australia, examples of which are Beaconsfield, New Norfolk and Sorell, in order they may attract doctors to these areas.

Thursday, 13 February 2003

The DEPUTY SPEAKER (Hon. I.R. Causley) took the chair at 9.40 a.m.

STATEMENTS BY MEMBERS

Children: Care

Ms O'BYRNE (Bass) (9.40 a.m.)—In many ways we are lucky folk in Tasmania, and we are still very traditional in some of our ways. One of those traditional values is the obligation which our older citizens feel that they as grandparents should take on in looking after their grandchildren. They do a wonderful job in this regard, and I want to take this brief moment to recognise the outstanding contribution they make not only to their own families but also, as a result, to the nation as a whole. I guess it is one of the purest and most genuine forms of volunteerism. Of course, the grandparents themselves would not regard it as such. They see it as a duty and an obligation, an expression of their love for their family. But the reality is that they could easily choose not to do it, and for each and every grandparent who decides to take on a child-caring role we must be grateful.

But those wonderful Australians need a break sometimes and we must also provide for those situations where there are no grandparents or where they are unable to act in this role on a regular basis. Towards the end of January I had the good fortune, together with some of my colleagues on this side of the House, to meet with a dedicated band of child-care service directors in my electorate. They too are doing a fabulous job in preparing our youngest Australians for the lives that lie ahead of them. They are also conscious of the extraordinary responsibility with which they are entrusted, a responsibility which all of us in this place should share. As one director so challengingly put it, 'When you get into power, don't forget how important our little people are.' I, for one, have not let that ball go through to the keeper since I have been here, and I pledge not to do so now or after the election. I know that is a value shared by many of my colleagues.

In my electorate, virtually every child-care place was taken well before the start of the school year. Centres have waiting lists of some 150 families and yet still receive on average an additional five calls a day from new families. Many centres have taken the action of closing off their waiting lists, so it is impossible to identify how long those lists would be. Parents have contacted my office saying that they have had to forgo work opportunities because they have not been able to identify, source and access responsible regulated child care.

The return to school this week has highlighted yet another crisis—the shortage of places in our out-of-school hours care program. The program simply does not have enough places to cater for the number of families and children that need this very valuable level of care. We asked the directors why the unmet need is not being taken up by the private sector—we have very few private sector facilities in Tasmania. The answer we got was that the start-up cost is so significant. For example, a 20-place facility in Scottsdale, which is a regional town in my electorate, cost \$240,000. One private owner-director said that she was unable to take anything out of her new child-care business for two years. The group has also expressed concern about the risk of investment. During our meeting we were told that we do not value our children enough; that we are not preparing them properly for their formal learning phase. Not one of us in this place should find this acceptable. We must all accept responsibility for the future of our children.

Flinders Electorate: Rural Transaction Centres

Mr HUNT (Flinders) (9.43 a.m.)—I am delighted to inform the House and members of my electorate that the Flinders electorate has been successful in securing two rural transaction centres. The first is in Lang Lang and the second is in Grantville. This represents two out of eight new centres allocated within Australia. So this is a tremendous result for the people of the area, particularly in the Westernport area, and it speaks to the quality of the case they presented. There are many people to be congratulated, but first I should note that this represents a total grant of approximately \$487,000, divided between the Lang Lang and the Grantville rural transaction centres. In Lang Lang the rural transaction centre will provide access to Centrelink services, to council information, to referral services, to secretarial support services and to tourism information. In addition, and perhaps most importantly, the grant will trigger a state government grant for the creation of a new medical centre.

A number of people have been extremely important in the success of the grant application process. I commend Glen and Jan McGregor, who contributed financially at a personal level, and all members of the Lang Lang Township Committee who contributed to the outcome. I also commend Doug Hamilton and the Cardinia Shire Council for their tremendous work, and the sterling work done by Des Win.

In the case of Grantville, what we will find is that there is another series of benefits to flow from the rural transaction centre, which include a new Medicare Easyclaim facility, medical rooms, meeting rooms, rooms for visiting professionals, Internet and computer access, local government services and Centrelink services. All of these combined represent a great step forward for a town which is emerging and beginning to blossom. In particular, Councillor John Hulley of the Bass Coast Shire Council has made this a personal cause over a series of years and he should be congratulated, along with all of the members of the Grantville township committee and all of those who have contributed to the application process. In addition to that, I would like to thank Helen Podalini of the Bass Coast Shire Council, who spent a great many hours in helping to develop and contribute to the application.

All of these people in Lang Lang and Grantville should be commended for their work, as should the minister, Mr Wilson Tuckey, for overseeing a tremendous program. I am delighted that we are able to bring these benefits to the townships of Lang Lang and Grantville.

Stirling Electorate: Hamersley Communication Towers

Ms JANN McFARLANE (Stirling) (9.46 a.m.)—I want to bring to the attention of the House the developments regarding the problems experienced by people and groups in the Stirling electorate because of radio frequency interference caused by the Hamersley communications towers. The problem is that the Hamersley towers cause disruption to people's telephone, radio, television and Internet, with varying degrees of personal discomfort and disruption to business activities. On some rare occasions people have told me that their motor vehicles engines have cut out while they were driving through Hamersley.

I have been working on this problem for a significant period of time. The last six months have been especially geared towards rectifying this problem for the residents of the area, but unfortunately the problem still remains. The ABC blames encroachment of residential areas on the problem. This argument is nothing but a furphy. These suburbs have been developed for the past 30 years. I must admit I was amazed when the ABC made the following statement in relation to people buying new electronic equipment:

Perhaps the only useful course of action is for prospective new residents in the area to be adequately informed before they make a purchase decision.

This shows contempt towards local residents. It also shows, for a telecommunication organisation, great ignorance of how radio interference is caused by these large towers.

With the local residents, I have taken a number of steps to establish the extent and depth of the problem and to formulate a plan to bring the issue and solutions to government. The next step for this issue is the first meeting of a community reference group. The primary aim of this group is to make a formal approach to the Australian Communications Authority with regard to the problems and to the solutions. The reference group meeting is to be held at the East Hamersley Primary School library in Doon Way on Tuesday, 25 February 2003 at 7.00 p.m. I will be attending and I will be inviting the local people and groups to come along and share their experiences and suggest solutions. We will then prepare a report to send to government so that together we can work on the solutions that will restore to people and groups a full enjoyment of their telephone, radio, television and Internet.

In this modern age of technology it is unacceptable that residents do not have access to a phone which does not play ABC radio. It is unacceptable that they cannot get proper TV reception. It is unacceptable that those home based businesses in my electorate have problems with their Internet because of the interference from the towers. The minister for communications is obviously an expert on TV reception. I am sure his \$10,000 plasma television loaned by Telstra has a perfectly good picture, a picture that the residents of Hamersley, Balga and Balcatta only dream of.

I bring this to the House and I look to the government hearing these concerns and doing something to make the life of the residents of Stirling electorate much better.

Queensland: Regional Racing

Mr ENTSCH (Leichhardt—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (9.49 a.m.)—I would like to bring to the House's attention a scandalous situation that is occurring right around Queensland at the moment in relation to the death of the regional racing industry. It was a very greedy decision made by the Queensland Thoroughbred Racing Board—a quango of the state government always looking to squeeze an extra dollar wherever they can—to reduce racing dates throughout regional Australia.

What prompted me to comment today was an article in my local paper, *The Cairns Post*, with the headline 'Race meet scrapped'. It said that the Chillagoe Turf Club, which was to hold a race meeting on 17 May, has decided to scrap the program for 2003-04, which effectively puts the club into recess, with the potential of closing down completely. It is a very old, established club which has played an important role in social interaction in that remote area. It will be shut down because of a decision made by the thoroughbred racing association to focus on the metropolitan areas to bring in the dollars. They are saying, 'Stuff the social fabric and that type of consideration—let's bring in more dollars.'

It is not just affecting regional areas. We have lost the Mount Surprise race meeting and we have lost the meetings at Coen and Georgetown. It also looks like we might have lost the one at Chillagoe. Race meetings at Laura, Mount Garnet and Oak Park are all very much at risk. And Cairns has gone from 38 race meetings a year down to 12. You can imagine the impact this is going to have on trainers and other people involved in the racing industry. It is absolutely ludicrous. In my view, it has come about because of mismanagement by yet another

state government quango. Rather than deal with the real problems, they have set about shutting down race meetings in regional areas, with no consideration for these communities.

Once a year, these people come together for this race meeting at Chillagoe. The social fabric of their community is being decimated in the interests of the state government's beloved TAB, which wants to squeeze out a few more bucks. I am calling on the Queensland Thoroughbred Racing Board to stop this insanity. I call on the Queensland Minister for Tourism and Racing, Merri Rose, to get off her butt, challenge her quango, and tell them to stop this. It is not just about dollars; it is about the social fabric of these areas. She must get out there and do something about it before we lose the race club at Laura, which has been operating for over 100 years. That club operates in the middle of the mustering period so that a maximum number of people come together for the meeting once a year. That is not good enough for this mob in Brisbane who want everything for themselves; they want to squeeze it out. And the minister just sits on her behind and does absolutely nothing about it. (*Time expired*)

Calwell Electorate: Abercare Family Services

Ms VAMVAKINO (Calwell) (9.52 a.m.)—I want to bring to the attention of the chamber what could be the first casualties of Australia's financial contribution to a war in Iraq. It is quite obvious that the cost of war will be borne not only by our soldiers and their families but by other Australian families as we face some serious budget cuts to pay for our ultimate involvement in a war in Iraq. With a war budget to be tabled in May of this year, the Treasurer has signalled that hundreds of millions of taxpayers' dollars will go into the coffers to pay for our involvement in the war and out of services and programs for ordinary Australians.

Abercare Family Services in my electorate of Calwell runs a highly successful Home Start program, which is basically an early intervention and prevention volunteer home visiting program that reaches out currently to some 20 families. That number is growing as the need for these services expands. Unfortunately, not all families have the support of families or friends to help with the care of young children and, in many cases, the burden of poverty can limit opportunities for assistance and relief. This program involves volunteers between the ages of 21 and 64. They are given eight weeks of training and are supported by a coordinator who has social work qualifications. The service offers voluntary training that includes information on postnatal depression, child protection guidelines, the impact of domestic violence, the role of fathers as parents, and speech and language development. It also provides invaluable support to recently arrived migrants who often become very isolated and disconnected.

The program offers outreach support to socially disadvantaged families, with a referral service which is often critical for families who have difficulties in the care of their children. As I said earlier, currently some 20 families, two with sole parents, are availing themselves of the services that are provided. Under the Home Start program, the Commonwealth currently funds the service, with some \$95,000 in funding, which allows for the employment of a coordinator to provide the training for volunteers and to cover overheads. However, the Department of Family and Community Services recently informed Abercare—pre-emptively, I might say—that funding for the next financial year is not guaranteed. In fact, Abercare has been told that only 25 per cent of similar programs will be funded in the next financial year.

Last year we contacted the support services manager for Abercare, Kathy Leenaerts, who, quite frankly, is perplexed as to why this very successful program is about to have its funding cut. She and I want to know why a program which is so very successful and addresses a very

serious need—that is, the care of our children—faces the chopping board. I have written to the relevant minister and have put a number of questions to her in the parliament and I and Abercare look forward to some answers. (*Time expired*)

Parkes Electorate: Aged Care

Mr JOHN COBB (Parkes) (9.55 a.m.)—Aged care in the electorate of Parkes over the past decade or so has become very much a full-time occupation for many, especially in the cities of Dubbo and Broken Hill, but also right around the electorate. The care of the aged in my electorate is an enormous issue and, to put it bluntly, an expanding industry. Broken Hill, in particular, is a city with an ageing population. There have been a lot of retirements and redundancies. People have left Broken Hill and gone to Adelaide and other places but they have come back to Broken Hill to retire, because this was home, the place they lived for most of their lives and where they want to spend their final years, which, I think we would all agree, is entirely understandable.

The biggest aged care provider in Broken Hill is Southern Cross Homes, which have an enviable reputation throughout Australia for the care of the aged. Southern Cross Homes have a problem: to meet the certification requirements which will come into force by the year 2008, they will need to rebuild. They are currently in two separate establishments, with around 121 high-care beds and 40 low-care beds. Quite sensibly, they see their best way out is to amalgamate. The problem, of course, is that, in an area like Broken Hill with very low real estate values, it is not easy to borrow \$6 million secured on asset values.

The federal government has always had a capital works program. Currently I think we have \$100 million over four years to help with the capital cost of regional aged care. Given Broken Hill's ageing population and the very long waiting list for care, I think it is incumbent upon us to expedite this. We must certainly take into account that this is an area that has to deal with New South Wales state government WorkCover problems, which has taken the annual bill for workers' compensation from around \$200,000 to around \$700,000 almost overnight. It is incumbent upon us to help Broken Hill and Southern Cross Homes deal with the problems presented by an ageing population.

The DEPUTY SPEAKER (Hon. I.R. Causley)—In accordance with standing order 275A the time for members' statements has concluded.

**AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT
BILL (No. 2) 2002**

Second Reading

Debate resumed from 12 December 2002, on motion by **Mr Truss**:

That this bill be now read a second time.

Mr SIDEBOTTOM (Braddon) (9.59 a.m.)—The **Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 2) 2002** makes a series of unrelated amendments to legislation that falls within the portfolio responsibilities of the Minister for Agriculture, Fisheries and Forestry. The bill amends the Australian Wine and Brandy Corporation Act 1980, the Export Control Act 1982, the National Residue Survey Administration Act 1992, the Quarantine Act 1908 and the Dairy Industry Legislation Amendment Act 2002. I would like to firstly deal with the Australian Wine and Brandy Corporation Act 1980 amendments.

The amendments to the Australian Wine and Brandy Corporation Act 1980 include a change to the administrative arrangements for the protection of wine names. The operation of the register of protected names is important to the industry—an industry which is very important to Australia and, might I add, a burgeoning industry in my own state of Tasmania. These amendments will allow amendments to the register if entries become obsolete or are made in error. The bill also provides for a general head of power for the Australian Wine and Brandy Corporation to enable it to give effect to commitments made under international wine trading agreements.

The prosecution period for export breaches is also amended to lengthen the time in which prosecutions may be brought. According to the minister, an extended prosecution period for export breaches is more appropriate than the one-year time period currently available. I would be grateful for some advice from the minister about the consultation process he has undertaken with the industry in relation to this matter. The minor amendments to the Australian Wine and Brandy Corporation Act 1980 are supported by the opposition.

The amendment to the Export Control Act 1982 is similarly administrative in nature. It will allow the act to apply, adopt or incorporate any matter contained in the Australia New Zealand Food Standards Code or the Codex Alimentarius. The amendment will provide for references to these standards to be read as references to current versions, avoiding the need to amend orders whenever the standards change.

Amendments to the National Residue Survey Administration Act 1992 will clarify the activities that can be carried out for which payments can be made from the National Residue Survey Reserve. The amendments will allow the National Residue Survey to test all food, feed and fibre production inputs, thus extending the reach of the NRS to inputs including soil, water and imported animal feeds. A minor amendment will also bring the act into line with other Commonwealth legislation in respect of the preservation of privacy.

Unlike the proposed Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1), the amendments to the Quarantine Act 1908 contained in this bill do not seek to undermine the integrity of our quarantine system. The proposed amendment in this bill clarifies offence provisions to provide greater certainty in relation to the offences against the act. Some contingent amendments are also proposed in relation to the application of amendments to Christmas Island to deal with the likelihood that the extension of the Quarantine Act to Christmas Island—as contained in the Agriculture, Fisheries and Forestry Amendment Bill (No. 1)—does not commence prior to this bill.

Finally, the simple amendment to the Dairy Industry Legislation Amendment Act 2002 corrects a misdirected amendment in that act. It is not surprising to see an amendment of this type come before the House. On matters large and small, this minister demonstrates a lamentable lack of attention to detail. I have already asked the minister to tell the House what consultation he undertook before deciding to extend the prosecution period for export breaches under the Australian Wine and Brandy Corporation Act 1980. There was no advice in the minister's second reading speech nor in his explanatory memorandum about consultation in relation to any matter in the bill. While the opposition are prepared to give in-principle support to the administrative amendments before the House, we do ask the minister to account for his actions by detailing the consultation he has undertaken with those directly affected by the provisions.

Mr CAMERON THOMPSON (Blair) (10.04 a.m.)—As has been noted by the member for Braddon, the [Agriculture, Fisheries and Forestry Legislation Amendment Bill \(No. 2\) 2002](#) contains amendments to a range of different acts. It is a bill that draws together very disparate measures. Nevertheless, some very important issues are touched on in this bill. One is the register of protected names under the Australian Wine and Brandy Corporation Act 1980. This is an important issue to allow corrections to that list and to give effect to international wine trading agreements.

As has been noted by the member for Braddon, our wine industry in Australia is booming. It is growing absolutely exponentially, not only in the member for Braddon's electorate but also in my electorate. We are seeing the growth of the wine industry in virtually every electorate in Australia. This is a fantastic thing. It has become a real export winner for Australia. To see, as has been the case in the electorate of Blair, the wine industry taking up growth in areas where, for example, the dairy industry has been reducing is fantastic. In fact, one of the recent applications of the dairy RAP program has been to support the development of a winery—a wine crushing plant—in my electorate, close to Marburg on the Warrego Highway. That will be a significant development in the wine industry in the area. We have some wonderful wineries up around Kingaroy in particular. There is a phenomenal flow of traffic in the area between Brisbane and Toowoomba, and the creation of a crushing plant will draw together all the various little vineyards and will provide them with an opportunity to have their product crushed. Putting it there on the highway where there is so much passing trade will be an important thing for our area.

This highlights the matter of protected names referred to in this bill. As this industry grows and these regions develop their unique tastes—they provide a unique product not only in Australia, for the tourists and the communities that they serve, but also internationally—it is important that we have a series of protected names, just as France obviously wants with its protected access to names such as Champagne. It likes to protect that title, although you could certainly make a counter argument. In Australia, some of our wine growing regions now have such a name that they themselves deserve protection. It is not only the established regions but also the emerging areas which are developing their own flavour and reputation that will require protection. While France may be heavily guarding its protected names at the moment, in the future they will be the ones trying to steal our names because Australia's reputation is so important at the moment.

The amendment to the Export Control Act 1982 basically allows the incorporation of standards under the Australia New Zealand Food Standards Code, the Codex Alimentarius Commission of the Food and Agricultural Organisation of the United Nations and the WHO. Those organisations are becoming more and more important in Australia. For example, recently in my electorate the quantity of cadmium in peanuts became a massive issue because Kingaroy is so reliant on peanuts. Apart from the amount of peanuts grown in that area, Kingaroy is also a marshalling point for the distribution of peanuts in Australia. When we have bad seasons, we have unfortunately had to import peanuts, which are distributed throughout Australia by the Peanut Company of Australia and by other distributors.

It is important that we maintain standards in relation to food through the monitoring of the Codex Alimentarius and the Australia New Zealand Food Standards Code and that we work them into our legislation so that our standards are protected and the high quality of food grown in Australia is supported and not undermined in any way by inadequate standards that

apply elsewhere. This is something that your average man or woman on the land in Australia would support 100 per cent because we have such extremely high standards.

In relation to this there are the amendments to the National Residue Survey Administration Act 1992. That act affects the monitoring of ingredients going into food standards, and so it also contributes. Those two amendments are connected in that way. Again, this is a very important issue and it is something we want to see protected. Similarly, there are the amendments relating to the Quarantine Act 1908. Once again, we always have to be on the watch with regard to quarantine in Australia. I would like to take this opportunity to commend the minister for the wonderful TV ads we have seen featuring the Crocodile Hunter. He is a great and growing figure representing Australia on the world scene. I think that to have the Crocodile Hunter talking about quarantine is excellent. I know the minister went along to the launch of that particular ad. I do not know whether he wrestled any crocodiles himself, but—

Mr Truss—I just cuddled a koala.

Mr CAMERON THOMPSON—The minister is contributing there to our quarantine program by alerting people to the importance of quarantine. With the international concern at the moment about terrorism and border protection, we also have to remember that quarantine is such a basic protection for Australia. When we have such a huge reliance on our agricultural industries and they are such a large part of the Australian economy, to open up any possible threat to them is the equivalent of terrorism. If that damage got going in Australia—if the old example of foot and mouth got going—the cost to our economy would be huge. It is important that we continue to alert Australians to the importance of good quarantine.

The final area amended in this legislation is the Dairy Industry Legislation Amendment Act 2002. That is a straightforward business of correcting a misdescribed amendment within that act. As I understand it, that is a fairly minor matter. In passing, I would like to highlight the massive changes that have occurred within the dairy industry over the last couple of years and to point out, as I did earlier in my speech, that the government has made some very positive steps to correct some of the resulting damage that has occurred as those ructions in the dairy industry have flowed through.

The Dairy RAP program has been massively successful. In some areas, the diversification it has created in local industries means that those communities are a heck of a lot stronger economically than they were before. That is a credit to the people who have administered the program. I think that what is great and interesting about that program is that it is the first program I can recall for many years that makes venture capital available directly to local commercial enterprises. What is great about that is that it has been so overwhelmingly successful. It is an area the government has intended to get out of because of the mud that can be thrown. Allegations that say that you are only giving this money to that person because they are a mate of yours or whatever have always been made in the past against governments of any political stripe when they try to get into the issue of venture capital.

What has been good in this case is that the government have set out to address fundamental industry changes. They have done it very successfully by looking at these Dairy RAP applications and by using the local area consultative committees to screen and endorse them, and to evaluate the numbers of jobs being created and the diversification in local industry being provided by those Dairy RAP schemes. I think the fact that that has been so successful and there has not been that kind of mud thrown at it is basically because members can see the

value in it. I think that highlights the need for us to not be afraid to look at these kinds of issues when they arise in the future, despite the possibility of there being those sorts of criticisms. This does not just concern the dairy industry. We get changes in all kinds of industries. Out in the wider rural community we have a concern about the drift of people from country to city.

If you want to create industry diversification, you have got to be bold; you have got to get out there and show how it can be done. When industries pull out, people can suffer a loss of confidence locally and, instead of getting behind a project or being prepared to invest their hard-earned cash in that project, they can opt out and say, 'No, I won't do it because the odds of succeeding in our area are just too long for me.' Given some incentive to go ahead and do things, I think those people can be encouraged and we can get wider diversification and a stronger economy in rural areas. That is a very important thing for governments to consider, and I urge the minister and anybody else I can speak to in relation to the problems of rural Australia to do that. I strongly support the amendments contained in the [Agriculture, Fisheries and Forestry Legislation Amendment Bill \(No. 2\) 2002](#) and I thank you, Mr Deputy Speaker, for the opportunity to speak.

Mr TRUSS ([Wide Bay—Minister for Agriculture, Fisheries and Forestry](#)) (10.16 a.m.)—in reply—I thank the honourable members for Braddon and Blair for their contributions to the debate on the [Agriculture, Fisheries and Forestry Legislation Amendment Bill \(No. 2\) 2002](#) and their support for the elements that are covered in the legislation. As honourable members have mentioned, these are routine amendments. They cover a range of issues and have given members an opportunity to talk about a number of important Australian agricultural industries. I thank those members for the comments that they have made in relation to those matters.

The honourable member for Braddon asked whether there had been consultation in relation to the amendments to the Wine and Brandy Corporation Act. I can assure him that there has been consultation with the Wine and Brandy Corporation itself through its legislation review committee, which also comprises representatives of the Winemakers Federation and the Regional Winemakers Forum; so all of the industry bodies were actively part of the work that was done in developing these amendments. I think it would be reasonable to say that they are noncontroversial and seen to be logical by all those associated with the industry.

The Register of Protected Names currently has no provisions allowing amendments to registered names if an error needs to be deleted or if entries become obsolete. I should point out that we are not aware of any errors at present but, sadly, these things happen in life and changes need to be made. At present, names like Champagne, Burgundy and Moselle are listed as Australian traditional expressions. These and a number of other generic terms are likely to be phased out of Australian use as part of the package to finalise the Australia-EU wine agreement, so we will need to remove these terms at that time.

At present there is no general head of power to allow any matter agreed to in a prescribed wine trading agreement such as the Australia-EU wine agreement to be specifically regulated. Matters relating to the EU are currently regulated through various parts and sections of the Australian Wine and Brandy Corporation Act and others. As Australia is presently negotiating with various countries in regard to treaties covering winemaking practices and labelling, this head of power will ensure that the AWBC is able to enforce and implement, if necessary, all

matters concerning future wine trading agreements that Australia may enter into in addition to the Australia-EU wine agreement.

As an example, in May 2000 Kingston Estates wine was found to have breached the Australian food standards code. However, because the AWBC Act sets no prescribed time within which to allow prosecution, the one-year default period stated in the Crimes Act applied to this matter. This period is simply not long enough, given that wine is produced and then often held in storage for extended periods before it is exported or moved into the market; so there does need to be a longer period during which prosecutions can be launched. The seven-year period certainly imposes no further record keeping on winemakers. Winemakers already keep records for seven years, as provided under the act, so this legislation therefore just ensures that there is a capacity to launch prosecutions after a longer period.

The amendment to the Export Control Act will ensure that when orders made under the act are to apply, adopt or incorporate with or without modification to the food standards code published under the Food Standards Australia New Zealand Act 1991 or the Codex Alimentarius issued by the Codex Alimentarius Commission of the Food and Agriculture Organisation of the United Nations and the World Health Organisation, the orders can be read as referring to the current versions of the standards, avoiding the necessity of amending the orders whenever the standards change. Essentially, the amendment addresses the requirement to express a contrary intention for the purposes of section 49A of the Acts Interpretation Act 1901.

There are also some amendments to the National Residue Survey Administration Act, which will clarify the activities carried out under the act for which payments can be made from the National Residue Survey Reserve and to bring the act into line with other Commonwealth legislation on the protection of personal information. Previously the National Residue Survey has only monitored and reported on the level of contaminants in raw food products, animal feeds and fibre products that have been produced in Australia or produced from animals or plants produced in Australia. The amendments to the act will allow the NRS to test all inputs to the production of Australian raw food, feed and fibre products, including soil, water and imported animal feeds. The amendments to section 11 of this act, dealing with the release of the survey information, brings the act into line with Commonwealth legislation that contains personal details. This will ensure that any personal information released to a relevant authority or appropriate person for the purposes of monitoring or regulation of residues and contaminants is used for that specific purpose only.

The amendments to the Quarantine Act 1908 will make the act compliant with the Criminal Code Act 1995. The amendments emphasise the structure of offences, providing clarity and certainty in relation to the scope and effect of each offence and give consistency as to how criminal offences are to be interpreted by the courts.

The final amendment deals with the Dairy Industry Legislation Amendment Act 2002 and, as members have rightly identified, corrects a misdescribed amendment. I note the comments from the member for Braddon that these mistakes should not occur; frankly, I readily agree. Great effort is taken in the drafting of legislation by expert draftsmen, they are checked by legal counsel, they are checked by industry bodies and, obviously, by the department and others who are associated with the legislation. The government of the day must take responsibility for these errors, although I suppose a very alert opposition effectively doing its job might pick up the mistake when the legislation is being dealt with. This error, as small as it might

be, has occurred and it needs to be corrected. Sadly, errors in legislation are not something that started when this government came to power; indeed, some of the errors that we are correcting now were made by the previous government. I suspect that, with all the best will in the world, these mistakes will still be made. I find each one of them an embarrassment and uncomfortable. They are things that should not happen. Almost every month there are bills coming into the parliament that correct drafting or other errors that occurred and should have been picked up at that time. This is, sadly, one of those. It is not monumental, it is very tiny, it should not have occurred, and we are seeking to correct it in this legislation.

I thank honourable members for their contributions to the debate. My home town is Kingaroy, so I readily identified with the remarks of the member for Blair in relation to the importance of the peanut industry, which is facing a very tough year this year, with very little of the crop being planted and now no prospects for any more to be planted. That, amongst many other primary industries in Australia, is facing a particularly difficult year. The reputation that Australian peanuts have gained for their quality and reliability of supply is certainly going to be sorely tested this year with the likely state of the crop. Again, I thank honourable members for their contributions and I thank the opposition for granting speedy passage of the legislation. I commend the bill to the committee.

Question agreed to.

Bill read a second time.

Ordered that the bill be reported to the House without amendment.

COMMONWEALTH ELECTORAL AMENDMENT (MEMBERS OF LOCAL GOVERNMENT BODIES) BILL 2002

Second Reading

Debate resumed from 12 December 2002, on motion by **Ms Worth**:

That this bill be now read a second time.

Mr MELHAM (Banks) (10.25 a.m.)—The **Commonwealth Electoral Amendment (Members of Local Government Bodies) Bill 2002** is designed to ensure state laws do not in any way limit the ability of a local councillor to stand for federal parliament. Specifically, the bill amends section 327 of the Commonwealth Electoral Act 1918. It inserts new subsections providing:

A law of a State or Territory has no effect to the extent to which the law discriminates against a member of a local government body on the ground that ... the member has been, is, or is to be, nominated; or ... declared as a candidate in an election for the House of Representatives or the Senate.

The bill will ensure eligible members of a local government body do not suffer any disadvantage or penalty under state or federal laws as a result of their decision to stand as a candidate for election to either the House of Representatives or the Senate.

This is a measure of some significance because local government service is an important part of many political careers. Forty-three members of the House and Senate—19 per cent of the 226 members of this parliament—have served in local government. This proposed amendment follows the enactment of section 224A(b) of the Queensland Local Government Act 1993, which purported to declare vacant the office of a local councillor at the point of their nomination as a candidate in a federal election. Following a challenge to this provision, the Queensland Court of Appeal ruled in November 2001 that section 224A(b) was beyond

the legislative competence of the Queensland parliament and it was unconstitutional, insofar as it dealt with nomination for federal parliament. This amendment to the Electoral Act reinforces the Commonwealth's authority to legislate exhaustively, subject to the Constitution, on qualifications for election to the Commonwealth parliament.

The amendment does not remove or alter existing constitutional barriers to qualifying for standing for election. The onus is on all intending candidates, and specifically members of a local government body, to ensure that they constitutionally qualify for election. Candidates are required to declare on their nomination form that they are constitutionally qualified for election. It is not within the role of the Australian Electoral Commission to advise or confirm that a candidate is constitutionally qualified for election. Rather, in accordance with the Electoral Act, challenges to the constitutional qualifications of a candidate are determined by the Court of Disputed Returns following an election. This is an uncontroversial bill. It is an appropriate measure, as only the Commonwealth should have the authority to legislate on the qualifications for election to the Commonwealth parliament. The opposition is pleased to support the bill.

When I was Chair of the House of Representatives Standing Committee on Legal and Constitutional Affairs, we looked into the disqualification provisions under the Constitution. It is the case that, in terms of local government or local council, there is the question mark, if one can say that, as to whether the office of profit under the Crown provisions apply to people who hold office as local councillors. That has not been determined by the court and, indeed, that is why in my speech I said we obviously cannot override the Constitution if a challenge were subsequently undertaken. This matter has not been determined by the High Court. But it is appropriate that this bill go through the House in this present form for the reasons that I have already outlined. I have talked to various lawyers and I know that some people have a view one way or the other as to whether being a local councillor qualifies as an office of profit under the Crown under the Constitution. That is a matter for the High Court to decide, and that is why it is not appropriate for the Australian Electoral Commission to be providing legal advice. It is up to the candidates themselves.

In terms of the history of the Labor Party, I should point out for the record that one of the icons of the Labor movement and a distinguished Prime Minister of this country, the late Ben Chifley, was a councillor on Bathurst council at the time he held the office of Prime Minister of this country. So it is not without precedent on this side of the House. I turn to the office of profit provisions as interpreted by the High Court to date. I was a public defender, a legal aid barrister, before I nominated for election to the federal parliament. I took provisions to resign as a public defender before I nominated for the federal parliament. Indeed, I waited until my resignation was accepted by the Executive Council before I even nominated, because the point of nomination, not the time of election, has been determined to be relevant in relation to disqualification on the ground of holding an office of profit.

That is why this legislation is relevant. It really is not up to state parliaments, as the Queensland Court of Appeal basically determined in that challenge in November 2001, to determine that someone is disqualified from running for parliament because they hold a local council position when that matter has not been determined by the High Court. We have had a number of recent cases in terms of office of profit. A current parliamentary secretary in this government failed to abide by those provisions and we had the by-election in Lindsay.

We on this side believe this is an uncontroversial bill. It is appropriate for the Commonwealth parliament to send a message. I trust that this bill will receive unanimous support, not just in this House but in the other place as well. I commend the bill to the House.

Mr CAMERON THOMPSON (Blair) (10.32 a.m.)—The **Commonwealth Electoral Amendment (Members of Local Government Bodies) Bill 2002** may not be a controversial bill in this place—and I am pleased to hear that it is not—but in Queensland it certainly has been a matter of great controversy. The idea that the state government would want to provide a disincentive and try to head off the idea that local councillors should be standing for parliament I think was shameful. We live in a democracy, and there should be every effort made to promote people having a full understanding of how democracy works—not only at the state level but at the local and federal levels. It is an absolutely perfect thing to do.

We really must endorse somebody progressing from a council to state politics or to federal politics because people need to have a good choice of experienced candidates. The old saying is that all politics is local, and I think local government is the ultimate training ground for people to get involved in politics, to take it up and pursue it, to get a reputation and to get a profile locally. These things are absolutely essential, and we must continue to endorse them.

The steps taken by the Queensland government were taken in a blatant political attempt to head off what they saw as being a training ground for conservative politicians. I do not accept that whatsoever. In my area is the Ipswich City Council, which has long had councillors with links to the Labor Party. The fact that they have links to the Labor Party does not stop them from being strong advocates on local issues and does not stop them from wanting to progress and move on to state or federal politics. So it is shameful for that government to see the whole thing through the eyes of party political advantage and to try to head off local government as a training ground for advancement into politics.

I would like to highlight the great contribution that is made by local councils by running through the various councils in my area and talking about the contributions that they and particularly the mayors in those communities make. While all councillors contribute—and, as I said, any one of those could advance to different levels of government—the fact is that there are significant advancements happening there and the mayors in particular tend to be local figureheads and their work deserves recognition.

At Kingaroy, Mayor Roger Nunn has been active on issues like the Kingaroy Airport and advancing education in the area. He has been trying to develop university links to the local TAFE college, providing opportunities for local school students who wish to undertake university study but who perhaps do not want to leave their community in order to do so. I commend Roger and the whole of the council for continuing to promote the issue.

Reg MacCallum at Nanango has to be one of the longest serving mayors in Australia. He is the quintessential bushie, and has been active in making sure that employment is generated by the Tarong North project, something the member for Hunter and I were discussing yesterday. Reg has been instrumental in making sure that the project provides jobs in the Nanango area. He has an immense understanding of forestry. In the ridiculous debate about the development of the South-East Queensland Forest Agreement, which was a disaster for South-East Queensland, Reg has been an absolute ally.

Noel Strohfeldt is Mayor of Rosalie. Rosalie is an area hard hit by drought and by dairy de-regulation. Noel has been a fierce and hardworking advocate on those issues. I urge him to

keep up the good work. I also commend Mayor Geoff Patch, at Crows Nest Shire. Once again, the impact of drought there is huge. On top of that there have been some very thorny local issues with the hospital in Crows Nest Shire. The council, while not directly involved with the hospital, is there on the sidelines and its contribution is very important. The recent closure of the hospital has focused that health institution more on aged care, an outcome that I support. The fundamental difficulties with the hospital could not be surmounted in the short term, and the council has taken a hard and very bold decision that will carry the community forward in the long term.

At the Esk Shire Council, Mayor Jean Bray is one of the most outstanding local advocates in the whole of my area. She is someone who, when a controversial issue comes up, does not duck her responsibilities. Recently there was quite a furore there over dog laws. Anyone who has ever had anything to do with dog laws knows they are probably the most controversial issue that can ever come up. When the huge uproar emerged over dog laws in that area, Jean did not go and hide under the couch, although practically every other local councillor appeared to do so. She attended all the controversial meetings and spoke with the people concerned and, at the end of it all, there has been a better outcome due to her participation. I commend her for that.

Up at Kilcoy, Terry Dredge has been a strong campaigner on the issue of forestry. Mr Deputy Speaker Adams, I know the forest industry is dear to your heart and I am sure you would endorse the efforts that Terry has gone to to focus attention on the immense wealth of knowledge there is amongst the people who have been maintaining the forest industry resource in our country for so many years. To have all that knowledge being undermined by Johnny-come-lately green views that do not represent the best for the development of those forest areas is a terrible shame. Instead of a strong, vibrant forest industry resource, we wind up with a completely under-resourced national park just waiting for some terrible fire to come along and lay it to waste. It is a terrible scene, but Terry is fighting on that, and I commend him for it.

In the past, Ipswich has been a hotbed of Labor politics. John Nugent, the mayor, is an Independent, and he does a very good job. I would also like to mention Paul Pisasale, a member of the Labor Party but also someone who does a lot of good work for our community along with the mayor and other councillors. I would like to mention their strong endorsement of multiculturalism and the work they regularly do to conduct citizenship ceremonies. I think Ipswich citizenship ceremonies are unmatched in Australia. There is a strong level of support from the council. The whole community comes out to support those citizenship ceremonies. I do not think a migrant looking to take up Australian citizenship would find any greater welcome than that extended by the Ipswich community through the citizenship ceremonies which are provided in large measure by the Ipswich City Council.

At Boonah—and I have only a very small part of Boonah in my electorate—Mayor John Brent is known as a strong campaigner. I would like to highlight the steps that we took together in relation to banks. The Commonwealth Bank tried to close some local branches. John Brent and I met the head of the Commonwealth Bank in Queensland. We jumped up and down and kicked up a big fuss. The bank, immovable as ever, endeavoured to pooh-pooh our activities in that regard. However, in the end, we did manage to save the Commonwealth Bank branch at Brassall. The fact that we actually saved a bank branch is news these days. That was a very good outcome. Apart from thanking John Brent for his part in that, I would also like to thank the treasurer, because he helped as well.

In Laidley, Mayor Shirley Pitt is very strong and very active in the local community. She is another person who has campaigned on bank closures. She has also been working very hard to overcome some of the difficulties created in a community in which there are a lot of rural residential subdivisions without complementary infrastructure. This is a terrible problem in many areas of my electorate and it can leave people marooned in an area without any support. There are then problems with kids who have nothing to do in small communities and are stuck out there by themselves, with no transport and no way of getting out. Mayor Shirley Pitt has been strong on that. The Laidley council has a very active youth consultative group which works hard on those matters. So, once again, that is an example of a local council confronting local issues and doing something about them.

Jim MacDonald, the Mayor of Gatton, is orientated towards developing and diversifying the local economy. For example, with Jim's contribution they have developed the Gatton Sprints. People get into their hot rods and do some laps around Gatton and a huge crowd comes to see them. It is good to watch and the council has made that quite an event. Gatton is a very vibrant community. I know that Jim will be absolutely gutted by the decision of the state government to take away TAB recognition of the Gatton race meetings. I think that is appalling. However, the Gatton community is going places, and Jim and the other councillors there are playing an important part in that. Finally, on my long list of mayors in the electorate of Blair, one small part of Blair—a very important part—is around Karana Downs, which is part of the Brisbane City Council area. The mayor there, Jim Soorley, is well known to everyone, and so I do not need to make any comments about Jim.

Underlying the massive infrastructure that councils provide across that area are the hundreds of elected representatives in the area of Blair. They are providing very important services to local people. They have a valuable skill and knowledge base which would be a great addition to this parliament or to the state parliament. We have to do everything we can to encourage people with those skills to use them and to advance into federal or state politics, if that is the way they want to go. This amendment, as the opposition has said, is commonsense. The state government stands condemned for having taken steps to go in the other direction. It was a terrible thing for it to do. It is good to see the opposition supporting setting matters right through this bill—although I think it still leaves open the question of what will happen in the future in Queensland.

We are not talking only about federal politics, although this bill does. At the local government level in Queensland it is important that people with those skills have the opportunity to progress into the state scene. This is not something that is going to advantage either the Labor Party or the coalition partners up there; it is something that is going to benefit all Queenslanders. That is what the state government should be there for.

I commend the opposition and members of the federal parliament for taking this very important step but it is appalling that the question remains up in the air in Queensland. We have to make it quite clear that those local representatives are welcome at all levels of politics. We endorse their participation and encourage greater participation by all members in the community who may wish to get into local councils or state politics. We support them and urge them to do so.

Mr FITZGIBBON (Hunter) (10.46 a.m.)—I think it was appropriate that you allowed the member for Calare to range widely on the [Commonwealth Electoral Amendment \(Members](#)

of Local Government Bodies) Bill 2002 because it does give us an opportunity to pay some recognition to those who make such a large contribution to our local government bodies.

Following on from the member for Calare I, too, would like to acknowledge my local mayors, with whom I am very fortunate to have a very good working relationship—Peter Blackmore at Maitland, John Clarence at Cessnock, Fred Harvison at Singleton and John Colvin at Muswellbrook, a fine group of men. It is unfortunate that they are all men. We have had women filling those positions in the past in the valley. These men have very good teams of people behind them and they do an excellent job in every sense in a non-political way. I am very fortunate that there is not too much politics in councils in my local area. I work very well with the mayors, their councillors and their council staff regardless of the varying political persuasions.

Like others, I support this bill. As the member for Banks said, it is commonsense to do so. I do not know why the Queensland Labor government in 1993—I think it was the Goss Labor government—chose to attempt to block councillors seeking federal office. No doubt it was politically motivated. I think it was a pretty silly thing to do.

The member for Blair said it was about blocking the career paths of some conservative politicians. I suspect that it might have been more about trying to get corruption out of local and federal politics. I know there were some very deep concerns in Queensland at the time about corruption at the local government level. I suppose people saw a blurring of the responsibilities. I can understand why people might not want members sitting in the federal parliament when they are, at the same time, sitting on the local government authority. But that does not excuse the state government's attempts to block someone from entering parliament as a councillor. That is grossly unfair.

The member for Braddon may have been forced to resign his position on the council before coming to this place. Why did he do that? Because there was some concern at that time that to be elected to the federal parliament while sitting as a councillor might offend section 44 of the Constitution, the office of profit under the Crown provision. If the member for Braddon had resigned his position on council and been unsuccessful in his bid for the parliament he would have been left stranded and the people in his local area would have been all the poorer for it. They would have lost the opportunity to have not only a fantastic member representing them in this place but also a fantastic local representative. It makes no sense to stop the transition from council to the parliament.

I am very pleased that the latest legal advice seems to be that sitting in this place and on a local council at the same time does not breach section 44 of the Constitution, although it does go to the question, not of the words 'profit' or 'office', but of what constitutes a position 'under the Crown'. When the founding fathers inserted this provision they were looking to uphold the separation between the bureaucracy and the legislature, which was a very fine thing to do. But the High Court in its judgments really does draw a very long bow on this provision, particularly in the case of the electorate of Wills, where Mr Cleary was found to be ineligible simply because he worked for the department of education at a state level and was on long service leave at the time. At some point the parliament should really have a look at addressing that by way of a referendum. Of course, we all know how suspicious and cynical the electorate can be on these matters, and history tells us such a referendum would be unlikely to be

successful. But to claim that someone working for a state department of education holds what the Constitution terms an office of profit under the Crown really is drawing a very long bow.

Similarly, I do not mind acknowledging that to disqualify the member for Lindsay on the basis that she had not formally resigned from the Air Force was just silly. That is not what our founding fathers had in mind at the time of framing this provision, and it is unfortunate that it has been interpreted so widely. But, having said that it appears on the balance of legal advice that councillors do not hold an office of profit under the Crown, it very much depends on the state, the legislation that gives effect to the local government body and the relationship between the two. In New South Wales you probably do not have an office of profit under the Crown, but in other states—I am not so familiar with their legislation—that could be the case.

Local councillors have to be very careful when, as a councillor, they are appointed to statutory bodies constituted under state legislation, or federal legislation for that matter. In these cases, it could be that the councillor may not be disqualified on the basis of holding the council position, but might hold an office of profit under the Crown on the basis that they are a member, as the councillor, of the statutory body. I can give an example. The member for Paterson was elected to this place as a local government councillor and remains a local government councillor. But, prior to re-entering the parliament in 2002, the member for Paterson was appointed to the insurance inquiries and complaints board, which is a limited liability company—which poses questions in itself. Being a limited company, obviously it is an office of profit under the Crown. But the appointment was made by Minister Hockey—

Mrs Bronwyn Bishop—Mr Deputy Speaker, I rise on a point of order. You have shown tolerance for the wide-ranging nature and content of this debate. This is a debate where there is no contention. The honourable member on the other side has made his point about office of profit. I do not think it is appropriate to be going into other members' issues in the terms of this debate. I would ask you to rule that he move on to the subject matter of the debate.

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—The honourable member for Hunter will come to the matter before the chair and the consideration of the bill.

Mr FITZGIBBON—I am addressing the matter of office of profit under the Crown, which is something very relevant to the bill before the House. Indeed, when I first saw the bill, I immediately asked in my own mind whether, like the Queensland government in 1993, we were acting ultra vires and whether we were in a position of usurping the Constitution and deciding who should and should not run for office. That is a question in itself. These are very important issues. As I was saying, Minister Hockey appointed the member for Paterson to this board, effective from 23 August 2000. The member for Paterson continued to sit on that board until the middle of last year.

The DEPUTY SPEAKER—Order! The member is reflecting on another member of the House.

Mr FITZGIBBON—Not at all, Mr Deputy Speaker, with respect.

The DEPUTY SPEAKER—The honourable member for Hunter is getting very broad in relation to the subject matter of the bill. I ask him to come back to the details of the bill, which is the local government bodies bill.

Mr FITZGIBBON—With respect, Mr Deputy Speaker, I am not reflecting on the member for Paterson. I am just stating issues of fact. I have drawn into the debate questions about—

Mrs Bronwyn Bishop—Mr Deputy Speaker, I raise a point of order.

Mr FITZGIBBON—This is becoming ridiculous now, Bronwyn.

Mrs Bronwyn Bishop—In terms of what we are discussing, this is not germane to the subject matter of the bill. Through you, Mr Deputy Speaker, I ask the honourable member to move on in his speech.

Mr FITZGIBBON—On the point of order: this is a bill which seeks to validate the right of a local government councillor to run for high office. This is a question very important in the Australian community. There are also questions arising from this bill that go directly to the Constitution. I am outraged that the member for Mackellar should seek to deny me the right to raise constitutional issues in this place.

Mrs Bronwyn Bishop—Further to the point of order: the point I was making is that, if there are points that he wishes to make about constitutionality, he can do it quite well without reflecting on another member.

The DEPUTY SPEAKER—On the point of order, the bill does touch on the electoral acts of the Commonwealth and it also deals with the Constitution. I ask the honourable member for Hunter not to reflect on any member of the House and to be conscious of that fact.

Mr FITZGIBBON—Out of respect to you, Mr Deputy Speaker, I will do my very best not to do so. But this is a new precedent. One is not allowed to reflect on another member of the House? We are not allowed to pass judgments on people's decisions in this place? What an outrageous point for the member for Mackellar to be raising.

We have serious issues here about conflicts of interest. That is why the Queensland government drafted the legislation. I think their legislation was flawed. I think they got it wrong. But now the federal government is seeking to use its power over the states. These are serious matters. It is a serious matter when there are questions arising about one's eligibility to sit in this place. I ask the member for Mackellar this: if I cannot reflect on someone's qualification to be sitting in this place, what can I do here? What an outrageous thing to do. She is just protecting her mate; that is what she is doing. All those listening out there understand that only too well.

I was not reflecting on the member for Paterson; I was stating a fact. Minister Hockey appointed him to a board on 23 August 2000, and he continued to sit on that board until mid last year. That is not a reflection. I am just raising a question. What constitutes an office of profit under the Crown? I have had advice on this from John McCarthy QC—not particularly on the matter of the member for Paterson, but we had wide-ranging discussions on this matter.

Mrs Bronwyn Bishop—Mr Deputy Speaker, I raise a point of order. The whole point about matters coming into this chamber is that they are to be non-contentious.

Mr FITZGIBBON—Like Iraq.

The DEPUTY SPEAKER—Order! Member for Hunter.

Mrs Bronwyn Bishop—They come in here by agreement, Mr Deputy Speaker. I think the rulings that you have made previously are quite appropriate, and I ask you to rule again.

Mr FITZGIBBON—On the point of order: these bills come here by agreement, but there is no agreement to be gagged—no agreement to forgo our constitutional right and our obligations to represent our electorates.

The DEPUTY SPEAKER—Order! You are talking to a point of order. Let me rule on the point of order raised by the member for Mackellar. Standing order 76 states:

All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

The member for Hunter has not reflected on a member of the House in any way improperly. I do not uphold the point of order on the standing order, but I remind the member for Hunter of standing order 76. By substantive motion, he can raise issues of substance against any member he wishes.

Mr FITZGIBBON—I thank you for your ruling, Mr Deputy Speaker. It is a very astute one. The member for Mackellar raises the concern that I may be reflecting on another member. I am not. But I seem to recall another member reflecting on me this morning. That member just happened to be the member for Paterson, when he stood in the House and denied outright all the allegations I made about him in this place yesterday. It was an extraordinary thing for him to do. Unfortunately, I did not hear all of his contribution, but I did hear him deny certain things; for example, that he illegally excavated his property in the Port Stephens Shire. I have here a letter from the council, which states:

There have been two parcels of land in Palanda Court which have been unlawfully cleared.

I seek leave to table the letter from the council.

Mrs Bronwyn Bishop—Mr Deputy Speaker, I rise on a point of order. I refer to your ruling on standing order 76, when you ruled that the member was not reflecting on the member for Paterson. Clearly, in his last utterances he was. I ask you to uphold the standing order.

The DEPUTY SPEAKER—Does the member for Hunter want to speak to the point of order?

Mr FITZGIBBON—No. I do not want to waste more time.

The DEPUTY SPEAKER—The member has raised matters that were raised in debate in the chamber. I ask the member to come back to the substance and to keep away from improperly reflecting on other members.

Mr FITZGIBBON—I seek leave to table the letter from Port Stephens Council to the member for Paterson or someone representing him, saying:

There have been two parcels of land in Palanda Court which have been unlawfully cleared.

That work was carried out.

The DEPUTY SPEAKER—Are you seeking leave?

Mr FITZGIBBON—I am.

Mrs Bronwyn Bishop—Leave is not granted.

Mr FITZGIBBON—Surprise, surprise. This is a bill which seeks to clarify the qualification of local councillors to run for the federal parliament. It addresses legislation introduced by the Queensland parliament, obviously out of concern about conflicts of interest that can arise if people make the transition from local council to the federal parliament, and become a member of this place and a local councillor concurrently. That is what this bill is all about. These are the issues I raised in the parliament yesterday: about the member of Paterson threatening and bullying council officers in his capacity as a federal member sitting in this place to get his way on his development in his local electorate. This is outrageous stuff.

Mrs Bronwyn Bishop—Mr Deputy Speaker, I rise on a point of order. The member is again reflecting on another member. Clearly, he is trying to use this speech to make a personal attack. It is quite inappropriate. I ask you to uphold standing order 76.

The DEPUTY SPEAKER—The honourable member for Hunter is going down a track which is far from the matters before the House. I ask the member for Hunter to come back to matters within the bill which do not reflect on an individual member's propriety.

Mr FITZGIBBON—If this is not a bill about the potential conflict of interest when people sit on a local council and in the federal parliament at the same time, I do not know what the bill is about. That is exactly what the bill is about. The member for Paterson came into the House this morning accusing me of misleading the House—as he did in relation to the ICAC investigation about the three-storey dwelling—but there it is! Yet the member for Mackellar reckons I am not being relevant to the bill.

Mrs Bronwyn Bishop—Mr Deputy Speaker, I rise on a point of order. Clearly, the member is flouting your ruling. I ask again that he return to the subject matter of the bill and not simply use this debate as a means of trying to denigrate a fellow member of parliament.

The DEPUTY SPEAKER—The member for Hunter is going down the lines of discussing one individual member. I ask him to broaden his discussion to the debate before the chair, which deals with this local government matter.

Mr FITZGIBBON—I will leave the member for Paterson momentarily and go to Councillor Geoff Robinson, one of the member for Paterson's colleagues. I want to extend an apology to Councillor Robinson because yesterday in the House I claimed that he was the person who undertook the illegal excavations. I was wrong. He was the person who carted away the excavated works and illegally dumped them in the sand dunes at Anna Bay. So I apologise to Councillor Robinson. He did not undertake the excavation; he took the rock away and illegally dumped it under the sand dunes at Anna Bay, where he has some contractual right to take sand.

These are serious issues. All the issues I am raising are entirely relevant to the bill—like Councillor Baldwin's attempt to stifle development in the arena development where his house is located—or will be located—by having the area rezoned.

Mrs Bronwyn Bishop—Again, Mr Deputy Speaker, I refer you to standing order 76. Clearly, the member on the other side thinks that it is highly hilarious that, having been asked to desist from reflecting on another member of this place, he continues to flout your ruling. He thinks it is highly amusing. I ask you to again uphold standing order 76.

The DEPUTY SPEAKER—The honourable member for Hunter will come to the broader sections of the bill and not reflect on members, councillors or members of the House.

Mr FITZGIBBON—I move:

That further proceedings on this bill be conducted in the House.

Question unresolved.

Sitting suspended from 11.08 a.m. to 11.16 a.m.

FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT BILL 2002

Second Reading

Debate resumed from 4 December 2002, on motion by **Mr Anthony**:

That this bill be now read a second time.

Mr SWAN (Lilley) (11.16 a.m.)—It is my pleasure to speak on the **Family and Community Services Legislation Amendment Bill 2002** as some of the changes in this bill will impact upon the family payment system. As all members are aware, some 2½ years ago the government introduced, with great fanfare, a new system of family payments. We were told that these would be a tremendous advance, that the administration of these would not have very many problems and that there would be a significant increase in the quantum of money going to families to compensate them for the GST. We were also told that there would be a new method for families to claim their entitlements: that they would have to predict their income one year in advance. As if families in the current environment have a crystal ball so that they can automatically anticipate what their income would be in 12 months time!

Of course, the whole system has proven to be disastrous. The increases in funding that were promised were largely illusory, but the administration of the system has turned it into a family debt trap leading to a situation where about half the families eligible for family payments in Australia are receiving incorrect payments. Some 650,000 people have received debts. In the last few days, in the estimates committees, those figures have been confirmed again for the year just past. It is anticipated that some 600,000 families will receive a debt of in excess of \$600.

We were told by the government, when we raised these matters in the parliament, that the system was so good that these things were not happening. So we had to go through the estimates process to prove that people were being saddled with debts that they could not avoid. People who had played by the government rules and had given the government notice that their income had changed were still receiving debts. The government said, 'That's fine. If that happens they can avoid the debt by claiming less than they are entitled to. In fact, don't claim the amount; take it at the end of the year.' That completely bypasses the whole rationale for having family payments, which is to assist families to feed, clothe, educate and house their children on a weekly and fortnightly basis. They do not stop growing for a year; they do not stop eating for a year.

The government said, 'The solution is to take less than you are entitled to or take nothing during the year.' Now we discover, through the estimates process this week, that those who were encouraged to do that and were told by the government that they would receive a top-up in return for forgoing their payments have also been duded, because the government put in this sneaky clause saying that unless they claimed their top-up within 12 months they would not be eligible to receive it—unlike other aspects of the taxation system where people have four years to receive and to put in their claims. So, once again, people have been hit coming and going. Those who needed the money on a fortnightly basis who did not have a crystal ball—whose incomes varied because they worked overtime or because they were casual employees and got more hours—got debts which they could not avoid and, on the other hand, many of those who claimed less than they were entitled to could not access the top-up. This proves that this system is a shambles, a debt trap and a burden on at least hundreds of thousands of Australian families.

So it is indeed disgraceful that, when the government comes to this parliament with a bill such as this, all it can bring forward is a range of very technical and minor amendments relating to family payments, rather than some substantial programs, which go root and branch to

the problems of the payments system—and all of this from a government that proclaims its family friendly credentials! If this government were family friendly it would not be giving 600,000 families very substantial debts each year. The reason it is persevering with this flawed system is very simple: it wants to claw back the money, just as it did from pensioners post GST. It wants to claw it back, because the system is nowhere near as generous as this government has made it out to be.

The items in this bill include amendments that are claimed to simplify existing legislative provisions, achieve consistency between similar provisions and payment types and address some of the unintended consequences of earlier amendments across a range of provisions. I will mention a few of those now. The government has circulated amendments to this bill that seek to remove an item that would have resulted in a negative impact on some families receiving rent assistance. On examination of the bill, Labor noted that items in schedule 1 relating to the payment of rent assistance would have resulted in a fairly significant number of families being worse off. Note that this was discovered by the opposition without all the resources of the department and the government. We had to point out to the government that there was a slight problem with this bill. But, of course, you would expect no less from those who brought you the family payment debt trap. Senator 'Vandalstone' is an expert at devising systems that punish families and leave them with debt.

The government advised that the problem in the original schedule 1 with families being worse off would have hit 2,000 to 3,000 families—nothing like the 600,000 families that got family debt, but still 2,000 to 3,000. In order to preserve the non-controversial status of the bill, the government decided to remove those parts. Congratulations! This one small but sensible decision from the government is welcome. However, the supplementary explanatory material from the government seems to suggest that these measures will be pursued through other portfolio legislation. I urge the government to reconsider that approach. The government argues that the changes are an unintended consequence relating to customers who receive an income support payment and family tax benefit B who have at least one rent assistance child. Now we are back to the family payments system—the one that was supposed to be so good and so beneficial to Australian families.

The changes sought to ensure that these people do not receive rent assistance as part of their income support payment but rather have it paid as part of their FTB. The government argues that this will remove the unequal treatment arising from different rent assistance thresholds for income support and FTB. Rent assistance thresholds for income support are lower than those for family tax benefit. For many families, this disadvantage is offset by the fact that the maximum rates of rent assistance through FTB are greater than those for income support. However, this will only be the case if they are paying a sufficiently high rent. For those paying lower rent, the rent threshold under income support results in a higher rent assistance payment; hence the government has advised that a number of families who receive income support as well as FTB will be worse off.

However, there is another consequence that may not have been considered. Rent assistance, when paid through an income support payment, increases the income test cut-out. In other words, it allows the parents to retain their income support eligibility when their income increases to the point where they are on the borderline of the income test. This is of significance in the case of a single parenting payment recipient because it means they can retain their pensioner concession card. As we know, this entitles them to a wide range of benefits, including

discounts on utility bills, car registration, public transport and so on. For a parent in this situation, if their rent assistance is paid through FTB they would no longer be an income support recipient and would lose access to the pensioner card. I would have thought that was pretty basic. Any government that had any idea of what it was really doing would not have got itself into this truly rotten and stupid situation. In addition, those recipients would no longer be on the automatic maximum rate of family tax benefit. They may lose family payments and be required to provide income estimates for family tax benefit and potentially run the risk of accumulating a debt. There is that debt again.

Before the government proceeds to place these measures in another bill, I would urge them to take a very good, hard look at the matters that I have just raised. Had they done so when we raised these matters about the family payments system when the bill originally went before the House—with the whole GST package—we might not be in the deplorable situation that we are in, with our shambolic and punishing family payment system.

While on the issue of family tax benefit and families, there are some other aspects of the bill that I would like to comment on. Items in schedule 2 of the bill correct more of the government's bungling in relation to family tax benefit. The changes seek to rectify an anomaly—which Labor identified shortly after the introduction of the new tax system—that disadvantages DVA customers who also receive family payments. Prior to the introduction of the FTB, the income test for family payment did not include other social security payments and deviate pensions as income. However, with the advent of family tax benefit B, they were to be included. Apart from much confusion, this was not a problem for most, as the income-free area for FTB exceeded the cut-out point for most income support payments. Hence there was no financial impact in including these payments. Where it may have had an impact in relation to more generous payments, such as single parenting payment, an alternative income test applied that ensured the maximum rate would still be paid. However, this did not carry over to certain DVA pensions. To the government's embarrassment, Labor revealed that some families who received DVA payments as well as family payments would have been worse off. As is common with this government, they were forced to make policy on the run and to make ex gratia top-up payments to those who were affected. The changes in the bill will restore the treatment that existed pre the new tax package. They certainly have our support; but once again this highlights the government's maladministration and bungling of this payment and a number of others.

There are also many problems with this policy that simply have not been addressed in the bill, and that takes us back to the wider shambles that is in the family payment system. As I said earlier, through the estimates committee process this week we have revealed that there are at least 25,000 parents who were denied an average of \$1,500 in entitlements for their children, thanks to some more tricky fine print attached to the family tax benefit. While the government has seen fit to deny parents payments to help with the cost of raising their children, we have also seen, through the estimates process, ministers living high on the hog. Indeed, we have got the Prime Minister's plasma TV down at Kirribilli.

Mr Brendan O'Connor—For the cricket.

Mr SWAN—It is not just for the cricket. Now that he has declared that the Treasurer, Mr Costello, is unfit for active service and has been confined for the rest of this term to the Treasury, I think that the TV will be staying in the Lodge. I think that is the measure now. At a

rental of some \$500 a month, that is a pretty good benefit for the PM. I am sure all the families who have been denied their \$1,500, and who have been denied their top-up for their family payment because they got their application in one day over the 12-month limit, might think that this is a slightly skewed priority on the part of the government. Then of course there was the \$1,400 motorcade for that junior minister, and there was the \$345,000 for the G-G's bathroom.

But we have these 25,000 parents denied on average \$1,500 and we have the 600,000-plus families who have received a debt. Recall this: many of these families did not even know they had a debt. They had played by the rules, they had told Centrelink that their income had changed, and the first they knew that they had a debt was when the government, like a thief in the night, stole it from their tax return without even the courtesy of a phone call or a letter.

The estimates process this week has really shown how this government is so completely out of touch with the lifestyles of Australian families and the financial pressures on them. Australian families by and large cannot accurately predict their income one year in advance. They do not have that crystal ball. Therefore, they are not able to assess their payments accurately and, through no fault of their own, they are overpaid.

And there is the disaster of FTB, where one of the partners, usually the woman, will leave the work force to have a child and then return. Then they get caught in the retrospective debt trap in FTB because they may decide to go back to work part time and pick up a bit of extra income. Suddenly, they go over the threshold and everything they had been paid previously under FTB becomes an automatic debt. So it is not just the 600,000 families where the average debt is \$800. There is a very significant proportion of those who have debts much larger than \$800 brought about by the construction of family payment B.

Now we find this 12-month deadline because Senator 'Vandalstone' and the Prime Minister—

Mrs Bronwyn Bishop—I rise on a point of order. This member has taken the habit of referring to Senator Vanstone as 'Vandalstone'. I am sure it is a slip of his tongue, but I am sure he would like the opportunity to correct it.

The DEPUTY SPEAKER (Ms Gambaro)—I ask the member for Lilley to continue to refer to the minister by her proper title.

Mr SWAN—It was a slip of the tongue. She has a lot of hide to go and do this to Australian families—

Mrs Bronwyn Bishop—Madam Deputy Speaker, it has been twice now to my knowledge, and I wonder if you would mind asking the member to correct it.

The DEPUTY SPEAKER—I thank the member for Mackellar and I ask the shadow minister to refer to the minister in the appropriate terms, as he would know, according to parliamentary procedure and practice.

Mr SWAN—What page?

The DEPUTY SPEAKER—I can find the relevant standing order if the shadow minister would like me to do that. But I ask him to refer to the minister under her correct title.

Mr SWAN—Senator Vanstone administers a family payment system which is delivering debts to in excess of 600,000 families. It is disgraceful. She will not change the system. She says that people ought to take less than they are entitled to to avoid her debt trap. And now we

find that when they do she has a sneaky new rule that stops those people from getting a top-up. That is why I say she has a lot of hide. That is why she is said to be, by some people in the Australian community, Senator 'Vandalstone'. That is why the term is used.

Senator Vanstone ought to take immediate action to change these systems and to put in place a system that reflects the reality of the 21st century work force; to put in place a system that reflects the financial pressures on Australian families. That is what she ought to do. Instead, we have this bill, cobbled together from bits and pieces here and there, tinkering at the edges, leaving the disaster of the family payment debt trap in place. That is why this is such a very serious issue for Australian families.

I draw your attention to an answer to a question on notice. The question was:

What is the amount of FBT-CCB that families would have been entitled to either as: (a) a top-up payment; or (b) complete payment?

I will read the answer into *Hansard*. It states:

a) As at 29 November 2002, 25,072 Family Tax Benefit (FTB) customers who lodged 2001 tax returns after 30 June 2002, and/or whose partners lodged 2001 tax returns after 30 June 2002, would have received \$37,033,027 (an average of \$1477) in top-ups of their 2000-01 FTB entitlements had those returns been lodged before 1 July 2002.

So one day out and they lose their entitlement—and we are expected to take this minister seriously. We are expected to believe that the government has some genuine concern for the family payments system and for the families out there who are struggling to make ends meet. I would like to quote from a letter that I received from someone who has been caught in this trap. They state:

I'm writing this while I'm sitting here in tears trying to figure out how I'm supposed to keep my family above water financially. You probably won't be able to change anything, and no doubt you hear this kind of story regularly, but at least I can try and get this off my chest.

We have 3 children, Connor is 16 months, Jess is 10 and Taija is 11.

... ..

Last financial year I had my tax refund reduced by \$428.42 because I had underestimated my income, so in August, which is when I became aware of this, I put in an income assessment of \$11,300. I wasn't working at the time, but knew I might pick up some casual work, so on the FAO's advice I estimated my income to be above the cut-off point for the second part of the FTB payment so that I wouldn't be hit with an overpayment again.

For this financial year I've been working casually and so far I've earned about \$4,000 and as of now I'm in the process of looking for a permanent job. Since I got caught last year, I thought I should let the FAO know and revise my income to take into account the level of pay I hope to get if I can find a job soon. Although I'm not working at the moment I revised my income to \$16,000 ... and left my partner's income estimate as it was at \$55,000.

Today, the FAO then advised me that I've already been overpaid by about \$300.00 because my income wasn't changed to \$11,300 until August 2002. As a result, I asked them to reduce the amount of family assistance we get each fortnight ... to pay back the overpaid amount. We will now receive about \$101.00.

And so on and so on. You need a degree in accountancy to figure your way through this family payment system and you still get hit—and that is the problem.

I do not know how long it will be before this government gets the message. They ought to be getting it from backbenchers on their own side. They have been certainly getting it consistently from us. This system is punishing Australian families. It is making it harder for them to be good parents and good workers. It is making it harder for them to survive financially. It is causing too many of them anxious worry. It is putting them under pressure both emotionally and financially, and it is about time the government took some action to fix it in legislation of the type that we have before the House today.

Mr CADMAN (Mitchell) (11.38 a.m.)—I want to deal with the broader issue of families, which is part of the [Family and Community Services Legislation Amendment Bill 2002](#) before the House today. I also want to make the House aware of lifestyle changes and some of the flaws that I believe are in the thinking behind many of the policies that have existed for many years in our support systems for families. I refer in particular to a study done by Dr Catherine Hakim of the London School of Economics. She looked at competing family models and competing social policies and how they impacted on families. In particular, Dr Hakim, who was in the parliament this week, chose to look at the development in recent decades of choice for women with families. She concluded that women choose three different lifestyles—home-centred, work-centred or what she called ‘adaptive’, which is a combination of both with different proportions of work or home as circumstances of family or their preference dictated.

The adaptive women, as she called them, who combined employment and family work did not give a priority, preferring to have both. They wanted to enjoy the best of both worlds. They gained fulfilment and a sense of worth out of working and out of their families as well. This research was done in Britain, but it would be very interesting for us to replicate it here because, from my knowledge of the community I represent, I think many of the same attitudes would be present here in Australia. Dr Hakim found that work-centred women are in a minority. They are the women who want to be totally focused on a work lifestyle. Despite the massive influx of women into higher education and into professional and managerial occupations, she felt that in her survey this group, whilst starting out with the intention of long-term permanent work, changed their minds during their lives, and most women adopt the adaptive system, which is the combination of employment and family. Only a few women have a totally home-centred lifestyle.

Catherine Hakim then examined the circumstances within those families to establish how they were looked after for child care, how they were being taxed and how they managed the lifestyle and demands on their families. She found, for instance, that there was not a great educational difference between those who had the adaptive lifestyle and those who were work based. I have the figures here. She found that work-centred women were slightly more likely to have a higher education—26 per cent compared with 18 per cent in the other groups. So there is not a big difference in educational level; the factors are ones of choice.

We have competing social policies in these areas and they deserve to be looked at. What we seem to be doing in Australia—and it is borne out by the experience internationally, both in Europe and in Great Britain—is channelling most of our family support to the work-oriented families instead of taking account of the broader group which prefers an adaptive lifestyle. The majority of women choose a lifestyle where they work and have a family and gain fulfilment from both. One of the recommendations that Dr Hakim is making is that we ought to be looking at the equity of this situation, where we seem to be giving more govern-

ment child-care support and tax concessions to those women who are fully in the work force rather than taking into account, for instance, the value of the caring for children done by those who prefer an adaptive lifestyle. We do not assign child care any value if people stay at home and look after the kids, yet somebody who goes off to work gets not only a salary but also assistance with child care. Dr Hakim is arguing that there is an equity problem for women here and we are not really treating the broad group of women fairly. Intuitively, I believe this may be the case in Australia, but I would like to find out whether it is or not.

In a paper that Dr Hakim presented, she makes this statement:

It is often argued that maternity leave (paid or unpaid) helps women to combine paid work with having children. However a preference theory perspective clarifies that it is mainly work-centred women (and to a lesser extent adaptive women who lean towards careers) who benefit from maternity leave and related job rights—that is, women who have the lowest fertility and are least likely to increase it.

So maternity leave is generally taken up by that group which has the smallest family and is the most work oriented, whereas those who are dealing with families miss out to a fair degree on the advantages of maternity benefits, whether they are paid or unpaid. She goes on to say:

Childcare services provide another example of policies that are presented as being beneficial to women generally but in fact favour one particular group. Like maternity leave, public childcare services (free or subsidised) are primarily of benefit to work-centred women who choose to return to work shortly after birth.

That is probably right. I think that most mums who have an adaptive lifestyle tend to want to use occasional care services. Some prefer long day care for periods. They tend to use a variety of child-care services rather than the single long day care.

Catherine Hakim gives examples of work done in Finland, Norway and France on a home care allowance introduced to provide more equity in the family situation. In that instance, it appears from the emerging information that raising the social status of motherhood as compared with paid jobs redresses the bias against motherhood as an activity and can also impact on fertility rates. Women feel more valued and more comfortable to mix work and home and are more likely to enjoy having children.

That is the finding from Britain. I do not know whether it applies here, but it is worth pursuing. If the way in which we are providing services to women is inequitable, we ought to change that. We ought to look at whether the mothers of Australia are being fairly treated. They deserve for us to look at this seriously and make changes if changes are necessary. We have listened to the line of fully employed, highly professional work-orientated women and social advisers advocating payments to certain areas. In many instances, this seems to be special pleading for their own case rather than looking at the needs of women across the board.

The whole area of family relationships and how we manage them was brought to my attention in a recent article in December. Bettina Arndt, who has had a somewhat colourful career, wrote a paper or an article that is headed, 'The US recognises the peril of absent fathers. Why can't we?' She refers to a study in the United States carried out fairly recently and promoted by James Q. Wilson, who is a social scientist. Wilson's idea is called the 'broken window theory'. If you are in a suburb where the broken windows do not get fixed, that encourages an attitude of disregard for law and order which leads to graffiti, bad social behaviour and ultimately the development of serious crime.

The social theory that James Q. Wilson developed was adopted as a guideline by Mayor Giuliani in New York. He said, 'We're going to fix that broken window syndrome, and where things start to look crook we're going to move in with remedial programs and redress the juvenile and minor crime that is building and that will create an environment of serious crime.' That process has produced some really interesting changes in New York City.

In his latest book, entitled *The Marriage Problem: How Our Culture Has Weakened Families*, Wilson makes some very interesting points. He has strongly documented in the American culture some issues about children living with single mothers. This is not a go at single mums. Things happen and, man, life is tough. People do crook things to each other. I am arguing that we should look at some of these statistics and see if we can put some remediation in place to assist families where there is tension and hurt to manage their difficulties and stay together.

These statistics from the US are interesting. From sections of surveys done in Australia, it appears that similar situations apply here. The US statistics show that children living with single mothers are five times more likely to be poor than those in two-parent families. When you look at the Australian scene, you find that 80 per cent of single mums are on welfare. Amanda Vanstone was badly misquoted by the previous speaker. Amanda Vanstone is building the case for looking after single mums. Why would you want to put up with a situation where 80 per cent of mothers in single-parent families are living on welfare?

Another finding was:

Growing up in a single-parent family also roughly doubles the risk that a child will drop out of school, have difficulty finding a job, or become a teen parent. About half these effects appear due to poverty, but the other half is due to non-economic factors such as poorer supervision. Children living with co-habiting partners and in stepfamilies generally do less well than those living with two married biological parents.

We can say that we do not believe the statistics, but these are the findings of James Q. Wilson in his recent publication in the United States. He has a track record of success as a good social scientist. He is partly responsible for the theories that have turned New York crime around. So are we going to take notice of him? I certainly will. I think he is worth looking at and I think that these things are worth examining.

Bettina Arndt says:

Now, 40 years later, most politicians and social analysts agree that tackling fatherlessness must be a national priority.

That is the case in the United States. It came about when Bill Clinton drew attention to the fact that 80 per cent of African-American children spent part of their childhood living apart from their families. In the United States, this year's new welfare reform act includes the goal of encouraging 'the formation and maintenance of healthy two-parent married families and responsible fatherhood'. If there is any group that needs to have remediation and needs to have their heads put straight, it is the men of our community. Instead of turning their backs on their responsibilities, they should recognise that they have a special, very significant role in this process.

The US has pledged \$300 million in federal funding to support marriage promotion programs. That might be a difficult start but in this country, as Bettina Arndt says, the M word is too hard for us to handle. We do not use it here in the House. The M word—'marriage'—is too hard to talk about here. It is not socially popular. But the fact is that kids do better when

they are looked after by two parents who are biologically related to them. We are not doing well enough with our single mums, either. Dr Catherine Hakim says that we are not providing family related programs of a suitable type.

We are not providing programs that are suitable for women to be able to feel valued and have a lifestyle which the majority wish to have, an adaptive lifestyle which allows a proper mix of family and work responsibilities, enjoying both and not feeling damaged or criticised or feeling themselves to be second-class citizens for doing that. There are many within that adaptive group who feel, 'Because I am not working full-time, I can't be a worthwhile citizen. I am not doing my job for society or my family because I do not feel stressed. I am not doing a proper job for society because I really value my kids, my husband and family environment.'

That balance needs to be achieved and attention to appropriate family policies is demanded. The value that society places on the raising of kids can have long-term impact. Welfare bodies have long claimed that welfare support merely provides a brief two- to three-year stepping stone for lone parents. However, startling new facts have emerged from an inquiry by Bob Gregory, a great Australian economist, completed in the middle of last year. His startling new finding is that lone parents will stay on welfare payments for an average of 12 years. They might be on the sole parent benefit for two or three years, but they will shift through the system on different types of benefit and stay on welfare of one sort or another for an average of 12 years. That is a very compelling argument for why we need to intervene to address some of the problems that I have spoken about.

Does this mean that we need to know what we are talking about as far as the stats are concerned? Yes, we need to do the inquiries to see whether the situation in Australian families is the same as those that have been demonstrated by Dr Catherine Hakim in the UK and in Europe. Does it mean we ought to be examining whether Wilson's work in the US on single parent families applies in Australia? Yes, it does, but I believe we already have that information but have not been prepared to tackle these hard issues. It is socially and politically unpopular to say there are better ways of doing things. People are not second rate because their marriages have failed or because they are on their own or because they are a single mum. It is not a blame game; it is a lifting-up process and a changing of outlook so we get better results. Because, at the end of the day, the problem really comes home to the kids. They are the ones that continue to engage in antisocial behaviour, to perform poorly and to live in poverty. We should be striving to change that.

I will really be pressing the government hard, and I know that a number of my colleagues also share the view that we can be doing it better as a nation. The minister's own paper, which she has recently released, draws our attention to these facts. She herself, I know, feels strongly about some of these issues and she has talked about them many times. I am pleased that this government has started to pick it up. We need to drive it home for the sake of our families—for the sake of our parents, our mothers in particular, and for our children, their lifestyle and ultimate success.

Mr ZAHRA (McMillan) (11.58 a.m.)—The **Family and Community Services Legislation Amendment Bill 2002** deals largely with issues relating to families. In the Latrobe Valley yesterday, many families were confronted by the very real threat of bushfire. We had a very large bushfire develop in Morwell in the Grand Ridge Plantations site located on the south side of the railway line, which quickly developed into a substantial fire front and headed east

towards Traralgon. The fire very quickly became a very real threat to families in Morwell and, in particular, Traralgon.

Deputy Speaker Gambaro, as you are from Queensland, I do not expect that you would be too familiar with the geography of the Latrobe Valley. We are talking about very large towns and a substantial threat to a large amount of property and a very substantial population. Traralgon has a population of some 21,000 people, and people in the town, including my mum and dad, were told to activate their fire plans. Such was the intensity of the fire, and such was the risk associated with it, that people—not out on five acres outside of town, but people actually in the town—were being asked to take action to ensure that their property was as safe from the risk of spotting as was possible.

Thankfully, we had a very swift response from our emergency services personnel, both full-time staff and our outstanding volunteers. There were a large number of brigades and crews involved, and I want to give them some recognition today because, without their outstanding work and their efforts, we may well have been faced with a very real catastrophe in the Latrobe Valley. The fire crews involved were from the Grand Ridge plantations, the Maryvale pulp and paper mill, owned by PaperlinX, and the Loy Yang power station, and CFA brigades from Toongabbie, Glengarry, Tyers, Maryvale, Morwell, Traralgon West, Traralgon South, Traralgon East, Churchill, Drifffield, Moe, Erica, Mirboo North, Rosedale, Maffra, Flynn, Labertouche, Willow Grove, Hallston, Thorpdale, Wurruk, Tinamba, Sale and many others lent a hand in fighting the fire.

It was a very real threat to a very substantial number of people and a very real threat to important infrastructure in that district as well. There was a lot of concern that the Latrobe Regional Hospital was seriously under threat from the bushfire. There was a very real threat that the two large car yards that we have on the Princes Highway between Morwell and Traralgon were under threat, which would have involved the destruction of tens of millions of dollars worth of infrastructure, property and cars and threatened a large number of people's properties and residences in that area as well.

We are talking about families, and in country districts one of the very real fears that families have is the fear of bushfire. Yesterday families in the Latrobe Valley were confronted by a very large fire front which quickly developed into a 600-hectare bushfire. More than 600 hectares of bush were destroyed. It is a big issue for us in the country when these types of things happen. On behalf of the people of my electorate, I thank all of those volunteers and emergency services personnel who helped.

The DEPUTY SPEAKER (Ms Gambaro)—I have given the member for McMillan considerable leeway. I share your sympathy for the people of your electorate and we all feel compassion, but we are here to speak about the Family and Community Services Legislation Amendment Bill 2002. Will you be coming to the point of the bill shortly?

Mr ZAHRA—I am addressing it, but I will deal more specifically with it in due course. I just ask, Madam Deputy Speaker, for a bit of a fair go about these things. We have just heard the member for Mitchell talking about all types of social policy overseas and I think it is well within the range to try to address some of these issues as well.

The DEPUTY SPEAKER—The member for McMillan has a number of avenues available to him, including the adjournment and grievance debates.

Mr ZAHRA—So does the member for Mitchell, Madam Deputy Speaker.

The DEPUTY SPEAKER—The member for Mitchell did refer, however, to family matters, and though we are all very compassionate about the bushfires I do ask that you come back to the subject of the bill which we are all here today to discuss and debate.

Mr ZAHRA—As I said, Madam Deputy Speaker, this does affect families. In the same way that what the member for Mitchell was talking about was relevant to the bill, I would argue that what I am talking about is as relevant—probably more relevant. As I was saying—and this is the last point that I want to make in relation to the fires in my electorate—I place on record my appreciation and that of people in the Latrobe Valley for the swift response from all of the volunteer brigades and full-time emergency service personnel who responded—not just from the Latrobe Valley but also from West Gippsland, South Gippsland and further east, Sale and Wurruk in particular—and for their efforts in coming to help us when we faced very difficult circumstances.

We are here to talk about the **Family and Community Services Legislation Amendment Bill 2002**. The bill deals with a substantial issue which has existed in my electorate for some time and tries to address some of the problems that have been in place through the government's handling of the family tax benefit and child-care benefit arrangements. This is an important issue. It has affected many thousands of families in my electorate. One of the big concerns families in my electorate have had about the administration of this program is the way in which inadvertently, through no fault of their own, they can be caught in a situation where they end up owing the Commonwealth money.

I know of many instances where people have done the right thing and given all the right information to Centrelink. They have come forward when they have had a change of circumstance, and have still ended up with a debt to the Commonwealth. These people feel aggrieved about this because they have not set out to defraud the Commonwealth. They have not gone out of their way to be sneaky, to try to get a benefit they are not entitled to. They are just ordinary people who have put in for a benefit, given Centrelink all of the information and somehow have ended up owing the Commonwealth money. They feel lousy about this. They feel that their honour has been impugned by the fact that they now have the Commonwealth debt collector knocking on their door saying, 'You have to pay this money back.' They do not feel they should have been put in a position in the first place to have to pay the money back. These people have done everything right, so probably they are right about that. They have been made to feel a certain way—as if they have done the wrong thing—by people to whom they have given all the information. I say fair enough to those people; I can understand how they feel.

A large number of people in my electorate were given a nasty surprise last year when they put in their tax returns, only to have the amount of money which the Commonwealth said they owed it—what the Commonwealth called an 'overpayment'—stripped from their tax refund. As you would know, Madam Deputy Speaker, many families look forward to getting their tax refund and organise their budgets around it. Many families in my electorate have got into the habit, when they get their tax cheque—people usually get some money back from the tax office, especially low income families—of using that money to buy their kids Christmas presents. So not having that \$500, \$600 or \$700 come in made a big difference to families in my electorate last year. A lot of people were very concerned about it. It became a big issue in the media in my electorate. Many families came forward and explained how the taking away of that money directly from their tax cheques had affected their budgets. It had meant that a lot

of the stuff they had planned, like presents for their kids or in some cases going away, at least for a little while, they could not do last year. The government should try to fix this problem because many people who try to do the right thing are affected badly, and they should not be. These are people who have tried to do everything right—they have done the right thing by the Commonwealth and by Centrelink. They are basically decent, honest people. We should provide some safety for those people in their dealings with the Commonwealth and with Centrelink.

An issue of concern in my electorate which has affected a large number of families has been the issue of protecting their motor vehicles and boats from the risks associated with ethanol in fuel. It has been one of those interesting issues which a lot of people talk about in an esoteric way. They say, 'We should do this because it's good for the sugar industry' or, 'We should do this because it's good for some other people who are trying to make a dollar out of it.' A lot of families get affected by these decisions. They have motor vehicles or boats. They use those boats to go on holidays, and this issue affects what they are able to do. Obviously, if you have a boat that costs you \$10,000, it is a big whack out of your weekly income to meet the repayments or to save up for it, and you want to protect it. You want to make sure you are not going to either be up for a replacement outboard motor or damage the boat which you have saved long and hard for in the first place.

My concern is that the way the government has handled the whole ethanol business means that there is no protection for families who have a motor vehicle or boat that runs with an outboard motor. The government has not mandated a 10 per cent maximum, and, unfortunately, a lot of people are going to be caught up in this circumstance. They will have their motorboat or the engine in their motor vehicle damaged. It is going to mean a lot of stress on families and a lot of expense for people. Unfortunately, there is a substantial risk to people who use in their motor vehicles or motorboat petrol with a higher than 10 per cent ethanol concentration. Their engine or their outboard motor might be ruined as a result of it. We are talking about a fair bit of money which the people who have motor boats might not necessarily have. I know that this is a fairly broad ranging debate, but it is an important issue which affects families—

The DEPUTY SPEAKER (Ms Gambaro)—The member for McMillan is correct when he says that it is very broad ranging. Again, I ask him to come back to the bill.

Mr ZAHRA—Give me a bit of a fair go, Madam Deputy Speaker. We had to listen to the member for Mitchell talk about his view about single parents in the UK and the US.

The DEPUTY SPEAKER—If the member for McMillan could illustrate to me how ethanol is related to the subject of the bill which we are discussing, I would be very happy to give him a little more indulgence. But I remind him to come back to the content of the bill, if he can.

Mr ZAHRA—I know that you are a fair woman, Madam Deputy Speaker, but this is a matter which affects families. We are here to talk about families and whether or not they have enough money to deal with some of the issues which come up, which are consumer affairs issues as well. If families do not have much money to start with, if they have a boat then it might cost them \$5,000 or \$10,000—

The DEPUTY SPEAKER—The member for McMillan really is stretching the patience of the chair. I remind you that this is the second reading debate on this bill. We are here to talk about non-budget measures that will assist in the more effective and efficient administration

of social security law and family law assistance. If you wish to speak to the topic of that bill, I will bring you back to the content of the bill and ask that you speak about families in relation to the content of this bill. I am happy to provide further technical information for the assistance of the member for McMillan, should he so wish.

Mr ZAHRA—You are a great source of information, Madam Deputy Speaker. When we talk about matters to do with families, I think it is important that we look at everything that affects families. This bill affects families. There has been a lot of talk in the media about the hundreds of thousands of families who have been affected by this bill. This has been a big issue for the many members who represent electorates in which a large number of people are affected by the changes which were put in place by the Commonwealth government and which led to a lot of people inadvertently ending up with debts to the Commonwealth. But the point I am trying to make is that you cannot view these things in isolation. Families are under pressure. They are under increasing financial pressure, and they are under increasing financial pressure for a range of reasons.

One of the reasons why families are under financial pressure is what the Commonwealth has done in relation to family tax benefits and child-care benefits. One of the other reasons why families are under financial pressure is how much things cost under the GST. Another reason why families could be under financial pressure is if they end up with an expensive repair bill for their boat or for their outboard motor. We know that that would place a significant cost on families, and it would in many ways be a similar situation to the type of circumstance that we are talking about here, whereby people, through no fault of their own, end up with a debt or a liability—

Mr Hunt—Madam Deputy Speaker, on a point of order, I wonder whether the member might be willing to give way briefly under the new standing orders so that I may pose a question.

The DEPUTY SPEAKER—The period of trial for the new standing orders is now over, but I thank the member for Flinders. I hope he can avail himself of the opportunity should they be reintroduced. I now call on the member for McMillan to speak on the Family and Community Services Legislation Amendment Bill 2002.

Mr ZAHRA—Madam Deputy Speaker, I am happy to address more directly the provisions of the bill. The simple point that I was making is that you cannot view these things in isolation. In the same way that people—

Honourable members interjecting—

The DEPUTY SPEAKER—I certainly agree that the member for McMillan is taking a very global view of the bill, but I will again give him some more—

Mr ZAHRA—I would not say global; I would say more of a local view. For example, if you take the viewpoint of a family living in a place like Wonthaggi—

Ms Julie Bishop—I raise a point of order: the member for McMillan is clearly just filling in time. He clearly has not read the bill. He clearly has not prepared for this debate. Could I suggest that he stand aside and allow a member who has read the bill and is prepared to debate the bill the opportunity to speak. This is just wasting time.

The DEPUTY SPEAKER—I thank the member for Curtin for her point of order.

Ms Burke—There was no point of order, so it cannot be countenanced by the chair.

The DEPUTY SPEAKER—The member for Chisholm cannot direct the chair how to rule.

Ms Burke—I can take a point of order and say that—

The DEPUTY SPEAKER—The chair will determine whether there is a relevant point of order or not.

Ms Burke—Yes, the chair will determine, but the chair must determine under the standing orders. If someone can point out where—

The DEPUTY SPEAKER—The chair is guided by the standing orders, but the member for Chisholm cannot infer her judgment on the chair.

Ms Burke—I did not. I did not seek to infer my judgment on the chair.

The DEPUTY SPEAKER—With due respect—

Ms Burke—But there needs to be—

The DEPUTY SPEAKER—I call on the member for McMillan to resume his speech. If he does not speak on the topic, I will be forced to sit him down.

Mr ZAHRA—Thank you, Madam Deputy Speaker. If you cannot talk about things which affect local communities when you are talking about a bill like this, what can you talk about? All I am trying to do is talk about a few case studies, a few examples of what really goes on in people's electorates and in towns and other areas. If you cannot talk about things as basic as this within the parameters of this type of debate on a bill, what are we all here for? It is all well and good for people to say that the issues I am talking about are matters that deal with the generality of families, but you cannot just take a specific circumstance and expect people to talk about—

Ms Julie Bishop—I raise a point of order under standing order 85. This is irrelevant; it is tedious repetition. I ask that the member be directed to discontinue his speech.

The DEPUTY SPEAKER—I call standing order 85 to the attention of the member for McMillan:

The Speaker, or the Chair, after having called the attention of the House, or of the Main Committee, to the conduct of a Member, who persists in irrelevance, or tedious repetition either of his or her own arguments, or of the arguments used by other Members in debate, may direct the Member to discontinue his or her speech

I have given the member for McMillan so much leeway that I ask him to cease his speech. I now call the next speaker, the member for Flinders.

Mr Zahra interjecting—

The DEPUTY SPEAKER—I call the member for Flinders.

Mr Zahra—It is a disgrace—

The DEPUTY SPEAKER—I ask the member for McMillan to desist unless he wishes to make a point of order.

Mr HUNT (Flinders) (12.18 p.m.)—I am delighted to speak on the [Family and Community Services Legislation Amendment Bill 2002](#) and I congratulate the previous speaker on his finely nuanced analysis in the detailed text of the speech.

This bill comes in the context of what may well turn out to be some of the most significant reforms to family and community services legislation within Australia, and in particular to the relationship between carers and their children and the acceptance and acknowledgment of that within law and under the rules of the state.

Within that context of a generational change and reform process which is currently under way, this particular bill gives effect to policy changes by making alterations to the legislation governing social security law and family assistance within the family and community services portfolio. In particular, there are five primary beneficiaries of the reforms contained within this amendment. The first is children and disabled veterans or war widows who receive federal tax benefits. The second is handicapped citizens who apply for and receive mobility allowance. The third is bereaved carers, and a number of people whom I am close to have, sadly, fallen into that category in recent times. The fourth is members or widows of members of the armed forces or peacekeeping forces who receive pensions. The fifth is those who have been inadvertently excluded from accessing the federal tax benefit advances. These reforms will work to advance the case of these five groups of beneficiaries. The reforms will also have a systemic effect beyond the advancement, enhancement and improvement of individual benefits.

In particular, it will seek to lend the social security system more integrity by preventing: one, double-dipping by Austudy recipients; two, the double counting of child maintenance expenditure; and, three, the payment of mobility allowances to persons in jail who by definition have no need to receive such an allowance.

The secondary purpose of this bill is to make several minor amendments to other acts. When you take these measures together, the combined effect is twofold: to expand the range of benefits to people within those categories and to create a clearer, more consistent, more equitable and more effective legislative package in the area of family services.

I wish to address this bill in two parts: firstly, by providing the context within which it falls—to analyse the background of the range of reforms which have occurred under the Howard government over the last six years in the area of family services—and, secondly, by identifying the policy provisions which are addressed within the legislation.

In looking at the general improvements, we find a series of reforms which have gone to addressing the range of beneficiaries and the nature of benefits while also ensuring that it is only those who are genuinely entitled who actually are able to claim that entitlement. Where there is a breach and where people are claiming for more than they are entitled to, that has an impact on the integrity of the system and, moreover, it has an impact on the capacity of the system to meet the needs of those who genuinely have the needs.

Perhaps most importantly, the present government has introduced a fairer tax system recognising the costs of raising children. Government expenditure will have increased by approximately \$2 billion a year over the life of the government. By the time the next financial year, 2002-03, is completed the government will have provided an estimated \$18.872 billion in assistance to families through the family tax benefit, through the child-care benefit, through the parenting payment, through maternity allowance and through the immunisation allowance. When you take these together, you see a significant improvement within the child-care area. Child-care assistance and the child-care rebate have been combined into one simplified child-care benefit.

Significantly, from 1 July 2000 families have been able to claim the new first child tax refund. On top of that, it is expected that expenditure on the new baby bonus will grow proportionately over the next few years from \$85 million in 2002-03 to \$510 million in 2005-06. That is a recognition of the value of the role carried out by the mother. This benefit is being extended to mothers. Previously they were denied benefits in many cases. So it is a great step forward.

In all of these things it is an incremental process. As societal resources become available, we are able to share them, and things which were impossible and unimaginable two generations ago are now in place through legislation such as this. Significantly, around two million Australian families with 3½ million children will have benefited from the family tax benefit, and this is the vast majority of Australian families who actually have dependent children.

The government also provides other assistance to families, such as family relationship, parenting and other support services. These services go to helping address the social concerns—the challenges—faced by families across many of the most challenging social strata in society. Ultimately, this bill is important as it essentially widens the scope of those initiatives which have occurred over the last seven years. It does this in particular by extending the benefits available to families, the disabled, children and veterans. While the bill in many respects is largely technical, it does make it more consistent and clearer and improves access to social security payments.

In addressing the particular provisions I want to work through each of the policy areas. Firstly, the bill addresses the need for flexibility and sensitivity when dealing with handicapped citizens. In particular, item 43 of schedule 1 repeals and replaces section 1035 of the Social Security Act. What this does at a very practical level is make the mobility allowance criteria more flexible by firstly requiring a handicapped person to be engaged in approved activities for at least 32 hours per four-week period as opposed to eight hours weekly. It gives them the chance to group and organise their lives as they see fit.

The bill recognises any combination of gainful employment, voluntary work and vocational training as qualifying for the allowance, whereas the previous legislation only accepted a combination of employment and training and therefore excluded and did not value the great work done by many people with serious mobility issues in relation to voluntary services. So the legislation gives citizens with physical handicaps much greater flexibility. That is a tremendous step forward.

Secondly, the legislation also acts to strengthen the integrity of the social security system. In particular, it ensures that Austudy is not payable if a person is a participant in the Community Development Employment Projects scheme. It does this to prevent double-dipping. While people in each group are genuine, have great needs and show great bona fides, where somebody is attempting to benefit under both schemes that is an attempt to double-dip and is at the expense of the needs of others.

Thirdly, this bill acts to ensure carers of the recently bereaved are compensated for the effect of the GST. That is a very important step: the carers who have just lost somebody, who have expended a good deal of their life's effort, are recognised for the work that they have carried out on behalf of others. In particular, item 114 of schedule 1 amends section 236A(3) of the principal act and it does that by providing a four per cent increase in the rate of social security payments effective from 1 July 2000 to compensate for the effect of the GST. It in-

corporates that into the calculation process when determining the value of a lump sum which is a bereavement payment for carers. Significantly, it includes the cost of the GST into the lump sum for carers who have lost their partner. That is very important, fair and reasonable recognition of the service given by carers.

Fourthly, the bill remedies the disadvantage incurred by recipients of family tax benefit and child-care benefit. That again is an important step forward. In particular, items 78 and 79 of schedule 2 amend the definition of 'tax free pension or benefit' to include pensions payable to a member of the forces or peacekeeping forces or to a widow or widower of a deceased member. So that again is an extension of the services available.

Finally, the bill ensures that provisions of A New Tax System (Family Assistance) (Administration) Act 1999 are equitable. It does this by correcting any unintended consequences, in particular those which resulted in some customers being excluded from entitlement to a family tax benefit advance. So it expands the category of people who are entitled to a family tax benefit advance.

Ultimately, this bill falls within the context of a review, which may turn out to be the most significant in generations, of the relationship between mothers and children, of carers and of the full range of relationships between work and family. That work, which is to be carried out over the next year, will I believe see a great step forward in the recognition of maternity needs and the compensation for those within our society. I am delighted not only to endorse the specific provisions outlined in this bill but also to endorse the general process of reform and review which is currently being conducted. I commend the bill and I commend the broader review process to the House.

Debate (on motion by **Mr Mossfield**) adjourned.

ADJOURNMENT

Motion (by **Mr Neville**) proposed:

That the Main Committee do now adjourn.

Cricket

Mr LATHAM (Werriwa) (12.30 p.m.)—As a boy I was mad about cricket and was lucky enough to grow up during the Chappell era, as our national team became the world's best. I have always admired Ian Chappell, not only as a wonderful batsman and captain but also as a man of great principle and conviction. Recently he did what few others would dare to do: he criticised Don Bradman for his mean-spirited approach to the players' payments in the 1970s, something which led to the formation of World Series Cricket. This is part of an important national debate now under way reassessing Don Bradman—not his incredible achievements as a batsman but rather his actions and character off the field.

In truth, I believe the Prime Minister, Mr Howard, has erred in trying to politicise the Bradman legend, building up false expectations about Bradman the man, and trying to claim him for the Liberal Party. Not surprisingly, others have had to step in and put the Bradman record in the right perspective. They have had to stop the Prime Minister from rewriting history. Ian Chappell has played a role, as has Brett Hutchins in his excellent new book *Don Bradman: Challenging the Myth*. While this process may be hurtful to the Bradman family, it is necessary in the name of historical accuracy. Like the rest of us, Bradman had his personal and character flaws—in particular, strained family relationships, questionable business deals

and the odd burst of sectarianism. The Prime Minister has gone too far in politicising Bradman's memory and, with the inevitable correction of the record, has brought some distress and grief to the Bradman family and the Bradman Foundation.

My primary concern today, however, is the way Ian Chappell has been pushed off the commentary team for the World Cup, now under way in South Africa. Last year he was bold enough to criticise the Chief Executive of the International Cricket Council, Malcolm Speed. In the circumstances, I believe that Chappell was perfectly justified in speaking his mind. Last August, Speed dropped a bucket on the players from India and Sri Lanka, who have been holding out for a better deal on individual sponsorships, when he said they had to choose between cash and country. Ian Chappell could have gone for the jugular and pointed out that the reason our cricketers are being asked to put their safety at risk in Zimbabwe is that the ICC has to choose between cash and player safety—and has chosen the cash. The ICC would rather risk player safety by playing in Zimbabwe than risk its broadcasting rights money from the Global Communications Corporation by changing the fixtures. In a column in the *Hindustan Times* last September, Chappell made this sensible point:

Mr Speed has earned a substantial income and enjoyed a comfortable lifestyle in recent times courtesy of the skill and entertainment value of the players, including those he is lecturing.

As a result, Malcolm Speed told the host broadcasters that Ian Chappell is not welcome at the World Cup. I believe this to be a petty action—indeed, quite pathetic. So now Chappelli is sitting at home hosting the Channel 9 coverage from its Sydney studio. Ian Chappell scored a fighting half century in the first World Cup final in 1975, and only a run-out from the great Viv Richards stopped him from winning the match for Australia. I do not know where Malcolm Speed was that day, but he certainly was not out there at Lord's with a baggy green cap on, putting his country first. Chappelli is just the latest victim of the establishment's civility correctness—the latest fair-dinkum Aussie to pay a price for telling it like it is. Indeed, the establishment is waging its own battle against good old-fashioned Australian larrikinism.

So, when the World Cup final is played, Malcolm Speed will be in the corporate box at the New Wanderers Stadium in Johannesburg, John Howard will be watching at Kirribilli on the big screen plasma television, and this legend of Australian sport—Ian Chappell—will be sitting in a Willoughby studio, pushed aside by a dictatorial cricket administrator. As a parliament, we should always support freedom of speech and the rights of Australian citizens. Maybe these principles need to be written into the laws governing Australian sport, placing appropriate checks and balances on the excesses of people like Malcolm Speed.

Environment: Kurnell Peninsula

Mr BAIRD (Cook) (12.34 p.m.)—I rise today in regard to the announcement last week by the New South Wales Premier to have the last remaining sandhill on the Kurnell Peninsula heritage listed. This is a welcome announcement. For almost 200 years, the Kurnell Peninsula has been stripped bare of its natural vegetation and fauna, exploited for its sand and used for a variety of things. It received periods of international attention as the location for the film *40,000 Horsemen*. Now its unique character should be preserved. It adjoins the heritage area of the landing place of Captain Cook, which has also been somewhat neglected in past times. At last attention is being given to this matter.

The area that is being given heritage listing is a place of recreation for the Sutherland Shire, and many people from the south-west of Sydney visit the area. It adjoins the magnificent

beaches of Bate Bay and in particular Wanda, which is the closest adjoining area. Residents in my electorate value this area highly and place a high importance on its preservation. In fact, many people living in the Sutherland Shire fondly remember the days in their youth when they slid down the more impressive sand dunes that were previously there.

The irony of this issue is that, over the last seven years since the Carr government came to power, this particular government has done very little for the Kurnell Peninsula. The local community wanted to see the preservation of sandhills in the peninsula and wanted control over the peninsula's destiny. In response, the New South Wales planning minister, Dr Refshauge, stripped all the powers away from the council—it was proposing to reject a housing proposal at that stage—and so the peninsula's destiny is now locked behind the walls in Macquarie Street.

The proposal has been sitting on the desk of Dr Refshauge for over three years. The powers have been taken away from the council. The council said that they did not want any housing development in this area. So what we have at the moment is this mirrors and thimbles trick with the Premier coming down and saying, 'Look what great things I'm doing for the Kurnell Peninsula. I'm providing a heritage listing'—without revealing at the same time that what he did three years ago was strip the council of their ability to reject the 500-house proposal for that area. He has not publicly declared that Australand, which are putting this proposal up, have been a major contributor to his funds and are listed publicly.

On the one hand, the Premier is saying that he is a great environmentalist saving the area but, on the other hand, we will have rape and pillage of the area in a major way. We have the election coming up. The Premier has said nothing on the matter for years. Within weeks of the election, he comes out to make this announcement—he is suddenly discovering it. Dr Refshauge has said that he is having an overall review. Who is doing the review of this proposal? None other than his own department. That is great independence. I am sure they will say, 'Yes, Minister, we agree. The Australand proposal should go ahead.' He can then tell all of these very nice people at Australand, who have been so generous with their donations to the Labor Party, 'It's all right, mate, we'll fix it up. Just wait till the election. She'll be right, mate. We'll do this mirror and light trick with the heritage proposal and make people think that we are doing something significant with this proposal.' In fact, this proposal for the heritage site is owned by a private, separate company at the moment.

If the government were genuine about trying to do something about the Kurnell Peninsula—and they have only discovered it because they have two sensitive marginal seats in the area—they would immediately stop all sandmining in the area, announce publicly that the Australand proposal for the 500 homes is not going ahead and then have an independent consultant on the environment say what should happen in this area. We have here political gamesmanship and hypocrisy at their worst. This is not about the environment. It is basically putting up a smokescreen to cover this major development by Australand, a company which is one of the major funders of the Labor Party.

Rail: Safety

Mr BRENDAN O'CONNOR (Burke) (12.39 p.m.)—I rise because there are some important issues that I wish to touch on today that have some bearing on some of my constituents. In Melbourne last Monday week, there was a freakish train accident where a driverless train managed to proceed along the railway bound for Spencer Street. Fortunately, there were

no fatalities; indeed, accidents were averted until the train got to Spencer Street. However, the out of control train did collide head-on with a stationary train that was bound for Bacchus Marsh, which is part of my electorate. There were passengers on that train. The *Herald Sun* ran a small story about the driver, who managed to jump out just in time. His carriage was destroyed entirely as a result of this quite freakish occurrence.

My concern went, of course, to everyone on the train. There were a number of people injured who are residents of Bacchus Marsh, and I have made an attempt to contact them. There were a few bone fractures, which is an awful thing to have happened to those people, but I suppose things could have been a lot worse; indeed, there could have been fatalities. I think, therefore, it is incumbent upon the proper authorities to investigate the accident that occurred. There needs to be an examination of how a train could run along a rail for 17 kilometres driverless. Indeed, there are some questions that go to the impact at Spencer Street—why the passengers and the driver were not alerted of the train approaching.

I have been in touch with Steven Bradford of Great Southern Railway. The Overland was on another platform at the time. Certainly that could have been the train that was hit by the runaway train. Fortunately, it was not, as there were more passengers on that train. I also want to record my appreciation for the staff of Great Southern Railway who were on the train at the time and who attended to the casualties on the train that was hit.

In discussing this matter with Steven Bradford he indicated that he believed that the state government has done the right thing in referring the matter to the national authority for rail accidents and not having it considered by the state authority. He believes that the national authority will investigate the matter properly. Hopefully, there will be some lessons learned from that examination. Certainly the residents of my electorate, those who live in Bacchus Marsh, who were injured and their families want to know how that could have occurred.

Catherine King, the member for Ballarat, and I—our electorates share the municipality of Mooroolbool—have both written to the state government, and we are intending to keep an eye on this matter and wait for the answers from the inquiry so we can judge whether things can be done to ensure that this does not happen again. It is clearly important that the review is done expeditiously, that there is a thorough examination of the facts, that the conclusion is drawn quickly and that the results are provided publicly so that those people affected—and those who may have been affected if it had been on the other platform—can find out how something like that could have occurred.

Australian Population: Downshifting

Mr ROSS CAMERON ([Parramatta—Parliamentary Secretary to the Minister for Family and Community Services](#)) (12.44 p.m.)—In January, during the quiet holiday month of the year, a report was released by the Australia Institute's executive director Clive Hamilton and one of its researchers, Elizabeth Mail, titled *Downshifting in Australia: a sea-change in the pursuit of happiness*. The 'sea-change' referred in part to the series of the same name which was run, with great success, on the ABC. *SeaChange* was about an idyllic small community in a fishing village some distance from a great metropolis, in which a collection of interesting individuals had not quite opted out of life but had chosen a quieter, more tranquil, more peaceful life. They had created a space within which to pursue the deeper meanings and purposes of life, relationships and other such important things.

In the report, the researchers pointed out that the *SeaChange* ideal, which seemed to strike such a strong chord with the viewing audience in Australia, is being reproduced in the population as a whole. The phenomenon of downshifting is defined by the researchers as making a voluntary long-term lifestyle change which involves accepting significantly less income and consuming less. Individual Australians and Australian families are deciding that there are more important things in life than the ceaseless pursuit of either material prosperity or material security.

It is fascinating that a survey showed that many Australians—in fact, two-thirds of all those surveyed—said that they do not have enough money to buy everything they really need. The curious thing about that is that the survey was done at a time when Australians are richer in terms of disposable income than they have ever been in our history. The researchers suggest that Australians today are three times better off than their parents were in the 1950s, yet we have this phenomenon of a majority of people saying that they do not have enough money to afford the things they really need. At the same time, 83 per cent of Australians surveyed by Newspoll for the researchers agreed that Australian society today is too materialistic, with too much emphasis on money and not enough on the things that really matter.

What we are seeing is a dichotomy and a tension in the expectations of average Australian citizens between having a strong conviction that they need more money to buy the things they really need and at the same time saying that we are too obsessed and too preoccupied with material prosperity—and a majority of 83 per cent said that. The researchers also found that, in the last 10 years, nearly a quarter of Australians had made a deliberate personal decision which satisfied the definition of a downshifter—they had deliberately made a choice to deprive themselves of their current income in order to free up more time. The principal motivations were to spend more time with their family or to spend more time pursuing things broadly described as ‘self-fulfilment’.

The other interesting aspect of the survey was that the overwhelming majority of those who identified as downshifters indicated that they were happy with the decision they had taken. Interestingly, they were not saying that they were dropping out of society or that they were joining some social movement; they were simply saying that as individuals they realised that they were too obsessed and too preoccupied with the rat-race. As somebody said, the problem with the rat-race is that, even if you win, you are still a rat. I think many Australians feel that sense of alienation with their true self which comes from getting onto that never-ending treadmill. As the Parliamentary Secretary to the Minister for Family and Community Services, I regard these decisions to spend time with family, to spend time with children, as positive developments in the Australian psyche and culture. (*Time expired*)

Griffith Electorate: Bulk-Billing

Mr RUDD (Griffith) (12.49 p.m.)—I wish to address the continued deterioration in bulk-billing services in my electorate of Griffith on Brisbane’s south side. Last year I spoke in this place about the problem of bulk-billing. Less than 12 months on, I have to report that the problem is now endemic across my entire electorate. In September my office conducted a survey of 39 doctors across the Griffith electorate. Twenty-seven said they were offering bulk-billing. Some five months later, residents are calling my office saying that this figure is a misrepresentation. Why? Because the real percentage of practitioners now prepared to bulk-bill is far lower. This morning, my office put these calls to the test by conducting a survey of 20

doctors' surgeries in my electorate. It found seven of the clinics contacted offered no bulk-billing services whatsoever; seven only offered bulk-billing to pensioners; and the remaining six offered general bulk-billing services.

One of the faces of this story is that of Mrs Hayes, a pensioner who lives in Camp Hill in Brisbane. Mrs Hayes's situation is similar to that of many who approach my office. Before this year, Mrs Hayes had used the same local doctor's surgery for 12 years. She had a doctor who she knew and trusted located somewhere that was a short walk away whenever she needed medical attention. When this clinic ceased its bulk-billing service, Mrs Hayes was forced to go elsewhere. In her own words, Mrs Hayes is struggling to keep her head above water at the best of times. So you can imagine what happens to her weekly budget when she has to make her way via taxi to and from the nearest bulk-billing practice two suburbs away. The worst thing for Mrs Hayes now is that, like many others, she cannot afford to go to the doctor every time she needs to. Mrs Hayes told my office that most of the time when she gets sick now she just has to grin and bear it until such time as she can afford to see someone.

But the problem does not stop here. Doctors in my electorate are also facing tough times. Dr Paul Mercer of Wakeley summed up the situation in a letter to the federal Minister for Health and Ageing, Senator Kay Patterson, which he also sent to my office. It reads:

Dear Minister,

I am writing as a GP who is putting up the white flag, so to speak, on bulk-billing. As a general practice principal, I have been involved in full-time general practice since 1983. It is with serious regret and disappointment that I call a halt to bulk-billing. I believe that this decision has been brought about by two important factors: (1) a chronic underresourcing of general practice funding such that it is now quite unviable to run a small business without working in an excessive fashion. Indeed, I have recently been quite unwell, after working very hard over the last few years. I would attribute my illness in significant part to this work pressure. (2) Apart from the financial constraints imposed on general practice, workforce shortage is an additional burden. While I have worked hard for many years and have also contributed significantly to the development of general practice in Australia, taking appropriate holidays has been hamstrung by a lack of suitable and affordable locums.

I believe it is time to address health care funding as a national priority. Health is an asset for our nation. Balancing the nation's health status should carry equal importance to balancing our budget, as should education. I suspect the electoral backlash to the demise of bulk-billing will be severe, and doctors such as myself who are committed to quality outcomes in primary health care are forced into this situation. The reality of system failure is serious. The health ball is dropping. Is your government willing to catch it before it lands and shatters?

Yours sincerely

Dr Paul Mercer

In December 2001, one month after the Howard government was returned to office after the last election, a health department analysis warned the government that, beginning in late 2000-01, the rate of decline in bulk-billing had increased and that from then on bulk-billing would fall steeply, perhaps by as much as a percentage point a month; the trend to bulk-billing would be exacerbated over the coming months; and, without significant intervention, bulk-billing rates would continue to fall further again. In the September quarter, bulk-billing fell by 2.7 per cent across Australia in the three months since June—very close to the rate of one per cent a month predicted by the federal health department in an FOI document.

According to the latest figures available for the electorate of Griffith, the rate of bulk-billing has declined from 87.8 per cent to 71.3 per cent in two years—between September 2000 and September 2002—a staggering fall of 16.5 per cent. When the December quarter figures are released, perhaps this week, a further substantial decline is expected. On the final day of parliament last year, what was the Prime Minister's response to this dilemma facing the nation—not just my electorate within the nation but the nation at large? He said:

Any suggestion that bulk-billing has disappeared or is disappearing, given the rates of bulk billing in Australia at the present time is factually incorrect.

That is from the *Hansard* of 12 December 2002. We are facing a complete crisis in bulk-billing across the Commonwealth of Australia. If the Howard government cannot address this reality now and restore bulk-billing to its universal status, we will Americanise the health system of this country.

Gilmore Electorate: Drought

Mrs GASH (Gilmore) (12.54 p.m.)—If you have ever driven from the Hume Highway through my electorate down to the coast, you would have been struck by the scenery. You pass through the townships of Wingello, Bundanoon, Exeter, Sutton Forest, Moss Vale, Fitzroy Falls and Kangaroo Valley and into Nowra; or Robertson, Jamberoo and Kiama, if you take the alternative road over the escarpment. Lush, rolling fields and picturesque rural settings give rise to a sense of longing to live there. But the scenery hides the reality of life, and none more stark than under a drought. No-one really appreciates the devastation of a drought unless they themselves have experienced it first-hand.

Every day you go outside and see the hot, dry parchment of your land. You look at your property slowly but surely running down, but you cannot afford to pay for those things necessary to keep it going. The drought does not just impact on farmers, and its effects are never direct or immediate. Over the course of the last few months I have listened to farmers affected by the drought, I have read their letters and I have spoken to businesses who service those farmers. The drought is speeding up the economic decline of rural communities, thereby accelerating population movement from the country to the city.

It seems to be a mystery to a city-centric government such as the present New South Wales government as to how they should respond. According to the New South Wales Farmers Association last year, up to 5,100 jobs could be lost in the city and up to \$2 billion could be lost to New South Wales based agricultural businesses. The 1982-83 drought cost Australia \$3 billion; yet today the farmers are talking about \$2 billion in New South Wales alone so far. All of New South Wales was granted one-off interim assistance from 9 December, and that assistance will continue until June this year, even if an area is not fully declared for exceptional circumstances support. That means that every farmer in New South Wales is eligible to apply for support of up to around \$300 a week to help put food on the table and pay for day-to-day essentials. About 1,200 farmers in New South Wales alone are already receiving assistance. The most recent Rabobank rural confidence survey for New South Wales quotes PIBA state manager Mr Patrick Lally as saying:

“Although the weather conditions have been severe, many producers have made use of Farm Management Deposits and early de-stocking to assist the drought preparedness. [Federal] Government-provided

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exceptional circumstances payments are also becoming available, and these types of initiatives and activities are likely to be contributing to the arrest in the decline of overall farmer sentiment.”

The Rabobank rural confidence survey is the first survey of its type in Australia and is assessed quarterly using an independent research organisation interviewing a panel of over 2,200 farmers throughout the country.

In all, the federal government expects to give at least \$522 million in direct assistance to drought-affected farmers in New South Wales, and this is out of a national estimate of \$900 million. It is clear from the federal government’s response to the drought that we are serious about providing support. Farmers in the Southern Highlands cannot wait until the New South Wales election for a response from Premier Carr. We need an application now. Although farmers in those areas not declared to be in exceptional circumstances still have access to welfare assistance and some interest subsidies, once exceptional circumstances are declared farmers and small business operators can access interest rate subsidies of up to \$100,000 a year.

I call on the Sydney Labor government not only to match the federal government’s commitment to New South Wales farmers but to lodge an exceptional circumstances application for the Southern Highlands immediately. Why is it taking so long? Farmers and small business operators in the Southern Highlands should not have to wait any longer. The electorate of Gilmore is still waiting for the New South Wales government to lodge an application for exceptional circumstances. The Southern Highlands district is crying out for assistance. Although I am advised that the New South Wales government is planning to submit an application for the Southern Highlands, to date we have seen nothing.

We have seen Premier Carr last week spreading untruths about the Commonwealth government’s supposed inaction on drought. Nothing could be further from the truth. Every application for exceptional circumstances assistance in New South Wales has been finalised, and that is precisely why the federal government acted before Christmas, on 9 December, to declare all of New South Wales and much of the rest of Australia eligible for one-off interim assistance. Regions included in a one-off announcement still require a full exceptional circumstances application to be lodged by their respective state government for full exceptional circumstances assistance to be granted. I call on the New South Wales government to lodge an application for the Southern Highlands in the Gilmore electorate as soon as possible.

Main Committee adjourned at 1.00 p.m.

QUESTIONS ON NOTICE

The following answers to questions were circulated:

Taxation: *Taxpack***(Question No. 40)**

Mr Murphy asked the Treasurer, upon notice, on 13 February 2002:

- (1) Has his attention been drawn to a report in The Age newspaper on 26 June 2001 titled "Tax experts declare: we are confused".
- (2) Has his attention been drawn to the comment in that report by the Tax Agents' Association President, Ray Regan that (a) this year's Taxpack is in the mail and its size and complexity has confused even the experts and (b) the Government's tax reforms had complicated the system so much that tax agents' fees would increase by 50 to 100 % this year.
- (3) Has his attention also been drawn to a similar report in The Canberra Times on 26 June 2001 titled "Post-GST Taxpack too complicated: expert".
- (4) What action is he taking to make it easier for tax agents and taxpayers to better understand this year's Taxpack.
- (5) What action is he taking to minimise the increased costs taxpayers are bearing following the introduction of the Government's recent tax reforms.

Mr Costello—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable member's question:

- (1) to (5) The size of the TaxPack has actually fallen, from 144 to 128 pages. The TaxPack for retirees and the TaxPack Supplement are the same size as last year. For most people, it is only necessary to fill out questions such as those relating to salary and wages, interest, work related deductions, gifts or donations and the private health insurance rebate and spouse rebate (where appropriate).
Every year the Australian Taxation Office evaluates TaxPack, market researches new changes, and undertakes testing through the 'TaxPack advisory panel' and external stakeholders such as other government agencies and key community groups. This practice of consultation was continued for TaxPack 2001.

Roads: Black Spot Program**(Question No. 331)**

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 14 May 2002:

- (1) What criteria have been used to select roads for funding under the Black Spot programme since 1996.
- (2) Who have chaired the relevant State and Territory Black Spot Panels.
- (3) Where and what sum of Black Spot funding has been granted in each (a) municipality or shire and (b) House of Representatives electoral division.
- (4) In relation to Black Spot funding in federal electoral divisions, which party held the particular electoral division at the time any grant was made.

Mr Anderson—The answer to the honourable member's question is as follows:

- (1) The Programme's Notes on Administration require the Minister to take into account the following factors:
 - whether the project is eligible;
 - economic benefits of the project;
 - the funds available for urban and rural projects;
 - the funds available for hazardous locations for which an official road safety audit report has been obtained;

- contributions to the project from sources other than the Commonwealth;
- whether the expected Commonwealth commitment to a project is less than \$500,000;
- whether the project can be completed within the timeframe of the Programme; and
- whether the state has maintained its own spending on black spot projects.

The Notes on Administration's eligibility criteria specify a crash history of:

for discrete sites (eg, an intersection, mid-block or short road section) the minimum eligibility criterion will be a history of at least 3 casualty crashes in any one year, or 3 casualty crashes over a three-year period, 4 over a four-year period, 5 over a five-year period, etc.

for road lengths the minimum eligibility criterion is an average of 0.2 casualty crashes per kilometre per annum over the length in question measured over 5 years or the length must be amongst the top 10% of sites identified in each state which have an identified higher crash rate than other roads.

In addition, up to 20% of programme funds are available for the treatment of sites, lengths or areas which may not meet the above crash history criteria, but which have been recommended for treatment on the basis of an official road safety audit report.

(2)

State or Territory	Consultative Panel Chairmen
New South Wales	Hon Michael Ronaldson MP Cr Bill Bott (deputising for the Hon Michael Ronaldson MP) Senator Sandy Macdonald Hon Ian Causley MP
Victoria	Hon Michael Ronaldson MP Hon Stewart Macarthur MP
Queensland	Senator William O'Chee Mr Paul Neville MP
Western Australia	Senator Winston Crane
South Australia	Senator Alan Ferguson
Tasmania	Senator the Hon Brian Gibson
Australian Capital Territory	Senator the Hon Margaret Reid
Northern Territory	Hon Nicholas Dundas MP Senator the Hon Grant Tambling

- (3) Details of location and sum of Black Spot funding granted since 1996 have been provided to Mr Ferguson and are available from the House of Representatives Table Office.
- (4) Details of which political party held the electoral division at the time Black Spot funding was granted is not maintained.

Australian Taxation Office: Auditing Functions

(Question No. 396)

Mr Murphy asked the Treasurer, upon notice, on 12 June 2002:

- (1) Was it stated during the Ministers address at the Post-Budget breakfast address at the Westin Hotel on 15 May 2002, that there is an estimated increase of \$300m for auditing functions of the Australian Taxation Office (ATO); if not, what is provided in the 2002-2003 Budget for auditing functions within the ATO.
- (2) Has an estimated \$39m been allocated for 3000 additional personnel for auditing functions; if not, what is the allocation in the 2002-2003 Budget for additional auditing personnel, if any.
- (3) If no sum is allocated, will funds be allocated for this additional capacity by the ATO; if not, why not.
- (4) What part of this budget goes towards collection of moneys from corporations.
- (5) Is the Minister able to say whether revenue moneys collected from media corporations represent the correct amount of company tax; if so, what revenue was collected from (a) PBL Limited, (b) News Corporation and (c) John Fairfax Holdings Ltd in 2001-2002.

Mr Costello—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable member's question:

- (1) to (4) The expense measures adopted in the 2002-03 Budget, as a result of an independent pricing review of the Australian Taxation Office (ATO), will enhance the integrity of tax administration. The measures will improve service levels, help in achieving further gains in voluntary compliance, and result in additional taxation revenue through enhanced debt collection and compliance activity.

In addition, the independent pricing review identified large business compliance and small business (income tax and fringe benefits tax) field services as areas warranting further investment. Additional funding for large business compliance activities, including research, advice, education, revenue management and active compliance, will result in increased taxation revenue. Increased funding for small business field service will improve the advisory services provided to small businesses, enhance the ATO's capacity to identify emerging risks and assist in improving compliance behaviour.

The expense measures adopted are set out on page 162 of Budget Paper No. 2 2002-03.

Under the Inter-governmental Agreement on the Reform of Commonwealth-State Financial Arrangements, all GST revenue is provided to the States and Territories (the States) and collected on their behalf on a fee for service basis by the ATO.

The Commonwealth and the States at the Ministerial Council meeting of 22 March 2002 agreed additional funding will be provided to the ATO to manage greater than anticipated GST workloads and to enhance small business (goods and services tax) field services and compliance capabilities (identified by the pricing agreement as an area warranting further investment). The States pay the Commonwealth for these costs, and details are set out on page 28 of Budget Paper No. 2 2002-03.

- (5) The ATO monitors, analyses and audits these entities as part of its large business compliance program. Providing confidential taxpayer information, including the amount of tax paid, would be inconsistent with the strict secrecy provisions of the taxation laws.

Taxation: Overdue Debt

(Question No. 670)

Mr Murphy asked the Treasurer, upon notice, on 19 August 2002:

Has the number of taxpayers who have overdue debts with the Australian Taxation Office (ATO) increased since the introduction of the Goods and Services Tax and the Pay As You Go tax system; if so, can he provide comparative details, including the percentage increases, in relation to (a) the number of taxpayers with an overdue debt with the ATO as at 1 July (i) 2000, (ii) 2001 and (iii) 2002 and (b) the total amount of overdue debt as at 1 July (i) 2000, (ii) 2001 and (iii) 2002.

Mr Costello—The Minister for Revenue and Assistant Treasurer has provided the following answer to the honourable member's question:

The Honourable Member is referred to the Commissioner of Taxation's Annual Report 2001-2002, at pages 39 to 41.

Arts and Sport: Staffing

(Question No. 815)

Mr Martin Ferguson asked the Minister representing the Minister for the Arts and Sport, upon notice, on 20 August 2002:

- (1) How many (a) full time permanent staff, (b) part time permanent staff, (c) full time contract staff and (d) part time contract staff were employed by (i) the Minister's Department and (ii) agencies within the Minister's portfolio as at (A) 30 March 1996 and (B) 30 June 2002.
- (2) For each category of engagement referred to in part (1) and employed by (a) the Minister's Department and (b) agencies within the Minister's portfolio, where were such persons located in (i) 30 March 1996 and (ii) 30 June 2002.

Mr McGauran—The Minister for the Arts and Sport has provided the following answer to the honourable member's question:

- (1) (a) The information sought by the honourable member in relation to part (a) and part (2)(i) of his question is not readily available and I am not prepared to authorise the use of the resources that would be required to provide that information.

I am able to inform the honourable member, however, that data on APS staffing as at 30 June 1996 is contained in the Australian Public Service Statistical Bulletin 1995-1996 which is publicly available.

The honourable member should be aware, however, that changes in APS functions and administrative arrangements between 1996 and 2002 may render direct comparisons between the data for those years invalid.

- (2) (i) See (1) (a) above.

The following portfolio agencies have answered parts (1) (a), (b) (c) (d) (i) and (ii) as at 30 June 2002; and (2) (a) and (b) as at (ii) 30 June 2002 of the honourable member's question;

Department of Communications, Information Technology and the Arts,

Australia Council,

Australian Film Commission,

Australian Film Television and Radio School,

Film Australia,

Film Finance Corporation,

Australian National Maritime Museum,

National Archives of Australia,

National Library of Australia,

National Gallery of Australia,

National Museum of Australia,

Bundanon Trust,

Australian Business Arts Foundation,

Australian Sports Drug Agency,

Australian Sports Commission,

(1) Department of Communications, Information Technology and the Arts

(1)(a)(i)(B)	665	Full time permanent staff were employed by the Minister's Department as at 30 June 2002
(1)(b)(i)(B)	80	Part time permanent staff were employed by the Minister's Department as at 30 June 2002
(1)(c)(i)(B)	135	Full time contract staff were employed by the Minister's Department as at 30 June 2002
(1)(d)(i)(B)	104	Part time contract staff were employed by the Minister's Department as at 30 June 2002

Agencies

Australia Council (AC)		
(1)(a)(ii)(B)	87	Full time permanent staff were employed by the AC as at 30 June 2002
(1)(b)(ii)(B)	5	Part time permanent staff were employed by the AC as at 30 June 2002
(1)(c)(ii)(B)	52	Full time contract staff were employed by the AC as at 30 June 2002
(1)(d)(ii)(B)	3	Part time contract staff were employed by the AC as at 30 June 2002
Australian Film Commission (AFC)		
(1)(a)(ii)(B)	26	Full time permanent staff were employed by the AFC as at 30 June 2002
(1)(b)(ii)(B)	9	Part time permanent staff were employed by the AFC as at 30 June 2002
(1)(c)(ii)(B)	20	Full time contract staff were employed by the AFC as at 30 June 2002
(1)(d)(ii)(B)	7	Part time contract staff were employed by the AFC as at 30 June 2002
Australian Film, Television and Radio School (AFTRS)		
(1)(a)(ii)(B)	42	Full time permanent staff were employed by the AFTRS as at 30 June 2002
(1)(b)(ii)(B)	8	Part time permanent staff were employed by the AFTRS as at 30 June 2002

(1)(c)(ii)(B)	68	Full time contract staff were employed by the AFTRS as at 30 June 2002
(1)(d)(ii)(B)	67	Part time contract staff were employed by the AFTRS as at 30 June 2002
National Museum of Australia (NMA)		
(1)(a)(ii)(B)	109	Full time permanent staff were employed by the NMA as at 30 June 2002
(1)(b)(ii)(B)	29	Part time permanent staff were employed by the NMA as at 30 June 2002
(1)(c)(ii)(B)	63	Full time contract staff were employed by the NMA as at 30 June 2002
(1)(d)(ii)(B)	25	Part time contract staff were employed by the NMA as at 30 June 2002
Film Australia		
(1)(a)(ii)(B)	43	Full time permanent staff were employed by the Film Australia as at 30 June 2002
(1)(b)(ii)(B)	2	Part time permanent staff were employed by the Film Australia as at 30 June 2002
(1)(c)(ii)(B)	-	Full time contract staff were employed by the Film Australia as at 30 June 2002
(1)(d)(ii)(B)	-	Part time contract staff were employed by the Film Australia as at 30 June 2002
Film Finance Corporation (FFC)		
(1)(a)(ii)(B)	31	Full time permanent staff were employed by the FFC as at 30 June 2002
(1)(b)(ii)(B)	-	Part time permanent staff were employed by the FFC as at 30 June 2002
(1)(c)(ii)(B)	-	Full time contract staff were employed by the FFC as at 30 June 2002
(1)(d)(ii)(B)	-	Part time contract staff were employed by the FFC as at 30 June 2002
National Gallery of Australia (NGA)		
(1)(a)(ii)(B)	168	Full time permanent staff were employed by the NGA as at 30 June 2002
(1)(b)(ii)(B)	19	Part time permanent staff were employed by the NGA as at 30 June 2002
(1)(c)(ii)(B)	40	Full time contract staff were employed by the NGA as at 30 June 2002
(1)(d)(ii)(B)	68	Part time contract staff were employed by the NGA as at 30 June 2002
Australian National Maritime Museum (ANMM)		
(1)(a)(ii)(B)	83	Full time permanent staff were employed by the ANMM as at 30 June 2002
(1)(b)(ii)(B)	13	Part time permanent staff were employed by the ANMM as at 30 June 2002
(1)(c)(ii)(B)	9	Full time contract staff were employed by the ANMM as at 30 June 2002
(1)(d)(ii)(B)	8	Part time contract staff were employed by the ANMM as at 30 June 2002
National Library of Australia (NLA)		
(1)(a)(ii)(B)	399	Full time permanent staff were employed by the NLA as at 30 June 2002
(1)(b)(ii)(B)	31	Part time permanent staff were employed by the NLA as at 30 June 2002
(1)(c)(ii)(B)	46	Full time contract staff were employed by the NLA as at 30 June 2002
(1)(d)(ii)(B)	22	Part time contract staff were employed by the NLA as at 30 June 2002
National Archives of Australia (NAA)		
(1)(a)(ii)(B)	317	Full time permanent staff were employed by the NAA as at 30 June 2002
(1)(b)(ii)(B)	24	Part time permanent staff were employed by the NAA as at 30 June 2002
(1)(c)(ii)(B)	35	Full time contract staff were employed by the NAA as at 30 June 2002
(1)(d)(ii)(B)	59	Part time contract staff were employed by the NAA as at 30 June 2002
Bundanon Trust (BT)		
(1)(a)(ii)(B)	5	Full time permanent staff were employed by the BT as at 30 June 2002
(1)(b)(ii)(B)	4	Part time permanent staff were employed by the BT as at 30 June 2002
(1)(c)(ii)(B)	-	Full time contract staff were employed by the BT as at 30 June 2002
(1)(d)(ii)(B)	4	Part time contract staff were employed by the BT as at 30 June 2002
Australian Business Arts Foundation (ABAF)		
(1)(a)(ii)(B)	12	Full time permanent staff were employed by the ABAF as at 30 June 2002
(1)(b)(ii)(B)	3	Part time permanent staff were employed by the ABAF as at 30 June 2002
(1)(c)(ii)(B)	4	Full time contract staff were employed by the ABAF as at 30 June 2002
(1)(d)(ii)(B)	2	Part time contract staff were employed by the ABAF as at 30 June 2002
Australian Sports Drug Agency (ASDA)		
(1)(a)(ii)(B)	40	Full time permanent staff were employed by the ASDA as at 30 June 2002
(1)(b)(ii)(B)	2	Part time permanent staff were employed by the ASDA as at 30 June 2002
(1)(c)(ii)(B)	1	Full time contract staff were employed by the ASDA as at 30 June 2002
(1)(d)(ii)(B)	1	Part time contract staff were employed by the ASDA as at 30 June 2002
Australian Sports Commission (ASC)		
(1)(a)(ii)(B)	245	Full time permanent staff were employed by the ASC as at 30 June 2002

(1)(b)(ii)(B)	22	Part time permanent staff were employed by the ASC as at 30 June 2002
(1)(c)(ii)(B)	72	Full time contract staff were employed by the ASC as at 30 June 2002
(1)(d)(ii)(B)	48	Part time contract staff were employed by the ASC as at 30 June 2002

(2) Department of Communications, Information Technology and the Arts

(2)(a)(ii)(a)	64	Full time permanent staff employed by the Minister's Department as at 30 June 2002 were located in	ACT
	9		
	9		NSW
	7		VIC
(2)(a)(ii)(b)	75	Part time permanent staff employed by the Minister's Department as at 30 June 2002 were located in	ACT
	4		NSW
	1		VIC
(2)(a)(ii)(c)	12	Full time contract staff employed by the Minister's Department as at 30 June 2002 were located in	ACT
	6		
	7		NSW
	2		VIC
(2)(a)(ii)(d)	10	Part time contract staff employed by the Minister's Department as at 30 June 2002 were located in	ACT
	2		
	2		NSW

Agencies

Australia Council (AC)			
2(b)(ii)(a)	86	Full time permanent staff employed by the AC as at 30 June 2002 were located in	Sydney
	1		Brisbane
2(b)(ii)(b)	5	Part time permanent staff employed by the AC as at 30 June 2002 were located in	Sydney
2(b)(ii)(c)	52	Full time contract staff employed by the AC as at 30 June 2002 were located in	Sydney
2(b)(ii)(d)	3	Part time contract staff employed by the AC as at 30 June 2002 were located in	Sydney
Australian Film Commission (AFC)			
2(b)(ii)(a)	24	Full time permanent staff employed by the AFC as at 30 June 2002 were located in	Sydney
	2		Melbourne
2(b)(ii)(b)	8	Part time permanent staff employed by the AFC as at 30 June 2002 were located in	Sydney
	1		Melbourne
2(b)(ii)(c)	14	Full time contract staff employed by the AFC as at 30 June 2002 were located in	Sydney
	5		Melbourne
	1		Brisbane
2(b)(ii)(d)	5	Part time contract staff employed by the AFC as at 30 June 2002 were located in	Sydney
	1		Melbourne
	1		Brisbane
Australian Film, Television and Radio School (AFTRS)			
2(b)(ii)(a)	42	Full time permanent staff employed by the AFTRS as at 30 June 2002 were located in	Sydney
2(b)(ii)(b)	8	Part time permanent staff employed by the AFTRS as at 30 June 2002 were located in	Sydney
2(b)(ii)(c)	64	Full time contract staff employed by the AFTRS as at 30 June 2002 were located in	Sydney
	2		Melbourne
	2		Brisbane

2(b)(ii)(d)	55	Part time contract staff employed by the AFTRS as at 30 June 2002 were located in	Sydney
	5		Melbourne
	4		Brisbane
	3		South Aus- tralia
National Museum of Australia (NMA)			
2(b)(ii)(a)	10	Full time permanent staff employed by the NMA as at 30 June 2002 were located in	Canberra
2(b)(ii)(b)	29	Part time permanent staff employed by the NMA as at 30 June 2002 were located in	Canberra
2(b)(ii)(c)	63	Full time contract staff employed by the NMA as at 30 June 2002 were located in	Canberra
2(b)(ii)(d)	25	Part time contract staff employed by the NMA as at 30 June 2002 were located in	Canberra
National Gallery of Australia (NGA)			
2(b)(ii)(a)	16	Full time permanent staff employed by the NGA as at 30 June 2002 were located in	Canberra
	7		
	1		Sydney
2(b)(ii)(b)	19	Part time permanent staff employed by the NGA as at 30 June 2002 were located in	Canberra
2(b)(ii)(c)	40	Full time contract staff employed by the NGA as at 30 June 2002 were located in	Canberra
2(b)(ii)(d)	68	Part time contract staff employed by the NGA as at 30 June 2002 were located in	Canberra
Film Australia (FA)			
2(b)(ii)(a)	41	Full time permanent staff employed by FA as at 30 June 2002 were located in	Sydney
	2		Melbourne
2(b)(ii)(b)	2	Part time permanent staff employed by FA as at 30 June 2002 were located in	Sydney
2(b)(ii)(c)	-	Full time contract staff employed by FA as at 30 June 2002 were located in	-
2(b)(ii)(d)	-	Part time contract staff employed by FA as at 30 June 2002 were located in	-
Australian National Maritime Museum (ANMM)			
2(b)(ii)(a)	83	Full time permanent staff employed by the ANMM as at 30 June 2002 were located in	Sydney
2(b)(ii)(b)	13	Part time permanent staff employed by the ANMM as at 30 June 2002 were located in	Sydney
2(b)(ii)(c)	9	Full time contract staff employed by the ANMM as at 30 June 2002 were located in	Sydney
2(b)(ii)(d)	8	Part time contract staff employed by the ANMM as at 30 June 2002 were located in	Sydney
Film Finance Corporation (FFC)			
2(b)(ii)(a)	27	Full time permanent staff employed by the FFC as at 30 June 2002 were located in	Sydney
	4		Melbourne
2(b)(ii)(b)	-	Part time permanent staff employed by the FFC as at 30 June 2002 were located in	-
2(b)(ii)(c)	-	Full time contract staff employed by the FFC as at 30 June 2002 were located in	-
2(b)(ii)(d)	-	Part time contract staff employed by the FFC as at 30 June 2002 were located in	-
National Library of Australia (NLA)			
2(b)(ii)(a)	39	Full time permanent staff employed by the NLA as at 30 June 2002 were located in	Canberra
	8		
	1		Jakarta

2(b)(ii)(b)	31	Part time permanent staff employed by the NLA as at 30 June 2002 were located in	Canberra
2(b)(ii)(c)	46	Full time contract staff employed by the NLA as at 30 June 2002 were located in	Canberra
2(b)(ii)(d)	22	Part time contract staff employed by the NLA as at 30 June 2002 were located in	Canberra
National Archives of Australia (NAA)			
2(b)(ii)(a)	20	Full time permanent staff employed by the NAA as at 30 June 2002 were located in	Canberra
	5		
	38		Sydney
	33		Melbourne
	10		Brisbane
	8		Adelaide
	6		Hobart
	9		Perth
	8		Darwin
2(b)(ii)(b)	19	Part time permanent staff employed by the NAA as at 30 June 2002 were located in	Canberra
	2		Sydney
	2		Melbourne
	1		Perth
2(b)(ii)(c)	19	Full time contract staff employed by the NAA as at 30 June 2002 were located in	Canberra
	2		Melbourne
	11		Brisbane
	1		Hobart
	1		Perth
	1		Darwin
2(b)(ii)(d)	51	Part time contract staff employed by the NAA as at 30 June 2002 were located in	Canberra
	1		Sydney
	6		Brisbane
	1		Hobart
Bundanon Trust (BT)			
2(b)(ii)(a)	3	Full time permanent staff employed by the BT as at 30 June 2002 were located in	Bundanon
	2		Sydney
2(b)(ii)(b)	3	Part time permanent staff employed by the BT as at 30 June 2002 were located in	Bundanon
	1		Sydney
2(b)(ii)(c)	-	Full time contract staff employed by the BT as at 30 June 2002 were located in	-
2(b)(ii)(d)	4	Part time contract staff employed by the BT as at 30 June 2002 were located in	Bundanon
Australian Business Arts Foundation (ABAF)			
2(b)(ii)(a)	11	Full time permanent staff employed by the ABAF as at 30 June 2002 were located in	Melbourne
	1		Sydney
2(b)(ii)(b)	2	Part time permanent staff employed by the ABAF as at 30 June 2002 were located in	Melbourne
	1		Sydney
2(b)(ii)(c)	1	Full time contract staff employed by the ABAF as at 30 June 2002 were located in	Melbourne
	1		Sydney
	1		Brisbane
	1		Perth
2(b)(ii)(d)	1	Part time contract staff employed by the ABAF as at 30 June 2002 were located in	Hobart

	1		Perth
Australian Sports Drug Agency (ASDA)			
2(b)(ii)(a)	25	Full time permanent staff employed by the ASDA as at 30 June 2002 were located in	Canberra
	5		Sydney
	5		Brisbane
	4		Melbourne
	1		Adelaide
2(b)(ii)(b)	1	Part time permanent staff employed by the ASDA as at 30 June 2002 were located in	Canberra
	1		Melbourne
2(b)(ii)(c)	1	Full time contract staff employed by the ASDA as at 30 June 2002 were located in	Canberra
2(b)(ii)(d)	1	Part time contract staff employed by the ASDA as at 30 June 2002 were located in	Canberra
Australian Sports Commission (ASC)			
2(b)(ii)(a)	23	Full time permanent staff employed by the ASC as at 30 June 2002 were located in	ACT
	5		
	4		SA
	2		QLD
	2		VIC
	2		WA
2(b)(ii)(b)	21	Part time permanent staff employed by the ASC as at 30 June 2002 were located in	ACT
	1		NSW
2(b)(ii)(c)	56	Full time contract staff employed by the ASC as at 30 June 2002 were located in	ACT
	3		SA
	6		QLD
	4		VIC
	1		WA
	2		NSW
2(b)(ii)(d)	44	Part time contract staff employed by the ASC as at 30 June 2002 were located in	ACT
	2		SA
	1		QLD
	1		NSW

Internova Travel Pty Ltd

(Question No. 1003)

Mr Murphy asked the Treasurer, upon notice, on 16 October 2002:

Further to the Minister for Employment and Workplace Relations replies to part (4) of question No. 472 (*Hansard*, 19 August 2002, page 5044) and part (3) of question No. 882, was any Government supervision or scrutiny made of the sale of Traveland to Internova, in light of what now appears to be a commercial transaction involving the sale and transfer of a strategic national travel agency to a company that was ab initio fundamentally incapable of providing that service; if so, what supervision was undertaken; if not, why not.

Mr Costello—The answer to the honourable member's question is as follows:

Traveland was placed into voluntary administration (within the meaning of Part 5.3A of the Corporations Act 2001) in September 2001. Traveland's creditors voted to sell the business to Internova under a Deed of Company Arrangement in May 2002. Under the Corporations Act 2001, such a decision is a matter for the company's creditors and not the Commonwealth. The Australian Securities and Investments Commission (ASIC) has been investigating the failure of Internova, in particular the activities of Financial Options Groups Inc Pty Ltd. In light of ASIC's ongoing investigation, it would not be appropriate to comment further.

Shipping: Foreign Vessels**(Question No. 1037)**

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 22 October 2002:

Are copies of single and continuing voyage permits issued to foreign vessels to operate in the domestic transport freight task purportedly when Australian ships are not available, published on his Departments website or the Australian Maritime Safety Authority website; if not, why not.

Mr Anderson—The answer to the honourable member's question is as follows:

Coasting Trade Permits are issued, pursuant to section 286 of the Navigation Act 1912, only when no licensed ship is available. Copies of Continuing Voyage Permits are published in the Government Gazette within 14 days of issue. Details of Single Voyage Permits and statistics of Continuing Voyage Permits are published on the Department of Transport and Regional Services' website <http://www.dotars.gov.au/>.

Shipping: *CSL Pacific***(Question No. 1067)**

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 24 October 2002:

Has the vessel *CSL Pacific* been detained by port state control while sailing under a single or continuing voyage permit; if so, (a) when, (b) what were the reasons for the detention and (c) what was the outcome of the investigation, if any.

Mr Anderson—The answer to the honourable member's question is as follows:

No.

Treasury: Staffing**(Question No. 1088)**

Mr McClelland asked the Treasurer, upon notice, on 12 November 2002:

Has the Minister's Department implemented any policies or practices to assist employees to balance work and family responsibilities; if so, what are those policies and or practices.

Mr Costello—The answer to the honourable member's question is as follows:

The Treasury Certified Agreement 2002-2004 contains a number of provisions to assist employees to balance their work and other responsibilities. The Agreement can be found on the Treasury website.

Multicultural Affairs: English Proficiency Groups**(Question No. 1107)**

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 12 November 2002:

- (1) What is the methodology used by his Department to allocate migrant source countries to its four English Proficiency (EP) groups.
- (2) How many countries are currently included in each of the four EP groups.
- (3) For the period 1996-2001, how many family stream migrants in total were there in each EP group.
- (4) Under current policies, are family stream migrants from countries in EP groups 1 and 2 disregarded for the purposes of the settlement services target group.
- (5) At the time of the (a) 1996 and (b) 2001 Census, what proportion of recent arrivals from (i) Sri Lanka, (ii) Western Samoa, (iii) Pakistan, (iv) Tonga, (v) Bangladesh and (vi) Jordan were recorded as having good English proficiency.
- (6) For each country referred to in part (5), what was the total number of (a) permanent settlers and (b) family stream migrants over the period 1996-2001.
- (7) Has his Department reviewed the classification of migrant source countries into EP groups as a result of the findings of the 2001 Census; if so, which countries have had their EP classification changed; if not, what is the timetable for doing so.

Mr Hardgrave—The answer to the honourable member's question is as follows:

- (1) The methodology used to allocate migrant source countries to EP groups is a two-stage process.
First, for each country, an EP index is calculated by my Department from Census data. It is based on the percentage of recent immigrants (those entering in the five years before the Census) born in the country who spoke English only or another language and English "Very Well" or "Well".
Second, the countries are split into four groups based on these EP indices and the need for settlement services. The EP index values that form the boundaries between each group are chosen so that countries in each group have similar requirements for settlement services. Also considered is the requirement that each group as a whole will have a different level of requirement for settlement services compared with the other groups. The rate of unemployment for recently arrived migrants is assumed to be the best indicator of settlement success. Consequently my Department compares the calculated EP indices with these unemployment rates as a guide in forming the four EP groups.
- (2) Based on the 2001 Census, there are 7 countries in the EP1 group, 164 countries or country categories in the EP2 group, 72 countries or country categories in the EP3 group and 13 countries or country categories in the EP4 group.
- (3) For each EP group, the following numbers of people were recorded as having arrived as family migrants during the period 1 July 1996 to 30 June 2001:

EP Group	Family Arrivals
1	50,495
2	16,423
3	32,739
4	16,079

- (4) Yes. Family stream migrants from countries in EP groups 1 and 2 are disregarded for the purposes of estimating the size of the target group.
- (5) At the time of the 1996 Census and the 2001 Census, the proportion of recent arrivals who were recorded as having good English Proficiency for each of the six source countries is tabulated below.

Country of Birth	1996 Census	2001 Census
(i) Sri Lanka	84.4	92.0
(ii) Western Samoa	83.7	87.7
(iii) Pakistan	83.6	85.9
(iv) Tonga	84.8	86.6
(v) Bangladesh	84.6	92.2
(vi) Jordan	80.1	82.9

- (6) The total number of permanent settlers and the number of family stream migrants who arrived during the period 1 July 1996 to 30 June 2001, and are recorded as having been born in any one of the six source countries noted in the previous question, are tabulated below.

Country of Birth	Total	Family Stream
(i) Sri Lanka	7085	2563
(ii) Western Samoa	191	170
(iii) Pakistan	1649	498
(iv) Tonga	644	601
(v) Bangladesh	1732	824
(vi) Jordan	760	348

- (7) Yes. My Department has reviewed the classification of migrant source countries consequent to the 2001 Census.

There were 18 countries that have had their EP group changed following the 2001 Census.

Countries with less than 20 recent arrivals have been excluded from this count, as they were not considered to be significant. Also not included are the categories that allow for persons to be

placed in geographical regions when they cannot be placed in specific countries. These groups are not necessarily comparable between the 1996 and 2001 Censuses.

Of the 18 countries that are counted as having their EP groups changed, 11 changed to a higher level and 7 changed to a lower level.

The following table shows the 11 countries whose EP group changed to a higher level from the 1996 Census to the 2001 Census:

Country	1996 Census	2001 Census
Angola	3	2
China (excluding SARS and Taiwan Province)	4	3
Costa Rica	3	2
Indonesia	3	2
Latvia	3	2
Panama	3	2
Saudi Arabia	3	2
Senegal	3	2
Tokelau	3	2
Tunisia	3	2
Zimbabwe	2	1

The following table shows the 7 countries whose EP group changed to a lower level from the 1996 Census to the 2001 Census:

Country	1996 Census	2001 Census
Algeria	2	3
Azerbaijan	3	4
Estonia	2	3
Jordan	2	3
Kuwait	2	3
Libya	2	3
Yemen	2	3

Defence: Contracts (Question No. 1118)

Mr Bevis asked the Minister representing the Minister for Defence, upon notice, on 14 November 2002:

- (1) What services are provided by private contractors to the Defence Signals Directorate.
- (2) For each contract, (a) when did it come into effect, (b) when is it due to expire and (c) who holds the contract.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

- (1) The Defence Signals Directorate (DSD) has over 50 contracts including: software development, IT support and maintenance services, system design and development services, network management services, technical and analytical services, operations and maintenance services, research and development services, review of Wide Area Network services, telecommunication services, evaluation of training courses, psychological services, leadership programs, security hardware upgrade, guarding services, project management, cabling services, archival services, building/plant maintenance services, cleaning services, warehouse services, furniture supply and installation, architectural services, indoor plant hire, software review services, vacation child care, and gym equipment maintenance.

A small number of DSD's contracts are not included in this response for reasons of national security.

- (2) DSD contracts the following services:

Thursday, 13 February 2003

REPRESENTATIVES

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Contractor	Commencement	Expiry Date
Cabling Services Multi Systems	19 Apr 99	18 Apr 03
Network Management Services Answerz	16 Sep 02	28 Feb 03
Archival & Related Services Arthur W Skimin	1 Jul 99	30 Nov 03
Building/Plant Maintenance Asset Services	17 Oct 02	11 Dec 03
Technical Services BAE Systems Australia Pty Ltd	11 May 00	23 Jul 03
Technical and Analytical Services BAE Systems Australia Pty Ltd BAE Systems Australia Pty Ltd	27 Oct 98 3 Apr 02	26 Oct 03 3 Apr 05
IT Support Services Royal Melbourne Institute of Technology Sun Microsystems Sybase Australia Pty Ltd	31 Jul 00 9 Dec 99 5 Jun 01	30 Aug 03 8 Dec 02 30 Aug 03
Operations and Maintenance Boeing	1 Jul 99	30 Nov 03
Psychological Services Brian Hodge Psychology Pty Ltd Note: This contract is currently being re-tendered.	23 Dec 99	22 Dec 02
System Design and Development Remote Pty Ltd	3 Jun 02	1 Apr 04
Leadership Programs John Baker and Associates	22 Mar 99	30 Jun 03
Staff Feedback Services John Baker and Associates	6 Nov 02	3 May 03
Security Hardware Upgrade Chubb Security	2 Sep 02	2 Jun 03
Project Management Cisco Systems	23 Feb 00	31 Mar 03
Cleaning Services Complete Cleaning Services	31 May 98	30 May 03
IT Maintenance Cray Computers	1 Jul 99	30 Jun 03
Guarding Services Group 4 Securatis	1 Jul 97	30 Jun 03
Warehousing Services		

Contractor	Commencement	Expiry Date
Group 4 Warehousing	30 Oct 00	30 Nov 03
Research and Development Inquirion Mr Raghunath Vijayaraghavan	11 Jun 02 25 Sep 02	1 May 03 24 Sep 03
Furniture Supply and Installation Interlink	18 Jan 99	1 Jan 03
Review of Wide Area Network Intersect Alliance Pty Ltd	30 Nov 00	1 Feb 03
Evaluation of Training Course Knowledge Pond Pty Ltd	30 Aug 02	18 Jul03
Architectural Services Le Quesne	30 Nov 01	30 Jun 03
Vacation Child Care YMCA	29 Jun 00	28 Jun 03
Telecommunication Services Optus Telstra	1 Jan 00 8 Jun 99	31 Dec 05 30 Jun 03
Gym Equipment Maintenance Tim Roeton Electronics	1 Sep 02	31 Aug 03
Software Development RLM Systems Pty Ltd RLM Systems Pty Ltd RLM Systems Pty Ltd RLM Systems Pty Ltd	30 Oct 02 10 Sept 02 10 Sept 02 10 Sept 02	30 May 03 7 Feb 03 9 Sept 04 13 June 04

- In addition to the above contracts, DSD has the following standing offers:

Note: A standing offer is not a contract but a continuing offer by a supplier or suppliers to provide specified goods and services for a predetermined length of time, usually at a predetermined price. No contract is made until an order is placed and then a contract is formed only in relation to that order. Standing offers are established to facilitate repetitive acquisition of goods and services over a specific period on set terms and conditions. They may be established with a single supplier or a panel of suppliers.

Contractor	Commencement	Expiry
Indoor Plant Hire Living Simply	1 May 01	30 Jun 04
System Design and Development CDG Computers	30 Jan 01	29 Jan 03
IT Support Services Ball Aerospace Codarra Advanced Systems Crown Management Consultants Logical Networks Pty Ltd Strategic Effects Pty Ltd Sun Microsystems Sverdrop Technology Australia Pty Ltd Technology Australasia	17 Jan 02 21 Jan 00 7 Jan 02 7 Jan 02 14 Jan 02 19 Jun 00 14 Jan 02 8 Jan 02	16 Jan 05 21 Jan 03 6 Jan 05 6 Jan 05 13 Jan 05 18 June 03 13 Jan 05 7 Jan 05

Contractor	Commencement	Expiry
Technical Writing Daily Basis	1 Dec 99	1 Dec 03
Cabling Services Allied Technologies	3 March 99	2 March 03
Software Development Admiral CMG	21 Dec 99	21 Dec 02
Aspect	2 Feb 00	2 Feb 03
Chirp	12 Jan 00	12 Jan 03
Codarra	21 Jan 00	21 Jan 03
Compaq	28 Jan 00	28 Jan 03
Compucat	1 Feb 00	1 Feb 03
Diversiti Pty Ltd	13 Dec 99	15 Dec 02
Distributed System Technology Centre	2 Feb 00	2 Feb 03
Royal Melbourne Institute of Technology	30 May 00	29 May 03

DSD also regularly uses the services of the following companies on an as required basis:

- Biddle Management Services – Scribe Services
- Dorothy Outram and Associates – Consultation/training
- E P Milliken Pty Ltd – Psychological testing
- Grant Walsh – Suitability assessments
- Rob Brennan Facilitation and Training – Facilitation and training
- Spherion Group Ltd – Software services
- Scribe services
- Training facilitation
- Management solutions
- Sun Microsystems - Support services
- Software development
- Telstra - Telecommunications services
- PABX services
- Cabling services
- Phone management services
- Write People – Scribing services
- Vodafone – Mobile telecommunications services

Aviation: Sydney Basin Airports

(Question No. 1127)

Mr Murphy asked the Minister for Transport and Regional Services, upon notice, on 14 November 2002:

- (1) Has he publicly advertised for a scoping study for the sale of the Sydney Basin airports known as Bankstown, Hoxton Park and Camden; if not, when will he commission the scoping study.
- (2) When does he expect to sell Bankstown, Hoxton Park and Camden Airports.
- (3) What impact on flight paths for Sydney Airport will result from the sale of Bankstown Airport.
- (4) Will the sale of Bankstown Airport result in an increase in both volume of air traffic movements and type of aircraft, including jet aircraft movements, from Bankstown Airport.
- (5) Is it foreshadowed that Bankstown Airport will be upgraded to allow aircraft movements of larger jet aircraft up to and including Boeing 737 class aircraft or equivalent.

- (6) Are the proposed alterations to arrivals and departure flight paths for Sydney Airport in line with the proposed introduction of High and Wide and Trident air movements systems, impacted by the foreshadowed sale of Bankstown Airport.
- (7) Are the flight path amendments to Sydney Airport impacted by commercial considerations as a result of the foreshadowed sale price of Bankstown Airport.

Mr Anderson—The answer to the honourable member's question is as follows:

- (1) and (2) Primary responsibility for the sale of the Bankstown, Hoxton Park and Camden Airport rests with the Minister for Finance and Administration, Senator Nick Minchin. On 6 November 2002, Senator Minchin announced that, following a competitive tender process, advisers had been appointed to assist the Commonwealth in the sale of these airports. The sale will be conducted in two phases. The first phase involves the development of a strategy for the sale of the three airports. The subsequent phase, the actual sale, is expected to be completed around the middle of 2003.
- (3) (4) (5) (6) and (7) Preparatory work has been undertaken by relevant agencies to determine the nature of any airspace redesign including flight paths, and terminal and runway developments required at Bankstown to enable it to operate as an overflow airport for Sydney Airport in the future. This work will help determine the extent to which Bankstown Airport can accommodate regular public transport services. The Government will consider the outcome of this work as one of the elements of the proposed sale strategy for the three airports. The Government remains committed to the implementation of the Sydney Airport Long Term Operating Plan.

Taxation: United Israel Appeal

(Question No. 1140)

Mr Leo McLeay asked the Treasurer, upon notice, on 14 November 2002:

- (1) Are donations to the United Israel Appeal tax deductible; if so, when was this status granted.
- (2) Is he able to say what are the objectives of the appeal.

Mr Costello—The following answer to the honourable member's question is as follows:

- (1) There are a number of organisations that have the words United Israel Appeal in their name. However, only donations made to the United Israel Appeal Refugee Relief Fund Limited are tax deductible. Donations to that Fund have been tax deductible since 30 January 1998.
- (2) See my Press Release No. 006 of 30 January 1998.

Defence: Rules of Engagement

(Question No. 1143)

Mr Mossfield asked the Minister representing the Minister for Defence, upon notice, on 2 December 2002:

- (1) What are the rules of engagement for members of the Australian SAS in counter terrorist situations.
- (2) What penalties can apply if soldiers operate outside these rules of engagement.
- (3) Do these soldiers have immunity from any criminal or civil action if they cause death or injury to civilians if operating under rules of engagement.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

- (1) Rules of Engagement (ROE) delineate the circumstances and limitations within which armed force may be applied by the Australian Defence Force (ADF) to achieve military objectives. These circumstances and delineations will invariably be situation and incident-specific. For this reason, the ROE which the Australian SAS would use in counter terrorist situations would depend upon the particular circumstances of the incident giving rise to use of the SAS in that role.

The ROE used by the SAS in such situations will always comply with the applicable legal regime. If a counter terrorism operation were mounted within Australia, the ROE would comply with Australian domestic law. Australian domestic law includes provisions in Part IIIAAA of the Defence Act 1903 which permit ADF members to use only that force which is reasonable and necessary in the circumstances. There are also prohibitions on the ADF, in their use of force, from sub-

jecting a person to greater indignity than is reasonable and necessary in all the circumstances. Part IIIAAA of the Defence Act also includes a specific provision which regulates an ADF member's use of force that is likely to cause death or grievous bodily harm to a person.

- (2) In the event that a soldier operated outside of the ROE during any military operation, that soldier may be charged with having committed an offence against the Defence Force Discipline Act 1982. The maximum punishment in that Act for a soldier who is found guilty of disobeying lawful general orders such as ROE is imprisonment for 12 months. Such a punishment may be in addition to penalties in respect of other offences, including civilian criminal offences, arising out of the acts by which the soldier has overstepped the ROE.
- (3) ADF soldiers, including SAS members, who are used for counter terrorism tasks have no immunity from criminal or civil action arising from their actions. However, civilian criminal law defences, including the defence of 'lawful authority', would be available to an ADF member who was charged as a result of his or her lawful actions during counter terrorism tasks.

Defence: Visiting Warships

(Question No. 1161)

Mr Kerr asked the Minister representing the Minister for Defence, upon notice, on 3 December 2002:

- (1) Is the Minister able to say whether a visit of a US nuclear powered warship proposed for the port of Hobart in or around late December 2002 has been postponed or cancelled.
- (2) Has there been any recent review of security issues relating to the visit of US warships to Australian ports since the (a) attacks in the USA on 11 September 2001 and (b) targeting and bombing of Australians in Bali on 12 October 2002.
- (3) Have those events or other events of a similar nature affected the assessment of risk associated with such visits: if so, what is the new assessment of risk.
- (4) Given Australians 'heightened security concerns since those events, if visits proceed will the docking arrangements remain the same as those applying in the past; if not, what will be the new arrangements.
- (5) Will the exclusion area around any visiting vessel be the same as in the past; if not, what exclusion area will be established.
- (6) Will the arrangements for monitoring any exclusion area remain the same as in the past; if not, without disclosure of the detail of operational security matters, what different arrangements will be made.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

- (1) The US Navy had considered requesting a visit to Tasmania by a nuclear powered warship in December 2002 but did not proceed with the request. Consequently, there will be no US Navy nuclear powered warship visit to Hobart in or around December 2002.
- (2) Security issues relating to US warship visits are continually reviewed, each visit being considered on a case by case basis. When a visit is planned, an individual risk assessment is carried out which takes account of all factors including the security environment post 11 September 2001 and 12 October 2002. Appropriate protective security measures are put in place in line with these assessments.

There is currently no known specific threat of terrorism in Australia. However, Australian intelligence organisations are continually monitoring the threat environment. All Commonwealth agencies, including intelligence, law enforcement and those controlling our border, are working continually to prevent terrorists operating in Australia.

- (3) Events such as the terrorist attacks on 11 September 2001 and 12 October 2002 are considered in determining the protective security arrangements for visits to Australian ports by US Navy warships. The details of the risk assessment and protective security arrangements must remain protected to ensure their continuing viability. However, I can state that strengthened protective security measures are put in place for visiting US Navy ships, measures which also take account of US authorities' requirements. Relevant Commonwealth and State agencies have close working rela-

tionships with the US Embassy and other US agencies in implementing protective security measures.

- (4) As stated in my reply to Part (3), details of enhanced protective security arrangements for Australian port visits by US Navy warships must remain protected. I can say that berthing/anchoring arrangements have been revised to take account of the risk of terrorist attacks and the consequent protective security requirements. These arrangements are determined on a case by case basis, involving consultation between Commonwealth, State and local government agencies, relevant US authorities, and commercial agencies for the port being visited.
- (5) Control of access arrangements for visiting US Navy warships have been enhanced to take account of risks of terrorist attacks, and are determined for each visit on a case by case basis through consultation between agencies mentioned in my reply to Part (4).
- (6) Similarly, changes have been made to monitoring access to the locations of US Navy ships. These changes have also been put in place through consultation of the previously mentioned agencies, and reflect the increased risk of terrorist attacks.

**Defence: Visiting Warships
(Question No. 1164)**

Mr Quick asked the Minister representing the Minister for Defence, upon notice, on 3 December 2002:

- (1) Further to questions Nos. 1161 to 1163 asked by the Member for Denison, will the arrangements for shore leave for the crews visiting Hobart remain the same as for recent past visits; if not, without disclosure of any detail relating to operational security issues, how will the arrangements change.
- (2) Will additional measures be taken that will have an impact on the ordinary activities of residents and visitors to Hobart during any future visit.
- (3) If so, what will those measures entail and what activities will they affect.
- (4) Has there been any recent assessment of the availability of appropriate infrastructure and resources to deal with an actual or threatened major terrorism incident directed towards such vessels, or the crew of such vessels on shore leave while the vessels are visiting Hobart; if so, what were the conclusions of the assessment; if not, will an assessment be undertaken.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

- (1) As advised in my answer to Question on Notice No. 1161, there is no US Navy port visit to Hobart this Christmas/New Year period. I can nevertheless advise that arrangements for shore leave in general will be as followed with previous visits, although personnel will be more vigilant to security.
- (2) and (3) While security is a concern for all, additional measures taken during visits are not designed or intended to impact on the ordinary activities of residents or visitors.
- (4) As advised in my answer to Question on Notice No. 1161, security and protection arrangements for Australian port visits by US Navy warships are examined on a case by case basis, and determined in consultation with relevant US authorities, local government, and commercial agencies for the port being visited.

**Sport: UNESCO Roundtable
(Question No. 1177)**

Mr Latham asked the Minister for Education, Science and Training, upon notice, on 3 December 2002:

What are the names, positions and principal qualifications of the persons who will represent Australia at the Round Table of Ministers and Senior Officials responsible for Physical Education and Sport to be convened by the Director-General of UNESCO in Paris on 9-10 January 2003.

Dr Nelson—The answer to the honourable member's question is as follows:

Australia will be represented at the Round Table by an Executive Level 2 officer with a background in anti-doping in sport issues from the Department of Communications, Information Technology and the Arts.

Shipping: Bulk Carrier Safety
(Question No. 1180)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 4 December 2002:

- (1) Is he aware of a formal safety assessment led by the United Kingdom into bulk carrier safety that will be discussed at the next International Maritime Organization Maritime Safety Committee?
- (2) What is the position on single versus double hulled bulk carriers that Australia will put to that meeting?
- (3) Do single hulled bulk carriers constitute a safety risk to the marine environment and crew; if so, what will he do about it?
- (4) How many single hulled bulk carriers worked on Australia's coastline in each of the past 10 years?

Mr Anderson—The answer to the honourable member's question is as follows:

- (1) Yes I am advised that the IMO's Maritime Safety Committee has received a report from the United Kingdom's Formal Safety Assessment study on bulk carrier safety, which will be further considered at the committee's next meeting in May 2003.
- (2) Australia is supporting the development by the IMO's Maritime Safety Committee of a range of measures to improve bulk carrier safety, one of which is to strengthen the sideshell of bulk carriers.
- (3) The United Kingdom's Formal Safety Assessment study found that there are a number of factors involved in bulk carrier safety, with failure of side shell plating being the most significant risk factor. There are differing views at IMO on the measures needed to address this risk and these are to be discussed at the next Maritime Safety Committee meeting in May 2003. Measures being considered include: strengthening sideshell plating; increasing hatch cover strength and securing; fitting water ingress alarms and pumping systems in fore end spaces; improving construction materials and interior coatings; and introducing control standards for steel repairs, especially in high stress areas. Australia is supporting the IMO in implementing a range of measures to address bulk carrier safety, including strengthening of sideshell plating.
- (4) The Department and AMSA do not maintain these statistics and it would require considerable resources to prepare such an analysis, which I am not willing to commit.

Civil Aviation Safety Authority: Improvement Program
(Question No. 1183)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 4 December 2002:

- (1) Apart from the \$34 million approved by the Civil Aviation Safety Authority (CASA) Board in July 2002, what other costs have been incurred on the CASA Improvement Program and for what services, products or arrangements have those costs been incurred.
- (2) What is the itemised breakdown of the \$34 million approved by the CASA Board in July 2002, what sum has been spent so far, to whom has it been paid and for what services or products.
- (3) What information technology systems will be replaced by the new system.
- (4) Is the information technology system that supports the CASA Improvement Program an off the shelf system; if not, (a) why not and (b) was a cost-benefit analysis completed as part of the decision to not use an off the shelf system.
- (5) Did CASA study or assess what systems other countries use to perform the same functions; if not, why not; if so, what were the findings.
- (6) Is he able to say whether the New Zealand aviation safety regulator has a similar system that cost it \$3 million; if so, why did CASA not use that system or something similar.

- (7) What is meant by the term performance-based alliance used in the CASA annual report to describe the contract with Accenture Australia Holdings Pty Ltd.
- (8) What is CASA's completion guarantee on this project.
- (9) What is the end date on the contract with Accenture and what sum has been paid to Accenture to date.
- (10) Who is responsible within CASA for monitoring the contract.
- (11) Is the \$34 million approved by the CASA Board in July 2002 the final cost of the CASA Improvement Program; if not, what is the (a) projected total cost and (b) benefit to aviation safety and the Australian taxpayer.

Mr Anderson—The answer to the honourable member's question is as follows:

The Civil Aviation Safety Authority (CASA) has provided the following advice.

- (1) Other than the costs of office accommodation for the CASA Improvement Programme team, which are shared between three CASA areas, all costs of the CASA Improvement Programme are to be contained in the programme budget of \$34.5m approved by the CASA Board.
- (2) The CASA Board approved a four-year programme budget of \$34.5m on the basis of a business case submitted to the Board in April 2002. The business case will be updated in April 2003 on the basis of the results of the tender for Information Technology products and to meet the approved budget of \$34.5m. The business case will be updated annually to align the scope of works proposed in the business case to the funds available.

The total amount allocated will be realigned to the four-year Programme Budget of \$34.5 million in the April 2003 Business Case submitted to the CASA Board. The itemised breakdown of the April 2002 business case submitted to the CASA Board was as follows:

Software Selection	\$2,254,000
Organisation Design	\$281,000
Design & install new IT infrastructure.	\$168,000
Build & deploy new IT platform	\$1,971,000
IT security architecture	\$1,151,000
Aviation Reference Number (Client Management System)	\$1,288,000
Aviation Safety Certification System	\$5,034,000
Aviation Safety Personnel Licensing System	\$6,343,000
Aviation Safety Registration System	\$2,044,000
Communication Support	\$970,000
Stakeholder Management	\$203,000
Programme Management Office	\$4,717,000
Information Technology Capability Development	\$4,750,000
IT hardware & software	\$2,960,000
Expenses	\$2,008,000
Contingency	\$3,139,000
Total Approved	\$39,281,000*

*This amount will be realigned to the four-year Programme Budget of \$34.5 million in the April 2003 Business Case to be submitted to the CASA Board.

As at 20 December 2002, the total sum expended was as follows:

Firm	Services	Amount
Accenture Australia Holdings Pty Ltd.	Programme & Project Management services	\$2,303,726
	Business Architecture Services	
	Information Management & Technology Services	
	Planning, Delivery & Support of Change Management & Integration Services	
	Acquisition of Services & Products	
Temby Management Consulting	Team Building Workshop	\$4,456
Mallesons Stephen Jaques	Legal Advice	\$6,015
Australian Gov-	Probity Advice	\$3,053

Firm	Services	Amount
Government Solicitor		
CASA	CASA Internal Costs	\$303,179
Total		\$2,620,429

- (3) All significant aviation safety entry control (certification and licensing of aviation industry organisations and personnel) information systems will be replaced and enhanced.
The existing operational system (known as LARP), that CASA has relied upon since the early 1980's, will be replaced.
- (4) and (a&b) CASA has yet to make a final choice with regards to its preferred Information Technology solution and products. CASA has however limited its choice to 'package' or 'near-package' solutions that are as 'off-the-shelf' as possible, given that there is no 'off-the-shelf' product that completely meets the needs of an aviation safety regulator.
- (5) CASA did consider systems in use with overseas aviation regulators, in particular the system under delivery to the New Zealand Civil Aviation Authority. However an implemented, commercially available and supported aviation information technology system that suits CASA's needs is not available based on the research carried out by CASA.
- (6) CASA understands that the Information Technology system chosen by the New Zealand Civil Aviation Authority is currently undergoing further upgrading. CASA cannot comment on the development and implementation costs of the chosen system other than to note that the development of the system has been ongoing since 1989 and is not an off-the-shelf solution.
It must be noted that the New Zealand Civil Aviation Authority is neither marketing nor supporting its system to other regulatory authorities. As a consequence, CASA would need to adopt an in-house and customised development approach if the Authority were to implement the New Zealand Information Technology System. CASA has chosen to adopt a strategy that uses a 'package' or 'near-package' approach.
- (7) The contract with Accenture is an alliance contract with the following features:
- Open book on costs,
 - Integrated project teams (CASA and Accenture)
 - Co-located for sharing of information, knowledge and skills,
 - Risk/reward philosophy where the payment of Accenture's fee is linked to Key Performance Indicators (quality, budget and schedule),
 - Building a relationship of trust, openness and fair dealing,
 - Non adversarial approach, and
 - Mutual beneficial outcomes.
- The decision to choose an alliance contract was strongly influenced by the Australian National Audit Office's 'Better Practice Guide to Contract Management.'
- (8) Accenture's fee is based on performance levels being met as measured by a series of agreed Key Performance Indicators. A significant percentage of the expected fee for the major projects is only earned on final acceptance of the total programme by CASA.
- (9) The term of the contract is aligned with the CASA Improvement Programme. The contract commenced in April 2002 and is for a period of up to four years. For the sum paid to Accenture to date, please refer to the response to question 2.
- (10) The Executive Manager Corporate Development.
- (11) (a) and (b) The total project for CASA Improvement Programme costs are limited to the amount submitted to the CASA Board, being \$34.5m.
The benefits are as follows:
- Consistent aviation safety entry control of organisations and individuals to the Australian aviation industry and confidence in aviation safety entry information;

- Fairness to the aviation industry through the consistent and standardised entry processes;
- Ability to certify industry under new regulations;
- Ability to retire high-risk information technology legacy systems originally developed in the early 1980s, and
- Efficiency dividends are re-invested in aviation safety.

Taxation: Goods and Services Tax**(Question No. 1194)**

Mr Murphy asked the Treasurer, upon notice, on 4 December 2002:

Is the Government confident that all owners of businesses who operate in a largely cash environment are (a) collecting the full amount of the Goods and Services Tax (GST) at the point of sale and (b) remitting to the Australian Taxation Office (ATO) the full amount of GST collected; if so, why; if not, why not.

Mr Costello—The answer to the honourable member's question is as follows:

The ATO advises that there is a very high level of compliance with goods and services tax (GST) obligations particularly considering it has been in place only since 1 July 2000. The Government recognises the efforts of the business sector to fulfil its tax obligations.

Taxation: Goods and Services Tax**(Question No. 1195)**

Mr Murphy asked the Treasurer, upon notice, on 4 December 2002:

Is the Government confident that all owners of businesses who operate in a largely cash environment are (a) collecting the full amount of the Goods and Services Tax (GST) at the point of sale and (b) remitting to the Australian Taxation Office (ATO) the full amount of GST collected; if so, why; if not, why not.

Mr Costello—The answer to the honourable member's question is as follows:

The ATO advises that there is a very high level of compliance with goods and services tax (GST) obligations particularly considering it has been in place only since 1 July 2000. The Government recognises the efforts of the business sector to fulfil its tax obligations.

Taxation: Audits**(Question No. 1196)**

Mr Danby asked the Treasurer, upon notice, on 5 December 2002:

- (1) For (a) 1999-2000, (b) 2000-2001 and (c) 2001-2002, how many, and what percentage of, taxpayers were audited by the Australian Taxation Office.
- (2) What percentage of audits uncovered mistakes or fraud which resulted in an increase in the taxpayer's tax liability for each year.
- (3) What was the average sum the tax liability increased per taxpayer discovered to have made a mistake or committed fraud for each year.
- (4) What was the average fine or penalty imposed on taxpayers discovered to have made a mistake or committed fraud for each year.
- (5) What was the gross sum of (a) increased tax and (b) fines or penalties imposed on these taxpayers for each year.
- (6) What were the administrative and compliance costs for these audits for each year.

Mr Costello—The answer to the honourable member's question is as follows:

The Commissioner of Taxation advises me that this information is not readily available and I do not propose to authorise the diversion of significant resources to collate this information. However, some information is contained in the ATO's Annual Report and the Commissioner's Compliance Program.

Foreign Affairs: East Timor
(Question No. 1200)

Ms Burke asked the Minister for Foreign Affairs, upon notice, on 5 December 2002:

- (1) What level of financial aid was committed to East Timor in the (a) 2001-2002 and (b) 2002-2003 Budgets.
- (2) Are benchmarks established to measure the effectiveness of each project undertaken in East Timor; if so, has each aid project met its benchmarks.
- (3) For each government funded aid project in East Timor, (a) what was the total funding allocation and (b) what proportion of the project has been completed.

Mr Downer—The answer to the honourable member's question is as follows:

- (1) In 2001-2002 the allocation was \$40.4 million. In 2002-2003 the allocation is \$36 million. These allocations contribute towards fulfilment of the Australian Government's pledge of \$150 million in bilateral aid to East Timor for the four-year period 2000-01 to 2003-04.
- (2) In order to monitor the effectiveness of projects supported by Australia's aid program, AusAID establishes key performance indicators for each of its aid activities as part of the project design process. These indicators allow informed judgements to be made about the overall quality of country programs and about the extent to which individual activities are achieving their objectives. In the case of East Timor, the country program exceeded AusAID's stated target of 75% of activities rated "satisfactory overall" or better in 2001-02. AusAID is presently finalising the results of a major review of Australia's interim aid strategy to East Timor (2000-2002). This review is the first step in developing a new country strategy for Australia's aid to East Timor. In addition, the Australian National Audit Office (ANAO) is presently undertaking a performance audit of Australia's aid program to East Timor. ANAO's report is expected to be tabled in Parliament in mid-2003.
- (3) A list of Australia's aid activities in East Timor since September 1999, showing each project's funding allocation and implementation status (in terms of proportion of funds expended), is attached. It should be noted that total financial approvals reflect anticipated costs as at the time of approval.

East Timor		
Australian Aid Activities from September 1999		
Activity Name	Total Financial Approval	Portion Complete (in terms of expenditure against the financial approval)
Technical Assistance - Central Fiscal Authority (Budget)	2,250,000	95%
World Bank Trust Fund (Trust Fund for East Timor)	18,715,487	100%
Quarantine Assistance Program (through AQIS)	6,400,000	51%
Mental Health Activity - East Timor	1,839,273	completed
Assistance to Bia Hula (East Timorese Water Supply NGO)	548,510	completed
East Timor Ross Trust Fellowship Program	385,046	98%
Electoral Capacity Building Project	2,032,000	completed
Rural Development Program	18,568,500	20%
Parliament House Project	3,628,200	completed
National Oral Health Program	5,216,000	19%
Community Water Supply & Sanitation Project	14,500,000	17%
English Language Teaching	107,894	completed
East Timor Australian Development Scholarships	12,522,272	43%
East Timor Community Assistance Scheme	3,550,000	54%
Civic Education (including co-financed activities with UNDP)	900,000	completed
Specialist Services Project - National Hospital, Dili	3,678,500	12%
Maths and Science Testing	567,845	90%
Capacity Building Facility (Successor to Interim Capacity building Program for East Timor)	21,030,000	1%
Interim Capacity building Program for East Timor- Governance	6,986,535	95%
Interim Capacity building Program for East Timor- Rural Develop-	1,941,082	86%

East Timor		
Australian Aid Activities from September 1999		
Activity Name	Total Financial Approval	Portion Complete (in terms of expenditure against the financial approval)
ment/Agriculture/Environment		
Interim Capacity building Program for East Timor - Water Supply	2,056,460	83%
Interim Capacity building Program for East Timor - Health (Tech Assistance)	1,521,686	34%
Interim Capacity building program for East Timor - Education	2,449,739	completed
Interim Capacity building Program for East Timor - Health (Tech Assistance)	1,521,686	34%
National Mental Health Project	3,550,000	1%
Moris Rasik Microfinance Project	450,000	91%
Training for Development & Capacity Building	896,150	65%
NGO Capacity Building in Bobanaro District	982,360	63%
Employment Centre Project	577,368	84%
Grassroots NGO Capacity Building Scheme	137,494	completed
Community Based Eco-tourism - Atauro Island	314,573	57%
Capacity Building of Fundacao Haburas (indigenous NGO)	142,498	86%
Microenterprise in East Timor	761,157	81%
Community Empowerment & Strengthening Human Resources	345,569	99%
Independence Preps (includes Nat. Exhibition and Community Centre)	3,537,717	completed
East Timor Transition Support Program	24,000,000	43%
Technical Services (specialist advice and equipment)	8,532,771	76%
Fisheries Management Capacity Building	2,029,500	4%
HIV/AIDS Activity	165,000	43%
UNICEF Institutional Capacity Building (co-financing)	1,730,000	completed
WHO Roll Back Malaria (co-financing)	852,145	completed
WHO Health Surveillance in East Timor (co-financing)	1,002,523	completed
WHO National Tuberculosis Program (co-financing)	150,379	completed
ICRC Tracing and Reunification (co-financing)	1,482,434	completed
UNDP Rural Roads (co-financing)	488,908	completed
Training Customs Officers for East Timor	293,885	completed
Contribution to UNTAET Trust Fund	10,416,332	completed
Humanitarian Package One - emergency relief	2,741,599	completed
Humanitarian Package Two - emergency relief	3,998,841	completed
Humanitarian Package Three - emergency relief	4,489,934	completed
CAA Emergency Water and Sanitation	1,000,000	completed
Shelter Rehabilitation Assistance	1,000,000	completed
Water Supply and Sanitation Activity	3,045,632	completed
Design of School Furniture	52,827	completed
Emergency Psychiatric Outreach Service	30,000	completed
School Rehabilitation Program - CMU	1,354,538	completed
Asbestos Removal from Damaged Buildings	186,575	completed
Post Secondary education program	21,140	completed
National Tuberculosis Program	81,656	completed
Staffing Assistance Program for East Timor /Capacity building Program for East Timor Review Activities	157,085	completed
Anti-Corruption Awareness Project	97,293	completed
Integrated Assistance to Vulnerable Women	329,442	completed
Timor Animal Health Project	121,471	completed
Bia Hula Development Project (East Timorese NGO)	86,286	completed
IOM Return of Displaced People	3,000,000	completed
Staffing Assistance Program (SAPET)	4,514,622	completed
UNHCR Shelter Program	5,000,000	completed
Catholic Relief Service Peacebuilding Project	345,000	completed

Taxation: Legislation
(Question No. 1203)

Mr Murphy asked the Treasurer, upon notice, on 5 December 2002:

- (1) Did the Minister issue a News Release on 30 August 2002 titled "Strengthening Laws To Prevent Tax Abuse".
- (2) Did the News Release state that both the Minister and the Attorney-General had initiated a number of changes to bankruptcy, tax and family law following consideration of a joint taskforce's report on the issue; if so, what are the changes.
- (3) Did the News Release also indicate that the taskforce involved the Attorney-General's Department, the Australian Taxation Office (ATO), the Insolvency and Trustee Service Australia and the Treasury and that it had been set up in light of reports in 2001 that some barristers were misusing the law to avoid paying tax.
- (4) Did the News Release further state that, in relation to taxation laws, the taskforce noted that secrecy provisions can restrict the ATO's provision of information to a trustee in bankruptcy and to professional associations and that the Minister was giving further consideration to these issues.
- (5) What is the outcome of that consideration.
- (6) Did the taskforce make any recommendations in relation to section 16 of the Income Tax Assessment Act 1936; if so, what were (a) those recommendations and (b) the reasons for the taskforce making such recommendations.
- (7) Will the Minister introduce legislation to amend section 16 of the Income Tax Assessment Act to allow the Commissioner of Taxation to provide information which is in the public interest; if so, when; if not, why not.
- (8) When will the taskforce's report be made available to the public.

Mr Costello—The answer to the honourable member's question is as follows:

- (1) to (4) Refer to the joint news release issued by the Attorney-General and the Minister for Revenue and Assistant Treasurer on 30 August 2002.
- (5) to (8) The Government is giving further consideration to these issues.

Defence: New Technologies
(Question No. 1213)

Mr Danby asked the Minister representing the Minister for Defence, upon notice, on 10 December 2002:

- (1) Is the Minister aware of new technologies, such as hyper spectral imaging and light detection and ranging (LIDAR) which is now available by mobile devices, to assist in the identification of biological and chemical agents.
- (2) Is the Minister or his Department making any inquiries about this system for Australia; if not, why not.
- (3) Is the Government considering funding further research on developing such devices within Australia; if not, why not.
- (4) Is the Government considering purchasing this system or similar systems, given its stated concern about terrorists acquiring weapons of mass destruction; if not, why not.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) The Australian Defence Force already has a significant Chemical, Biological and Radiological detection and identification capability as used to support the Sydney Olympics security period. However, technology development in this field is advancing rapidly with new and better technical solutions emerging in response to increasing levels and nature of threats. Defence agencies are closely monitoring and evaluating these emerging technologies to identify and acquire the equip-

ment and technical solutions that will provide Australia with the most effective counter measure capabilities against weapons of mass destruction.

Science: Backing Australia's Ability

(Question No. 1221)

Dr Emerson asked the Minister for Science, upon notice, on Wednesday, 11 December 2002:

- (1) Has there been any change in the budget appropriation for each initiative in Backing Australia's Ability for each year from 2001-2002 to 2005-2006, as set out at page 58 in the Productivity Commission's 2001 Trade Assistance Review.
- (2) What was the actual spending for each initiative referred to in part (1) in 2001-2002.

Mr McGauran—The answer to the honourable member's question is as follows:

- (1) Yes. There have been changes to appropriations for some Backing Australia's Ability initiatives. For the most part, these involve reprofiling of funding between financial years. The overall funding for Backing Australia's Ability remains at \$3 billion over five years.
- (2) The actual expenditure for each initiative referred to in part (1) in 2001-02 was as follows:

Streamlining the 125% R&D Tax Concession

Question (2) is not applicable to this initiative. This is an entitlement-based programme with costs borne as revenue foregone.

The Premium Rate Tax Concession

Apart from the \$1 million, which was appropriated for the administration of this initiative, question (2) is otherwise not applicable to this initiative because it is an entitlement-based programme with costs borne as revenue foregone.

The Rebate for Small Companies

Question (2) does not apply to this initiative. This is an entitlement-based programme with costs borne as revenue foregone.

R&D Start

\$18 million.

Major National Research Facilities (MNRF) Programme

\$5.1 million.

Cooperative Research Centres (CRC) Programme

The question is not applicable in 2001-02 as the CRC Programme did not receive any Backing Australia's Ability funding for that financial year.

Pre-Seed Fund

There was expenditure of \$1 million in the 2001-02 financial year and the transfer of \$6 million to Administered Capital.

Innovation Access Programme (IAP)

\$1 million.

Commercialising Emerging Technology (COMET)

\$10 million.

World Class Centres of Excellence – Biotechnology, and Information and Communications Technology

\$3 million.

Biotechnology Innovation Fund (BIF)

\$5 million.

New Industries Development Programme (NIDP)

\$3.83 million.

Australian Research Council (ARC) Competitive Grants

\$19 million.

Research Infrastructure Block Grants (RIBG)

\$27 million.

Systemic Infrastructure Initiative (this initiative is referred to as 'University Infrastructure' in Table 4.2 of the Productivity Commission's report)

\$26 million.

Additional 2000 University Places

\$14 million.

Post-graduate Education Loans Scheme (PELS)

\$700,000.

Online Curriculum Content for Schools

\$5 million.

National Innovation Awareness Strategy (NIAS)

\$5.2 million.

Attracting Information Technology Workers

This question is not applicable to this initiative because expenses are absorbed as part of the Department's normal operating expenses.

Immigration: National Security**(Question No. 1226)**

Mr Danby asked the Attorney-General, upon notice, on 11 December 2002:

- (1) Has his attention been drawn to a report by Rohan Gunaratna, a Research Fellow at the Centre for the Study of Terrorism and Political Violence, University of St Andrews, Scotland, in *The Age* on 5 December 2002 that a dozen Australian citizens and residents have participated in Ji and al Qaeda training camps.
- (2) Was the presence of a dozen Australians at these terrorist camps not considered significant until the Bali bombings; if so, why.
- (3) What action can the Government take to prevent further Australian citizens or residents from participating in such training camps and has such action been taken?

Mr Williams—The answer to the honourable member's question is as follows:

- (1) I am aware of the report by Mr Gunaratna.
- (2) We have made it clear that we are aware of people within Australia who are sympathetic to terrorist organisations and a small number who have trained with terrorist organisations overseas, in Pakistan and Afghanistan.

Australian authorities have been conducting wide-ranging investigations into the possible presence of terrorist organisations and possible terrorist activity in Australia.

Consistent with standing practice, however, I will not be commenting on precise details.

I take the opportunity to underline again that the intelligence available to the Government prior to the Bali terrorist attacks highlighted the general threat environment but at no time was specific about the attack in Bali. This has been affirmed by the report of the Inspector General of Intelligence and Security issued on 10 December 2002.

- (3) The Australian public can be assured that relevant Australian agencies have and are undertaking appropriate action consistent with their legislative responsibilities.

A number of groups, including Jemaah Islamiyah, have been specified in regulations as terrorist organisations by the Government. This will serve to deter Australians from becoming inadvertently involved in their activities. It will also strengthen Australia's ability to prosecute related offences under the new counter-terrorism laws. Under these laws, it is an offence to belong to, direct, recruit for, train with or provide training for, and receive funds from or make funds available

to a terrorist organisation, whether in Australia or abroad. These offences are punishable by imprisonment for terms of up to 25 years, depending upon the offence.

Health and Ageing: Funding

(Question No. 1228)

Ms Burke asked the Minister for Ageing, upon notice, on 11 December 2002:

- (1) How many Commonwealth funded (a) high care aged care beds, (b) low care aged care beds and (c) aged care packages are there in the electoral divisions of (i) Chisholm, (ii) Deakin, (iii) Higgins, (iv) Bruce, (v) Menzies and (vi) Kooyong.
- (2) In each year between 1997-98 and 2001-2002 inclusive, how many new (a) high care aged care beds, (b) low care aged care beds and (c) aged care packages were there in the electoral divisions of (i) Chisholm, (ii) Deakin, (iii) Higgins, (iv) Bruce, (v) Menzies and (vi) Kooyong.
- (3) For the purposes of planning the provision of aged care beds, what number of people aged over the age of 70 reside in the electoral divisions of (a) Chisholm, (b) Deakin, (c) Higgins, (d) Bruce, (e) Menzies and (f) Kooyong.

Mr Andrews—The answer to the honourable member's question is as follows:

- (1) Aged care allocations are made on the basis of Aged Care Planning Regions. Electoral breakdowns of Aged Care Planning Regions allocations are available for information but allocations are not made by electorate. The number of Commonwealth funded (a) high care aged care beds, (b) low care aged care beds and (c) aged care packages in the electoral divisions of (i) Chisholm, (ii) Deakin, (iii) Higgins, (iv) Bruce, (v) Menzies and (vi) Kooyong, are listed in the following table:

Number of Commonwealth Funded Operational Aged Care Places (at 30 June 2002)

	High Care	Low Care	CACP
Chisholm	651	464	50
Deakin	538	462	90
Higgins	707	702	412
Bruce	330	360	0
Menzies	261	298	70
Kooyong	858	1,000	844

- (2) The number of new (a) high care aged care beds, (b) low care aged care beds and (c) aged care packages in the electoral divisions of (i) Chisholm, (ii) Deakin, (iii) Higgins, (iv) Bruce, (v) Menzies and (vi) Kooyong, in each year between 1997-98 and 2001-2002 inclusive are listed in the following tables:

New High Care Aged Residential Places Allocated 1997-1998 to 2001-2002 by Electoral Division

	1997-98	1998-99	1999-2000	2000-01	2001-02
Chisholm	0	0	0	40	10
Deakin	0	0	0	0	0
Higgins	0	0	0	0	17
Bruce	0	0	0	0	23
Menzies	65	0	0	0	30
Kooyong	0	0	9	0	2

New Low Care Aged Residential Places Allocated 1997-1998 to 2001-2002 by Electoral Division

	1997-98	1998-99	1999-2000	2000-01	2001-02
Chisholm	0	0	15	83	44
Deakin	0	0	0	40	0
Higgins	0	0	0	0	13
Bruce	15	0	0	170	0
Menzies	10	0	100	55	30
Kooyong	0	0	19	0	0

New Community Aged Care Packages (CACPs) Allocated
1997-1998 to 2001-2002 by Electoral Division

	1997-98	1998-99	1999-2000	2000-01	2001-02
Chisholm	15	0	372	515	50
Deakin	35	0	259	285	50
Higgins	40	0	432	600	50
Bruce	0	0	402	500	115
Menzies	70	0	259	270	50
Kooyong	90	0	179	190	50

Note: CACPs are allocated to Approved Providers based on regional catchments. Approved Providers are free to provide this type of care across electorates within regional catchments. The figures above reflect the total allocation of CACPs to one or more regions where the relevant electorate is one of the electorates in which the CACPs may be delivered. It is expected that not all of these CACPs would be delivered in the one electorate.

The electoral divisions of Deakin, Menzies and Kooyong are fully contained within the Eastern Metropolitan Aged Care Planning Region while the electoral divisions of Chisholm, Higgins and Bruce are located partially in the Eastern Metropolitan Aged Care Planning Region and partially in the Southern Metropolitan Aged Care Planning Region. The 1997-8 to 2001-2002 allocations for these Aged Care Planning Regions are listed below:

New High Care Aged Residential Places Allocated 1997-1998 to 2001-2002 by Aged Care Planning Region

	1997-98	1998-99	1999-2000	2000-01	2001-02
Eastern Metropolitan Planning Region	65	0	9	0	79
Southern Metropolitan Planning Region	15	0	38	15	94

New Low Care Aged Residential Places Allocated 1997-1998 to 2001-2002 by Aged Care Planning Region

	1997-98	1998-99	1999-2000	2000-01	2001-02
Eastern Metropolitan Planning Region	10	0	313	263	90
Southern Metropolitan Planning Region	193	0	255	637	270

New Community Aged Care Packages Allocated 1997-1998 to 2001-2002 by Aged Care Planning Region

	1997-98	1998-99	1999-2000	2000-01	2001-02
Eastern Metropolitan Planning Region	255	0	140	285	50
Southern Metropolitan Planning Region	110	0	338	360	65

- (3) Population data from the most recent available Australian Bureau of Statistics (ABS) census is used as the basis for population projections in the planning process but only in the form of population projections for Aged Care Planning Regions. Aged Care Planning Regions usually encompass several electorates and electorates may also lie across more than one Aged Care Planning Region. The number of people aged over the age of 70 residing in the electoral divisions of (a) Chisholm, (b) Deakin, (c) Higgins, (d) Bruce, (e) Menzies and (f) Kooyong are as follows:

Chisholm, Deakin, Higgins, Bruce, Menzies and Kooyong on the night of 6 August 2001

Electoral Division	Population
Chisholm	15,048
Deakin	12,947
Higgins	12,957
Bruce	9,953
Menzies	9,311
Kooyong	14,057

Source: ABS, 2001 Census, Basic Community Profiles, Commonwealth Electoral Divisions

Health and Ageing: Aged Care Facilities**(Question No. 1229)**

Ms Burke asked the Minister for Ageing, upon notice, on 11 December 2002:

- (1) What is the name and street address of each aged care facility in the electoral divisions of (a) Chisholm, (b) Deakin, (c) Higgins, (d) Bruce, (e) Menzies and (f) Kooyong that receives Commonwealth funding.
- (2) Has any facility referred to in part (1) failed accreditation; if so, which facility.
- (3) Has a surprise inspection of any facility referred to in part (1) been undertaken by his Department; if so, what was the date of the each inspection.

Mr Andrews—The answer to the honourable member's question is as follows:

- (1) Below is a list of each aged care facility receiving Commonwealth funding at 30 June 2002 in the electoral divisions of:

(a) CHISHOLM**ASHWOOD**

Cabrini Residential Care - Ashwood	54 Queens Parade, 3147
Melbourne Hebrew Memorial Nursing Home	95-107 High Street Road, 3147

BOX HILL

Carinya Nursing Home (Box Hill)	32 Kangerong Road, 3128
Chinese Community Care Packages	Suite 1102, Level 1, Whitehorse Plaza, 3128
Chinese Community Social Services Community Care Packages - East-Suite 1102, Level 1, Whitehorse Plaza, 3128	ern Region
Dorking Road Hostel	40 Dorking Road, 3128
St Vincent de Paul Nursing Home	110 Albion Road, 3128
Unitingcare Moorfields-Seventy Five Thames Street	75 Thames Street, 3128

BURWOOD

Burwood Hill Private Nursing Home	14 Edwards Street, 3125
Elizabeth Gardens Hostel	2 Elizabeth Street, 3125
Elizabeth Gardens Nursing Home	2-8 Elizabeth Street, 3125
Highwood Court	359 Warrigal Road, 3125

CLAYTON

The Alexander Aged Care Centre	1720 Dandenong Road, 3168
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GLEN WAVERLEY

Waverley Valley Aged Care	29-33 Chesterville Road, 3150
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MONT ALBERT NORTH

Vincenpaul Hostel	13-25 Strabane Avenue, 3129
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OAKLEIGH

Bellview Residential Aged Care Service	23a Elizabeth Street, 3166
Oak Towers Hostel	139 Atherton Road, 3166
St Winifred's Private Nursing Home	14 Caloola Avenue, 3166
Towergrange Residential Aged Care Services	23a Elizabeth Street, 3166

SURREY HILLS

Hillview Nursing Home	764 Canterbury Road, 3127
Surrey Hills Private Nursing Home	16-18 Florence Road, 3127

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(b) DEAKIN

BLACKBURN

Blackburn Aged Care Facility	28 The Avenue, 3130
Lake Park Hostel	1 Lake Road, 3130
Lake Park Nursing Home	1 Lake Road, 3130

BLACKBURN SOUTH

Alawarra Lodge-Inala Village	220 Middleborough Road, 3130
Inala Village Nursing Home	220 Middleborough Road, 3130
Milpara Hostel - Inala Village	220 Middleborough Road, 3130

BURWOOD EAST

Peter James Centre Nursing Home - Northside	Mahoneys Road, 3151
Rosden Private Nursing Home	1 Royton Street, 3151

HEATHMONT

Heathmont Lodge Hostel	261 Canterbury Road, 3135
Marlborough Gardens Hostel	8-12 Marlborough Road, 3135

NUNAWADING

Coronella Retirement Village-Hostel	163-165 Central Road, 3131
Coronella Retirement Village-Nursing Home	163-165 Central Road, 3131
Whitehorse CCP	379-397 Whitehorse Road, 3131

RINGWOOD

Eildon Nursing Home	17 Derwent Street, 3134
Olivet Aged Persons Home - Hostel	7 Rupert Street, 3134
Olivet Aged Persons Home - Nursing Home	7 Rupert Street, 3134
Regis Amaroo	294-296 Maroondah Highway, 3134

RINGWOOD EAST

Lionsbrae Hostel	29 Everard Road, 3135
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RINGWOOD NORTH

Gracedale Manor	209 Warrandyte Road, 3134
Gracedale Private Nursing Home	205 Warrandyte Road, 3134

VERMONT

Vermont Private Nursing Home	770 Canterbury Road, 3133
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(c) HIGGINS

ASHBURTON

Samarinda Lodge	286 High Street, 3147
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CAMBERWELL

Bethany Hostel	440 Camberwell Road, 3124
Bethany Nursing Home	440 Camberwell Road, 3124
Princeton Private Nursing Home	3 Bellett Street, 3124
Toorak House Residential Aged Care Facility	1011 Toorak Road, 3124
Uniting Care Community Options - General	316 Camberwell Road, 3124
Uniting Care Community Options - Housing Link	316 Camberwell Road, 3124
Uniting Care Community Options - Whitehorse	316 Camberwell Road, 3124

CARNEGIE

St Michael's Aged Care Facility	1 Omama Road, 3163
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CAULFIELD NORTH	
Emmy Monash Home For The Aged	518 - 524 Dandenong Road, 3161
Lovell House Hostel	389 Alma Road, 3161
GLEN HUNTLY	
Glenhuntly Nursing Home	5 Maroona Road, 3163
GLEN IRIS	
Argyll Private Nursing Home	143 Finch Street, 3146
HUGHESDALE	
Aaron Private Nursing Home	577 Neerim Road, 3166
MALVERN	
Mecwa House Hostel	6 Warner Street, 3144
Olive Miller Nursing Home	10-14 Warner Street, 3144
MALVERN EAST	
Cresthaven Hostel	2 The Avenue, 3145
Kalimna House Private Nursing Home	107 Darling Road, 3145
Kiverton Park Nursing Home	15-17 Webster Street, 3145
Nirvana Health Care	78 Nirvana Avenue, 3145
Weeroona Hostel	400 Waverley Road, 3145
Weeroona Nursing Home	400 Waverley Road, 3145
MURRUMBEENA	
Brimlea Private Nursing Home	21 Railway Parade, 3163
Rosstown Community	6 Ames Avenue, 3163
Spurway Community	89-93 Murrumbeena Road, 3163
OAKLEIGH	
Oaklea Hall Hostel	4-8 Earlstown Road, 3166
PRAHRAN	
Chomley House Hostel	113 Chomley Street, 3181
Prahran City Parish Mission CACP Project	211 Chapel Street, 3181
Royal Freemasons' Homes Outreach Program - Eastern Metro General	313 Punt Road, 3181
Royal Freemasons' Homes Outreach Program - Northern Metro	313 Punt Road, 3181
Royal Freemasons' Homes Outreach Program - Southern Metro General	313 Punt Road, 3181
Royal Freemasons' Homes of Victoria CACP Project	313 Punt Road, 3181
Royal Freemasons' Homes Outreach Program - Eastern Housing Linked	313 Punt Road, 3181
Sir Donald & Lady Trescowthick Centre Hostel	70 Charles Street, 3181
The Windsor Residential Aged Care Facility	102-104 Union Street, 3181
Villa Maria Aged Care Residence O'Neill	101 Lewisham Road North, 3181
TOORAK	
Darnlee Private Nursing Home	33 Lansell Road, 3142
WINDSOR	
Armitage Manor	241 Dandenong Road, 3181
Central Park	101 Punt Road, 3181
Presentation Sisters Hostel	187 Dandenong Road, 3181
(d) BRUCE	
DANDENONG NORTH	
Outlook Gardens Hostel	504 Police Road, 3175

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GLEN WAVERLEY

Glen Waverley Nursing Home	982 High Street Road, 3150
Wahroonga Friendship Village Hostel	129 Coleman Parade, 3150
Wahroonga Friendship Village Nursing Home	129 Coleman Parade, 3150

MULGRAVE

John R Hannah Hostel For The Aged	68 Wattle Grove, 3170
Monash Gardens Hostel	355 Wellington Road, 3170
Monash Gardens Nursing Home	355 Wellington Road, 3170
Sunrise Private Nursing Home	2-4 Sunrise Drive, 3170

NOBLE PARK

Belvedere Aged Care	41-43 Fintonia Road, 3174
Darvall Lodge Nursing Home	519 Princes Highway, 3174
Trewint Nursing Home	1312 Heatherton Road, 3174

WHEELERS HILL

Cumberland View Hostel	Whalley Drive, 3150
Cumberland View Nursing Home	4-6 Windmill Court, 3150

(e) MENZIES

BULLEEN

Leighton Nursing Home	1 Templestowe Road, 3105
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DONCASTER

Doncaster Melaleuca Lodge	395 Manningham Road, 3108
Manningham Centre	371 Manningham Road, 3108

DONCASTER EAST

Millward	31 Blackburn Road, 3109
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DONVALE

Perpetua in the Pines Residential Aged Care Service	300-302 Springvale Road, 3111
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LOWER TEMPLESTOWE

Ashby	25 - 31 Ashford Street, 3107
Southern Cross CCP - Outer East	16 Herlihs Road, 3107

TEMPLESTOWE

Templestowe Grange	1-11 Innisfallen Avenue, 3106
Templestowe Pioneers Village	16 Herlihs Road, 3106
Willowbrae-Templestowe Hostel	81-85 Porter Street, 3106

TEMPLESTOWE LOWER

Emmavale Gardens	7 Elberta Avenue, 3107
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(f) KOORYONG

BALWYN

Justin Villa	2 Caravan Street, 3103
St Catherines Hostel	1 Clayton Road, 3103
St Catherines Nursing Home	1 Clayton Road, 3103

BALWYN NORTH

Eva Tilley Memorial Hostel	22-28 Nicholson Street, 3104
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BURWOOD

Condare Court Hostel	8 Joffre Street, 3125
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CAMBERWELL

Broughton Hall Hostel	2 Berwick Street, 3124
Broughton Hall Nursing Home	2 Berwick Street, 3124
Camberlea Private Nursing Home	629 Riversdale Road, 3124
Gaffney House Hostel	49 Lynden Street, 3124
Garoopna Unitingcare-Tanderra Hostel For Older Persons	141 Highfield Road, 3124
Lynden Nursing Home	49 Lynden Street, 3124
Nazareth House Hostel (Camberwell)	16 Cornell Street, 3124
Nazareth House Nursing Home (Camberwell)	16 Cornell Street, 3124

CANTERBURY

Canterbury Private Nursing Home	14 Balwyn Road, 3126
Chatham Lea Hostel	13-15 Chatham Road, 3126
Harcourt Nursing Home	27 Shierlaw Avenue, 3126
Hedley Sutton Community Hostel	2 Gascoyne Street, 3126
Hedley Sutton Community Nursing Home	2-4 Gascoyne Street, 3126

DEEPPDENE

Community Care Services - Care Packages	1st Floor, 35 Whitehorse Road, 3103
Westbury Private Nursing Home	12 Pretoria Street, 3103

HAWTHORN

Baptist Community Care - Strathalan	227 Burwood Road, 3122
Gladswood	83 Riversdale Road, 3122
Harvey Memorial Aged Care Facility	5 Muir Street, 3122
Hawthorn Private Nursing Home	60 Auburn Road, 3122
St Annes Hostel	33 Wattle Road, 3122
St Annes Nursing Home	33 Wattle Road, 3122
St Joseph's Hostel	97 Elgin Street, 3122
Unitingcare Lodge Program-Sefton Lodge Hostel	111 Denham Street, 3122
Unitingcare Moorfields-Broadmead Hostel	27-29 Wattle Road, 3122

HAWTHORN EAST

Auburn House	98 Camberwell Road, 3123
Heatherleigh Private Nursing Home	759 Burwood Road, 3123
Mary MacKillop Aged Care Facility	6 King Street, 3123
Penola Hostel	13 Havelock Road, 3123

KEW

Bodalla Aged Care Services	32 Walpole Street, 3101
Caritas Christi Hostel	104 Studley Park Road, 3101
Cluny Hostel	34 Wrixon Street, 3101
Garoopna Unitingcare-Carnsworth Nursing Home	10 A'beckett Street, 3101
Gracecourt Hostel	20 Fellows Street, 3101
Hamer Court Aged Care Facility	535 High Street, 3101
Karana Community Hostel	55 Walpole Street, 3101
Karana Nursing Home	55 Walpole Street, 3101
Mother Romana Home	11-15 A'beckett Street, 3101
Prague House	52 Sackville Street, 3101
St Josephs Tower Hostel	2 Malmsbury Street, 3101

St Josephs Tower Nursing Home	2 Malmsbury Street, 3101
Villa Maria Community Aged Care Packages	6 Studley Park Road, 3101
Villa Maria Community Care Packages-Whitehorse-Eastern Metro	6 Studley Park Road, 3101
Villa Maria Society - General Inner East	6 Studley Park Road, 3101
Villa Maria Society - General Outer East	6 Studley Park Road, 3101
Villa Maria Society - Housing Linked Inner East	6 Studley Park Road, 3101
Villa Maria Society - Housing Linked Outer East	6 Studley Park Road, 3101
Villa Maria Society - Loddon Mallee Housing Link Care Packages	6 Studley Park Road, 3101
Villa Maria Society - Loddon Region General Packages	6 Studley Park Road, 3101
Villa Maria Society - Loddon/Mallee	6 Studley Park Road, 3101
Villa Maria Society - Northern Metro Region	6 Studley Park Road, 3101
Villa Maria Society - Southern Metro Region	6 Studley Park Road, 3101
Yarralee Residential Aged Care Facility	48 Sackville Street, 3101
SURREY HILLS	
Southern Cross Northern Metro - General	284 Canterbury Rd, 3127
Southern Cross Northern Metro - Housing Linked	284 Canterbury Rd, 3127
Southern Cross Northern Metro - Italian	284 Canterbury Rd, 3127
Southern Cross Victoria - St Joseph's, Noble Park	284 Canterbury Road, 3127

(2) All facilities listed in part (1) are accredited.

(3) This information is protected information under the Aged Care Act 1997.

**Telstra: Public Relations
(Question No. 1238)**

Mr Tanner asked the Minister representing the Minister for Communications, Information Technology and the Arts, upon notice, on 12 December 2002:

- (1) At any time over the last five years has Telstra either employed, or entered into a contract with public relations practitioners (a) Andrew Whist, (b) John Dollison, (c) Phillip Francis, (d) Wendy Burrell and (e) Bryan Simpson; if so, what activities have they undertaken on Telstra's behalf.
- (2) Has Telstra had any discussion, or entered into any arrangement, with Phillip Morris with respect to public relations matters over the past five years.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member's question:

Based on information provided by Telstra:

- (1) (a) Yes. Mr Andrew Whist was engaged by Telstra in February 1999 to provide advice and his views to the Telstra management of the day on matters related to organisational structure, processes and resources in the company's public affairs area. His contract terminated in July 1999.
(b)-(e) Telstra has no knowledge of any direct arrangement between the company and Public Relations practitioners John Dollison, Phillip Francis, Wendy Burrell and Bryan Simpson.
- (2) As part of a fact-finding mission in 1998, Telstra met with Phillip Morris representatives to seek information on public affairs organisational structure and processes.

**Taxation: Policy
(Question No. 1249)**

Mr Murphy asked the Treasurer, upon notice, on 12 December 2002:

Further to his reply to question No. 784 (*Hansard*, 2 December 2002, page 9333), why is the information sought not available.

Mr Costello—The answer to the honourable member's question is as follows:

The information is not available, as it is not compulsory for taxfilers to provide a spouse's details and tax file number when completing the personal income tax assessment form.

Foreign Affairs: Afghanistan**(Question No. 1266)**

Mr Danby asked the Minister for Foreign Affairs, upon notice, on 12 December 2002:

- (1) Is he able to say which countries pledged aid to Afghanistan at the international conference at Bonn, Germany?
- (2) What sums did each country pledge?
- (3) What aid referred to in parts (1) and (2) have been delivered?
- (4) What aid has Australia pledged to help rebuild Afghanistan beyond the \$40.3 million allocated and re-announced at the February Tokyo conference?
- (5) What are the details of the pledges referred to in part (4), including whether they have been delivered; if they have not been delivered, when will they be delivered?
- (6) For what has the \$40.3 million in aid been used?
- (7) Has the \$40.3 million been fully dispensed; if not, why not?

Mr Downer—The answer to the honourable member's question is as follows:

- (1) to (3) The international conference at Bonn, Germany in December 2001 fostered agreement on provisional governance arrangements in Afghanistan, pending the re-establishment of permanent government institutions. It involved a range of Afghan parties and factions, and was a key factor in building Afghan ownership for the reconstruction and transition processes. The Conference was sponsored by the United Nations and was not a pledging conference.
- (4) The Honourable member's question refers to a figure of \$40.3 million "re announced" at the Tokyo Donors Conference in January 2002. At Tokyo, the Government committed an additional \$17 million in reconstruction assistance, building on \$23.3 million in assistance that had been announced in September and October 2001.

Since the Tokyo Conference, Australia has committed a further \$14.3 million in assistance to Afghanistan, bringing our assistance committed since September 11 2001 to approximately \$54.6 million. This is Australia's second largest response to a single humanitarian crisis and is exceeded only by East Timor.

- (5) The additional \$14.3 million in assistance referred to above includes the following: \$1 million for relief activities following the March 2002 earthquakes in Northern Afghanistan; \$2.13 million for the International Organisation for Migration (IOM) for refurbishment of the Jangalak Refugee Processing Centre in Kabul, and to assist with re-establishing transportation networks for returnees; a further \$7 million in food aid assistance through WFP; \$1.5 million for mine action activities; \$0.3 million for scholarships; and \$2.4 million for capacity building activities in migration and border control announced in November 2002.

Of this amount, over \$11.6 million has been disbursed including funding to IOM, WFP and for mine action. Australia is currently working with Afghanistan's Transitional Administration to identify candidates for ADS scholarships and develop a framework to guide the delivery of assistance in migration and border control. Funds for these activities are likely to be expended over 2002-03 and 2003-04. The phased allocation and disbursement of funds is a result of the evolving situation on the ground, and the need to remain responsive to the emerging priorities of the Transitional Administration.

- (6) The attached table details how the \$40.3 million in assistance referred to by the honourable member is being delivered. Australia's approach has been to utilise multilateral agencies and NGOs as key delivery mechanisms. This reduces the burden on the Transitional Administration and utilises on the ground infrastructure and experience. It also facilitates donor coordination, reduces duplication, and allows rapid disbursement of funds targeted towards urgent and emerging national priorities. It is consistent with the strategy being pursued and supported by the broader international donor community in Afghanistan.
- (7) Of the \$40.3 million referred to, over \$39 million has been disbursed. The remaining funding will include support for the banking and finance sectors, such as the provision of Australian technical

expertise, and will be disbursed during the remainder of the 2002-03 financial year. It also includes a small amount to meet any emerging contingencies, given that Afghanistan continues to face major humanitarian challenges. The Government remains committed to assisting where it can in Afghanistan, bearing in mind the urgent priorities in our more immediate region.

Attachment A: Australia's Commitments to Afghanistan since September 2001

Amount	Announced	Composition
\$23.3 million	23 September and 4 October 2001	\$5 m in food aid, including 7,200 tonnes of Australian wheat flour \$4 m to UNHCR* for protection and assistance to displaced Afghans \$2 m to ICRC's* Afghanistan Appeal \$0.5 m to UN Office for the Coordination of Humanitarian Affairs, to coordinate international relief efforts \$0.5 m to IOM* for food, non-food supplies, shelter and other assistance to displaced Afghans \$0.3 m to UNHCR for the Afghan Forum, Geneva 2001 \$1 m to Australian NGOs – CARE Australia, Australian Red Cross, UNICEF Australia and Oxfam CAA \$7 m to UNHCR for sustainable solutions for displaced Afghans and protection activities for Afghans in SW Asia \$2 m to ICRC for activities in Afghanistan, including family reunification \$1 m to IOM for assistance with resettlement/migration
\$17 million	Tokyo Conference 21 January 2002	\$1.5 m to Australian NGOs to build capacity of local Afghan groups \$2 m for costs associated with provision of Australian wheat flour \$1m to UNDP* Regional Humanitarian Coordinator's Office \$0.5 m to UNICEF for children's and women's winter survival, immunisation, nutrition, medicines \$0.5 m to UN Drug Control Program \$0.5 m for mine action activities \$3 m to UNHCR for its global resettlement function \$1 m to UNDP's Trust Fund for the Afghan Interim Authority \$4 m to UNICEF for basic education \$1 m to the International Centre for Wheat and Maize Improvement (CIMMYT) for work on wheat seed quality and distribution \$0.5 m for assistance in banking and finance through UNDP and ADB* \$0.5 m to meet emerging contingencies
\$1 million	27 March 2002	\$1 m for earthquake relief activities through ICRC and WFP*
\$2.13 million	June and 4 July 2002	\$2.13 m to IOM to assist with refurbishment of the Jangalak Refugee Processing Centre in Kabul, and for assistance with transport networks \$7 million through WFP for food aid assistance
\$1.5 million	13 September 2002	\$1.5 m for mine action activities
\$0.3 million	14 November 2002	\$0.3 m for scholarships
\$2.4 million	14 November 2002	\$2.4 m for capacity building in migration and border control
\$0.04 million		Support for INTERSERV volunteers through AusAID's Australia-NGO Cooperation Program over 2001-02 and 2002-03

*UNHCR = United Nations High Commission for Refugees

*ICRC = International Committee of the Red Cross

*IOM = International Organisation for Migration

*UNDP = United Nations Development Program

*ADB = Asian Development Bank

*WFP = World Food Program