COMMONWEALTH OF AUSTRALIA

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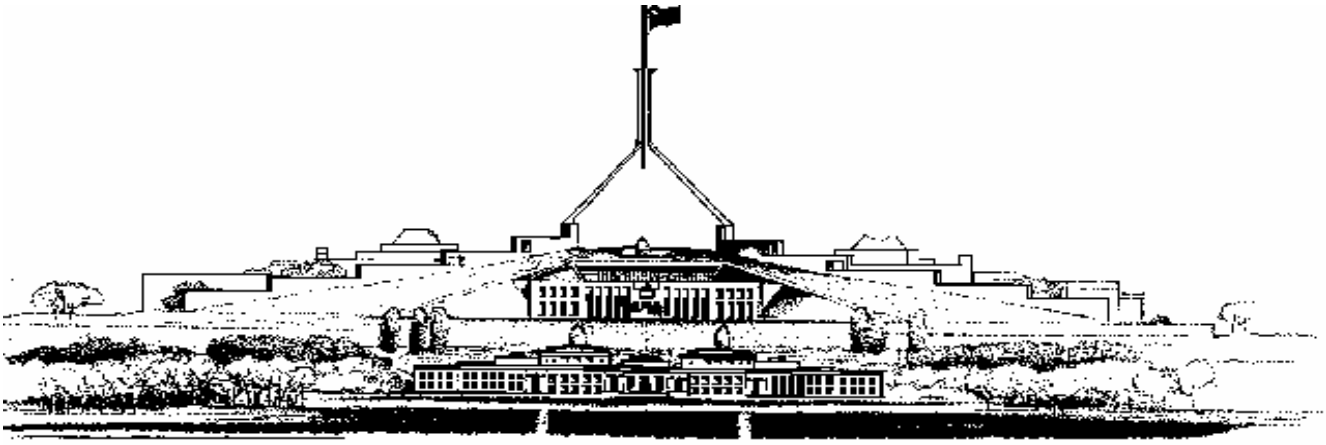

House of Representatives

Official Hansard

No. 5, 2006
Wednesday, 10 May 2006

FORTY-FIRST PARLIAMENT
FIRST SESSION—SIXTH PERIOD

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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SITTING DAYS—2006

Month	Date
February	7, 8, 9, 13, 14, 15, 16, 27, 28
March	1, 2, 27, 28, 29, 30
May	9, 10, 11, 22, 23, 24, 25, 29, 30, 31
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FORTY-FIRST PARLIAMENT
FIRST SESSION—SIXTH PERIOD

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Leader—The Hon. John Winston Howard MP

Deputy Leader—The Hon. Peter Howard Costello MP

Chief Government Whip—Mr Kerry Joseph Bartlett MP

Government Whips—Mrs Joanna Gash MP and Mr Fergus Stewart McArthur MP

The Nationals

Leader—The Hon. Mark Anthony James Vaile MP

Deputy Leader—The Hon. Warren Errol Truss MP

Chief Whip—Mr John Alexander Forrest MP

Whip—Mr Paul Christopher Neville MP

Australian Labor Party

Leader—The Hon. Kim Christian Beazley MP

Deputy Leader—Ms Jennifer Louise Macklin MP

Chief Opposition Whip—The Hon. Leo Roger Spurway Price MP

Opposition Whips—Mr Michael David Danby MP and Ms Jill Griffiths Hall MP

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Andren, Peter James	Calare, NSW	Ind
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O'Connor, Gavan Michael	Corio, Vic	ALP
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Smith, Stephen Francis	Perth, WA	ALP
Snowdon, Hon. Warren Edward	Lingiari, NT	ALP
Somlyay, Hon. Alexander Michael	Fairfax, Qld	LP
Southcott, Andrew John	Boothby, SA	LP
Stone, Hon. Sharman Nancy	Murray, Vic	LP
Swan, Wayne Maxwell	Lilley, Qld	ALP
Tanner, Lindsay James	Melbourne, Vic	ALP
Thompson, Cameron Paul	Blair, Qld	LP
Thomson, Kelvin John	Wills, Vic	ALP
Ticehurst, Kenneth Vincent	Dobell, NSW	LP
Tollner, David William	Solomon, NT	CLP
Truss, Hon. Warren Errol	Wide Bay, Qld	Nats
Tuckey, Hon. Charles Wilson	O'Connor, WA	LP
Turnbull, Hon. Malcolm Bligh	Wentworth, NSW	LP
Vaile, Hon. Mark Anthony James	Lyne, NSW	Nats
Vale, Hon. Danna Sue	Hughes, NSW	LP

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Member	Division	Party
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Vasta, Ross Xavier	Bonner, Qld	LP
Wakelin, Barry Hugh	Grey, SA	LP
Washer, Malcolm James	Moore, WA	LP
Wilkie, Kim William	Swan, WA	ALP
Windsor, Antony Harold Curties	New England, NSW	Ind
Wood, Jason Peter	La Trobe, Vic	LP

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ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; Ind—Independent; CLP—Country Liberal Party; AG—Australian Greens

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Clerk of the House of Representatives—I C Harris

Secretary, Department of Parliamentary Services—H R Penfold QC

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Treasurer	The Hon. Peter Howard Costello MP
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Minister for Defence	The Hon. Dr Brendan John Nelson MP
Minister for Foreign Affairs	The Hon. Alexander John Gosse Downer MP
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Attorney-General	The Hon. Philip Maxwell Ruddock MP
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Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House	The Hon. Peter John McGauran MP
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Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs	The Hon. Malcolm Thomas Brough MP
Minister for Industry, Tourism and Resources	The Hon. Ian Elgin Macfarlane MP
Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service	The Hon. Kevin James Andrews MP
Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate	Senator the Hon. Helen Lloyd Coonan
Minister for the Environment and Heritage	Senator the Hon. Ian Gordon Campbell

(The above ministers constitute the cabinet)

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Minister for Justice and Customs and Manager of Government Business in the Senate	Senator the Hon. Christopher Martin Ellison
Minister for Fisheries, Forestry and Conservation	Senator the Hon. Eric Abetz
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Parliamentary Secretary to the Minister for Education, Science and Training	The Hon. Patrick Francis Farmer MP
Parliamentary Secretary (Foreign Affairs)	The Hon. Teresa Gambaro MP

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Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology	Senator Stephen Michael Conroy
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Shadow Treasurer	Wayne Maxwell Swan MP
Shadow Attorney-General	Nicola Louise Roxon MP
Shadow Minister for Industry, Infrastructure and Industrial Relations	Stephen Francis Smith MP
Shadow Minister for Foreign Affairs and Trade and Shadow Minister for International Security	Kevin Michael Rudd MP
Shadow Minister for Defence	Robert Bruce McClelland MP
Shadow Minister for Regional Development	The Hon. Simon Findlay Crean MP
Shadow Minister for Primary Industries, Resources, Forestry and Tourism	Martin John Ferguson MP
Shadow Minister for Environment and Heritage, Shadow Minister for Water and Deputy Manager of Opposition Business in the House	Anthony Norman Albanese MP
Shadow Minister for Housing, Shadow Minister for Urban Development and Shadow Minister for Local Government and Territories	Senator Kim John Carr
Shadow Minister for Public Accountability and Shadow Minister for Human Services	Kelvin John Thomson MP
Shadow Minister for Finance	Lindsay James Tanner MP
Shadow Minister for Superannuation and Intergenerational Finance and Shadow Minister for Banking and Financial Services	Senator the Hon. Nicholas John Sherry
Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women	Tanya Joan Plibersek MP
Shadow Minister for Employment and Workforce Participation and Shadow Minister for Corporate Governance and Responsibility	Senator Penelope Ying Yen Wong

(The above are shadow cabinet ministers)

SHADOW MINISTRY—*continued*

Shadow Minister for Consumer Affairs and Shadow Minister for Population Health and Health Regulation	Laurie Donald Thomas Ferguson MP
Shadow Minister for Agriculture and Fisheries	Gavan Michael O'Connor MP
Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow Minister for Small Business and Competition	Joel Andrew Fitzgibbon MP
Shadow Minister for Transport	Senator Kerry Williams Kelso O'Brien
Shadow Minister for Sport and Recreation	Senator Kate Alexandra Lundy
Shadow Minister for Homeland Security and Shadow Minister for Aviation and Transport Security	The Hon. Archibald Ronald Bevis MP
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Shadow Minister for Defence Industry, Procurement and Personnel	Senator Thomas Mark Bishop
Shadow Minister for Immigration	Anthony Stephen Burke MP
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Shadow Parliamentary Secretary for Defence and Veterans' Affairs	The Hon. Graham John Edwards MP
Shadow Parliamentary Secretary for Education	Kirsten Fiona Livermore MP
Shadow Parliamentary Secretary for Environment and Heritage	Jennie George MP
Shadow Parliamentary Secretary for Industry, Infrastructure and Industrial Relations	Bernard Fernando Ripoll MP
Shadow Parliamentary Secretary for Immigration	Ann Kathleen Corcoran MP
Shadow Parliamentary Secretary for Treasury	Catherine Fiona King MP
Shadow Parliamentary Secretary for Science and Water	Senator Ursula Mary Stephens
Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs	The Hon. Warren Edward Snowdon MP

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WEDNESDAY, 10 MAY

CHAMBER

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Wednesday, 10 May 2006

The SPEAKER (Hon. David Hawker) took the chair at 9.00 am and read prayers.

AUSTRALIA-JAPAN FOUNDATION (REPEAL AND TRANSITIONAL PROVISIONS) BILL 2006

First Reading

Bill and explanatory memorandum presented by **Mr Downer**.

Bill read a first time.

Second Reading

Mr DOWNER (Mayo—Minister for Foreign Affairs) (9.01 am)—I move:

That this bill be now read a second time.

The purpose of this bill is to repeal the Australia-Japan Foundation Act 1976. The abolition of that act will enable the Australia-Japan Foundation to be re-formed as a non-statutory, unincorporated bilateral body within the Department of Foreign Affairs and Trade on the same footing as the other eight bilateral bodies established in the department to undertake similar functions.

The Australia-Japan Foundation is responsible for broadening and strengthening Australia's links with Japan to advance Australia's national interests. The foundation plays an important role promoting people-to-people, institutional and professional links between the two countries through its cultural, educational and other programs.

The bill forms part of the implementation of the government's response to the review of corporate governance of statutory authorities and office holders that was conducted by Mr John Uhrig. The government has been reviewing all statutory agencies in the context of Mr Uhrig's recommendations, to ensure that we have the most effective accountability and governance structures across the whole of government.

It is anticipated that revoking the foundation's statutory status and bringing it into the Department of Foreign Affairs and Trade will better align the foundation's activities with the government's foreign and trade policy objectives in Japan, one of our most important and productive bilateral relationships. It is also expected to improve the foundation's administrative efficiency. The foundation will continue its important work in delivering programs in support of those objectives while promoting contemporary Australia as a culturally diverse and technologically sophisticated society.

On behalf of the government, I would like to thank the current and previous Australia-Japan Foundation boards. I am grateful for their extensive expertise and commitment in advancing Australia-Japan relations and I am confident that the new advisory board will continue their good work.

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

CHILD SUPPORT LEGISLATION AMENDMENT (REFORM OF THE CHILD SUPPORT SCHEME—INITIAL MEASURES) BILL 2006

First Reading

Bill and explanatory memorandum presented by **Mr Cobb**, for **Mr Brough**.

Bill read a first time.

Second Reading

Mr JOHN COBB (Parkes—Minister for Community Services) (9.04 am)—I move:

That this bill be now read a second time.

This bill represents the first implementation phase in the government's comprehensive reform of the Child Support Scheme. This reform flows from the extensive work of the Ministerial Taskforce on Child Support and the government's response in February this year to the taskforce's recommendations.

The Child Support Scheme was introduced in 1988 to deal with the consequences on children of marriage and relationship breakdown, including the relatively low living standards of many children, the large numbers of separated parents dependent on welfare, and the low amounts being paid in child support by non-resident parents.

The House of Representatives Standing Committee on Family and Community Affairs responded to ongoing community concern about child custody arrangements with a wide-ranging inquiry and report, *Every picture tells a story*, which was released in late 2003. The Ministerial Taskforce on Child Support was then established to look further into the complex detail involved, leading to its report, *In the best interests of children*, being presented to the government in mid-2005.

The taskforce suggested the present Child Support Scheme does not reflect community standards on shared parenting and the increased participation of women in the workforce. It also reported that the scheme does not accurately reflect the relationship between income and spending on children in ordinary families, nor is it well integrated with the income support, family payments and family law systems.

The package of reforms announced by the government in response to the taskforce findings will constitute a major overhaul of the scheme. Notably, it will include a new child support formula that reflects the true costs of raising children in Australia, recognising the incomes of both parents and balancing the needs of first and second families. The changes will affect 1.4 million parents and 1.1 million children. The aim is to reduce conflict between separated parents, particularly through encouraging shared parenting as part of a system that is fairer and puts the needs of children first.

The reform package announced by the government will be introduced in three stages, with the more extensive and complex elements, including the new formula, being the third stage. This bill introduces the first legislative stage of the package of reforms, to be implemented in July 2006.

Among these initial measures is an increase in the minimum child support payment from the current amount, equal to $5 per week, to the amount that would have been in place if the old minimum had been indexed since its introduction in 1999. Furthermore, this new minimum payment, currently equal to about $6.15 per week, will retain its value through a regular indexation process.

A further measure will lower the cap on income that is taken into account in working out child support liabilities. At present, income in excess of 2½ times the yearly value of average weekly total earnings for full-time adults is disregarded. The changed cap will have regard to a comparable amount drawn from the average weekly total earnings for all employees—a lower reference amount. This will mean that some high-income earners will pay child support at a lower rate than under the current cap, which has required some payers to pay more than the actual costs of their children.

The bill will also provide more detail on the circumstances in which a parent's capacity to earn may allow the Child Support Agency or a court to depart from the usual administrative assessment rules in setting the amount of child support payable. A decision under the capacity-to-earn rules is one where the parent's real income is not disputed, but it is considered that he or she has a capacity to earn at a greater level than is being exercised. A decision may be made in these circumstances to assess the child support liability as being at a higher rate. Greater clarity

and accountability is to be brought to capacity-to-earn decisions.

For example, before such a decision may be made, it would have to be clear to the Child Support Agency or a court that the parent either is unwilling to take up clear work opportunities, has reduced his or her employment to a level that is lower than the normal full-time level in the occupation or industry in question or has otherwise changed his or her occupation, industry or working pattern. Also, it would have to be considered that these employment decisions are not justified because of the parent's health or caring responsibilities. Lastly, the decision could only be made if the parent had not demonstrated that a major purpose of the parent's employment decisions was not to affect the child support assessment.

The bill increases from 25 per cent to 30 per cent the proportion of a payer's child support liability for a particular child support payment period that may be met through what are known as prescribed non-agency payments. These are payments made by the payer to certain third parties in partial satisfaction of his or her child support liability. Payments such as child-care costs, school fees and essential medical and dental bills, amongst other things, are allowed for this purpose. The increased level will give payers extra flexibility in meeting their obligations. Any remaining amount of a payment that exceeds the 30 per cent limit will continue to be credited against the payer's liability in subsequent child support payment periods.

Lastly, the bill addresses a constitutional issue with the application of the Child Support Scheme to exnuptial children in Western Australia.

Constitutionally, the Child Support Scheme extends to children of marriage in all states but to exnuptial children only to the extent that the states either refer their powers to the Commonwealth or adopt Commonwealth laws. All states have referred to the Commonwealth their power to make laws in relation to exnuptial children except for Western Australia, which has chosen instead to adopt the child support legislation from time to time. However, the Western Australian adoption acts have tended to lag behind the Commonwealth amendments.

In the periods between Commonwealth amendments and Western Australian adoption, two parallel child support schemes have operated—a pre-amendment scheme applying to exnuptial children in Western Australia and a post-amendment scheme applying the up-to-date legislation to all other children in Australia, including children of marriage in Western Australia.

The amendments in the bill confirm the legal status of this arrangement, to provide certainty to families and children affected. I commend the bill to the House.

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

FAMILY LAW AMENDMENT (SHARED PARENTAL RESPONSIBILITY) BILL 2006

Consideration of Senate Message

Consideration resumed from 9 May.

Senate's amendments—

(1) Schedule 1, item 3, page 4 (after line 22), at the end of the definition of ***family violence***, add:

Note: A person reasonably fears for, or reasonably is apprehensive about, his or her personal wellbeing or safety in particular circumstances if a reasonable person in those circumstances would fear for, or be apprehensive about, his or her personal wellbeing or safety.

(2) Schedule 1, item 43, page 33 (lines 11 to 17), omit subitems (1) and (2), substitute:

(1) Section 60CC of the new Act applies to orders made on or after commencement.

(2) The amendments made by items 13, 29 and 30 of this Schedule apply to parenting orders made on or after commencement.

(3) Schedule 1, item 43, page 33 (lines 26 and 27), omit subitem (6), substitute:

(6) The amendment made by item 22 of this Schedule applies to parenting orders made on or after commencement.

(4) Schedule 1, item 43, page 34 (lines 1 to 3), omit subitem (8), substitute:

(8) Sections 65DAA, 65DAB, 65DAC and 65DAE of the new Act apply to parenting orders made on or after commencement.

(5) Schedule 1, Part 2, page 34 (after line 7), at the end of the Part, add:

44 Grounds for discharging or varying parenting orders

The amendments made by this Schedule are taken not to constitute changed circumstances that would justify making an order to discharge or vary, or to suspend or revive the operation of, some or all of a parenting order that was made before commencement.

Note: For the need for changed circumstances, see *Rice and Asplund* (1979) FLC 90-725.

Mr RUDDOCK (Berowra—Attorney-General) (9.13 am)—I move:

That the amendments be agreed to.

The Family Law Amendment (Shared Parental Responsibility) Bill 2006 is a very important bill because it complements the most significant changes to family law in almost 30 years. It is about changing the culture and the way in which family law issues are dealt with, hopefully to ensure that the great majority of them will be dealt with in less adversarial ways. The family relationship centres are a very important part of that initiative. This bill, as originally proposed and as amended, seeks to reinforce those changes that we expect will lead to that change of culture. In that context, I thank the Senate Legal and Constitutional Legislation Committee for their efforts in releasing a comprehensive report on this bill on 24 March. They did endeavour to expedite their considerations so that the bill could be considered when we last sat. It is only because the House was not sitting when the Senate completed its deliberations that we are dealing with this matter today.

The government will formally respond to the report, and that will be tabled shortly. We did carefully consider the recommendations of the committee, and as a result made a number of amendments. The Senate amendments substantially implement three of the committee's recommendations. The other recommendations that the government has adopted do not require a legislative response. Those the government has not accepted revisited issues considered by previous committees of this House. Those views of the committee of this House were, in the government's opinion, to be preferred.

The Senate amendments also clarify the government's intention that the bill is not intended to operate so as to allow previously resolved parenting orders to be reconsidered purely on the basis of changes to the legislation. That does not preclude examination if there have been legitimate changes in circumstances. It is important that the legislation is in place prior to the opening of the first family relationship centres in July this year. That underpins the government's reforms to the services, as I mentioned. So I look forward to the passage of these amendments today.

Amendment (1) adds a note to the definition of family violence to clarify that the tests to determine reasonableness of a fear or apprehension of violence takes into account the circumstances of a person who is relying on a reasonable fear or apprehension of violence. Amendments (2) to (4) address concerns that the bill would not apply to court applications made prior to the commencement of the bill. Amendment (5) clarifies the government's intention that schedule 1 of the bill is not to operate so as to allow previously resolved parenting orders to be considered purely on the basis of changes to the legislation.

I commend the amendments to the House and thank all those members who have contributed to positive deliberations on this bill.

Ms ROXON (Gellibrand) (9.16 am)—Labor is happy to support the amendments that the government has flagged. The Family Law Amendment (Shared Parental Responsibility) Bill 2006 has had a long and torrid life, going through both this House and the other place as well as having two committees look into it. I do not intend to go through in any detail the issues that have previously been raised in this House, other than to flag that we are grateful that the government has picked up a number of amendments that have been recommended by the House of Representatives Standing Committee on Legal and Constitutional Affairs, by the Labor Party as the opposition and by the Senate Legal and Constitutional Legislation Committee.

There are a number of recommendations that have not been picked up. I note that the government has been happy to pick and choose when it is interested in listening to recommendations from the committees and when it is not. I think it is unfortunate that a number of other issues that have been flagged here before have not been picked up—those dealing with the definition of violence, the cooling off period, the use of 'equal' or 'joint' in the legislation and the issues that the Senate committee picked up in respect of false allegations and costs.

However, we welcome this broad package. It has been a long time coming. We hold the same hopes that the government holds that this will provide some long-term relief to families who are going through family breakdown. We hope that the family relationship centres program will be as successful as the government maintains. We will certainly be doing our part to make sure that these changes will provide significant relief for families. We will continue to keep an eye on the issues that we think may have some negative impact. No doubt we will be back in this place debating matters further if our fears are held up. We hope that is not the case and we are happy to support the amendments that have been moved in the House today.

The SPEAKER—The question is that the amendments be agreed to.

Question agreed to.

ELECTORAL AND REFERENDUM AMENDMENT (ELECTORAL INTEGRITY AND OTHER MEASURES) BILL 2005

Second Reading

Debate resumed from 9 May, on motion by **Dr Stone**:

That this bill be now read a second time.

upon which **Mr Griffin** moved by way of amendment:

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

"this bill be withdrawn until undemocratic provisions that:

(1) reduce the period of time Australians have to enrol to vote and update their details on the electoral roll;

(2) introduce new proof of identity requirements;

(3) increase the disclosure thresholds to $10,000; and

(4) increase the tax-deductibility of political donations

are removed".

Mr MELHAM (Banks) (9.19 am)—Yesterday I described the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 as putrid legislation—and that is what it is. It is putrid legislation because, for the first time that I can recall in my time, we have a government bringing legislation into this House—with the prospect of success because it has control of the Senate—that is about disenfranchising people, not about enfranchising them. The second limb of the bill, the triple-dipping component—that component relating not to public funding, the money we get from our parliamentary entitlements, but to fundraising—will hide the money that goes to political parties and political candidates, because of the threshold increase.

I served a number of years on the Joint Standing Committee on Electoral Matters. My philosophy throughout the whole of that period was to have maximum disclosure and transparency. I was one of those who argued for low threshold levels. I also did whatever I could to ensure that people were able to vote.

I said yesterday that I regard a couple of the provisions—namely, the proof of identity requirement for provisional voters and for people enrolling or updating, and the early closure of the roll when the writs are issued—as the equivalent of the 'hanging chad' provisions. We all remember what the hanging chad provisions did in Florida: they disqualified a large number of voters and resulted in the election of a President who, it was subsequently found, did not have a majority of the votes. That is a manipulation of the system. These are not benign provisions that this government is introducing into the Electoral Act, which is now the only qualification for people voting.

There is no constitutional right to vote anymore. That has been overtaken by the Electoral Act. So you can actually stop people from exercising what was their entitlement by bringing in red-tape provisions that will disqualify them or remove them from the count. The last time a roll was closed was in 1983 when Malcolm Fraser ran to the polls to try and overcome the election of Bob Hawke as leader of the federal parliamentary Labor Party. That is the last time we had the closing of the roll when the writs were issued, and 80,000-odd people were disqualified from voting.

The second submission of the Electoral Commission, dated 30 June 2005, to the Joint Standing Committee on Electoral Matters inquiry into the last election contained a very interesting table on page 11, 'Table 5: Close of rolls enrolment transactions by type—States and Territories—2004 federal election'. It showed that there were 78,816 new enrolments in the seven-day lapse period for enrolment—the 'safety net', as I would like to call it, when it comes to enrolment.

We get told by the government that these provisions are all about the integrity of the roll and stopping the possibility of fraud. As the member for Melbourne Ports pointed out, an inquiry was held in 2001 by the Joint Standing Committee on Electoral Matters in which the Australian Electoral Commission testified that it had compiled a list of all cases of enrolment fraud for the decade 1990-2001 and that there were 71 cases in total, or about one per one million enrolments. The member for Melbourne Ports points out that those 71 false enrolments were carried out for reasons not connected

with a desire to influence federal election results; he contends that they were in the main in order for disqualified Queensland drivers to get back their drivers licences.

This government is bringing in a sledgehammer to crack a walnut. It has gone over the top in this instance. When one looks at the people who will be disenfranchised, it is mainly young people. Yes, they are a little bit slack in becoming enrolled. Of the 78,816 new enrolments, 37,007 were aged 18, 14,132 were aged 19, and 13,058 were aged 20. That is a lot of voters, and they are not all Labor voters. This government has not brought forward any evidence of fraud—any evidence of people voting who should not have been voting—to bring about an electoral change that is going to affect on average 70,000 voters at election time. It is a matter of fact that it takes until you get to 25 years of age for the enrolments to be pretty full enrolments for age categories. The band from 18 to 25 gets progressively better. By the time you get to 25 years of age it levels out. This government cannot point to any election to show that this has resulted in an improper election result. I am of the view that the maximum number of eligible voters should be allowed to vote at election time.

We have not seen an electoral system that has disadvantaged the Liberals. The Liberals have done quite well out of the current system. What we are seeing is the Liberal Party seeking to, in effect, get into the Electoral Act and purge sections of voters that they think might not necessarily be their types of voters—on spurious grounds. I come from a background of the defence side of the criminal law. It was always up to the prosecution to prove their case and to argue their case, not to just come in with suspicion and wild theories—and, quite frankly, prejudice, which this government seems to have done as the basis of their justification.

The other electoral enrolment provisions that I find offensive are those relating to documentary proof of identity for provisional voters and new voters. At the last election there were about 180,000 provisional voters. So what you are doing is introducing another layer to basically rule people out if they do not have a drivers licence or a prescribed identification document. What is that going to do for Indigenous people? It will basically bounce them out of the electoral system when, again, this government has not shown massive fraud in what is currently a good electoral system. On a whim, on the basis of prejudice, this government is going to cleanse from the voting list thousands and thousands of people if they are not able to produce a level of identification that it is happy with. I find a remarkable that a government would go down this track. In terms of the limited provisions that the government allows for enrolment after the issue of the writs, the explanatory memorandum at page 11 says:

> 44. The proposed amendments provide that the date for the close of rolls shall be 8.00 pm three working days after the issue of the writ. However, for new enrolments and re-enrolments, the roll will close at 8.00 pm on the day on which the writs are issued (note that there are two exceptions to this as outlined in paragraphs 45 (b) and (c) below).
>
> 45. The roll will close at 8.00pm on the third working day after the issue of the writ for people:
>
> a) currently enrolled but who need to update their details;
>
> b) who are not enrolled but would attain 18 years of age between the day on which the writs are issued and polling day; and
>
> c) who are not enrolled but may be eligible to be granted a certificate of Australian citizenship between the day on which the writs are issued and the polling day.

The close of roll transactions by age—and this will involve other transactions—were

put in table 7 of the submission by the Electoral Commission. That table is actually quite informative. There are up to 345,177 transactions across Australia for 'Close of roll other transactions by age' for the 2004 federal election. This is going to introduce quite a bureaucratic red-tape nightmare for electors at the next election.

We are also going to have the best politicians that money can buy, but we are not going to be able to see the money. Last night we saw members of the Liberal Party trawling their wares around this House, coinciding with the budget, by having fundraisers with tickets at $1,000 a head for ministers and $600 a head for backbenchers. I do not have a problem with the Liberal Party having fundraising activities but, under the new provisions, a lot of that money will not be able to be disclosed; it will be hidden. I think it is quite a grubby operation, bringing in threshold increases in effect that are designed, I think, to give a different income stream. As a result of the raised threshold levels, coinciding with tax deductibility limits being increased from $100 to $1,500—in other words, the taxpayer is going to underwrite the donations to political parties—I can see the Liberal Party and the National Party, the new millennium foundation, going out there and picking up the professionals and saying to them, 'We want you to donate this money. Your identity is going to be secure. You can help us when it comes to the next election.'

I do not mind them doing that. What I object to is the lack of transparency. If people want to put up money to fund political parties or candidates that is fine; that is the basis upon which we run our democracy. But you get into trouble when you hide that sort of money. The Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs, who is at the bar table, knows very well that for years the Liberal Party has sought to hide its funding so that its donors are not known. But, for my part, if transparency is there you can see what influence is exercised.

I think expanding tax deductibility from $100 to $1,500 is a rort and that increasing disclosure of political donations from $1,500 to $10,000—and these figures all have CPI components—is an outrage because people could donate tens of thousands of dollars in such a way that they would not be exposed. I say that is corrupting our electoral system. It is introducing a cancer into our electoral system that will spread. It will turn our electoral system into one which will be criticised—a system which people will question.

We have one of the best electoral systems in the world, with public funding and compulsory voting. With the way the system is conducted at the moment, we are the envy of the world. We get election results, and tight election results, that people can accept. But this is being done for partisan political advantage. It is all about prejudice in the minds of some. It results in our fellow Australians missing out on their entitlement—to go along at election time and have their votes counted.

Mr KEENAN (Stirling) (9.34 am)—I am very pleased to be to talk on the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. But before I start my remarks I want to reject a couple of the suggestions that have been made in the speech the member for Banks has just given to the House.

Firstly, there was an inference throughout his speech that somehow the government has looked at the electoral system and designed this bill to give us some sort of political advantage. That is just not true at all. This bill is designed to ensure the integrity of the electoral system. The member for Banks was somehow suggesting that voters who have not enrolled properly may be more inclined

not to vote for the government. There is absolutely no evidence of that at all. I totally reject the suggestion that this bill has been designed to give the Liberal Party any political advantage, because there is no evidence that that is the case.

Secondly, the member for Banks asserted throughout his speech that there is no evidence of electoral fraud in Australia. Sadly, that is just not true. There is ample evidence of electoral fraud and that the electoral roll is not currently accurate. If he wants an example of this he might want to pop down the road to Curtin House and talk to the Assistant National Secretary of the Labor Party—he knows a thing or two about rorting the electoral roll. He would be able to explain not only that the electoral roll has been rorted but also exactly how you could go about doing that. So there is ample evidence of electoral fraud, sadly, and some has been aired in the Shepherdson inquiry in Queensland in particular.

I would not say that electoral reform is what the Prime Minister might term a barbecue stopper. It is certainly not something that has been raised with me by many of my constituents. But I think that everyone in Australia expects an electoral system that is 100 per cent above reproach. That is a vital element in our democracy.

From the electoral history of my own seat of Stirling, I can give the House a pretty good example of why that is the case. In the election of 1974, the incumbent at the time, Ian Viner, won the seat by a grand total of 12 votes. This story has been relayed to me—as the candidate and later the member for Stirling—on many occasions. I have to confess that I thought it might have been something of an urban myth. But I checked with the Parliamentary Library, and it is true that if seven people in the seat of Stirling had changed their minds in 1974, the seat would have been decided another way.

Ian Viner, who won the seat by those 12 votes, went on to have a distinguished career within the Fraser government. Even though it was a long time ago, I can certainly sympathise with the Labor challenger at the time. But we can see from this example how important it is to have a 100 per cent accurate electoral roll. As I said, there is ample evidence that in Australia the electoral roll is not 100 per cent accurate.

I mentioned the Shepherdson inquiry in my introductory remarks. Obviously that inquiry bypassed the member for Banks. He could not have been reading the papers or listening to television or radio during those few months. The inquiry shows that in Australia the electoral roll has been rorted for the basest political purposes. This bill contains a number of measures that will stop that from happening. It is very difficult for me to understand why the ALP would oppose any of these sensible measures, particularly when their own internal processes were being rorted in the examples that I just raised.

Following every election in Australia, a joint committee of the parliament is established to look into the conduct of that election and report back to the parliament about it. No-one suggests that the Australian electoral system is not very good, but this committee is designed to look at the system and report back to the parliament about improvements that can be made. This process of examination is a very important one.

Following the 2000 election, the committee, under the able chairmanship of the member for Casey, took submissions in the capital cities and in rural and regional Australia. Over 200 people presented submissions to that committee. The committee tabled its report on 10 October following the public hearings. As I suggested, the conclu-

sion was that Australia has an excellent electoral system but that there are some areas where it can be improved.

The government looked at the committee's report, and this bill contains the government's response to it. It contains many of the reforms that were recommended by the Joint Standing Committee on Electoral Matters. The bill makes amendments to a number of acts, including the Commonwealth Electoral Act, the Referendum (Machinery Provisions) Act and the Income Tax Assessment Act. The amendments cover several important areas, some of which I will take a close look at today, including disclosure of political donations, increasing ID requirements for enrolment and provisional voting, the timing of the close of the roll, prisoner loss of vote, access to the electoral roll and political party registration.

Among the most notable amendments in the bill is increasing the declarable limit for the disclosure of political donations. The provisions will increase the disclosure threshold from $1,500 to $10,000 and increase the threshold in line with the CPI. It has been more than 20 years since the threshold for disclosure of political donations was first introduced at the level of $1,000. Even at that time, it was an absurdly low figure. The arguments for lifting the threshold are now even more absolute.

The purpose of disclosure is obviously very clear. The public needs to know that people who are making donations to political parties cannot seek to gain undue influence by doing so. The disclosure laws provide the necessary transparency to give the public confidence that they know where political parties are being funded from.

But as you would be well aware, Mr Deputy Speaker, elections in Australia are now multimillion dollar affairs and electoral expenditure of both major parties exceeds tens of millions of dollars. We in this parliament therefore need to exercise some judgment about what is an appropriate level at which to disclose donations without subjecting people in the organisations involved to unnecessary red tape and bureaucracy. The threshold was much too low when it was first set, and it has subsequently been severely eroded by inflation. It adds nothing to our democracy except unnecessary red tape.

The reality is that the threshold is set way too low. Reducing the threshold even further, as has been suggested by some members in this place today, will not increase disclosure or increase transparency within our democracy. In 2003-04, prior to the last federal election, 88 per cent of all donations disclosed by the two major parties were in excess of $10,000.

Raising the disclosure threshold will also reduce the administrative burden on the AEC. An increase to $10,000 will see the donation threshold moved to be in line with that of similar sorts of democracies, such as the United Kingdom.

It is absurd to think that decreasing the threshold, as has been suggested here, would do anything to enhance our democracy. It may well result in little old ladies having to declare to the AEC the purchase of a $1 raffle ticket. I do not think that anyone is seriously suggesting that declaring to the AEC every whip-round or every raffle is in any way going to do anything apart from create an administrative nightmare. Our system is not made any more transparent by a low disclosure threshold; all it is doing is creating unnecessary administration. It is vitally important that the threshold is now raised to a sensible level.

I move on to donations to political parties and independent candidates. The provisions in this bill will amend the Income Tax Assessment Act to increase the level of tax-

deductible contributions to political parties and independent candidates, whether by individuals or corporations, from $100 to $1,500 in any income year.

Under the current law, a taxpayer cannot claim a tax deduction for more than $100 of contributions to political parties registered under part 11 of the Electoral Act. The proposed amendments to the Income Tax Assessment Act will increase the tax deductibility value of contributions from an individual or from a corporation to a registered political party or an independent candidate in relation to Commonwealth or state elections from $100 to $1,500 and these amendments will commence at royal assent.

Political parties in Australia are actually very important community organisations. The two major parties—the Australian Labor Party and the Liberal Party—have historically been responsible for providing good government, not just at the federal level but at the state and territory level. This is a very important responsibility. Australians should be encouraged to contribute to political parties and to the political process, rather than be discouraged through the tax system. I maintain that politics is a very important community calling and that when people take the time and use their own financial resources to support that process, they should be rightly supported by the tax system, as they would be if they were donating to other community organisations.

A lot of the debate in this place about this bill has been about increasing the requirements for electoral enrolment and increasing the identification requirements for provisional voting. It is disturbing to think that it is harder to rent a DVD than it is to get on the electoral roll in Australia. Under the current system, there is also no requirement for a voter to actually prove who they are before they cast their vote. The intention of this bill is to introduce stricter requirements; namely, that people need some proof of identity when enrolling or updating their enrolment by showing their drivers licence or another form of identification or by having their enrolment application signed by two referees who are not family and who have known the applicant for at least one month and who must also provide a drivers licence number.

We cannot underestimate the importance of having an accurate electoral roll. It is a vital pillar of our democratic processes. At the moment, there is cause to believe that the electoral roll is only reasonably accurate, and I do not think that is good enough. This issue is of great importance to me as a marginal seat holder and because of the history that I outlined earlier about the seat having been won at one stage by 12 votes.

The AEC reported in February 2004 that in the electorate of Isaacs the electoral roll was only 90 per cent accurate. I do not think that is an acceptable level of accuracy and there is no reason to suggest that that is not replicated in other seats. Questions of accuracy and fraud, therefore, can arise in relation to election results. In the last election, in 2004, 27,000 people who cast provisional votes had them accepted in the count, although they were later unable to be put on the electoral roll because they failed to qualify. This meant that 27,000 votes were potentially incorrectly included in the count. It is not rocket science to work out that a 10 per cent error rate in our electoral roll could have a significant impact on the outcome of any individual election. Let us not leave out the potential for incorrect enrolments to help people create false identities and help people conduct social security fraud. Electoral enrolment can be used as 25 points out of a 100-point ID check.

Therefore, I think it is vitally important that we establish some moderate proof of

identity requirements for provisional voting. An elector, other than a silent elector who wants to cast a provisional vote on polling day, will need to show either a drivers licence or a prescribed identity document of the same type required for enrolment proof of identity. This will be shown to an officer from the AEC at the time of casting the provisional vote or by close of business on the Friday following polling day. If the elector cannot show the document in person, they may post, fax or email an attested copy to the AEC. Ballot papers will only be admitted to the count if the provisional voter has provided suitable identification if they were not enrolled, or if their omission from the roll was the result of an error within the Electoral Commission. It is high time that basic identity requirements were required to protect the integrity of the roll.

I move on now to the closing of the roll. This refers to the time by which electors must enrol or change enrolment details prior to an election. At present this stands at seven days after the election writs are issued. This bill aims to reduce the close of roll period to provide that, in general, the roll will close at 8 pm on the third working day after the issue of the writ. However, persons who are not on the roll—with two exceptions, which I will set out—will not be added to the roll in the period between 8 pm on the day of the issue of the writ and polling day. The exceptions for persons who are not on the roll are either 17-year-olds who will turn 18 between the day the writ is issued and polling day, or people who will be granted citizenship between the issue of the writ and polling day. Persons in these categories can apply for enrolment up until the close of the roll at 8 pm three working days after the day on which the writ is issued.

The reasons for this are obvious. In the seven-day rush to enrol, massive amounts of pressure are put on the Electoral Commission, and this can put into question its ability to accurately check and assess enrolment claims. As I understand it, prior to the last election, 423,993 changes to enrolment were processed in the close of roll period. Of these, 78,816 were new enrolments and 225,314 were changes of address. This is a phenomenal amount of work thrust on the AEC in an incredibly short period of time. This seven-day period does nothing for our system other than increase the likelihood of error—and, sadly, of fraud. Contrary to some claims aired in the parliament, this move is not intended to disenfranchise anyone, particularly young people, as mentioned by the member for Banks. We must allow the AEC enough time to accurately process enrolments.

This bill will enhance the provisions for the disenfranchisement of prisoners. Currently, prisoners who are serving a full-time sentence of three years or longer are denied the right to vote. This bill will amend the voting entitlement provisions so that all prisoners serving a sentence of full-time detention will not be entitled to vote; however, they may remain on the roll or, if not enrolled, apply for enrolment. Those serving alternative sentences, such as periodic or home detention, as well as those serving non-custodial sentences or those who have been released on parole will still be eligible to enrol and vote.

If a court of law has judged that you have wronged society in such a way that you are to be denied your freedom then I certainly think it follows that you should be denied your right to participate in the democratic process. I do not doubt that the majority of Australians would agree that it is high time that people who have lost their freedom also lose the right to participate in our democracy. When you have committed an offence that is serious enough to be punishable by imprisonment then surely your views on the gov-

ernance of the country should no longer be required for the period that you are incarcerated. We already have this provision in my home state of Western Australia, and it is high time that it was extended to the national scene as well.

I will move on to access to the electoral roll and provisions that provide for access to the roll by persons and organisations that verify, or contribute to the verification of, the identity of persons for the purposes of the Financial Transaction Reports Act 1988 and provide that such use is not subject to the commercial use prohibition. This bill will also require that, in the future, divisional offices of the AEC must be located within divisional boundaries unless otherwise authorised by the minister.

I am also keen on the provisions in this bill that will increase nomination deposits, that will draw associated entities and third parties into the same accountability requirements as those that apply to political parties and, finally, that will remove the requirement of publishers and broadcasters to furnish returns on electoral advertisements. That was always an unnecessary duplication. *(Time expired)*

Mr ANDREN (Calare) (9.54 am)—I have listened to the previous two contributions to the second reading debate on the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005, and you could not get two more divergent views. We had the member for Banks—

Mr Crean—A good speech.

Mr ANDREN—in a very good speech describing this particular bill and the provisions in it as 'partisan political advantage' and 'prejudice'. He used the terms 'rort' and 'outrage'. The speaker who followed him said that this bill is not 'a barbecue stopper', that our electoral system is '100 per cent above reproach' and, indeed, that it is transparent. I wonder how transparent a system is when party candidates who have had hundreds of thousands of dollars spent on their campaign on their behalf can put in a nil return and the only way of trying to find out how much was spent on that campaign by that candidate is through looking at the media returns—in my case, in the electorate of Calare. We have a provision in this bill to exclude the media from providing those very details, yet we have people with the hide to describe these amendments and our electoral legislation as transparent.

In this place we say that we pride ourselves on our country's democratic traditions. Key to true democracy is participation and transparency—participation by the people and transparency in the actions of their elected representatives and transparency in the very processes that determine how, why and under what circumstances support has been given and spent, whether it be in election periods or, indeed, with the privileges of public office. Participation and transparency should be encouraged and enhanced by every means possible. However, this bill is more about limiting participation and transparency than it is about encouraging it. It does nothing to enhance our democracy, our parliament and our electoral processes. In fact, I believe the bill separates the parliament and its representatives even further from the people and even closer to vested interest and the money that inevitably goes with it.

The bill is a comprehensive overhaul of our electoral laws. Despite the tenor of my opening remarks, which I do not resile from in any way, it does have some redeemable qualities, but they are very few. I do not have any problem with the provisions in regard to increasing the proof of identity requirements on enrolment. I made my support for this reform clear in debate on similar bills in the last parliament. I do not particularly have a position on the deregistration of parties pro-

visions, save to say that I suspect that it is largely motivated by coalition party members to avoid situations such as the alleged misconduct of liberals for forests in the campaign for the seat of Richmond, as evidenced in the JSCEM report on the conduct of the 2004 election.

I do not support the changing of electoral laws simply because the coalition parties—or the ALP or any other party, for that matter—feel disadvantaged by the campaign of a competing political party. I have seen enough party material in my time as a candidate and sitting member to know that the parties will push the envelope of acceptability under electoral laws as hard as they can, as well as abusing what are only guidelines for use of the entitlements of office. The running of dummy Independent candidates would seem to me to be little different from the arguments raised against liberals for forests.

I do not, of course, have a problem with the equalisation of tax deductibility for donation rules to include Independent candidates. This has long been a disadvantage for Independent candidates, and this change will help level the playing field for those who choose to run on their own and who seek financial support—something I do not do, relying on my own resources and public funding, any balance of which I distribute to my electorate. I am a supporter of the symbolism of this amendment more than its practical effect, as I would be more than happy to see donations banned from politics altogether. I will be moving reforms that I hope will reduce the reliance on huge donations in the political sphere in Australia and bring democracy back to its basic principles where the best local candidate is elected because of their talents and commitment and not because of the size of their campaign budget or, indeed, the party shenanigans of branch stacking and other methods that are employed in various nuances by both major sides of politics to achieve factional objectives.

The bulk of this bill I cannot support. I will move amendments in the consideration in detail stage of the debate to remove the provisions that are contrary to the democratic principles so often espoused but so little practised. Obviously I do not expect much, indeed any, support for these amendments, but it is important that they be aired, and they will certainly be aired in as wide a forum as possible through any means possible—through the networking of Independents in their own constituencies to raise these issues leading up to state and federal elections in the next 18 months.

I will be moving to retain the seven-day window with regard to the closing of the roll once the writs for an election have been issued. I will move to retain the status quo with regard to prisoner voting rights and to retain the requirement that publishers and broadcasters lodge returns relating to electoral advertising—an absolutely crucial provision in this bill, which is completely contrary to claims of transparency in our electoral system. I will move to remove the increases to the disclosure thresholds and instate a disclosure threshold of $200 for all political donations. I will move to install a campaign expenditure cap so that no individual candidate's campaign for the House of Representatives or the Senate can exceed a designated limit, regardless of the source of funding. Any general party advertising or campaign material, including that which does not specifically name a candidate, would have to be accounted for within the candidates' campaign limits of that party. I will move to install a requirement that all candidates, regardless of party endorsement, lodge comprehensive returns of campaign expenditure for the election campaign period for that particular constituency, and I will move to remove above-the-line voting for

the Senate ballot paper and provide for partial preferential voting for election of candidates to the Senate—and I will explain some of the reasons and background to those in the consideration in detail stage.

This bill, of course, had another incarnation in the last parliament. At that time, there were three bills: access to the electoral roll, enrolment integrity and prisoner voting. This time around, 'integrity' has been built into the title of a single bill, and the provisions of this bill make a mockery of that very word. Integrity means moral excellence and honesty. This would be a joke if it were not such a serious matter. This legislation is dishonest in the extreme, especially around the ceiling on donations to political parties before such donations need be declared.

It is sobering to note that in the last parliament the Senate amended the previous legislation to strike out early closure of the roll so as not to disenfranchise an estimated 375,000 mainly young people. I am puzzled by the contradictory position of the Electoral Commission on this point. In its 2005 submission to the parliamentary inquiry into the conduct of the 2004 election, the commission showed no inclination to accept an early closure of the roll, yet 12 months later the commission, albeit with a new head, gave tacit approval to the changes contained within this bill. Why was seven days grace to enrol or update enrolment not a problem 12 months ago but now, according to the commissioner, the removal of this provision makes life easier for the commission?

I have a little story to illustrate this. Recently a 19-year-old constituent of mine was killed in a car accident near Molong. When I attempted to check on his electoral details and the address of his parents, whom I know, I found that his name was not on the roll. That is not surprising for a 19-year-old young fellow operating as young fellows do—driving, enjoying life, whether he be a student or a young apprentice. Come election time, young people of 19, 20 or even 21 suddenly realise that an election is coming up and that they have to get on the roll. This relates not only to this young fellow, sadly deceased, but to the 375,000 people, at last count, who move or who have very little interest, it may be said, in an election, in the political process, perhaps until an election occurs—and here we have a system that denies them an opportunity to register and vote.

The argument about the enrolment being some form of roll stacking has been debunked by Professor Brian Costar, as was pointed out by the member for Bruce when he made his contribution to this debate. Professor Costar is no lesser light in the world of electoral matters and, in evidence to the Senate, he said:

> I think that this conspiracy theory ... that there is out there a vast army of villains who want to take advantage of every nook and cranny of the law to sign up phantom voters ... to rort the system is not based on evidence.

I would suggest that the evidence might be in the demographic research that has been done by the Liberal Party, perhaps, which has found that the voting intentions of these disenfranchised people may not necessarily be sympathetic to the conservative cause. Indeed, horror of horrors, they might well be young students, young people who may see an attraction in a vote for the Greens or, indeed, an Independent. I think it is more about deliberate exclusion—we can even go to that. It seems to me that it is not about roll stacking but about denying access to the roll, and access to the roll is a fundamental right of every individual in this society.

Back in 2000, in its submission to the Joint Standing Committee on Electoral Matters inquiry into the integrity of the electoral roll, the AEC said:

> ... the early close of rolls will not improve the accuracy of the rolls ... In fact, the expectation is that the rolls for the election will be *less accurate*, because less time will be available for existing electors to correct their enrolments and for new enrolments to be received.

I suppose the change in attitude is reflective of the change in the CEO of the commission, with former commissioner Andy Becker more willing to express an opinion than his replacement. I only hope that the new commissioner is candid in his reporting to the inquiry into the next election if, as I suspect, there are many thousands of people who miss a vote because they are unaware of these changes, which, as I say quite frankly, denies the franchise to a huge number of Australians. I will be moving an amendment to retain the status quo, allowing voters a sensible seven days grace to enrol or update their enrolment.

The last Senate struck out an attempt to double the threshold for reportable donations from $1,500 to $3,000. It also removed a provision that cancelled voting rights for any prisoner serving a full-time sentence. With full control of both houses, the government has now reintroduced all three provisions, as it did with the unfair dismissal threshold. It has increased not to $3,000 but to $10,000 the reportable donation threshold. It jumps to the extreme end of the spectrum as soon as it can, as it has done with industrial relations and with security laws. But wait, there is more to come. If the Minister for Finance and Administration—that advocate for even tougher workplace laws and the champion of non-compulsory voting—has his way, that will be next. The banning of prisoners from voting sends exactly the wrong message if we are truly serious about rehabilitating people to take an interest and a role in the processes of society—a society that has an Indigenous prison population of 22 per cent. I will further outline my concerns about this aspect of this bill in the consideration in detail stage when speaking to my amendments. I entertain no hope that the government will show the vaguest interest, but the proposed amendments outline the kind of electoral system we should have if we dare to call ourselves a true democracy.

The recent South Australian elections, in particular, and other state polls and by-elections in recent times have shown that people are searching for alternative representation to that by the major parties. In most states we now see a fair to large grouping of Independents, as voters seek and find representation with more relevance to the modern political reality of continuing engagement on issues rather than a winner take all for three or four years. The above-the-line process in our Senate voting system, with its due preferential process, delivers a distorted outcome, as evidenced at the last election. Any fair system would surely provide, at the very least, for below-the-line-only voting—in fact, there should be no line at all—with partial preferencing. Voters then need choose only the number of candidates required to fill the vacancy and, if so desired, can indicate further preferences. This and other matters that should be in a so-called electoral integrity bill I will cover when I move my amendments.

I must express dismay that, despite the heartfelt words of the member for Banks and the logic, coherence and sense of his comments, we have nothing more than a second reading amendment from the opposition here; indeed, it includes opposition to several of the measures that, by any objective observer, may be regarded as reasonable. The Labor Party have described the proof of identity requirements as undemocratic provisions; I wonder what they are on about. They mention the disclosure thresholds being increased to $10,000 as undemocratic provisions and I agree. They refer to the tax de-

ductibility of political donations. As I have said, to level the playing field to a certain degree, that may be necessary. But, if you put a cap on the spend, you automatically trigger, as best you can, a cap on the donation. That is what constituencies around the world—notably New Zealand and, I believe, the UK—have in place to ensure, as much as the political party process will allow, that people have something resembling an even opportunity to stand for parliament.

I condemn this bill. It is designed to shore up a crumbling and discredited two-party electoral system.

Mr BARTLETT (Macquarie) (10.12 am)—I am astonished at some of the speeches by members of the opposition. It is incredible that they would oppose measures that seek to improve the integrity of our electoral system. As parliamentarians, as believers in the democratic process that put us here and as participants in our nation's democratic institutions, I would have thought that we would all equally and unequivocally be committed to do all we can to improve the integrity of the electoral roll and the validity of our electoral results. I am staggered that, for some members of the opposition and, indeed, some of the Independents, this is highly qualified.

There are two fundamental questions here. First, under the current system, is abuse, infringement or, indeed, rorting possible? All but the most naive would admit yes, it is. Some might question its prevalence and some might question its scale, but no-one would seriously deny the possibility of irregularities and fraud in the current system. Dr Murray Goot, Associate Professor of Politics at Macquarie University, quoted in the book *Frauding of Elections?* by Dr Amy McGrath, says:

> There is absolutely no reason why it [rorting the system] could not be done. The only question is how often.

So the first question is: is it possible that the current system can be abused? The answer unequivocally is: yes, it is. The second question is whether the proposed reforms would reduce that possibility. Again, clearly the answer is yes. Few have argued that they would not. The opposition's arguments have been about rhetoric, civil liberties, disenfranchisement and concerns of people being frozen out of the process, but no-one would seriously admit that the reforms at least will not tighten up that process. Surely we need to do all we can to protect the integrity of the electoral roll, electoral processes and electoral outcomes.

Let me go into the background here. In this country there has been a long history of allegations, anecdotal evidence and, in some cases, hard evidence of irregularities, infringements and deliberate fraud. There have been accounts of whistleblowers, reports of investigative journalists, occasional confessions of participants and even convictions—yes, convictions—and the work of academics such as Dr Amy McGrath in the *Frauding of Elections?* and *The Stolen Election*. These cases enumerate a number of elections and electorates where allegations of fraud have been made.

Just some examples of allegations of fraud are: a number of marginal seats in the 1987 federal election, especially the seats of Fisher, Eden-Monaro and Parramatta; the 1988 Victorian election in Ballarat South; the 1988 Western Australian election, where six seats were challenged due to voting irregularities; in the New South Wales 1988 election, multiple voting occurrences in 11 electorates; in the 1990 federal election in the seat of Richmond; The Entrance in 1991 in the New South Wales election; in the 1993 federal election in the seats of Dickson and

Macquarie, very close to home for me, where the incumbent, Alasdair Webster, was defeated by a mere 164 votes with some very serious allegations of irregularities; the infamous Mundingburra electorate in the 1995 Queensland election and also in Redlands; and numerous—too numerous to count—cases of concern about union ballots.

These irregularities include a whole range of activities, such as fictitious enrolments. For example, in the seat of Macquarie following that result in 1993 the defeated member, Alasdair Webster, did a fairly extensive phone and visitation audit and found a number of irregularities, such as people registered on the roll from garages, from hotels and from vacant blocks, and even a cat registered to vote on the electoral roll in the seat of Macquarie. It is outrageous that this could happen. Other examples include: names assigned to the wrong electorates, usually, conveniently, to neighbouring electorates; cases of cemetery voting—that is, voting in the names of deceased persons; cases of multiple voting, not just on the day but also prepolling and postal voting; people being given the wrong ballot papers—again in Macquarie in 1993 there were 415 cases of voters turning up to vote and being given ballot papers for electorates other than Macquarie; cases of large numbers of 17-year-old provisional voters being left on the roll and therefore being able to cast votes; enrolments in multiple electorates; nonresidents on the roll; the use of safe houses; and many others—we can go on.

There is no doubt that these things can happen and do happen. They are too serious and too many to be ignored. The question, of course, is not whether these things can happen and not whether they do happen but whether they happen enough to alter the results in any particular seat or in any particular election. When seats are won or lost on the narrowest of margins, it is most likely that this does happen and can happen. If this does happen, it presents a powerful argument for supporting these reforms put forward by the government in this piece of legislation. Australians' sense of fair play and Australians' sense of decency demands that we ensure our electoral system works fairly. We must have confidence that it works fairly. It must be fair and it must be seen to be fair. If we are to increase confidence in our system, even the perception of the possibility or the likelihood of fraud must be eliminated.

The reforms proposed in this legislation are fair. They are reasonable. They are sensible. The whole purpose is to bring about improvement. Yet we have had criticisms from the other side about so-called efforts to enhance our own electoral position. We had the member for Banks here earlier this morning talking about the motivation being harvesting political advantage for the coalition. I cannot believe the hypocrisy of the other side on this particular piece of legislation. Remember the reforms introduced by the Labor Party in 1984 and remember the book by the former Labor powerbroker and frontbencher Graham Richardson, quite appropriately called *Whatever it Takes*. In his book he admitted about the electoral reforms in 1984:

> ... Labor could embrace power as a right and make the task of anyone taking it from us as difficult as we could.

What a travesty. The motivation, according to Graham Richardson, of those 1984 reforms was to make it difficult for Labor to lose office. Who was the Special Minister of State when those reforms were introduced? None other than the current Leader of the Opposition, the member for Brand. The purpose then was to make it harder for Labor to lose office, to entrench Labor's position, whereas the reforms currently proposed and currently in front of the House are reforms recommended by the Joint Standing Committee on Electoral Matters as a result of in-

vestigations into our electoral system. They are aimed simply at reducing fraud and improving the integrity of our electoral processes.

There are a number of main provisions in this legislation. The first involves, clearly, those measures aimed at improving the integrity of the roll—making sure we know that the people whose names are on the roll to vote are qualified to vote. This is fundamental to the way our system works. I refer to a report by the Australian National Audit Office in 2001-02 entitled *Integrity of the electoral roll*. This report by the National Audit Office—not by the Liberal Party, not by the coalition, not even by a parliamentary committee, but by the National Audit Office—said that the electoral roll was 96 per cent accurate—that is, four per cent of the electoral roll was inaccurate. Four per cent of 12.6 million voters on the electoral roll means that roughly half a million voters are on the roll who perhaps should not be. When four per cent is inaccurate, you have problems, particularly given that there are 29 marginal seats with margins of less than four per cent and 17 seats with margins of less than two per cent. You do not need many irregularities in enrolments to change those outcomes. The conclusion of the National Audit Office was:

> At the same time there are areas of AEC—
>
> Australian Electoral Commission—
>
> management of the roll that can be improved ...

'Better identification and management of risks to the integrity of the roll' were listed by the National Audit Office. They went on to say:

> ... the ANAO considers that the AEC should give priority to finalising and implementing a fraud control plan specific to enrolment activities.

That is from the report of the National Audit Office on the *Integrity of the electoral roll*, and that is what this legislation is trying to address. What does this legislation include? First and foremost, it includes proof of identity to enrol to vote. It is just commonsense. If you go in to put your name on the electoral roll, you ought to be required to produce some evidence to say who you are, rather than be able to just walk in and say: 'I'm Joe Bloggs. I live at a particular location or I have a particular postbox and therefore I have a right to vote.' The ludicrous situation currently exists that anyone can put their name on the roll. They can use a post office address, enrol multiple times under multiple names and thereby cast multiple votes in an election. When we have seats won or lost by a handful of votes, this can make a difference. Only the most naive or the most ignorant would refuse to acknowledge that this can happen. It is a fundamental right in this country that one person has one vote. The possibility that one person could have two, five, 10, 20 or 50 votes is outrageous and a subversion of our fundamental democratic rights and our democratic system. I am staggered that the opposition and the Independent member for Calare, whom we just heard, are opposed to measures to improve the integrity of the roll.

The second provision is the earlier closing of the roll. It is worth remembering that from Federation—that is, from 1901—until 1984, coincidentally, the roll was closed on the day the writs were issued. It was only under the reforms introduced by the Labor Party in 1984 that that changed. The difficulty with the current system is that allowing a massive number of enrolments in the week after the writs are issued makes it impossible for the Australian Electoral Commission to verify the validity of those enrolments. In the week after the writs were issued for the 2004 election, for instance, there were 2,976,181 transactions with the Electoral Commission. It was an absolute impossibility for the Electoral Commission to even begin to check the

validity of those enrolments, again casting serious doubts on the integrity and the accuracy of the roll. Our provision in this legislation that for new enrolments the roll closes on the day the writs are issued and for re-enrolments and change of address three days after will mean that to check the validity of new enrolments the Electoral Commission will get an extra seven days and to check change in address an extra four days. This will go significantly to reducing the potential for fraud in those late enrolments.

The third provision related to this is the provision for the Australian Electoral Commission to have access to databases of state and territory governments and authorities such as the RTA so they can check enrolments against drivers licence details et cetera. Again, that is a commonsense provision which allows a greater chance of checking the accuracy of the roll.

The first main provision is improving the integrity of our electoral roll, which is fundamental to our democratic processes. These are commonsense, reasonable changes that for some reason the Labor Party are opposed to. I do not understand why they are opposed to improving the integrity of our electoral roll. The second main provision is better identifying voters. There will be a requirement to provide proof of identity to cast a provisional vote. If you turn up to cast a provisional vote because your name is not on the roll, there will be a requirement that you provide some proof of who you are. There will no longer be the possibility of just turning up on election day and saying, 'Oh, my name's not there; I'm Tom Smith and therefore I want to vote,' and then casting a provisional vote that is not checked afterwards. That is more than reasonable. It is recommended in the Joint Standing Committee on Electoral Matters reports of 2001 and 2004 that to have the right to vote some proof of identity—that is, a drivers licence, a passport or a Medicare card—should be shown to the polling officers instead of it simply being taken on trust, as has been the case in the past. Again, there is no sustainable argument against this provision.

The third main area of change I want to focus on is the naming provision for political parties, which is aimed simply at removing the deception, or the confusion even, of voters as to the real allegiances of minor parties. The requirement in this legislation is that all non-parliamentary parties—that is, parties not represented in this parliament—will have to re-register to be recognised as official parties. The reason for this is that it is too easy to confuse voters on voting day as to the allegiance of minority parties and where their preferences will go. There was a classic case in the last federal election in the seat of Richmond, which was lost by just 300 votes. The party liberals for forests ran in the seat of Richmond. They wore blue T-shirts with 'Liberals' in large letters on the front. Their how-to-vote cards had 'Liberals' in large letters and the Australian flag highlighted. To all intents and purposes, they were passing themselves off as the Liberal Party. Liberal voters then would have expected that, if they voted for liberals for forests, their preferences would flow to the Liberal Party. But liberals for forests directed their preferences away from the Liberal Party.

It was a deliberate fraud that confused voters and resulted in—I suspect, and we will never know—a number of people who had intended their preferences to go to the Liberal Party having them directed away from the Liberal Party to the Greens and the Labor Party. Interestingly, in that electorate the incumbent, Larry Anthony, lost by 301 votes. Yet there were 1,417 primary votes cast for liberals for forests. The bottom line is this: people should be left in no doubt as to who they are voting for. This initiative in the legislation will remove that possibility. I am

amazed that the Labor Party dismissed this as 'a political stunt'. How can they dismiss so lightly a piece of legislation that will attempt to remove the confusion that voters face and remove or reduce the chances of them being deceived in the way they vote?

I could go on. There is a lot more to say, but time is running out. I will quote briefly from a book entitled *The Frauding of Votes* by Dr Amy McGrath, which most people in this place would be familiar with. Dr McGrath has done an immense amount of research into Australia's electoral system, including another book, *The Stolen Election*, which talks about the 1987 federal election. She makes this point about our electoral system:

> I no longer have illusions about Australia as a great democracy. Our electoral system is a dangerous farce, obscured by jargon and whitewashing practice. No democratic country can afford the luxury of an electoral system based wholly on honour and trust. History is replete with lessons of warning.

The fact is that it has been far too easy to date to get your name on the electoral roll; it has been far too easy to vote multiple times; and it has been far too easy to vote in the name of other people. For the first time there is legislation with a chance of being passed that introduces changes which will tighten the accuracy of our electoral roll and which will improve the integrity of our electoral system and the validity of our electoral outcomes. We can no longer leave this to chance. We can no longer leave it to trust. There is far too much at stake here.

I am astonished and disappointed that the Labor Party and the Independents are opposed to these changes, which will make our system more transparent and more difficult for irregularities and fraud to occur and which will make it much more likely that our electoral roll will reflect the list of names of people who have a right to vote, thereby improving the integrity of our system. This is good, sensible, reasonable and balanced legislation. I strongly support the bill before the House.

Mr GEORGANAS (Hindmarsh) (10.31 am)—There have been a number of significant electoral reforms in this country since Federation in 1901. Just a year after Federation, Australia was among the first to give women the vote. In 1967—pitifully late and 111 years after they had been given the right to vote within South Australia—we as a nation gave Aboriginal Australians the vote. In 1973 we lowered the voting age from 21 to 18. Importantly, each of these measures allowed more people to vote. At no time have women, Aboriginal people or young adults been unaffected by the decisions of the Australian government, so it is only just that they are allowed a say in deciding who should govern Australia. Electoral reform which increases involvement in the democratic process makes a great deal of sense. But the changes in the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 are not about increasing involvement. They are generally about narrowing participation and, as such, are undemocratic.

However, some of the changes in the legislation are understandable. Having a requirement for people to show identification when they go to vote does not seem unreasonable to me. Voting is a very serious business. If you need ID to borrow a DVD or a video, you should need ID to cast your vote at election time. Having said that, it appears that there is actually no need for this in Australia because electoral fraud is almost nonexistent. The number of convictions for electoral fraud is very low in this country. As I said, it is nonexistent.

I also support moves to ensure that the electoral roll is accurate and up-to-date. But

making it harder for people to enrol will not improve our democracy. Young Australians, in particular, who are not experienced in participating in our national democracy and who are just starting their lives as young adults are naturally going to be preoccupied with concerns other than politics. We should not be trying to exclude them for failing to be ultraconscientious with the timing of their enrolment. On the contrary, we should be encouraging their engagement with the process.

Requiring new enrollees to substantiate their identity and address will mean that the Australian Electoral Commission's attempts to enrol students while they are still at high school could be hindered. It will mean that, whereas someone might have quickly completed an enrolment form or changed their address details and posted the form off without much thought, they will put it off indefinitely because they will need to send proof of identity or take the documentation to the AEC personally. The result will not be an improvement in the integrity of the roll. It will instead result in fewer new enrolments—fewer people whom we expect to vote being able to vote.

Closing the electoral roll on the day the election is called rather than allowing for five working days for people to enrol or to update their address details also narrows rather than broadens participation in our democracy. Fewer people will update their address. This legislation does the opposite of improving the integrity of the roll. It makes it much more likely that tens of thousands of people, just within South Australia, will be voting for candidates running in electorates other than the one in which they live. It will mean that people will have to vote for or against candidates whom they probably have never heard of and whose election material they certainly have never had the opportunity to peruse. It will mean that election results in any given division could be skewed in favour of preferences of those with the most stable accommodation arrangements and a high proportion of those who have already moved out of the electorate. The result would also be potentially skewed against the preference of the first-time voter.

In South Australia, closing the roll early would make it harder for almost 50,000 voters to cast their vote in the next federal election. At the last election, just within the seat of Hindmarsh, 4,854 voters corrected their enrolment details in the five days immediately after the election was called. Throughout South Australia, 49,893 voters updated their enrolment details during that period. Because younger people tend to move house more often, younger voters would be most disadvantaged by this change.

In 2004 in Hindmarsh, 872 voters who updated their details were first-time voters. Throughout South Australia, 9,163 voters who would be excluded under these changes were first-time voters. Had these changes been in place in 2004, there is a good chance that many young people and people who had changed their address would not have voted in the seat of Hindmarsh. I am sure the case is mirrored in many electorates and many marginal seats around the country.

There are times when a small number of votes determines the election of MPs and even governments, so it is essential that our system is as representative of the whole population as possible. Virtually all adult Australians have an equal right and obligation to vote, and those who from time to time move house should have as much of a voice as those who live in one place for decades.

The bill seeks to change the definition of 'associated entity'. Under the Electoral Act as it stands, an associated entity is one which is 'controlled by one or more registered political parties or one which operates wholly

or to a significant extent for the benefit of one or more registered political parties'. The former Special Minister of State, Senator Eric Abetz, addressed the Sydney Institute about this matter in early October. It seems he was incensed that organisations with charity status were vocal and active during the federal election campaign of 2004. He referred to the campaigns run by the Australian Conservation Foundation, the Wilderness Society, the World Wildlife Fund and the RSPCA. He was distressed that these organisations spoke up about the environment policies of the two major parties.

I am distressed that he would seek to stop organisations from speaking up. When a member of the public makes a donation to one of these organisations, they do so because they expect them to speak up at such times. It is the responsibility of these organisations to try and influence government policy, so it is ridiculous and enormously undemocratic to limit the tax-deductible status of these organisations because they comment on government policy. If there is strong and sensible opposition to government policy coming from these groups then it is incumbent on the government to consider what is being said. It is undemocratic to try to shut up organisations—or shut them out—on the basis that they disagree with you. It shows a lack of genuine conviction on policy matters if you are afraid of open debate on these issues.

The matter of party names is interesting. In much the same way that brand names are copyrighted, there is in my view some room for reform in this area to ensure that voters are not misled by party names. Moves towards using improvements in technology to improve our voting system are interesting and, in my view, should be investigated. Electronic voting could increase participation by voters who would otherwise find it hard to vote—for example, those living overseas and those who cannot get to a voting booth for health reasons. Electronic voting could also help to reduce the number of accidental informal votes, and that would help to improve our electoral system. Upcoming trials are of great interest to me. While it is obviously essential that we ensure the security of these systems and continue to allow people who are not comfortable with the technology to cast their vote in the old-fashioned way, I think a gradual move towards electronic voting makes a great deal of sense.

People's fear of electoral fraud—and by that I mean fraud by the system and its players, not fraud by voters of doubtful identity—will naturally be a brake on any progress made in this direction. Some people still look with suspicion at the prospect of completing their ballot papers with a pencil for fear that some apparatchik in a backroom will rub out their preferences and insert those that will produce the correct result. But I am sure that this and similar misunderstandings are on the decrease.

I also think a four-year set term makes sense. It is hard work to develop and implement policy and see results within three years. In some portfolio areas a four-year term will not make much difference, but an approach which allows for steady, longer term policy decisions makes for better government.

I am pleased that so-called voluntary voting is not on the cards in this round of electoral reforms. I think the South Australian approach of being more inclusive deserves more consideration than the idea of voluntary attendance at voting booths. In South Australia, with the use of registered tickets—similar to the above-the-line voting system used to direct preferences in the Senate—even votes that the AEC may consider informal can be included in the count. If, for

example, a person votes '1' for the 'Sandgropers Party' and nothing else, and the Sandgropers Party has registered a ticket for that electorate, the vote can eventually be counted as formal. If and when that candidate is eliminated, the vote simply follows the preferences indicated on the ticket. It is very simple and, more importantly, highly inclusive. It takes compulsory preferential voting to a new high. From memory, it is the exact opposite of what is happening in New South Wales.

We have the privilege of living in a democratic country and we should not see the quality of our democracy eroded by accident. When people show up at the polling booth on election day, if they do not want to vote they just tick off their name. If they want to tell politicians how frustrated they are, they may choose to vote informally by leaving the ballot paper blank. If they think that one candidate or party better represents their values than another, they vote and mark their preferences accordingly. But they do show up; they do not fail to vote because they have been caught up with other things that day or because they think the system does not want them involved. People should have no reason to even suspect that this system of government does not care for their input, that it does not want them involved. More than any of the changes flagged in these reforms, it is people's attendance and necessary involvement that protects the integrity of our electoral system.

In a genuine democracy all votes are equal; under these electoral reforms it seems that some votes are more equal than others. In a strong and healthy democracy, the people who have to live by the rules and decisions of the government get to elect the decision-makers; citizens are supported and encouraged to participate, and their right to do so is never restricted or eroded; and everyone has the right to speak up about what matters to them, regardless of what they believe, how much they earn, where they live or how long they live in a certain place.

Mr NEVILLE (Hinkler) (10.43 am)—The Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 bolsters the very foundations of our democracy. We might well reflect on the words of Thomas Jefferson:

> The will of the people is the only legitimate foundation of any government …

Safeguarding the will of the people can only happen if we eliminate fraudulent activities from our voting system. At the very heart of our system of government, and the maintenance of its integrity, is the voting process and the various elements related to that process. To this end, the bill contains reform measures stemming from a number of government-supported recommendations in the Joint Standing Committee on Electoral Matters report on the 2004 federal election, along with some additional reform measures considered a priority by the government. This bill will go a long way towards remedying some of the flaws and loopholes which currently exist in our electoral process, a number of which have concerned me greatly throughout my time as the member for Hinkler.

One point I must make is the astounding hypocrisy of Labor on this matter of electoral reform. When questioned on the issue last October, the Leader of the Opposition made the outrageous statement that 'when it comes to rort merchants, nobody beats The Nationals'—a terrible slur not supported by any sort of evidence. A little further in my speech I will use previous polling results in my electorate of Hinkler to demonstrate what a duplicitous statement that really is.

When it comes to proof of identity, I wholeheartedly endorse the introduction of the need for an individual to provide proof of

identity when enrolling or needing to change their enrolment details. I found the contribution by the member for Hindmarsh, who spoke just before me, somewhat bewildering. He spoke against that, saying that narrowed the opportunity for people to be enrolled, but at the same time he said that he would like to see identification at the ballot box when people came in to vote. It seems to me that the very starting point of this is getting the right person on the roll: that someone who is on the roll happens to be who they say they are. If you do not get that process right, a falsely enrolled person can come in and vote, because all they have to do is produce some false identity that coalesces with the false name. The starting point is to make sure that the people on the roll are genuine people. The member for Hindmarsh went on to say that there had been very few instances of electoral fraud. That is broadly true, but enrolment is the area in which there has been electoral fraud, and we have had a number of cases in that area in Queensland in recent years. Mr Deputy Speaker Lindsay, as you are from Townsville, you would know only too well that is where the system has fallen down.

Some say this arrangement is too onerous for those at risk of disenfranchisement and that young people will not be able to follow it. But I am yet to meet a person who cannot provide some form of identification. When I go to pick my ticket up at an airport, I have to show proof of identification, as does everyone else who travels. The opposition's member for Bruce is on the record as saying that a more rigorous identification system for voters would 'make it harder to get enrolled and therefore be part of the democratic process'. That is absolute rubbish. People receiving Centrelink pensions, benefits, allowances and services have to provide identification, almost every single 18-year-old can provide ID to get into licensed premises—all the young people I know do not seem to have any trouble doing that—and elderly Australians whip out their seniors card to get discounts on buses and trains and in shops. For heaven's sake, as even the member for Hindmarsh said, you have to have ID to hire a video or a DVD. Given that, I cannot see why it is so onerous for anyone to provide proof of identity when they want to enrol.

But all that aside, the government has put in place a number of alternatives for individuals who cannot provide a drivers licence when enrolling to vote or changing their address. People have the option of providing alternative identification—such things as a birth certificate or a Medicare card. Failing that, there are even more measures so that someone seeking to enrol can change their address provided that any such documentation as to their enrolment claim can be countersigned by two voters who are not relatives, have known the individual for at least a month and can provide their drivers licence for verification. So there is ample opportunity for people to be able to identify themselves.

My support for these measures stems from my own experience in fighting an election where questionable voters could have skewed the final result. When it comes to proof of ID for provisional voting, I take a much stronger view. I endorse the requirement that individuals must provide proof of identity, such as a drivers licence or other valid identification, when they come in to register a provisional vote. As all honourable members know, a provisional vote is when you claim a vote on the basis that you believe you have been wrongly excluded from the electoral roll. I have previously told the House about highly suspicious trends related to provisional votes which emerged in my seat of Hinkler after elections and referendums stretching back to 1990. Between the 1990 and 2001 federal elections there was an

80 per cent increase in the number of provisional vote applications made but only a 63 per cent increase in the valid provisional votes cast. That 17 per cent variation must lead one to conclude that there is a fair degree of dodginess in those figures. More to the point, the gap between valid provisional votes and applications made doubled from 0.17 per cent to 0.35 per cent over the same time frame. In the 1990 election, 123 provisional applications were disallowed. In 1993, that figure had grown to 190. In 1996, 288 were disallowed; 0.36 per cent of provisional vote applications were disallowed. This was the largest single discrepancy, and it just happened to follow Hinkler's move to coalition representation.

I understand there will be some degree of discrepancy between valid and invalid provisional votes, but there is absolutely no logical reason for this aberration. Clearly, it would have been easier if voters had been required to provide identification on election day. In other words, if the measures contained in this bill had been enacted we would not have encountered the problem at all. Under these measures, no valid voter turning up on election day without an ID will be disenfranchised. If someone on their way to fishing walks in in stubbies and a T-shirt and has not got all his identification on him, he will have seven days to validate his vote. In other words, the vote goes into an envelope that is sealed and he will have seven days to come in and verify the details on the front of his provisional vote application. So no-one who may be without identification on the day itself will be treated badly.

The bill also provides for the close of the roll at 8 pm on the day the writ is issued—that is, the day the Prime Minister informs the Governor-General that he intends to hold an election and the Governor-General approves it. The bill further allows for people who will turn 18 during a campaign or who are due to be granted citizenship during a campaign to have until 8 pm three days after the issue of the writ to update their enrolment. Apart from a handful of exceptional circumstances, I do not believe this is an unreasonable or unfair measure. Election date speculation starts months out from an election: 'I think it might be on this month. No, it might be that month. Will the Prime Minister go early or will he go late? How late can he go? How early can he go? Will we have a double dissolution? Would we split the Senate vote off from the House of Reps vote if he went at this time?' This goes on endlessly over the last six to nine months of any electoral cycle.

It is hard to believe that people could be so dumb and not know that an election is pending some time over the next few months. Election date speculation could start, as I said, from six to nine months out. Commentary, analysis, letters to the editor and news stories clog up the media: 'Will Howard go early? Will Howard go late?' And so it goes on. So people cannot say they were not aware that an election was in the air. What this speculation does is put people on notice that they need to enrol when the idea of an election is starting to take place. It could also be argued that today, as never before, people have greater access to an array of news and media sources. Given that this is the case, it is quite realistic to expect individuals to take responsibility for their timely enrolment and change of details.

I previously mentioned the member for Bruce, who said that the 'requirement for enrolling voters to show proof of identification would add to the administrative burden of the AEC'. The member for Bruce must not be aware of the huge administrative burden the AEC already has because of existing regulations for the closing of the roll. Some interesting statistics came to light in 2004. The Australian Electoral Commission proc-

essed almost 424,000 enrolment transactions in the seven days after the writ was issued. Of these transactions, 78,000 were first-time enrolments, 78,000 were re-enrolment applications and 225,000 were applications to change address details. These things could have been done months ahead of that time. I would have thought that more timely enrolment by voters would make life easier for the AEC, not more difficult. Avoiding the administrative rush and, therefore, reducing the risk of human error throughout the process must surely be a good case for closing the roll at 8 pm on the day the writ is issued, and allowing three working days for those people turning 18 or being made citizens to rectify their enrolment details will help.

I also have a view on the location of divisional offices. I am not against the idea of having co-located divisional officers where, for example, you have two electorates joining on a major street or where they are close to a major shopping centre and you can co-locate two offices. There is no zealotry in what I say, but I think it is important to have divisional returning offices scattered throughout Australia so that there is access to information and services in the main provincial cities. The idea of having to bring in a team of vote counters and others, especially in my seat, where the count is generally very close, is perhaps not the best. On one occasion the count in my electorate went to 3½ weeks. Imagine what it would have been like if there had been no AEC office in Bundaberg and the AEC had to bring all those staff from, say, the Sunshine Coast, Rockhampton or Brisbane and have them located in Bundaberg for that length of time. It would have been a massive expense. I cannot see why, if this is part of the democratic process, the core provincial city in each electorate should not have a divisional returning office.

Two key points were raised in the submission to the joint standing committee by the Hinkler Divisional Council of the National Party which are entirely relevant to voters in regional Australia. One related to the centralised system of postal vote distribution and the other to the lack of divisional returning offices, which I have just dealt with. The essential point of both is that the electoral system needs to be more responsive to the needs of the wider community, and most particularly to the needs of voters living, visiting or travelling through regional Australia. I believe the Australian Electoral Commission needs to have a greater on-the-ground presence in regional areas—a case in point being a move away from the centralised agency system of administering postal votes. I am quite ambivalent about that. I suppose if you introduce it and it goes on and on, over time you will eventually get it right.

But we had some very unusual circumstances, as you would be aware, Mr Deputy Speaker. I think in the electorate of Maranoa people received ballot papers for a different electorate. Some people got Senate papers for another state. No-one condemns people for making an honest mistake or for the malfunction of a machine but, when you talk about country voters who get the mail, say, only once or twice a week, having to report getting the wrong ballot papers and then getting the new ballot papers sent out and then having some declaration that has to go back to the electorate office and then come back to you will quite often disenfranchise people, through no fault of their own. That happened quite a bit in the last election, when centralised postal voting was undertaken.

Another thing is that we have a lot of tourism, especially on the New South Wales and Queensland coasts. Although there are divisional returning offices at Brisbane, Nambour, Maryborough, Bundaberg, Rockhampton, Mackay, Townsville and Cairns, there are still major centres between those places where there are resorts. In your area, for ex-

ample, Mr Deputy Speaker Lindsay, you have places like Bowen, Ayr, Ingham and Tully, and you could talk about places like Mount Isa, Roma and Longreach—key places where a lot of tourists and visitors congregate.

I give the AEC credit. In my own electorate, for a fortnight before the election they run an office in Gladstone, which is a major centre of nearly 30,000 people. I think that could perhaps come down to strategically placed centres, say of about 10,000 people or more, that would give tourists and travellers a better opportunity. This, of course, applies only to interstate travellers. You can vote at any booth anywhere in your home state, but if you come from interstate you can vote only at a divisional returning office. To have some temporary divisional returning offices, as is the case in Gladstone, would make access a lot easier for tourists and it would cut down the complexity of postal voting that we have at present.

There are some other interesting features of this bill that I applaud. I think the clarification or the validity of the naming of parties is very important. These sorts of names like 'liberals for forests' are deliberately used to deceive. There is a fair body of evidence—or a fair body of opinion, if not evidence—that says the result in the seat of Richmond was skewed by that sort of practice: people pretending to be Liberals, having their how-to-vote cards in similar colours and formatting. That sort of thing is quite wrong and the use of names in that way is also wrong and needs to be stamped out.

Another thing that I applaud is that after 20 years we have at last raised the disclosure thresholds from $1,500 to $10,000 and, from here on in, locked them in with CPI. That means that we will not have that problem in the future. Some people say that is too high. I am not sure that it is. It is roughly consistent with the UK's threshold, which is about $A12,000, and New Zealand's, which is about $NZ10,000. So at $10,000 we are much in line with other English-speaking countries.

Mr Albanese interjecting—

Mr NEVILLE—What was that?

Mr Albanese—You get a lot of them in Hinkler, do you—$10,000 donations?

Mr NEVILLE—Yes, I get donations over that.

The DEPUTY SPEAKER (Mr Lindsay)—Order! This is not a question and answer situation. The member for Grayndler will reserve his right to respond.

Mr NEVILLE—Mr Deputy Speaker, I am fascinated by his interest in my electorate. I think tax deductibility is another area that needed to be looked at. The $100 threshold did not reflect the situation. A lot of people want to donate to their political parties at election time to keep the electoral system vibrant, and I think the raising of that threshold to $1,500 is a sensible measure. All in all, this is very good. I do not think any alarm needs to be raised because of some of these measures and I commend the bill to the House.

The DEPUTY SPEAKER—Now the honourable member for Grayndler may have his response.

Mr ALBANESE (Grayndler) (11.03 am)—The Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 represents a fundamental attack on Australian democracy. It contains some odious changes which Labor fundamentally opposes. The bill will make it far harder to vote but much easier to secretly donate to political parties. Labor is opposed strongly to the provisions in this bill which will see the electoral roll close early, introduce new proof of identity requirements,

increase the disclosure threshold for political donations to $10,000 and increase the size and scope of the tax deductibility regime for political donations to $1,500.

The member for Hinkler has just contributed to this debate, and I had the privilege of being in the member for Hinkler's electorate just last week. I went to Gladstone and marched and spoke at Labor Day. Let me tell you, and I say to the member for Hinkler: not many of the men, women and families that I met in Gladstone were about to donate $10,000 to the National Party, the Labor Party or anyone else. The idea that $10,000 should be able to be donated and not be disclosed is simply obscene. It will lead to a corruption of the political process, and that is what it is designed to do. I have no problem whatsoever with an individual, if they are wealthy enough, donating $10,000 to a political party. The issue here is that it should be disclosed, that the Australian public should know that that individual has contributed $10,000 to that political party. I assure you, Mr Deputy Speaker, there are not many people in my electorate of Grayndler who can afford to donate $10,000 that they have as discretionary funds to any political party. It is just not the case. So why is it that the Australian public should not know about that?

Regarding the size and scope of the tax deductibility regime for political donations, we know if you combine the two measures that there will be a lot of functions held by all political parties where the entry fee is a donation of around $1,490 or so. We have seen continually in the past that prices are set just below the threshold for disclosure. What will happen now is that not only will prices be set just below the disclosure level but also they will be able to be claimed as tax deductions; therefore, government receipts will be less by 45c in the dollar after 1 July. So the Commonwealth taxpayer will be subsidising these donations that no-one will know about except that government receipts will be less. As much of a budget surplus as we have, do we as a nation really have enough money in the long term to be sure that we have covered off on skills, on infrastructure and on adaptation to climate change to suggest we can promote these provisions? It is a huge increase in tax deductibility from $100 to $1,500 in one hit.

I come to the provisions designed to disenfranchise Australians from the voting system. Surely, the electoral system should enfranchise as many eligible Australians as possible and be as transparent as possible. The only reason for this bill is to enable the coalition to get partisan political advantage at future elections. The government plans to close the electoral roll at 8 pm on the day that an election writ is issued. Current legislation allows for a seven-day period of grace after an election writ is issued for people to enrol to vote and update their existing details on the electoral roll. The government justifies these changes by saying that the AEC does not have time to adequately process the details of people who are enrolling to vote or updating their details in the period between the issue of the writ and polling day, hence leading to more errors on the electoral roll. What absolute nonsense! The AEC itself has said that the current seven-day arrangement does not prevent it from taking adequate steps to prevent fraudulent enrolment. In fact, the AEC, critical of similar changes proposed about five years ago, said that closing the roll early would make the roll:

> ... less accurate because there will be less time for existing electors to correct their enrolments and for new enrolments to be received.

Because of these changes the ability of some 280,000 Australians to vote could be jeopardised and most of those will be young people. Presumably, John Howard does not think that they vote for the conservatives.

History shows that closing the roll on the day that an election writ is issued will see tens of thousands of Australians excluded from voting. In 1983, Malcolm Fraser played a dirty trick and closed the roll the day after the election was called, breaking over 80 years of convention. Approximately 90,000 people found that they could not vote because they had not enrolled in time. In 1983 a lot of people went to vote, found they were not on the roll and just walked out of the polling station. John Howard should not return to the disgraceful tactics of Malcolm Fraser and take away people's right to vote.

In my electorate of Grayndler, from one election to the next almost 25 per cent of names on the roll will change—every three years. I have an enormous number of students and young people in my electorate. Grayndler has among the highest numbers of people who rent rather than own their homes. This will mean that some of these people will be disenfranchised and will inevitably attempt to vote using their old address, thereby reducing the accuracy of the roll. This bill threatens a strong disenfranchisement of voters in my electorate.

We strongly oppose the disclosure threshold being increased to $10,000. The current threshold of $1,500 is a good benchmark. It ensures the Australian public have access to information on who provides substantial funds to political parties. This information is vital to ensure that voters can hold governments and political parties accountable. The increase in the disclosure threshold could see tens of millions of dollars received by political parties disappear from public view.

I want to outline some details that show that not just the major political parties will be affected by these changes. Minor parties use electoral tactics to secure political advantage. In mid-April this year, an advertisement appeared in a newsletter of the Fundraising Institute headed 'National fundraiser wanted'. The job paid $80,000 per annum plus superannuation. The organisation offered an 'outstanding, high-profile opportunity for the right fundraiser with a strong track record looking for a new challenge'. It stated that 'the fundraiser will develop and implement a national fundraising strategy targeting wealthy individuals and small companies'. I repeat: 'targeting wealthy individuals and small companies'. The organisation was looking for:

- Demonstrated success in developing and conducting significant fundraising campaigns;
- Demonstrated skills in organising large fundraising events that generate large amounts of funds;
- Exceptional people skills;
- Outstanding networking skills;
- Articulate and well-presented;
- Very comfortable operating in 'business settings' and dealing with high-net worth individuals;
- Demonstrated skills in conducting high level negotiations;
- Demonstrated skills in developing and managing budgets;
- Demonstrated high levels of energy and tenacity;

According to the advertisement, 'After a three-month probationary period, continued employment will be strictly contingent on reaching agreed fundraising targets.' The location was negotiable, and inquiries and applications were to be sent to the following email address: nationalofficer@greens.org.au. That is right, the advertisement was not for the Liberal Party, the National Party or the Labor Party but for the Greens. The advertisement went on to say that the Greens were 'very proud of their record in refusing corporate donations'.

Hang on a minute: on the one hand the Greens say they refuse corporate donations when on the other hand they are openly targeting 'large fundraising events' and want someone who is 'comfortable in business settings with high-net worth individuals'. I repeat: the Greens say they refuse corporate donations but they want a professional fundraising officer to target these events. It shows that in the political system the Greens, just like other political parties, engage in these activities.

I draw the attention of the House to some of the hypocrisy that the Greens run when they talk about corporate donations. Recently, the *Daily Telegraph* exposed the corporate money received by the Greens through investments in the Wholesale Mortgage Fund. The Greens' receipt of over $5,000 from the Wholesale Mortgage Fund was disclosed in their electoral funding disclosure return for 2004-05. This $5,000 represented interest on an investment. The Wholesale Mortgage Fund is a managed investment scheme and is part of the Challenger Financial Services Group, whose board of directors includes James Packer. I quote from the fund's commercial strategy:

> In buying, retaining or selling underlying investments we generally do not take into account labour standards or environmental, social or ethical considerations.

The fund has, according to its website:

> ... an impressive record in securing large scale, high quality property assets, predominantly in the office, retail and social infrastructure sectors.

Like every other investor, the Greens made a conscious choice to invest their money in this organisation—this organisation that does not 'take into account labour standards or environmental, social or ethical considerations'. I ask the Greens how this sits with the rhetoric that they engage in on these activities. The fund could invest in property development, overseas sweatshops, logging—anything at all, based upon the high rate of return. The fund is of course entitled to do that. But the Greens are not entitled to pretend they do not receive corporate money and that they engage on a different ethical basis to other political parties, when they are quite clearly able to get $5,000 in interest alone from investments in this fund. Understandably, the Greens are uncomfortable that they have made money from investing in development. They are uncomfortable because it has been brought out. That is the cold, hard truth.

That is consistent with other issues. In Queensland copies of minutes and emails between party officials of the Greens in August 2002 showed that the party sought donations from—and I quote from the Greens' minutes—'sensitive developers'. That was one point. They went further, though. The minutes of those meetings indicate that a motion was moved on 8 August that year:

> ... we approve that donations be made to the Rainforest Information Centre who will re-route the money to the Queensland Greens.

This is a problem because of a lack of disclosure, but it is also a problem because good environmental outcomes are undermined if organisations such as the Rainforest Information Centre are used to channel funds through to a political party. This was raised by Richard Nielson, the Greens candidate for Brisbane at the last state election, when he said:

> With regards to the minutes circulated, I'm not sure that Drew's idea for re-routing of donated money is good minute material.

He does not question the substance but questions the fact that it was recorded in the minutes. This certainly is an area of concern.

But there is form. In my electorate of Grayndler the Greens are particularly active at local government level. Two elections ago Sylvia Hale, now a Greens MLC in the New

South Wales upper house, was a candidate for the No Aircraft Noise Party. She was a candidate in that election, in the south ward of Marrickville council. Her main opponent, and the person whom she just defeated for the last spot on the council from that ward, was the candidate for the Greens party. So Sylvia Hale, No Aircraft Noise Party candidate, was running for a spot essentially against the Greens candidate. But when the disclosure of that local government election occurred, what appeared was that Sylvia Hale, No Aircraft Noise Party candidate, had donated $5,000 to the Greens campaign in the very election where she was standing for a different political party.

These are the reasons why political disclosure is important. These are the reasons why we should not be increasing the figure for disclosure up to $10,000. Had these provisions applied, we would never have known that Sylvia Hale was running for one political party but funding another political party in the same election. And Sylvia Hale found herself elected on preferences, just defeating the Greens candidate for that fourth spot. A year later Sylvia Hale left the No Aircraft Noise Party and joined the Greens party. Did she do the principled thing and resign her position, as Cheryl Kernot did when she changed political parties and decided to join the Australian Labor Party? No, she did not—she retained her spot on the council. A short period of time later she became a Greens candidate for the New South Wales Legislative Council.

I am an opponent, as people in this chamber would know, of privatisation in general, as a political philosophy. Here we have a situation whereby the New South Wales Greens had privatised a spot in the New South Wales upper house! We would not have known about the connection between funding just prior to someone changing their political party and being preselected for public office in the New South Wales upper house were it not for the disclosure provisions that are there. That is why these provisions are important—because, regardless of which political party people represent, the Australian public is entitled to know where the money for people's campaigns comes from and the Australian public is entitled to draw conclusions from that. Whether rightly or wrongly, there will be conclusions drawn on the basis of political donations.

I draw the attention of the House today to the activities of the Greens. The Greens, I think, have been particularly hypocritical in this regard in that they have been prepared to accept donations and have invested in funds which clearly state that they pay no regard to labour, environmental or other ethical standards. They change political parties and donate to other political parties and they attempt from time to time to channel funds through environmental organisations, as they did in Queensland. I think these provisions should be opposed. They are an attack on our democratic system; they are an attack on the accountability that the Australian public deserves. *(Time expired)*

Mr CAUSLEY (Page) (11.23 am)—I was rather bemused to hear that the member for Grayndler is more concerned about the Greens than he is about the coalition. I was also bemused to hear him talking about duplicity, because if ever a party has taken duplicity to its highest realm it is the Labor Party in New South Wales. I will go into some detail about that. One of their methods at present is standing so-called Independents in coalition seats when the so-called Independents have been members of the Labor Party. The Labor Party do not stand a candidate in the election campaign, but they back, with funding, the Independent and say to the people, 'You're voting for an Independent.' It is fairly clear that they are not voting for an Independent; they are voting for a toady

who supports the Labor Party. For the member for Grayndler to stand here and talk about duplicity from the Greens is quite hypocritical.

I do not want to bore the House for too long, but there are some very important provisions in the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 that I support very strongly. I have been in politics now for just on 23 years and I have seen quite a few of these things in action over the years. I have listened to a number of speeches in the debate on this bill. The feigned anger of the Labor Party on a couple of these issues is quite strange, frankly, in relation to some of the issues that they are bringing forward, having seen them in action over the years. The fact is that we have a system at present whereby people can enrol without having any identification whatsoever. If I want to enrol my pet dog under my surname, I can do that. It is very unlikely it will be checked and that I will be found out. It is quite extraordinary. But if people hire a video, they must have identification.

I have heard numerous members of the opposition talking about how this is an impost on people by requiring them to identify themselves. We have to identify ourselves for everything in life these days. Everyone has a Medicare card. Surely it is very simple to identify yourself so you can enrol to vote in an election. I think I heard the chairman of the committee say yesterday that we have a very good system in Australia. I agree. But we can certainly finetune it in some of the areas where I think it is lacking. It is certainly lacking in the fact that, when you enrol, you do not have to identify who you are. That is just fundamental, as far as I am concerned, when putting your name on the roll.

The member for Grayndler and others have talked about the impost of the closing of the roll and people possibly missing out on voting. I can remember quite clearly what happened a long time ago. In those days when you turned 21, in my era, you put your name on the roll. You could not vote at 18 in those days; it was 21. I will never forget, when I had my 21st birthday, my mother saying to me, 'Now the first thing you do, son, is go down to the post office and enrol.' I did. It is fundamental that if you have a right to vote in Australia then, as soon as you turn of age, you go and enrol. If you change your address, you change your address on the roll. Who is even suggesting that you would not change your address for your mail? You have to do that. The arguments that are being put forward by the Labor Party on many of these issues are very spurious indeed.

The member for Grayndler talked about $10,000 donations et cetera. I would love to get a $10,000 donation. I do not think I have seen one. It is quite ridiculous to suggest that somehow people are going to hide behind this. If I get a $100 donation, I am doing well with most of the constituents that I have. We do not have large amounts of money to spend in an election campaign. That is just the nature of a country seat. I do not see anything in this that is the devil that the Labor Party are talking about—this idea that you can be bought for $100 or even for $1,500. That is a ridiculous argument. I might remind the member for Grayndler that it is automatic that part of a union fee goes to the Labor Party. We know that people who do not want to donate to the Labor Party are forced to do so because they have to join a union in certain circumstances. Part of that union fee goes to the Labor Party. They should admit to that.

There are a few other issues that I want to consider. Yesterday some of the speakers talked about the fact that people would be disenfranchised when we close the roll. I

heard a lot about academics who had done some studies and what the Electoral Commission had said. I have to say that I think in many instances the Electoral Commission has its head in the sand and does not look at some of the issues that are out there.

I can recall instances as a state member when the roll has been closed. I am pretty certain that all members get a list of new enrollees. I remember in particular when one election was called having a list of 1,500 new enrollees who had gone on the roll from the time that the election was called until the roll was closed. As local members, most of us send out a 'Welcome to the electorate' letter to people who are new on the roll. Mr Deputy Speaker, would you believe that 30 per cent of those letters came back marked 'Not known at that address' just a couple of weeks after the election? I leave it to the general public to conclude why we would have such a thing. When I sent this information to the Electoral Commission they did not even give me the courtesy of a reply on the fact that we had this anomaly.

I want to talk about the last federal election. I am a neighbour of the electorate of Richmond, as you would know, Mr Deputy Speaker. There were a couple of things that occurred there that I found quite disturbing. First of all, we have heard on a couple of occasions mention of the liberals for forests, who also stood candidates in my seat and got more votes in my electorate than they did in Richmond. Thankfully, I had a bigger buffer. They stood candidates in that election deliberately to defraud and deceive. When I was discussing this matter on the ABC, Dr Woollard came on and admitted that that is what they were about. He said it was because they did not like John Howard. They deliberately went out to deceive the general public. They dressed in the same colours as The Nationals who were handing out how-to-vote cards, they had how-to-vote cards that were the same colour as genuine Liberal how-to-vote cards, they employed backpackers who were not even Australian residents and paid them for the day and they walked up to constituents saying, 'Liberal.' They were not Liberals. No. 2 on the ballot paper was Labor. This was the liberals for forests. That has got to stop. You cannot have that deception. I wonder what the Labor Party would think if I started a party called the Workers Party to support the workers, whom they claim to support, and I put my No. 2 preference to the Liberal Party. It is the same thing. It is taking advantage of people who do not listen clearly, I suppose, to what the party is about. I believe that is wrong.

Another issue is provisional voting. Again, as an example, I will use the seat of Richmond. It had an extraordinary number, although the AEC says it is not extraordinary, of provisional votes—something like 1,100. Quite a number of those provisional votes came out of Byron Bay. I was quite suspicious of these votes and soon after the election I asked the Electoral Commission to do a check of, say, 100 or so and get a percentage to see just how many were genuine and how many were not. The Electoral Commission said they could not do it; they did not have the time. Subsequently, way after the time had expired in which we might have appealed the electoral decision, we found out that, of the 1,100, 252 people from memory did not exist but had claimed a provisional vote. Again, I leave it to the general public to conclude what went on there.

Mr Deputy Speaker, I have to say to you—and it is not sour grapes; it is just the facts—that the liberals for forests and the provisional votes elected the Labor Party in Richmond. That might give us some indication as to why the Labor Party are opposing some of these amendments so strongly. I think it is fundamental that, if you are going to claim a provisional vote, you should iden-

tify yourself. You should clearly identify yourself—I know you have to do it now when you fill out your address—so that you can be traced, because at the present time you can put a name down and, if it does not exist, it is still counted as a vote in provisional voting. Quite frankly, that is just contrary to our democratic rights in this country.

I do not believe this bill is outrageous. In fact, I would probably go some way further if I had the opportunity. I will put it this way—

Mr Crean interjecting—

Mr CAUSLEY—The member for Hotham is mumbling under his breath, but I will put it to him this way: in the past you had to go to your local booth to vote and your name only appeared at the local booth so that your name could be crossed off; now you can go to any booth in the electorate. Quite frankly, I think we should update this and use computers to make sure that a person can vote only once. We have long heard from the Labor Party, 'Vote early and vote often.' In one instance after an election I found out that one person had voted four times and five dead people had voted. They were recorded as voting but they were dead. Someone voted for them. Of course, we would not know which way they voted, but that is an anomaly and it should not occur. I think that if we had a computer system whereby those people who had the right to vote could be crossed off or eliminated from the computer once they had voted then they could not vote more than once in an election. I strongly support this bill. I do not think it is outrageous; I think it goes to the core of some of the issues we are trying to address. I think that it will give us a better and fairer voting system in Australia.

Mr CREAN (Hotham) (11.35 am)—I rise to support the amendment to the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 moved by the member for Bruce and to oppose key aspects of the bill. The fact of the matter is that this bill is a joke, but the contents of it are deadly serious. It is called the electoral integrity bill but the fact is that it has no integrity. This bill is about making it harder for people to vote but easier to sling anonymous political donations. It will not strengthen our electoral system but debase it, and it has the capacity to corrupt it. In many ways the title of this bill is in the same tricky style that the government uses so often to hide the real intent and meaning of a bill—not saying what a bill means and not meaning what it says and giving bills names that give the opposite impression to the real intention of the bill.

There are a few earlier examples: the Fair Dismissal bill, which makes it easier for employers to sack people; the More Jobs, Better Pay bill, which is not about better pay or more jobs; and, of course, the infamous Work Choices bill, which is not to give people choices. The last thing that is about is choice and it in fact restricts the choice of employees choosing to bargain collectively. Now we have the electoral integrity bill that lacks integrity.

This bill will make it harder for people to vote. It will undermine the strength of the compulsory voting system that has served this democracy so well for so long. It will make it easier for donors to political parties—the Liberal Party in particular—to conceal their identities and to secretly influence government policy. That is why Labor opposes this bill. We do not oppose every aspect of the bill, but we most strongly oppose the key aspects—the real intent—of this bill. In essence, we are demanding that the bill be withdrawn and that the offensive provisions be struck out. Were that to happen, we would be happy to support valid changes to the leg-

islation—legislation which we think in parts is in need of reform.

One of the main provisions of the bill is to increase the threshold for donations to a political party from $1,500 to $10,000 and then to index it to the CPI. Clearly, we oppose that. We oppose the decision in this bill to close the roll earlier after the announcement of an election and to reduce the present seven-day grace period, by which once an election is called people have time to get themselves on the roll, and to bring that back to 8 pm on the third working day after the issue of the writs. There is a proposition to extend the definition of 'associated entities' so that it applies to entities with membership of political parties and entities with voting rights in political parties. We do not oppose that proposition, nor do we oppose the proposition to require third parties to furnish annual returns under the Electoral Act. We do oppose the proposition to deny the vote to any person who is serving a sentence of imprisonment. We do oppose the proposal to introduce stricter requirements for identification on enrolment. We do not have a problem with the issues going to deregistering misleading political party names, nor do we have a problem with the removal of the requirements for publishers and broadcasters to furnish returns on electoral advertisements.

Let me go to the political donations part of the legislation first. The government argues that the threshold limit for political donations should be lifted from $1,500 to $10,000. It says that the $1,500 was too low. Of course, you would expect the Liberal Party to say that; it is, after all, supported by very wealthy businesses. It says that that figure of $1,500 has been eroded by inflation. You would have to think we were in the inflation mode of some Third World country for that sentiment to apply. The government says that not only has it been eroded by inflation but it adds nothing to Australia's democracy other than unnecessary red tape. The fact is that the $1,500 limit adds transparency and, through it, accountability—something seriously lacking in this government. You have only to look at the scandal surrounding the Australian Wheat Board. We understand why the government wants to escape scrutiny and accountability—because it is not good at it. It believes it can do as it wants and not be held accountable for it. That is why those limits were imposed.

The government has been trying to get these changes through for years. Labor has been able to reject them because of the circumstances in the Senate. Now the government has seen its chance, so here it is back again doing something it has always wanted to do—lift the threshold. If you look at the figures released by the Electoral Commission, you will see they show that, if the threshold is increased to $10,000 and if donations were to be made at the same rate as they were at the last election, $8 million would go to the Liberal Party with no public scrutiny and no indication as to who put that money in. Think about it: $8 million was a huge slice out of the budget of the Liberal Party at the last election that was not met by public funds. I think that demonstrates the whole thrust of why we oppose this insidious aspect of the bill. It is designed to cover up the government's wealthy mates so that it can squirrel more money into the Liberal Party, curry more favours behind the scenes and not be accountable to fund its election campaigns.

The government will make it a lot easier to donate in secret and to influence government policy for private gain, and the Liberal Party has form here. In the past, the Liberal Party has exploited loopholes in the Electoral Act to avoid scrutiny of donations. Members might recall the Greenfields Foundation, which lent over $4 million to the Liberal Party in 1996-97. If political parties choose

to conduct their business by way of loans rather than grants, that is an issue for them; but, as Senator Faulkner asked back in 1998 when this issue came to light, what were the terms of the loan? Was it required to be repaid? Was it in fact a donation and simply designed to be called a loan to circumvent the principles? Should it have been declared? Most importantly, what was the source of the funds? If these are legitimate funds and if people are willingly making these donations and not expecting anything in return, why should they not be disclosed? Yet the government is introducing this proposal to ensure less transparency and less requirement to disclose.

What was the Greenfields Foundation in any case, with trustees who were all well-known Liberal Party associates with postal addresses shared with other bodies associated with the Liberal Party? The fact is that the Greenfields fund was a front for the Liberal Party—a slush fund, a money-laundering device, a means of breaching the spirit of the act and the principle of public disclosure of donations to political parties. That was the Liberal Party before these changes. Imagine what it is going to do when it gets these changes through.

We in the Labor Party believe strongly that the public has a right to know who the donors to political parties are. That is why when we were in government back in the eighties we introduced legislation to do just that so that the public could make a judgment on government decisions. This bill reverses that. It conceals the identity of significant donors. It makes it more difficult for the public to make a judgment.

On the issue of the enrolment changes, the former Minister for State, Senator Abetz, justified the proposed enrolment changes as reducing the opportunities for election fraud. Not only has he not produced any evidence to back that claim of fraud but the provisions that they are producing here actually disenfranchise many present and potential future voters. For example, the need for more rigorous identification procedures will discourage many voters from enrolling. The reduction of that seven-day grace period after the calling of the election will mean that many people will not get on the roll. The argument that the rush of enrolments means that insufficient scrutiny is given to those enrolments can be answered, of course, by providing better resources for adequate scrutiny.

On the seven-day grace period, the Electoral Commission's own publication, *Behind the scenes: the 2004 election report*—and this is borne out in table 5 in that document—says this, and it is pretty revealing:

> During the 2004 federal election, a large number of Australians used the close of rolls week—

this is the seven-day period that is going to be abolished—

> either to enrol for the first time or to check their enrolment details and if necessary to update these details. The AEC replied to almost 10,000 email enquiries during this period.

There were 10,000 email inquiries during that seven-day period. It continues:

> The AEC received a total of 423,975 enrolment cards in the week between the announcement of the 2004 election and the close of rolls date. Of the enrolment cards received in the last week, 78,816 were new enrolments.

The former minister says that the seven-day grace period does nothing for our electoral system other than increase opportunities for fraud. The changes would disenfranchise those 78,000 people. This provision certainly does nothing for them. His assertion that the seven-day grace period does nothing for the electoral system is patently nonsense. The independent Electoral Commission has said that in the last year were it not for this period there would have been 78,000 people not

entitled to vote. Make your own judgment. Why doesn't the Liberal Party want more people voting in elections? Because basically its hidden agenda is to get rid of compulsory voting and go to voluntary voting. This is the thin edge of the wedge.

The government claims that these measures are necessary to ensure the integrity of the electoral roll and to prevent fraud. It has not substantiated that. The ANAO report *Integrity of the electoral roll* in 2002 found that independent data-matching of the electoral roll demonstrated that, of the enrolments matched to the Medicare data, over 99 per cent appeared to be valid. There is not much evidence of fraud there. That was an independent assessment. Where is the government's evidence for the necessity to make these changes? All we are hearing is self-serving assertion. The real reason for these changes is that the government believes it will gain electoral advantage.

Australian citizens should be encouraged to vote and to participate in their democracy. These proposals will have the opposite effect. They will discourage participation. The government's proposed changes will make it harder to vote but easier to donate to political parties. The changes will have a disproportionate effect on already disadvantaged people—young people, people with lower levels of education, Indigenous Australians, Australians from non-English-speaking backgrounds, people who move frequently or have no fixed address, and prisoners who are serving sentences of less than three years. The change to the seven-day grace period for enrolments will also seriously disadvantage rural and regional voters who may need to make a special trip or allow extra time for postage to lodge their enrolment.

The ALP endorses the maintenance of compulsory voting. We make no apology for that. Every citizen should have a stake in the political process. We have seen in last night's budget how budgets can be about choices and governments determining those choices—were they the right choices? Having the ability to determine that is a terribly important entitlement. We believe it is to be encouraged as strongly as possible, and that is why we support compulsory voting.

But the Liberals do not believe in compulsory voting. This is not the first time they have tried to erode it. This is an attempt to whittle it away, to bring in voluntary voting by stealth. There is ample evidence that some ministers in the government would prefer to have voluntary voting. Senator Minchin has said so. So has Minister Nairn, when he said that he will 'take a closer look at voluntary voting' once this bill is passed. The Prime Minister, as usual, has distanced himself from the debate—let it run, see what the reaction is. Let us not delude ourselves: this is another example of the thin edge of the wedge of undermining the compulsory voting system in this country.

The minister says that it is illegal not to be correctly enrolled. That is true, but we also need a commitment to effectively enforce that requirement. The National Audit Office's report of 2002, which I referred to earlier, noted that the Electoral Commission had set a performance target of 95 per cent of people who are eligible to vote being included on the roll. Since 1999 the AEC has moved from habitation surveys—in other words, physically doorknocking—to a computer based method of updating the roll. The ANAO reported in 2002 that it was an effective method of managing the roll—that it was capable of producing a roll that is accurate and complete. Up to that time, it had not been implemented in a nationally coordinated and strategic manner; in other words, it could have been done but it had not been implemented properly. Again, it is the question of the will, the intent and the prepared-

ness of government to get behind it and see that it is done. In the meantime, there is plenty of anecdotal evidence that significant numbers of younger people do not enrol, do not vote and have never become engaged in the political process. And there is no process of identifying them or enrolling them.

I could go on at length in response to the member for Page who said, when he spoke before, that as a member of the National Party he was not able to get big donations. We only have to pose the suggestion that, apart from the public funding the National Party gets, it has always been able to get its pork barrel from the government as part of buying the National Party's silence and its becoming the branch office of the Liberal Party before every election. We have seen the rorting of perfectly valid and important schemes such as the Regional Partnerships program and the readjustment packages down in the electorate of Eden-Monaro by the Special Minister of State, Mr Nairn. We have seen all of those examples, and we will come to those on another occasion to highlight the hypocrisy. Suffice it for me to say that we have serious concerns about this bill.

I support the remarks of my colleague the member for Bruce in his second reading contribution. I support the second reading amendment. I make the point again: this is an undemocratic bill and it is a bill that should be withdrawn. It is a bill that is unacceptable as long as it contains the undemocratic principles and provisions that I have outlined: reducing the period of time that citizens have to enrol to vote, the provision to introduce new and unnecessary identity requirements and this lifting of this outrageous cap on political donations. Labor oppose the bill. We will fight it. We hope that we will win the argument in the Senate. If not, when we come to office we will correct the undemocratic provisions of the bill.

Ms ANNETTE ELLIS (Canberra) (11.55 am)—I rise to speak on the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. The bill seeks to reform numerous elements of the electoral system. Some elements of the bill are positive and are supported by Labor. These include increasing the Australian Electoral Commission's powers by giving it power to access information held by Australian government and limited state and territory agencies, which may help to improve the integrity of the electoral roll; requiring that AEC divisional offices be located within divisional boundaries; and bringing internet sites into line with regulations on paid electoral advertising. However, Labor is strongly opposed to other elements of the bill.

Labor is concerned that the Howard government's proposed electoral reforms are all about making it harder to vote and easier to donate to political parties. I will outline some of the reforms to which Labor is opposed. As a result of this legislation, there would be greater identity requirements for enrolment of provisional voters. People who want to enrol to vote or to update their details will have to provide one or more of the following: a drivers licence, a prescribed identity document to be shown to a person who is in a prescribed class of electors and can attest to the identity of the person or an application for enrolment signed by two referees who are not related to the applicant, whom they have known for at least one month and who can provide a drivers licence number.

This requirement is unnecessary. The government claims that it is introducing these requirements to protect the integrity of the electoral roll, but that claim is purely fictional. The Joint Standing Committee on Electoral Matters conducted a thorough investigation into the integrity of the electoral roll in 2001 and found only 71 cases of fraud between 1990 and 2001. During this time

there were five federal elections and a referendum. The AEC noted that these false enrolments were not deliberate attempts to corrupt or unduly influence the electoral results. So I think it is an exaggeration to say that we have a serious problem with fraud of the electoral roll.

The government's true motivation in introducing several of the measures in this bill is to secure for the coalition government an electoral advantage. The minority report from the Joint Standing Committee on Electoral Matters inquiry into the 2004 election shows that, in all the states and territories, between 10 per cent and 20 per cent of adults do not have a drivers licence. So a large proportion of people will find it more difficult to enrol to vote or to update their details. And what about the homeless? The 2001 census shows that there were about 100,000 homeless Australians. That is what the census shows, but the reality could be significantly different from that. How on earth can they enrol or change their details with these new changes?

This bill will make it harder for Australians to get enrolled and to cast a valid vote on election day. It will also increase the administrative burden on the AEC and potentially disenfranchise thousands of potential voters. Another major concern is that, if this legislation is passed, the electoral roll will close on the day the writs are issued. Current legislation allows for a seven-day period of grace after an election writ is issued for people to enrol to vote and to update their details on the electoral roll.

The government justifies these changes by contending that the AEC does not have time to adequately process the details of people enrolling to vote or updating their details in that period between the issuing of the writ and polling day; hence, this leads to more errors on the electoral roll. That is the government's claim. The AEC has said that the current seven-day arrangement does not prevent it from taking adequate steps to prevent fraudulent enrolment—in fact, quite the contrary. In relation to proposals to close the roll early, the AEC, in a year 2000 submission to an inquiry into the integrity of the electoral roll, stated:

> ... the AEC expects the rolls to be less accurate because there will be less time for existing electors to correct their enrolments and for new enrolments to be received.

According to figures provided by the AEC, at the 2004 election over 280,000 people enrolled to vote or changed their enrolment in a substantive way in the seven days between the issuing of the writs and the close of the roll. This figure includes approximately 78,000 new enrollees, 78,000 people changing or updating their existing details, 96,000 people transferring intrastate and 30,000 people transferring interstate. So, under this government's proposed changes, on the figures from the 2004 election, the ability of over 280,000 Australians to vote stands to be jeopardised.

History also tells us that closing the roll on the day that an election writ is issued will see tens of thousands of Australians excluded from voting. In 1983, the electoral roll was closed on the day that the election writ was issued. As I alluded to earlier, on polling day approximately 90,000 people found themselves unable to vote because they had not enrolled in time. An AEC official who recalled the 1993 election said:

> It created a lot of confusion and a lot of provisional votes, and a lot of people go in to vote, find they are not on the roll and just walk out.

The people most affected by these regressive provisions will be those in our community who already face the greatest disadvantage and the most difficulty accessing our country's decision makers. There is a wide consensus amongst experts in this area that clos-

ing the roll early will have the greatest impact upon those who do not have a complete understanding of our political system.

In the Joint Standing Committee on Electoral Matters inquiry into the 2004 federal election, leading electoral commentator Antony Green asserted:

> If suddenly the election is called two or three months early, people will not have regularised their enrolment. You will cut young people off, as the numbers show ...

It has been clearly established in a report by the AEC, titled *Youth electoral study*, that young people are disengaged from the electoral process. A key point of the report is that, generally, 'young people do not understand the voting system'. In addition, the report asserts that young people 'do not perceive themselves, generally, as well prepared to participate in voting'. Given the lack of understanding and preparedness of those young people, closing the electoral roll early will serve only to ensure that even fewer of them are enrolled to vote and, hence, able to vote in federal elections.

In his submission to the Joint Standing Committee on Electoral Matters inquiry into the 2004 election, Professor Costar emphasised:

> Good reasons would need to be adduced to justify the denial of the vote to such a large cohort of citizens; especially the new enrolees, most of whom would be young people, who need encouragement to become civically engaged.

No good reason to disenfranchise thousands of young Australians has been produced at all by the government.

At the last federal election, almost 1.7 million people between the ages of 18 and 25 enrolled to vote for the first time. This bill will exclude a significant proportion of these young Australians from lodging a vote, stripping them of their democratic right to participate in a federal election. This has serious implications not only for the next election but also for future elections. How can we expect young people to develop respect for parliamentary processes when the government apparently works so hard to exclude them at the first available opportunity?

I am very conscious that the government has made some comments in the lead-up to this debate about the personal responsibility of people to their enrolment obligation. In my view, Australians from non-English-speaking backgrounds will also lose out as a result of this bill. In a submission to the Joint Standing Committee on Electoral Matters inquiry into the 2004 election, the Public Interest Advocacy Centre pointed out that this group is disproportionately represented in the group of citizens who register to vote in the period of seven days after the issue of the writ. This is hardly surprising, given that many Australians from non-English-speaking backgrounds may not be familiar with the Australian electoral system or have the language skills to properly understand information with regard to their electoral obligations. While the government has provided increased funds to the AEC for various purposes, including advertising, an advertising campaign cannot offset the number of people who would have enrolled to vote in the additional seven days after the issue of the writ.

I just want to consider for a couple of moments the government's view on this call of personal responsibility. I have heard this in the debate and in the media leading up to this bill. It is all very well for the government to say that it is entirely up to the individual to exercise their personal responsibility for their civic duty and their obligation to enrol for voting. That is all very well as long as we equip them adequately and completely to do so. That is not being done. While we see record levels of massive multimillion dollar government advertising in the promotion of all sorts of government campaigns, let

me assure you, Mr Deputy Speaker, we will not be seeing multimillion dollar advertising campaigns to remind people to enrol to vote. I can guarantee that that will not be happening to the level that would even be remotely required to address this action of the government.

The previous speaker, the member for Hotham, made reference to the issue of compulsory voting. We all know that a number of members of the government at high levels who have an absolute belief, a commitment, that one day they will drive policy to the point in this country where they remove compulsory voting. Let me put it straight and clearly on the table that, as far as I am concerned, that would be the most detrimental thing we could ever see happen to the Australian form of democracy—one of the strongest and best forms of democracy in the world historically. In my view, this legislation is the beginning of that sort of thing. If you are going to expect the population to show regard for the wonderful democratic process in which we operate, you have to give back to them the regard that is required.

As part of this legislation, another nasty Howard government plan is to increase the declarable limit for the disclosure of political donations from $1,500 to $10,000. This is an enormous jump in the limit required before donation details must be made public. Massive sums of money will go into party coffers without the public knowing. In the *Canberra Times* on 27 March 2006, Mr Norm Kelly, who teaches politics at the Australian National University, wrote:

> In a healthy democracy, voters make their decisions based on representations from a diversity of parties and candidates. To make an informed decision, it is important that voters are aware of who is funding those parties and candidates.
>
> However, the Government's proposed measures will result in a higher proportion of political donations being hidden from public scrutiny, and therefore voters will be kept increasingly in the dark as to who is bankrolling our political parties.

It sounds so much like the American system, doesn't it? It raises the question. The government claims that these reforms will increase the transparency of the electoral process and avoid instances of electoral fraud—again, that claim. In my view, the only transparent thing in this legislation is the Howard government's agenda. This government will make it easier for people to donate to influence the democratic process while at the same time making it a lot harder for them to actually exercise their democratic rights. This is another example of an arrogant and out-of-touch government that is ready to use its control of the Senate to ram through policies which are designed only to give it a political and financial advantage at future elections.

The government's justification for this legislation is, frankly, dishonest. The claim that the legislation is designed to combat electoral fraud in this country is contradicted by the simple fact that Australia does not have a history of electoral fraud, as testified by the inquiries to which I have referred. The real basis for this legislation appears to be that the government believes it will gain a partisan advantage at future elections as a result of the reforms—or that it just has a philosophical bent and this is the way it sees democracy in Australia. It is not the way a lot of us see democracy in Australia, I can assure you. This bill ought to be condemned, and Labor's amendments ought to be passed.

Ms HALL (Shortland) (12.09 pm)—The Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 should be renamed the 'Changing of the Democratic Function in Australia Bill' or the 'Harder to Vote, Easier to Donate Bill'. This is classic Howard government legislation. It is driven by a government with the ideology that it is born to rule. It is the belief

of the government that it is the party of government and the ALP should be the party of opposition. This legislation puts in place a structure to achieve this. It is a step along the way to ensuring that the Howard government has ultimate control of the political process in Australia. The Howard government will do whatever it takes to get this control, so another name we could give this legislation is the 'Whatever it Takes Bill'. The bill makes it harder for ordinary Australians—the people who decide who should be the government of the day—to vote, particularly once an election has been called. Only one word can describe this legislation: disgraceful. It is disgraceful legislation which makes it easier for the government's mates to donate to the government without disclosing their donation. It also increases the tax deductibility of a donation—and I will go into that in more detail as I discuss the legislation.

Whilst I oppose many of the provisions in this legislation, I do support the increased power being given to the AEC and the requirement that AEC divisional offices be located within divisional boundaries. Currently, the divisional office for the electorate of Shortland is outside the boundary, and I find that difficult. I think it is a very poor situation for an AEC divisional office to be allowed—or forced—to operate outside divisional boundaries. The government has renegotiated the lease and ensured that the AEC divisional office in Shortland remains outside the boundary, so I welcome the change in this bill. Another change that I think is important is to bring internet sites in line with the regulations for paid electoral advertising.

This bill seeks to change—the government uses the word 'reform', but I would say the changes are retrograde—voter enrolment practices, financial disclosure and tax deductibility thresholds for political donators, and financial reporting obligations for third parties associated with entities, broadcasters and publishers. There are changes to the requirements, as I mentioned, relating to internet advertising and the AEC. There are also changes relating to political registration, and the nominal deposits for election candidates will increase to $500 for House of Representatives candidates and $1,000 for Senate candidates.

The areas that I am particularly concerned about are voter registration, relating to the identification that is required, and the closure of the electoral roll. I also have some concerns about the right of prisoners to vote. I am also extremely concerned about the disclosure provisions, and I will deal with those first. This legislation increases the non-disclosable amount that can be donated to a candidate or a political party from $1,500 to $10,000. That means that a company or an individual can donate a non-disclosable $10,000 to a particular political party. If you look at this in a historical context, this provision will bring the percentage of the total donations disclosed down from 75 per cent, or $78 million, under the current regime to 58 per cent in the 2004 election—so just over half the donations to political parties will be put on the public record.

You might ask why this is important. I think it is very important because it is important for the people of Australia to know who is donating to political parties. The people of Australia have a right to know if individuals or big corporations, trade unions or whatever organisations they may be are making a donation to a political party, because large donations have the potential to influence the policies and direction of a government. I am not saying that they do, but large donors will always find that they have easy access to the government of the day and as such the people of Australia need to know and have a right to know who the people that are mak-

ing big donations to both sides of politics are. So I feel that provision of the bill is a retrograde step. I see this increase to $10,000, which will be indexed, as having the ability to pervert the course of democracy within Australia.

The next thing that I would like to touch on is the increase from $100 to $1,500 in the level of tax deductibility for contributions to political parties or independent candidates. If you donate to a political party, you do it because you believe that the political party or its candidate is the best one to represent you, your state or our nation. It seems quite strange to me that a person should be able to claim a tax deduction for following through on their belief in or their commitment to a particular ideology, party or candidate, so I do not believe that provision is the right way to go. I think that tax deductibility allows those people that have a little bit more disposable income to influence the political process.

That brings me to what I think are two of the most important provisions of this legislation: the identification requirements that will apply to voters needing to enrol and the early closing of the electoral roll once the writs have been issued for an election. Under this piece of legislation, the government seeks to introduce proof of identity requirements for people enrolling or updating their enrolment which will mean that they will need to show a drivers licence. If they do not have a drivers licence, they can show some other prescribed identity document. If all else fails, they must have their enrolment application signed by two referees who are not related to the applicant, have known the applicant for at least one month and can provide a drivers licence. On the surface, people may say that is reasonable. But not everybody has that proof of identity. Older people in particular would struggle with that drivers licence requirement. I have had many constituents come to my office because they are required to have photographic identification and the fact that they do not have a drivers licence creates a problem.

That brings me to the secondary requirement. It is reasonable to expect a person to present that proof, provided they live the kind of life that members on the other side of this House do, but many people will be disenfranchised by this requirement. Those people living in Indigenous communities will find it very difficult to meet this requirement. The member for Lingiari has emphasised this fact to me on many occasions. Those people who are already disadvantaged, many of them being his constituents, will be disenfranchised by this legislation. Also, young people will find it more difficult to have the correct ID needed to enrol and homeless people and itinerant workers will also be extremely disadvantaged by this change to increase the identification requirement. Things will also be more difficult for provisional voters. The requirement will be more strict than it is now. They will have to abide by those changes and present their identification within the required period to the AEC.

I have always believed that we should encourage people to cast their vote and have a say about the direction in which our nation should go. But it seems to me that the government is actually discouraging people by making it harder for them to vote. The government has this belief that the people who will find it harder to meet these requirements tend to vote more for the opposition than for the government, so the government says, 'Let's see what we can do about making it more difficult for them to enrol to vote.' Quite frankly, I do not think that is the way we should go. I believe we should be increasing the number of people that participate in the democratic process in our country.

I know that many people in Australia would be aware of the debate that has been raging within the government about removing compulsory voting. The government is once again driven by its philosophy that voting should be a choice and that the people who choose to vote are more likely to be those people who will vote for the government. When you look at figures in the United States, the United Kingdom and other overseas countries you see that less than 50 per cent of people vote in elections. I feel that that undermines the whole democratic process. I feel that the proof of identity requirements in this legislation are designed to limit people's involvement in the political process.

Another issue which I feel is an absolute disgrace and one that will reduce the number of people who will have access to voting in elections is the early closing of the roll. Effectively, this change will mean that at 8 pm on the day that the writs are issued the roll will close. Currently, people have a seven-day period to enrol. The government undertakes a massive advertising campaign, encouraging people to register to vote. The government has decided to go in a different direction and will now discourage people from voting, because closing the roll at that particular time will disenfranchise a significant proportion of the population. Included in this bill is a more generous—if you can call it generous—requirement in that 17-year-olds who turn 18 between the day the writ is issued and polling day and people who will be granted citizenship in that time will have until 8 pm on the third day after the writ is issued to enrol.

Senator Abetz stated that there was a problem with the current-day rule. He said that it puts incredible pressure on the Australian Electoral Commission, and he went on to say that there is a rush to get on the roll after the calling of an election and that the level of scrutiny of applications simply cannot be what it is in a non-election period, when the AEC receives enrolments at a much more steady pace. That is quite contrary to the way that the AEC sees it. The AEC is on the record expressing its concern at the suggestion of abolishing or shortening the period between the issuing of writs. The AEC stated that the current-day rule does not place incredible pressure on the AEC, that it is quite up to handling it and that it is very important that this period be available for people to vary their enrolment.

The minority report following the 2004 election opposed that position. One of the problems associated with the early closing of the roll is that only 40 per cent of people advise the AEC in the first instance of enrolment entitlements or changes in accordance with the act. So it is only when an election is called that people realise they need to enrol. At the last election, nearly 300,000 people enrolled in that seven-day period. Under this legislation before the parliament today those people would have been disenfranchised. I do not think that is good enough. In this parliament we should be making it easier for people to vote. In this parliament we should be putting in place open and transparent legislation. To be honest: this legislation does neither of those things. This legislation makes things less transparent in that Australians will not be aware of which people donate to political parties, it increases the tax threshold for donations and it makes it much harder for the people of Australia to cast a vote.

I see this legislation as typical of the Howard government and its arrogant disregard for the people of Australia. I believe this legislation needs to be taken back to the party room and looked at again, and then brought back to this House in a form that actually increases the ability of people to participate in the democratic process and that improves openness and transparency.

Ms KATE ELLIS (Adelaide) (12.29 pm)—I rise to place on the record my fierce opposition to clauses contained within the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. Whilst I recognise that I am not here for a counselling session, I must say that I am deeply saddened and deeply angered by the fact that our national parliament is debating these measures. On several occasions since my election I have been in this House and seen the government putting their own self-interest ahead of the national interest. I have seen this with the sale of Telstra; I have seen this with industrial relations. But what we are doing here today is watching the government try and put their own self-interest ahead of our nation's democracy, and I think that is an extreme low.

The proposed electoral and referendum amendment bill is little more than a political stunt by the coalition, and the intended changes are merely an extension of the Liberal Party's ideological agenda. The Australian government is planning to push through ideological changes that will make it harder to vote but easier to donate, and the Labor Party will not stand for it. These proposals have long been part of Liberal Party policy. We saw it in 2004 and we are seeing it today. Once again the Australian government is using its control of the Senate to ram through its ideological changes.

My view is that when the Australian Electoral Commission, Australia's expert on electoral and democratic matters, repeatedly warns the government that a piece of legislation would be immensely damaging to democracy the government should probably heed that advice. In a submission to the Joint Standing Committee on Electoral Matters in 2002, the AEC again expressed its concern about any change to abolish or shorten the period between the issue of the writs and the close of the roll. The AEC remarked:

> That period clearly serves a useful purpose for many electors, whether to permit them to enrol for the first time … or to correct their enrolment to their current address so that they can vote in the appropriate electoral contest …

The AEC considers it would be a backward step to repeal the provision which guarantees electors this seven-day period in which to correct their enrolment. It is about time the government took its head out of the sand and started listening to the AEC—and the rest of Australia, for that matter. In the inquiry into the bill conducted by the Senate Finance and Public Administration Legislation Committee, 35 of the 52 submissions received by the committee were strongly opposed to this move, with only three—those of the Festival of Light and the Liberal and the National parties—in support of it.

These proposals make it easier to buy influence in the democratic process but harder for our constituents to exercise their democratic rights, and Australia knows it. The only people supporting this bill are those who stand on the other side of the chamber, and it is publicly known that they have been so blinded with arrogance that they cannot see that this is the most ridiculous piece of electoral reform ever introduced.

I would like to further reflect on the proposal for the early closure of the electoral roll. These changes will not just be a backward step but in fact a backward leap. These amendments propose to close the electoral roll at 8 pm on the third working day after the issue of the writs. However, as we know, the roll would effectively close at 8 pm on the day the writ is issued, because most people not on the roll between that time and 8 pm on the third day will not be added.

Amongst the constituents who will be most impacted by these changes will be young people, and I believe that, at a time when there is so much talk about a vast apathy towards politics amongst young Austra-

lians, reducing their democratic rights is outrageous. I have heard personally from high school teachers in my electorate how hard it is already to get young people to enrol to vote, as many think there is no point and that politicians are unrepresentative of their needs and attitudes.

It is estimated that around 80 per cent of eligible Australians aged between 18 and 25 are currently registered on the Australian electoral roll and are thus significantly less likely to be on the roll than other Australians. To be honest, when these reforms are introduced I will not blame the youth for taking such a stance or for holding these beliefs. Already they are a part of society that feels excluded by politics, and now they will feel even more so when they forget to enrol to vote, suddenly an election is called and they are stripped of any further opportunities to exercise their democratic rights. I passionately believe that as members of this House we should be out there encouraging our constituents to get more involved in the political process, not making it harder. Each of us goes about this in a different way. Personally, I am passionate about getting out and about in my electorate, being as accessible as possible and making it as easy as possible for the electors of Adelaide to have their say. But this government is heading in the exact opposite direction.

In the seven days after the writ was issued for the 2004 election, 78,000 people enrolled for the first time, and 345,000 updated their details after the seven-day period. A further 150,000 tried to enrol. Under the proposed law, all of the 78,000 will be excluded from voting, as will a certain percentage of the 345,000. Clearly a majority of those 78,000 people who enrolled for the first time in 2004 were young people. If those 78,000 people were denied their right to vote in 2004, as the government had intended, then I think it is pretty likely that most, if not all, of them would have harboured a certain cynicism towards politics for a long time to come. Our democracy must be an inclusive one. Thus, if anything, the period of grace between the issue of the writs and the closure of the roll should be extended, not shortened. Any change to this system will be a regressive blow to Australia's democratic system. To advocate these changes as a positive development is laughable.

This government really is amazing—and I do not say that in a positive sense. Comparable Western democracies are actually trying to increase the electoral participation of young people—a possibility never considered by the Australian government, it seems. For instance, Canada allows young people to enrol on the day when they turn up to vote, and New Zealand gives them until the day before the election to enrol. In New Zealand young people can now ask for their enrolment form through a free text message, which has proven to be a popular option. But, unlike Canada and unlike New Zealand, the Australian government will be telling its youth that it will be closing its electoral roll for new voters far earlier than comparable democracies and at least 33 days before an election.

We have heard Minister Nairn and Minister Abetz suggesting that Labor has no point for argument because at both state and territory levels it closes the roll early. However, in several states, including my home state of South Australia, there are fixed term elections, so there is plenty of notice of an approaching election. Thus, at this level the closing of the roll not pose a threat to democracy.

Yesterday in this place the member for Prospect called on the government, if it pursued these measures, to commit itself to an advertising campaign to inform people of the changes to the law and to let people know

that, if they move house or turn 18, they will be obliged to update their enrolment immediately to maintain their right to vote. I absolutely support these sentiments, but I would also say that, if the government is worried about the historical trend of young Australians not supporting the coalition, perhaps its efforts could be better directed in another area. Perhaps it could address policy concerns which young people are passionate about. Perhaps it could stop attacking young Australians by stripping them of quality education and of trades and skills. But instead the government has chosen another path.

The bill also includes an increased requirement for identification on enrolment, a provision even stricter than that introduced with the Electoral and Referendum Amendment (Enrolment Integrity and Other Measures) Act 2004. These clauses are completely unwarranted. In the JSCEM report, the majority of the committee advised that no evidence has been produced justifying updating the 2004 act with an even stricter requirement. Rather it will mean that the AEC will just have to spend extra time processing applications due to the range of verifying documentation. This would create a backlog of applications in the period prior to the closing of the roll, impeding the AEC's ability to perform its job properly. These so-called moves to 'tighten up enrolment' are likely to diminish the comprehensiveness of the roll and have a disproportionate impact on young and disadvantaged sections of the community. In fact, they are likely to exacerbate existing problems of underenrolment in these groups.

Requirements for new enrollees have been strongly resisted by state Labor governments due to both the cost and inconvenience of increased identification. These obstacles are absolutely not required. In 2002 the National Audit Office found over 96 per cent accuracy of information, which rose to over 99 per cent when matched against Medicare data. In the absence of any evidence whatsoever of corruption or fraudulent behaviour in our system, surely our efforts are better spent making it easier rather than harder for Australians to be involved in the political system.

I would like to turn to the proposed changes to the disclosure thresholds. The government has proposed changes to the thresholds for disclosing donations to political parties and candidates from $1,500 to $10,000. Such a change will diminish the transparency of the disclosure laws remarkably and mean that further donations to parties and candidates will go undisclosed. The Australian people have every right to know who holds influence over the government and how much influence they have. In a liberal democracy such as ours we cannot afford to make changes that ebb transparency. This proposition has no real merits. The current threshold of $1,500 has so far ensured adequate transparency and, at the very minimum, must be maintained. The Labor Party will continue to fight for transparency in the political system.

Today the government has argued that these measures will encourage participation in the democratic process by providing tax relief. But the ability to donate money should not and must not be a requirement for participation in political debate. Increasing the disclosure threshold to more than $10,000 will create such a gap in the disclosure scheme that describing this as a 'loophole' is laughable. Parties will be able to accept larger sums without disclosing details of the donor. This renders the whole notion of disclosure thresholds meaningless. Further, if a donor decides to contribute to all of the state, territory and federal divisions of the same party, $90,000 a year will remain hidden from the general public.

The suggestion that a $10,000 sum is not large enough to create risks of corruption or influence is absurd because donations of around this amount have initiated previous controversies. Eighty per cent of donations received by major parties in 2004-05 were $10,000 or under, thus almost $25 million could be hidden from the public view—therefore 80 per cent of donations would not be disclosed if this bill were enacted. An increase to $1,500 also skews political influence to the wealthier in society. Higher earning individuals will also receive a proportionally higher, taxpayer funded subsidy.

I would like to make note of Peter van Onselen's contribution to the Democratic Audit at the ANU, where he stated:

> We seem to have reached a state where politics is so replete with unethical behaviour that the prostitution of democracy is publicly promoted by some political leaders.

By changing the disclosure thresholds, the Howard government certainly is prostituting our democracy. We need to be closing the loopholes that incite corruption, not extending them.

In this debate it is important that we also touch on the provisions in this bill relating to third parties. The bill attacks the free speech of charities and community groups while imposing a financial burden that may be unsustainable. The government has argued that, when community organisations spend money on campaigns that coincide with ALP policies, they are effectively campaigning in favour of the ALP. These provisions are ludicrous. In a healthy democracy we should be encouraging community organisations and those third parties at the forefront in viewing and studying the consequences of government action or inaction to speak out and enrich the national debate on these issues.

By changing the definition of an electoral matter, charity and community groups will be unable to make a reference to past or present public policy issues. Donors and the public are likely to make fewer donations, to avoid being labelled as partisan political players. To inflate the problem, the government is planning to create yet another administrative burden for these groups by requiring them to file annual returns with the AEC. Senator George Brandis may have argued that these would be 'unintended consequences', but they are consequences nevertheless. The government has acknowledged these flaws, yet it will not do anything about fixing them. What we have here is an utterly complacent and insensitive government—a government which is more intent on silencing any opposing voices than on reaching the best possible outcomes for our community.

I want to turn briefly to the issue of prisoner disenfranchisement. This bill proposes to deny the vote to any person serving a sentence of imprisonment, but those released on parole or a similar scheme will still be entitled to vote. As it stands currently, those serving sentences of less than three years are allowed to vote. Based on 2004 figures, the total number of people disenfranchised under the new provision will be 19,236. The number of people allowed to vote under the existing provisions but disenfranchised under the proposed provisions is 9,375. It is clear, therefore, that these provisions will exclude another section of the Australian community, and I think that is worthy of some reflection by this chamber. There is, of course, an argument that prisoners, upon committing a crime, have already made the decision to exclude themselves from our community and therefore the right to participate in our democracy.

I think that it is important for this House to also consider the best interests of the community in this matter, though. Our criminal justice system aims to punish criminals and to rehabilitate them. One must ques-

tion whether further excluding prisoners, removing them even further from the society that they are soon to rejoin, will in fact aid their rehabilitation. The prisoners who are disenfranchised by this legislation are the very prisoners who will be rejoining our communities in less than three years time. At a time when we ideally should be encouraging prisoners upon their release to become active, community minded individuals who are keen to make amends for their crimes, is it really wise to be cutting them off further from society and ensuring that they cannot play any role in our civic responsibilities?

In addition to these philosophical arguments there are some strong legal points that must be considered in this debate. In 2002 in Canada the Supreme Court found that disenfranchisement of prisoners under the Canada Elections Act was in violation of the Canadian Charter of Rights and Freedoms. In the UK in 2004 and 2005 the European Court of Human Rights found that the United Kingdom's denial of voting rights to all prisoners was 'arbitrary and harsh' and thus in breach of the European Convention on Human Rights.

This bill arguably places Australia in breach of its obligations under article 25 of the International Covenant on Civil and Political Rights. Article 25 provides that:

Every citizen shall have the right and the opportunity ... without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

One may argue that this is just another international agreement that has been ridiculed by the Australian government. This parliament must also be mindful of the Australian Constitution, which states that members of the Australian parliament will be 'chosen by the people'. Measures that exclude large numbers of Australians from our political process cannot be taken lightly by this chamber.

Before I conclude I would like to acknowledge the increased powers for the AEC in the form of more power to access information held by government agencies, which may help to improve the integrity of the electoral roll. I would also like to pass on my support for the requirements that the AEC divisional offices must be located within divisional boundaries and for the plan to bring internet sites in line with regulations regarding paid electoral advertising. But just because there are some positive aspects of this bill does not mean it should be passed willy-nilly without properly addressing the aspects which seriously erode our democracy.

This government conveniently chops and changes its commitment to democracy. This government hypocritically hailed the virtues of democracy when it was clutching for reasons to justify our involvement in the war in Iraq after the initial reasons fell through, yet at the very same time back home it is hacking away at the provisions within our own electoral system that ensure power for the people and that uphold a truly wonderful democracy.

When it comes to elections, governments all over the world have a choice. They can attempt to win elections by appealing to their constituents, by looking after those who need looking after and by ensuring that no-one is limited in their economic and personal aspirations. They can win by having a solid track record that clearly demonstrates they have done the best job they could. Alternatively, governments can lie, they can use wedge tactics, they can simply forget their own errors and hope the Australian people will too and they can carefully pick away at their na-

tion's democracy to try and gain a partisan advantage. It does not take a genius to work out which sort of government we have here and which route it is choosing to go down. Unfortunately, the government will probably get these laws through and they will come into effect. But the day they come into effect will be a very sad day for Australia and it will mark a massive erosion of our democracy. I think that will be a sad day and that this chamber should avoid it at all costs.

Ms GRIERSON (Newcastle) (12.48 pm)—I rise today to also oppose the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. This bill is a serious attack on the democratic processes and principles upon which our political system is based. This bill seeks to disenfranchise some of the most disadvantaged in our society and to allow a massive increase in the amount of political donations that can be made without the need for public disclosure. In short, this bill seeks to make it a lot harder to vote but a lot easier to make larger, and secretive, political donations.

Some of the worst changes in this bill are: the increase in the disclosure threshold for political donations from $1,500 to $10,000; the increase in the level of tax deductible contributions to parties and candidates from $100 to $1,500; the closure of the electoral roll on the day the writs are issued for an election, rather than the current seven days after the writs are issued; the further restriction of the voting rights of prisoners; and the introduction of proof of identity requirements for those people enrolling, updating their enrolment or casting a provisional vote.

There are some other changes in this bill that are positive and which we do not oppose. However, the vast majority of provisions in the bill are regressive, undemocratic and unnecessary—for instance, the lifting of the disclosure threshold for political donations. Currently, any individual or organisation making a donation to a political party or candidate of $1,500 or more must declare that donation. If we pass this legislation it will be possible to donate up to $10,000 without having to declare that donation. That figure of $10,000 will be indexed by CPI each year, allowing it to escalate. How wrong are the priorities of this government? It has not even been able to support increases in the minimum wage to the level of CPI over the past 10 years yet the big, secret political donations will just keep on getting bigger each year.

But it gets worse. Because our political parties are set up along federal lines, donations to each of the federal, state and territory divisions count as separate donations. This actually means that a private organisation or individual could donate up to $90,000 without having to disclose this fact. That is $90,000 that can be pumped into a political party without anyone ever knowing. Where is the transparency and accountability there? Australia-wide we know that about 80 per cent of the donations received by major political parties in 2005-06 were donations of $10,000 or less. That means that, if this bill passes, $25 million in political donations will be hidden from any public scrutiny—that is, 50 per cent of all donations would be secret.

I do not have a problem with political donations per se. I appreciate the donations that I receive from individuals and organisations in my electorate. There are a great many people in my electorate of Newcastle, from pensioners to corporate owners, who understand the political process, value good representation and want to support their local member. There are people who desperately want a Labor government and want to contribute through donations. I remain touched by the generosity of people in my electorate, who are generally of modest means. I appreciate their support and I have no problem

with receiving such donations. However, I also believe that those donations must be fully disclosed.

We already have a generous system of publicly funded candidates based on the number of first preference votes that we receive. At the last election, it was about $1.97 per vote for each candidate or Senate group that received at least four per cent of the primary vote. So the public are also contributing very solidly. After the 2004 election, the public purse paid $41.9 million to candidates and their political parties. After the last election, the New South Wales branch of the Australian Labor Party received about $72,000 in public funding based on the number of votes that I received in Newcastle—that is the system.

The public funding of candidates and parties strengthens our democracy. It is provided in a transparent, accountable way and figures are published after each election by the AEC. For private political donations the current $1,500 disclosure threshold is adequate to ensure transparency and accountability. This bill will effectively kill off any notion of transparency and accountability in the way we fund our political system. How this is supposed to improve our democracy is anyone's guess. Simply increasing the amount of money slushing around in the system does nothing to improve democratic standards. In fact, when you increase the amount of money and reduce the amount of public scrutiny, you are actually taking democratic standards backwards.

Australia has traditionally set the international benchmark for democratising the political process. We were world leaders in the introduction of the secret ballot in Victoria in 1855. We were world leaders in the introduction of women's suffrage in South Australia in 1896. Sadly, if we pass this bill, we will become one of the world leaders in the introduction of secret donations. Do we want to have the Howard government, once again, take us down the path of the United States—the world leader in megabucks politics? Earlier this year we saw a top US lobbyist sentenced to 11 years in jail and forced to repay at least $25 million for bribing politicians with campaign donations. The lobbyist Jack Abramoff organised contributions to 220 members of Congress and about 20 of those members of Congress are expected to face charges themselves. This is not sponsorship, promotion or payment in kind; it is downright, blatant bribery. It is cold, hard cash being used to buy cold, hard votes. This case has led to calls in the United States for reforms requiring greater disclosure from lobbyists and members of Congress regarding political donations. The US is learning the hard way about what happens when big bucks, lobbyists and political donators are allowed to dominate the political process and therefore corrupt it. The Howard government seems to want to put Australia in the same position. Shouldn't we aim higher? Is this really what we want for Australia?

The Howard government argues that businesses are shy about donating to the political process because they do not want it publicly known who they are supporting. Quite frankly, if someone wants to lurk in the shadows secretly trying to buy influence, they should go somewhere else. We do not do democracy in the shadows in this country. The brown paper bag days should be over and we hope they are over. We put things in the open; we argue our case and we let the people decide. Well, we used to. Yes, the cost of political campaigning has escalated. Yes, we would all love more money to run our campaigns, but do you think the Australian people really want more ads on TV and radio? Do you think they really need more junk mail in their post? Do they want us filling their email inboxes? Do you think every

single Australian needs a personal message from John Howard on their answering machine or an SMS from Peter Costello perhaps? I do not think so. I think what we have here is a 10 -year-old government that is so addicted to the unlimited Commonwealth advertising budget that it cannot bear the thought of ever having to go cold turkey when it eventually ends up in opposition.

This is a government that has been spending unprecedented public funds on so-called public information campaigns, public relations consultancies and market research services. In short, it is the million-dollar spin and the billion-dollar fix. In 2003-04, the Howard government spent $291 million on consultancies. In 2004-05, it was up to $309 million. Over 10 long years of the Howard government, the total spend on consultancy fees has been $2.7 billion. Last year we saw $55 million wasted in advertising and promotion for Work Choices. Before that we had the 'unchain my heart' GST campaign, the Strengthening Medicare package and, of course, the 'be alert and not alarmed' fridge magnets. So this is the Howard government's recipe for democracy. No thought for good public policy or service to the Australian people; just add money, spend up big on consultancies and try to bluff your way through.

The government also hopes for more money from donations by increasing the level of tax-deductible contributions to political parties and candidates from $100 to $1,500 per year. Labor strongly opposes this measure. We do not believe political donations need to be tax deductible. If people are donating to political parties because they believe it will strengthen democracy then that is fine, but let us not have people donating because they will get a tax break. This is just another excuse for the Howard government to bring more money into the system to fund its ever-increasing reliance on public relations, advertising and more virtual reality to keep itself in power.

The two proposals outlined above are all about the government making it easier and more attractive to hide political donations. There are also proposals in this bill that are going to make it much harder for people to vote. Firstly, the Howard government is seeking to effectively close the electoral roll on the day that the writs are issued for an election. This is usually the day after the election is called. The only exceptions will be for people who either become an Australian citizen or turn 18 between the issuing of the writs and election day. These people will have three days after the issue of the writs to enrol. Currently all people have up to seven days after the issue of the writs to either enrol to vote or update their enrolment details with the Australian Electoral Commission. Why make this change to reduce the time available to enrol after the calling of an election? The government argues that having seven days with a lot of enrolments coming in is just too difficult for the Australian Electoral Commission to handle. No-one ever said democracy was easy. Those of us privileged to represent our communities in this place, we of all people, should know this. All Australians benefit from our political process, so all Australians should be entitled to participate in it, no matter how difficult it might be.

The government argues that, in the seven days between the issuing of writs and the close of the roll, the commission gets overworked and cannot effectively stop electoral fraud. Senator Eric Abetz, the former Special Minister of State, said:

> Incredible pressure is placed on the Australian Electoral Commission's ability to accurately check and assess the veracity of enrolment claims received.

Effectively, the government is saying that it believes there is electoral fraud going on during the seven-day grace period between the issuing of writs and the close of the roll. Does it have any evidence of this? If so, it did not present any to the Joint Sitting Committee on Electoral Matters when it inquired into the conduct of the 2004 election. In fact, according to the AEC:

> It has been concluded by every parliamentary and judicial inquiry into the conduct of federal elections, since ... 1984, that there has been no widespread and organised attempt to defraud the federal electoral system ... and that the level of fraudulent enrolment and voting is not sufficient to have overturned the result in any Division in Australia.

What is the government up to with this proposal? Put simply, the government wants to disenfranchise people for its own partisan political advantage. If these proposed laws were enforced at the time of the last election, 78,816 Australians who enrolled for the first time during the seven-day period after the election was called may not have been able to vote. In all, between the issuing of the writs and the close of the roll at the 2004 election, there were about 280,000 people who enrolled, re-enrolled, moved to a new electorate, changed their address or otherwise updated their details. In my electorate of Newcastle there were 3,005 enrolment transactions in that period—the fifth highest in New South Wales.

The people who will be most seriously disadvantaged through these changes are first-time voters, young people, people with lower levels of education, Indigenous Australians, people from non-English-speaking backgrounds and people with no fixed address. Even people who simply move house are going to be disadvantaged by these proposals. People today are more mobile than ever. They are following work; they are travelling. This is a lifestyle trend that should not be punished by this legislation.

I also note that this proposal will make it even harder for Liberal shadow treasurers in the Victorian parliament to be correctly enrolled to vote. Dr Robert Dean was unable to contest the 2002 Victorian state election because he did not update his details after moving house—and this is when we had seven days after the issuing of writs to do it. I often imagine how many Liberal candidates could be caught up in a system like this. Actually, it would not be many. They will all no doubt get a tip-off from the Prime Minister as to when the election will be called and a reminder to update their affairs.

In this inclusive nation, the country of a fair go, we do need to be encouraging democratic participation among disadvantaged groups of people—indeed all groups of people—not making it harder. The Electoral Commission knows this proposed change is antidemocratic. In its submission to the Joint Standing Committee on Electoral Matters, the AEC said:

> It would be a backward step to repeal the provision which guarantees electors this seven day period in which to correct their enrolment.

Of course, we should be encouraging people who have turned 18 and those who have moved house to enrol or change their enrolment details as soon as possible. However, the fact remains that only 40 per cent of people advise the AEC of such a change within the specified time frame of one month and 21 days.

Census projections are that in my electorate of Newcastle there are about 2,000 18-year-olds. If only 40 per cent of them advise the AEC that they are now eligible to vote, and the rest of them do not get the seven-day grace period after an election is called, that is about 1,200 young people in my electorate alone who would not get the chance to cast a

vote. Enrolling to vote is simply not the first thing that young people think to do when they turn 18. They are finishing their HSC, they are beginning employment, they are starting training, they are starting at university, they are planning 18th birthday parties, they are going on working holidays and some of them are travelling overseas. There are many great activist young people who are interested in politics and want to be involved. In Newcastle we try to encourage that sort of participation, but the reality is that many young people either do not know that they need to enrol or put it off until an election is called. If this bill is passed, putting it off until an election is called will mean missing out on a vote altogether. The government should look at the reality and try to assist people to have their democratic say. It should not just throw up its hands, say it is all too hard for the AEC and disenfranchise thousands of young first-time voters.

There is another antidemocratic provision in this legislation, and that is the provision that people serving any sort of custodial sentence will not be allowed to vote. Currently, those serving sentences of less than three years are entitled to vote. I would have thought that was enough punishment. There is no need to further disenfranchise an additional 9,000 people. While prisoners are obviously being punished for their crimes with a loss of liberty, should we really be punishing them by removing their democratic rights completely? Even if you are in prison, you are still part of our society; you are part of the system. Indeed, you are in the system big time—doing time. Basic principles of human rights would suggest that you should be able to help determine how that system is run. Under the International Covenant on Civil and Political Rights:

> Every citizen shall have the right and opportunity … to vote … at genuine periodic elections.

Rehabilitation should always be the goal of imprisonment. We do not take away the citizenship of people when we imprison them. We should not be taking away their right to vote. Once again, the Howard government is taking us down the American route, where the laws on prisoner voting are so extreme that in eight states convicted prisoners are not even allowed to vote after their release. It is no surprise to find that a large proportion of people in these circumstances are African-American, low-income earners and young people.

In Australia, the Bureau of Statistics tells us that, as of 30 June 2005, seven per cent of all prisoners, 1,734 people, were female and 22 per cent, 5,656 people, were Indigenous. The median age of all prisoners was 32 years. The majority—60 per cent—of prisoners in custody at 30 June 2005 had served a sentence in an adult prison prior to the current episode. This paints a picture of people who are already disadvantaged, who have lost their liberty through imprisonment, who will now be further disenfranchised by the Howard government's electoral changes.

We should be including, not excluding, as many people as we can in the democratic process. But, just to make it that little bit harder to vote, the government proposes greater identity requirements for enrolment, including for provisional voters. As I mentioned, the government is supposedly worried about the administrative burden on the AEC during that seven-day period between the issue of the writs and the close of the roll. Its answer to that: close the roll earlier and introduce a new requirement that the AEC check people's drivers licences when they enrol. I am not sure how that will ease the administrative burden on the AEC. It will not; it will make it even more burdensome.

This is a ridiculous reaction from the government to a problem that does not exist.

There is no history of significant fraudulent enrolment in this country. As there is no evidence that these changes are needed, only one conclusion can be drawn. Obviously, the coalition wants to keep people who do not vote for it off the electoral roll and it wants to make it easier for the people who donate to it to make those donations bigger and much more secretive. In the name of democracy and probity, I absolutely join my colleagues in the opposition in opposing this legislation.

Mr LAURIE FERGUSON (Reid) (1.08 pm)—The Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 is quite clearly driven by partisan self-interest. The reality was perhaps summarised by the member for Casey, who said that Australia 'has a better than good system'. For many years the conservative coalition parties have sought to make it far more difficult for people to participate in our political system. That sentiment is based on the kinds of comments of the member for Macquarie, who spoke of anecdotes. He said, 'It is possible that there is fraud.' He said there have on occasions been convictions and allegations and anecdotal evidence, and then he relied on some rather questionable material from a group of people who perhaps have been rather obsessed with this issue over recent decades. Their publications do not stand up to analysis. Just because people put out publications does not mean that one has to believe in the Moonie Unification Church or a flat earth or anything of that sort. The reality is that not very much evidence has been produced by those opposite with regard to systematic fraud in our political system.

Those of us who are interested in alternative systems look at the United States where, on election day, they have to largely rely on volunteers and retired people to staff their polling booths. The United States do not have an independent electoral commission to determine boundaries in a way which both parties in this country do not really dispute. They have state systems of selection of electorates in their national parliament based on partisan determinations within that state. In California, if the Democrats control the lower house of that state assembly then the boundaries will be skewed in their favour, and that is the reality there. That is a system that is held up to us by many people opposite.

We have a strong drive in this legislation to restrict people's access to the system. It is claimed by coalition members that this legislation is not partisan and that they are not doing this because they wish to either marginalise or deprive a particular group of people of voting rights; it is just that they want to make the system cleaner, more thorough and more protected. However, despite the fact that they say there is no evidence that these things can be driven by partisan consideration, international evidence is to the contrary. I do not need to spend months scouring through material in the Parliamentary Library. This week, amongst material that I was offered, I noticed an article by David Hill entitled 'American voter turnout'. Admittedly, this article deals with the contrast between states in the United States that have difficult registration laws and those that have very liberal registration laws.

Mr Baldwin interjecting—

Mr LAURIE FERGUSON—'Relevance,' the member says. This article deals with how people are enrolled and it deals with the registration process in the United States. The author says:

> Not surprisingly, nations with compulsory voting laws have high voting rates, with a mean turnout of 87 percent. Nations with automatic registration have a mean turnout of 76 percent, while the two voluntary registration countries, France and the

United States, have substantially lower rates of 65 percent and 55 percent respectively.

That is about compulsory voting as opposed to non-compulsory voting. It is about registration needs as opposed to registration difficulty, but it is the same fundamental point. He goes on:

Because voluntary registration is a relatively burdensome task that must be fulfilled in most cases at a time prior to the election (in most states thirty days) and thus takes place before the campaign peaks, individuals who are not engaged with the political world are less likely to register than those who are engaged.

He further states:

The first pattern of note in the table—

that is, in the article—

is that across all three forms of registration individuals with higher socioeconomic status (education and income), older Americans, and whites register in greater proportions than individuals of lower status, younger Americans, and racial/ethnic minorities.

A final quote from that article:

Given that the pool of registered voters is always skewed toward privileged groups and that registered individuals from privileged groups vote at higher rates than individuals from non-privileged groups, the voting population in the United States tends to be substantially skewed toward higher SES groups, older Americans, whites, and those who do not change residence frequently.

The reality is that people who are less likely to enrol are those with NESB backgrounds, those with lower educational accomplishments and those who move more frequently; and thus, fundamentally, are people who are renters rather than owners. For all the insistence of the member for Stirling about how we have laws in this country and they should be enforced and therefore we should now try to stop people who have been too slack from getting on the electoral roll—we should stop them from voting and participating—we all know that the movement of people in this country and internationally is far greater than it ever was. People have less job security and people are forced to move more often for employment and other reasons. As I said, that article, as do many other articles, points out that younger people are amongst those disenfranchised.

I noticed that the member for Macquarie in his tirade spoke of his sadness or his anger that, on election day, 17-year-old provisional voters were given ballot papers and that some people were given ballot papers for the wrong electorates. What the hell has that got to do with these proposals? Nothing whatsoever. It has also been interesting to hear from government members that they are concerned that during the week of the election the AEC workers have too much to do and cannot properly scrutinise the avalanche of new applications. I am afraid to say that, historically, the AEC has not had the same concern. As an independent authority of public servants, respected by most people in this country and seen as far more professional and neutral than authorities in other countries, it has not made the same complaint. These complaints have come from a number of political parties in this country who have a passing interest in denigrating the system, driving it down and using this as justification to disenfranchise and marginalise people's participation in the political system.

They say that people are overworked, that the workers cannot manage this huge avalanche—the AEC has systematically denied that over decades; they say they can do it because they hire more people during that period to deal with those numbers that are expected and do occur—but in this legislation, they bring in new demands upon the workers with regard to how many people are going to sign papers and that type of thing. There are a number of other similar provisions that go towards increasing their work-

load. This measure is driven by partisan considerations.

I would like to cite another very recent article. As I said, I have not had to go back through 5,000 articles on this matter; there are very few people in the world who follow these issues—professionals, academics, politicians—who have the hide to push the line put here today that there is no connection between who is likely and who is unlikely to vote as a result of these changes. There is no-one internationally who would argue that there is no connection between who is being marginalised and voting intention. I refer to an article—once again it is a very recent one; we do not have to go back very far through the avalanche of articles on this matter—titled 'The effect of socioeconomic factors on voter turnout in Finland: a register-based study of 2.9 million voters' by Pekka Martikainen, Tuomo Martikainen and Hanna Wass published in the *European Journal of Political Research* in 2005. Their conclusions from that very thorough survey were:

> The results show that income and housing tenure are more important determinants of turnout among older voters than among younger voters, whereas education has a dominant role in determining young people's turnout. Moreover, class has maintained its discriminatory power in determining turnout in all age groups even though working-class under-representation in participation can be partly attributable to previously obtained educational attainment. Furthermore, the lower turnout of younger voters remains unexplained even if socioeconomic factors are held constant. Lower turnout among lower social classes and among the young will affect the legitimacy of the prevalent model of party democracy.

What they are saying is what everyone else in the world knows, including a multitude of US researchers and academics: there is a clear relationship between the ease of participation in the system, the degree to which people are encouraged, the degree to which people have opportunities to participate in it and certain socioeconomic factors. It is clearly related to racial minorities—

Mr Baldwin—Where's the Australian research?

Mr LAURIE FERGUSON—Where is the Australian research? All Australian research says the same thing. As I said, I am citing these two articles only because they are so recent.

Mr Baldwin interjecting—

Mr LAURIE FERGUSON—It is pathetic. The article further says:

> Income and housing tenure derive primarily from paid employment. Income provides individuals and families with necessary material resources and determines their purchasing power.
>
> … … …
>
> In effect, demobilisation of young voters seems to have developed over time into a general pattern, which is to a large extent independent from the social backgrounds of these youth.

So not only do we have the fact that there are clear connections with socioeconomic circumstances—employment, housing tenure et cetera—but we have a parallel development of youth disinterest. This legislation is going to worsen that reality, because a very high proportion of those people who are not enrolled are those in the younger group.

On the issue of false enrolment, it is preposterous to say that either major political party in this country has the time or the resources to run around trying to double vote in large numbers on election day. For all of the citation of instances of this, it usually involves people who are cheating social security, people who are trying to get drivers licences and that type of thing. Members opposite have quite rightly also cited instances in the Queensland branch of the Labor Party, where it occurs for internal Labor Party reasons. No-one is denying it can occur, but to defeat this marginal problem—

and the government has said there is very little evidence to show it has any impact on any electorates whatsoever—should we marginalise and try to deny 300,000-plus people a vote every election day? There are a few exceptions that will allow enrolment for 17-year-olds who become eligible to vote during the election period and for people who become citizens in that week, but they are a minor part of it. Essentially, 300,000-plus people are going to have difficulties voting.

Should we go down that road because of innuendo, anecdotal evidence or allegations by a defeated candidate in his own seat, and I can think of one case where, quite frankly, the Labor Party would suspect the complainant. It is very interesting that one of the things that emerged in the Macquarie electorate was that a particular religious group, which was very attached to the coalition member at that time and which had religious reasons as to how and when it voted, voted via other people. It is very interesting that one of the main things that came out of this investigation was that the members of a group that one would largely see as being attached to the coalition, because of their religious motivation and their religious reasons as to when they vote, were the ones who seemed to have voted. One must suspect who it was that actually might have done any voting on their behalf.

Should we use such a draconian rule to deprive people and make it difficult for them to vote, marginalise them from the system, have them become less involved, make them more cynical et cetera? One of the realities is that the average person down at the hotel or at the soccer game on the weekend whinges and whines about having to go and vote. But, at the end of the day, having done that, people feel they have some involvement, that they have some responsibility for the outcome. They might not have been that interested, they might not have voted for the government, but at least they were part of the process. The alternative is to have a political system that has a large number of people further disenfranchised, further disillusioned. Even if, for a moment, we give one-tenth of a degree of credibility to the claims of those opposite, to go down this road is to go one step too far.

I do not deny for one moment that there are instances of this. In fact, I am one of the few members to have written to the AEC about specific cases, including one involving the Regents Park branch of the Labor Party in my electorate some years ago. If the Liberal Party wanted to really do something worthwhile to destroy genuine fraud in this system, they would look at the difficulties in relation to sections 101.5 and 131.6 of the Criminal Code. We have a situation where, if a person enrols at an address and it appears that they failed to change their address—but that it was not really malevolent or deliberate—then they have to be prosecuted within a year of that action. Large numbers of people, because of the interaction of the Commonwealth Electoral Act and the Criminal Code, cannot be prosecuted because of time limits. So if those opposite want to do something practical about the very real fraud that occurs to a very minor degree in this system, they should do something about that.

Another issue in this legislation is the question of political donations. Once again, this is just driven by crude politics. For all the concern they have expressed for little old ladies sending them $10, and the material of that kind that has been dished up in previous debate, the truth is that this is essentially to facilitate a cover-up of where donations come from.

The average Australian will think it is quite reasonable that, if people are giving large amounts of money, they should know whether that affects political decisions.

Whilst there might be many people in this country who are civic-minded and just like supporting political parties, anyone who has half a brain, quite frankly, knows that a large number of political donations, the vast preponderance of them, are given by corporate interests and others—trade unions et cetera—who have a vested interest in political outcomes.

When you consider issues like privatisation and the controversy over the Smartcard in the last few days, people would like to know whether a particular political decision of a party was motivated by the $20,000 or $5,000 donation that it got or whether particular companies in particular industries seem at a particular election to be more interested in funding one political party than another.

Mr Baldwin—The trade unions would have no vested interest in your decisions?

Mr LAURIE FERGUSON—I have just said that it is quite right and proper that donations from the trade union movement should be out there in the public arena. I am not resiling from that. Of course they should. I have never had a complaint about that.

The truth is that this measure is aimed, essentially, at making sure the Australian public has less knowledge of who is donating and why. Tax deductibility, we all know, once again, is more likely. I can only speak from my own experience and probably that of the adjacent electorate of Parramatta, looking at the campaigns of the previous member for Parramatta, and at my campaign and my opponents'. The Labor Party is less likely to get donations over $1,500 at a local level, particularly, than the coalition. So to change the tax deductibility of donations is also, quite simply, quite crudely, quite obviously, related to trying to advantage the current government.

The other issue I want to talk about is the question of prisoners and their voting rights. I think the comments of Chief Justice McLachlin in the Canadian Supreme Court in Sauve v Canada are very telling:

> ... denying penitentiary inmates the right to vote is more likely to send messages that undermine respect for the law and democracy than messages that enhance those values.

That is the truth.

People are in jail for a variety of reasons. We know that Indigenous Australians—who, coincidentally, live 17 years less on average than other Australians—are severely overrepresented in the system. Are they professional heroin dealers and murderers? No. They are usually in jail for street offences, alcoholism and issues related to their poverty. Now we will have a situation where they will be denied a say in the political system.

I am not saying that the Liberal Party is going to go down this road, but we could look at the situation in Belarus. All of Europe has been campaigning over the jailing of Alexander Milinkevich in recent weeks because of the sham elections in Belarus. If we look at the United Kingdom, there was a huge political issue about the poll tax. Many people were jailed—for a political reason. And now, under this system, the government would be saying that people who disagree with them could possibly be denied the franchise. I do not want to say that they are going that far, but this is a Pandora's box that has been opened. If you start saying that anyone who is serving a sentence cannot vote in the Australian system then obviously there is the possibility that in a crisis, particularly with a dramatic political event in the country, people who object to the policies of the day—whether about the Vietnam war or whatever it was—could be denied their say in the political processes and their right to participate

in changing that system. You could go around the world and find such examples—famous writers or people who were very wealthy in later life. A particular senator of this parliament served a term in Sydney during the famous IWW cases of the early part of the 20th century. A senator of this parliament had actually been convicted, as had another member in South Australia. These people, the government is saying, should not have the right to vote.

As I say, this is only the thin edge of the wedge. If we want to look at international comparisons, it is quite interesting to look at Europe. If we look at the countries that we would most associate ourselves with—the Western democracies—very few if any of them have these kinds of restrictions. Where do we find anything like this? We find similar restrictions in Hungary, Estonia, the Czech Republic et cetera—hangovers from the Soviet period, and maybe a reaction there.

So we have a situation where those that we would most like to emulate—progressive Western countries—do not have such restrictions. Where they do have these restrictions is in the United States. We have seen the situation in Florida where the President's brother actually disobeyed Florida state law which says that people who have been jailed in Florida can never vote again—not just cannot vote while they are in jail but can never vote again. They basically got a private corporation, not an electoral commission like in our country, to scour the Florida electoral roll and they tossed off the roll people who had served sentences in any other American state. Those people could not get access to the legal system to get themselves back on the roll. And we all know that Florida was won by a very small vote. So that is the long-term outcome of these possibilities. *(Time expired)*

Dr LAWRENCE (Fremantle) (1.28 pm)—The bill before us, the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 does, as the previous speaker was suggesting, pose a full-frontal assault on core democratic principles, particularly that very important principle of political equality in exercising control over decision making. Democracy is after all based on the principle of government by the people—and that means all of them. The bill is a vivid illustration to me of one of the consequences of unfettered government control of both houses of parliament, because less ambitious proposals than these failed in 2004 in the face of Senate opposition. And I think the bill should raise questions about the role of political parties in the Australian political system and the adequacy of the existing system of political finance in Australia, as well as the specific provisions of this bill, and I intend to address both those questions.

As former speakers have indicated, the key provisions raise disclosure thresholds for private donations to parties and candidates from $1,500 to $10,000 and increase tax deductibility. Below the level of disclosure, people will not be required to specify the amount or the source—name, address and so on. There are also provisions for early closure of the roll. The legislation will make enrolment more difficult, allegedly to protect the integrity of the roll despite the AEC's repeated assurances of its continuing integrity. It will also amend the definitions of associated entities and third parties to encompass groups such as trade unions and environment groups. It will disenfranchise prisoners. It will prescribe a scheme for deregistration and re-registration of parties. And it will remove requirements for publishers and broadcasters to furnish returns—curiously, and with no justification that I have been able to discern.

Today I am going to speak principally on the question of disclosure requirements. The minimum requirement of any representative democracy is that the government be elected. But it is important that all adults should have an equal right to vote and that votes should be of equal value. In broad terms, this has been achieved in Australia, with universal suffrage, electorates of roughly equal size and independent electoral commissions to determine electoral boundaries and prevent gerrymandering—unlike in the United States, I might say.

This bill will make it much harder for some people to exercise their rights. As we have heard, there are estimates that over 300,000 people will be disenfranchised by early closure of the roll and removal of prisoners' rights to vote. In that case, what we are doing—what this government will do; I certainly do not endorse it—is further marginalising the already marginalised. We should be doing everything we can to keep people in touch with citizenship.

But it is important to recognise that the promise of democracy goes further than equal voting rights. Each citizen should share equally in political power. That is much harder to achieve. Already many Australians are suspicious that not all of them are equally able to influence their representatives. This breeds cynicism and the belief that the ordinary voters' needs and views are ignored while preference is given to the interests of the wealthy, big business and political cronies.

Some features of our political system already contribute to these attitudes. Substantial campaign donations to the major parties by corporations and large organisations such as unions and business foundations inevitably foster the perception—and perhaps the reality—that it is possible to buy privileged access to MPs and ministers and that this influence is in proportion to the amount of money that is donated.

The disclosure that business leaders pay $10,000 a head for dinner at The Lodge indicates that not even the Prime Minister's office is free of the practice. And reports on the extraordinary level of what was at the time secret access to the Prime Minister afforded to the CEO of the Manildra Group, Dick Honan, and the favourable treatment of his ethanol producing company—over $20 million in taxpayer funded subsidies at last count—quite understandably sparked controversy. People saw the purchase of influence going on.

Like many Australians, I am perturbed at these tendencies, wherever they are. We run the risk of becoming a corporate democracy run by money politics—a 'donocracy', as it has been called in other places—in which the number of shares you have purchased in the party of your choice determines your effective voting power. While there has been extensive debate about big money politics in the United States, for example, there is still a conspicuous silence on the issue among a lot of Australian politicians.

Public funding of elections was supposed to reduce the parties' reliance on private corporations and union donations, but all that has happened is a blow-out in both public and private funding as parties engage in an increasingly expensive bidding war at election time. Corporate contributions have become an accepted part of the election landscape. We are unlike our New Zealand and Canadian cousins, who have placed wide-ranging legal restrictions on such contributions, with the explicit aim of limiting the political influence of the wealthy.

The substantive problem is the possibility that such donations can actually purchase influence. Controversy surrounding the exercise of ministerial discretion on the issue of

visas some time ago gave credence to this concern.

I do not know of any comparable Australian data, but there are surveys of major corporate donors in the United States. Some of those companies are the same ones that donate in Australia. The surveys show that they do not donate out of a charitable impulse or a sense of civic duty; they expect a return for their money. A *Business Week*-Harris poll, for instance, surveyed 400 senior executives from large public corporations to explore their reasons for donating to political parties. Over half nominated securing access to law makers to ensure consideration of matters affecting their businesses as the main reason. A further 27 per cent indicated that gaining access was at least part of their rationale, while 58 per cent nominated losing influence to the unions or to environmental organisations as relevant considerations. In addition to those not very honourable reasons, a worrying 41 per cent said that at least part of the reason that they made political donations was the hope of receiving 'preferential consideration on regulations and legislation benefiting our businesses'. That is precisely the reason for my concern.

As retired US senator Paul Simon said in speaking on this issue, anyone who has been a candidate for major public office and says that campaign contributions do not affect them is simply not telling the truth. He went on to say that 'the financially articulate', as he calls them, 'have inordinate access to policy makers'. By way of example, he cited his own responses, which I think are probably pretty typical. He said:

> I have never promised anyone a thing for a campaign contribution. But, when I was still in the Senate, if I arrived at a hotel in Chicago at midnight there might be twenty phone calls waiting for me. Nineteen of them are perhaps from people whose names I did not recognize, and the twentieth is someone who gave me a ... campaign contribution. At midnight I am not going to make twenty phone calls. I might make one. Which one do you think I am going to make?

As I say, there is no reason to believe that the same observations do not apply to Australian MPs. Reliance on donations may also create a strong inducement for political parties generally to bias their policies toward business and high-income earners who provide the bulk of funding, thus conspicuously undermining that very important promise of democracy that we all share equally in political power.

A few years ago, during the debate on native title, some people may have noticed the threat by the mining industry that they would withdraw campaign contributions altogether from both major parties unless they made changes to native title and other policies. That they should say so publicly shows just how blatant the exercise of such influence had become.

Donations to political parties and candidates are often controversial, and rightly so. They have the potential to corrode democracy and in some cases may amount to outright corruption. Transparency and accountability are fundamental; we should be doing everything we can to improve them, not to undermine them as this bill does.

A key question for democracy was highlighted in a recent Democratic Audit of Australia conference. It is a simple question: how democratic is the way political parties are funded in Australia? It is not enough that we call ourselves a democracy. How do we fund our parties?

It is reasonable to say that parties need funding. Funding is necessary to enable parties to perform their functions in democracy. Parties are central. They have a privileged position. There are the functions of representation, agenda setting, participation and engaging as many people as possible. There is

the function of governance. We do after all form governments in every state and territory in the Commonwealth. At the same time we must ensure equality in participation and freedom of political association. They are reasonable objectives.

The truth is that any reasonable examination will show that the existing system falls well short of these ideals. We should be seeking to improve, not further undermine, the quality of our democracy. The risk that we face with the sort of funding we have, underpinned in this bill, is that funding as we have it favours existing parties and incumbents. It denies electoral choice and reduces the competition of ideas. It is possible that funding and other electoral laws entrench the interests of the major parties. I am a member of one of them, so in some senses I am speaking against my own self-interest; but I do not think it is good for democracy—what the Democratic Audit of Australia called 'corruption as partisan abuse'. Some people simply cannot get the money to run campaigns.

The second risk with the current way we fund our elections and our parties is that funds are misused for personal benefit or for the benefit of partisan allies, and I have touched on this. Some people will have followed the recent furore over the nomination to the House of Lords of big donors to the British Labour Party. We are all aware of the appointment to the Reserve Bank here of a Liberal Party benefactor.

A third risk is that political donations might be made to favour donors—that is the 'corruption as undue influence' described by the Democratic Audit. That violates the key principle I was speaking of earlier, equality of voters. We should have equal concern for the interests of all citizens, regardless of whether they have given us or our parties funding. They should all have a capacity to influence the outcomes of political decisions, which should not be distorted in favour of party financiers. Australian Election Studies data shows that almost half the voters in this country actually believe that it is the preferences of big interests that determine policy and not the preferences of the voters. So people out there clearly believe it already.

Transparency is fundamental to preventing abuse. We need to know who is donating and how much. We need to hold parties and members of parliament responsible. We need adequate disclosure of the sources of funds, as well as the uses to which funds are put, and we also need the media to play its part in bringing information to public attention. This legislation is going to make it harder to identify sources and does nothing to improve the already inadequate provisions relating to use. We do not know the uses to which many of these funds are put.

We need to remember, too, that all parties now rely heavily on private funding—for the major parties it is approximately 80 per cent. Most of it appears to be used for advertising and electioneering, and those other functions I mentioned do not get a look in. We do not know how much is actually used for other political participation, policy development, research, increasing membership and so on, but I would hazard a guess that it is not much.

The existing provisions fall short of desirable standards. Firstly, there is inadequate information regarding the donations. It is not required under the existing law to accurately categorise receipts as donations or otherwise, and it is actually very difficult to track sources right now. The sale of political access is a worrying trend and an increasing source of funds for which there is no disclosure. Some receipts which most would presume are donations are not so declared. They involve the direct purchase of political access. Parties will access directly or through

third parties seats at the table, for instance, of a minister or the Prime Minister. An example—and examples are on our side as well—is the ALP 'It's time' dinner; $10,000 a table. The Prime Minister's table is worth a bit more—$11,000 at the last election.

Through fundraising organisations like the Millennium Foundation, companies can be sponsors and the cost need not be publicly specified. For their sponsorship, they get a variety of entitlements that are not available to ordinary citizens, including access to ministers, briefings and so on. There is no public information about who is contributing and how much. It is precisely these payments, in my view, where disclosure is vital, because of concerns about undue influence. It is also more readily available, with these big price tags, to the already well-off; and there is an unfair advantage to the incumbents, who are able to put ministers and the Prime Minister at their tables rather than shadow ministers from the opposition, who are not nearly so politically attractive.

Under the existing legislation, disclosure is not timely. We need to know before an election, not after, whose promises are being funded. There is right now a lack of compliance. Democratic Audit and the AEC have both expressed concern on a number of occasions about a culture of evasion, that the parties are not according sufficient priority to disclosure and that they are siphoning large sums through associated entities that make up between half and 80 per cent, depending on the year. This compromises transparency and makes funding less visible to the media and more resistant to a disclosure regime, and bodies like the Greenfields Foundation are included in this criticism.

Democratic Audit of Australia researcher Joo Cheong Tham concluded that disclosure schemes are limited by the inadequate disclosure of the nature of contributions and delays in disclosure. There also seems to be a culture of noncompliance. The inevitable attempt by parties to exploit loopholes appears not to be sufficiently counteracted by robust enforcement and regulation. In short, such schemes are leaky sieves that permit evasion of adequate disclosure. That is the current system.

Lack of transparency will be compounded when this legislation passes. Members will be aware that the Parliamentary Library estimates that, allowing for some lack of precision in the definitions of 'donations' versus 'other receipts', current disclosure requirements mean that details of funding were available in approximately 82 per cent of the 144 million receipts in 2004-05. Of this, 118 million, or 28 per cent, were donations. Lifting the threshold would mean that details would be disclosed for only 70 per cent, with 25 per cent classified as donations, or just 17 per cent of total declared receipts. Averaging over the last seven financial years, it is clear that the proportion of receipts for which the coalition and the ALP would be required to disclose details will drop from three-quarters of their declared receipts to about two-thirds—a clear loss of transparency and accountability. When account is taken of the fact that multiple donations can be made to separate branches of the parties, changes proposed in these bills could allow a donation of as much as $90,000 a year, depending on the party, without triggering disclosure. Partners in a relationship could each give this amount, so you could end up with $180,000 without disclosure.

Disclosure legislation should be crafted to reveal relationships between politicians and donors, not hide them; to enable scrutiny of their subsequent relationship; and to prevent graft, which our law does but only indirectly. It cannot establish causal links between donations and subsequent actions, but it should at least allow for the public testing of rela-

tionships, as we saw with Minister Ruddock's 'cash for visas' controversy—at least it did see the light of day. Generous support of the Liberal Party by an appointment to the Reserve Bank board did eventually become public.

A fundamental principle is that everyone should have the same chance to influence government decision making. Corporate interests and trade unions make up approximately 40 per cent of donations to the major parties—probably more, in fact. Even for the ALP, business interests are more substantial contributors. Unions, in theory at least, are democratically constituted; corporations are not. So we do not have democracy in these bodies. Such dependence on these big donors is likely to facilitate special treatment and access for such bodies over ordinary citizens.

Institutional dependence on this 'interested money', as it is called, means that we do not have the necessary accountability, particularly because those institutions themselves are not accountable. Companies are not required to consult shareholders. Even in democratically elected union committees, the danger is that officials will contribute to further their own careers rather than to protect their members' interests. The risk is that MPs and party officials will not form independent judgments of public interest but shape their positions according to the interests of financiers. This gives advantage to the already established and well-heeled parties in our democracies.

We should have fair competition. If we measure how private funding compares with electoral support, for instance, it shows that the current system is unfair. The ALP gets roughly $22 a vote; the Liberals, $18 a vote; The Nationals, $28 a vote; the Democrats, $6 a vote; and the Greens, $8.50 a vote. This is a dramatic inequality, and it shows and entrenches the privileges of the two-party system. It is very difficult for the minor parties to be heard. When access is sold, as it is, there is a very real possibility of corruption and the exercise of undue influence. Without scrutiny, that becomes worse. Of course the costs are prohibitive for ordinary citizens. They simply cannot get a foot in the door.

It is time we stopped tinkering and followed the lead of many Western European countries, as well as Canada and New Zealand. While I oppose this bill, our existing system does not work very well either. I have said elsewhere and I want to repeat today that it is time to rein in the exponential growth of corporate donations—union donations as well—and to curtail the proliferation of content-free, coercive media advertising that passes for policy debate during elections. That is what we are funding, after all. Most of that rubbish comes from corporate donations. The retention of public funding of elections should be accompanied by measures to limit the size of individual private donations to $1,500 or thereabouts and to proscribe—in other words, to stop—any donations from corporations and large organisations, as exists in parts of Europe. An extension of free-to-air radio and television could accompany these changes so that political parties are able to compete in getting their messages and policies across to the Australian people, so that we have a genuine democracy worthy of the name.

Ms PLIBERSEK (Sydney) (1.48 pm)—I rise today to speak in opposition to the government's Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005, because it weakens our democracy in several ways. The member for Fremantle has spoken eloquently about the issue of donations to political parties. This legislation increases the allowable donation threshold and raises the tax deductability threshold. But there are two other things that this legislation does that I believe also

weaken democracy considerably. Firstly, the legislation makes it significantly harder for people to vote, by closing the electoral roll at the announcement of the election. Secondly, it makes it significantly harder for people to vote, by requiring a drivers licence or some other photo identification before they are able to cast their vote. These measures will significantly disenfranchise many hundreds of thousands of young people particularly. I oppose these measures wholeheartedly.

The argument that the government puts forward is that these measures will ensure the integrity of the electoral roll. I do not think this is about the integrity of the electoral roll at all; I think it is about disenfranchising young people, who do not, by and large, vote for the Howard government. The solution to the electoral enrolment process, according to the government, is to close the electoral roll on the day the election is called; not give people the ability to update their correct enrolment details; not give people—particularly young people—the chance to enrol in the days after an election is called; and, as I said earlier, have people provide a drivers licence or other photo ID before they can cast a vote.

Why are they doing this? Is there enormous proven fraud with regard to the electoral roll? Certainly not. You would be forgiven for thinking that examples of fraud must be widespread for the government to initiate this bill and to put forward these arguments for the bill. The arguments from the government have been all about integrity. It seems curious, then, to actually prevent people from fixing up their electoral enrolment once the election has been called, to prevent people from correcting their wrong addresses once the election has been called. How does that contribute to integrity?

There have been several significant parliamentary committee examinations of the electoral roll and electoral fraud, and there is not a single credible authority on electoral matters that supports the government's changes in this area. Professor Brian Costar, who is a researcher at the Swinburne Institute for Social Research and a well-known academic and expert on electoral matters, told the Senate Finance and Public Administration Legislation Committee that the notion that there is widespread fraud is a 'conspiracy theory'. In his evidence to the committee he rejected the notion:

> ... that there is out there a vast army of villains who want to take advantage of every nook and cranny of the law to sign up phantom voters ... to rort the system ...

Indeed, a comprehensive review of the roll in 2002 by the Australian National Audit Office concluded:

> ... overall, the Australian electoral roll is one of high integrity, and ... can be relied on for electoral purposes.

Even Minister Abetz is on the record saying that there is little evidence of fraud of our electoral roll. He said that as late as last October in a speech to the Sydney Institute. The acknowledged experts are the Australian Electoral Commission, the people that actually administer the roll and run our election day voting. In their submission to the 2000 parliamentary inquiry into the integrity of the electoral roll, the Australian Electoral Commission said:

> ... early close of the rolls will not improve the accuracy of the rolls for an election … In fact, the expectation is that the rolls for the election will be less accurate, because less time will be available for existing electors to correct their enrolments and for new enrolments to be received.

In 2001 the Joint Standing Committee on Electoral Matters conducted a thorough investigation into the integrity of the roll and found that, in the five federal elections and one referendum to the year 2001, there were 72 million ballot papers cast and just 71

known cases of false enrolments. You really can say that known fraud is one in a million. These fraud rates seem even more ridiculous when you consider that the Australian Electoral Commission does not consider that any of them were deliberate attempts to corrupt or influence an electoral outcome. Professor Costar, whom I quoted earlier, and Peter Browne are both researchers at the Swinburne Institute for Social Research. They said in the *Age* on 4 April 2006 that last year:

> ... when it made its first submission to the parliamentary inquiry into the conduct of the 2004 federal election, the AEC expressed no concern whatsoever about the workload it faces at each election, when voters are given seven days' grace to enrol or to update their enrolments. Nor did it express its support for the argument that the last-minute rush of enrolments creates opportunities for electoral fraud. Although several members of the committee repeatedly returned to the issue, they failed to persuade the commission to support the closure of the electoral roll as soon as the prime minister calls an election.

It is difficult to understand why the government would persist in the face of opposition from the people who are charged with administering the electoral roll and polling on voting day. If they say that it is not too big a workload for them, who is the government to say that it is too big a workload for them? The Electoral Commission is also quoted as saying last year:

> This expected outcome is in direct conflict with the stated policy intention of the Government to improve the accuracy of the rolls. Further, it will undoubtedly have a negative impact on the franchise, an outcome which the AEC cannot support.

I want to repeat that: the AEC say that they cannot support this proposal.

I am advised that since 1940 the average gap between the calling of an election and the closing of the roll has been more than 19 days. Allowing people to enrol or fix up their enrolment in those 19 days has had no demonstrable ill impact on the quality of the roll. Indeed, in our most recent election in 2004, we saw almost 1.7 million 18- to 25-year-olds enrol to vote for the first time. In the seven days after the writs were issued for the 2004 election, 78,000 people enrolled to vote for the first time. Under this proposal, those 78,000 people would not have had the chance to vote for the first time. Why would you want to disenfranchise these 18-year-olds? Why would you want to stop them voting for the first time? Another 345,000 people updated their details in 2004 in the seven days after the writs were issued. In fact, once the roll actually closed after that seven-day window, another 150,000 tried to enrol or fix up their enrolment details. If this proposed law goes ahead then those 78,000 kids enrolling for the first time would have been excluded from voting, as would many of the 345,000 people who sought to update their electoral enrolment details. Given that there were 150,000 people still trying to enrol after the closing of the roll, you could make a pretty strong argument that in fact you should extend the period rather than shorten it.

If you look at the 1983 federal election, the only election since the Second World War where the roll was closed on the same day that the election was called, you will see that there were some 90,000 people who found themselves unable to vote because they had not been enrolled at the time of the announcement of the election. The Electoral Commission noted at the time that the effect of this was seen on election day, when there was much confusion, with many provisional votes issued and major inconvenience to the Electoral Commission polling booth workers. *(Extension of time granted)* These changes both are unnecessary and will weaken our democracy and the integrity of our electoral system. They will disenfranchise young people and contribute to the roll

that does not have the most recent addresses and details for voters.

The SPEAKER—Order! It being 2 pm, the debate is interrupted in accordance with standing order 97. The debate may be resumed at a later hour and the member will have leave to continue speaking when the debate is resumed.

QUESTIONS WITHOUT NOTICE

Budget 2006-07

Mr SWAN (2.00 pm)—My question is directed to the Treasurer. Treasurer, did the secretary of the Treasury brief the Reserve Bank board on the contents of the budget before the bank took its decision to raise interest rates?

Mr COSTELLO—What the Treasury secretary says to the Reserve Bank is a matter for the Reserve Bank; it is not a matter for me. I am rather amused, as I always am, by the member for Lilley, because his big point has been that the government should instruct the Treasury secretary what to say at Reserve Bank board meetings. Leave aside the fact that the board is independent. This is the point that really gets me: the Australian Labor Party's policy up until a couple of years ago was to take the Treasury secretary off the board so that he could not actually represent the government.

Mr Beazley—Mr Speaker, on a point of order: the question was a very simple, straightforward one. Did the secretary of the Treasury brief the Reserve Bank governor on the details of the budget prior to the decision to increase interest rates?

The SPEAKER—The Leader of the Opposition will resume his seat. The Treasurer has only begun to answer the question. He is in order.

Mr COSTELLO—Two years ago the Labor Party said that the Treasury secretary should not be on the board, but now he should be going to meetings and he should be telling what the government is intending to do. There have been a lot of winners out of this budget, but the biggest loser has been the Leader of the Opposition.

Budget 2006-07

Mr RICHARDSON (2.02 pm)—My question is addressed to the Treasurer. Would the Treasurer inform the House of the economic outlook contained in the budget? How has the government been able to achieve this outcome and what opportunities does this afford?

Mr COSTELLO—This is a budget which invests for the future of our country. It is a budget which has additional investment in road, in rail and in water and it is a budget which has significant reform of the taxation system in respect of business taxation, personal income tax and, of course, superannuation. In terms of the outlook the honourable member for Kingston asked me about, the government's updated economic forecasts are that the GDP will grow by 3¼ per cent in 2006-07. Robust commodity growth is leading to strong business investment, which is expected to drive growth over 2006-07. Business investment has grown 75 per cent in the past four years and is expected to stay high in 2006-07. Although household consumption is expected to slow, some of that will be taken up by business investment and improvements in exports, as I said earlier.

The government's management of the economy has seen unemployment fall to a 30-year low. Since this government was elected 1.7 million new jobs have been created in the Australian economy, with unemployment falling to five per cent. The government has put in place a budget which will keep Australia growing in a low inflation rate environment, which will balance the budget and return a surplus for the ninth time in 10 years, which will be consistent with keeping

people in work and which will be consistent with giving Australians the opportunities that they deserve in one of the stronger growing economies of the world, which is now debt free and which has great opportunities for the future.

Budget 2006-07

Mr SWAN (2.04 pm)—My question is also to the Treasurer. Is it a fact that the budget is forecasting that the current account deficit will increase by $6 billion to $62 billion by the end of next financial year and push foreign debt beyond its current level of half a trillion dollars? Won't this, as the Treasurer warned with cold anger in 1995, put 'pressure on interest rates, on home buyers, on businesses, on those who have credit card bills, on those who are trying to pay off their cars and mortgages'?

Mr COSTELLO—No, because—

Ms Macklin—It was all right in '95, was it?

Mr COSTELLO—I love the member for Jagajaga—she just comes in at the critical time. Can I say to members of the Labor backbench: under no circumstances change your deputy leader.

Mr Griffin—You're not planning to?

Mr COSTELLO—She asked me what was different about 1995. Let me tell you.

Mr Griffin—You're not planning to?

The SPEAKER—Order! The member for Bruce!

Mr Griffin interjecting—

The SPEAKER—The member for Bruce is warned!

Mr COSTELLO—I will respond to the member for Jagajaga's interjection. In 1995 there were two critical differences. In 1995 the Australian government owed $96 billion and today the Australian government has no net debt at all. The second thing, of course, is that in 1995 under the Australian Labor Party Australia's credit rating had been downgraded twice. Since this government was elected not only has this government repaid Labor debt but that credit rating has been upgraded on two occasions back to AAA. The Australian government's foreign currency bonds are now the highest rated premium bonds in the world. We went backwards under Labor. The coalition has taken Australia back to where it ought to be.

Budget 2006-07

Mr BAKER (2.06 pm)—My question is also addressed to the Treasurer. Can the Treasurer inform the House about how the government will responsibly reward hard-working Australians with a tax cut? How can the government afford this latest instalment of tax cuts?

Mr COSTELLO—I thank the honourable member for Braddon for his question. I can inform him that, as a consequence of last night's budget, all Australians—people in Braddon and people in other electorates throughout Australia—will get a reduction in income tax. As a consequence of last night's announcement, Australia will now have four income tax rates: 15c, 30c, 40c and 45c. The thresholds will be $25,000 for the 15c rate, $75,000 for the 30c rate, $150,000 for the 40c rate and 45 per cent after that.

The consequence of this is that the vast bulk of Australians, who have incomes between $25,000 and $75,000, will face no higher marginal tax rate than 30c in the dollar. They will not be subject to bracket creep. On 1 July, the top tax rate of 45c will apply to only two per cent of Australian taxpayers. When this government came to office, you went onto the top tax rate of 40c in the dollar at $50,000. If this government had indexed the labour rate, that top rate would cut in today at $64,000 but, as a result of last night's changes, that top rate will no longer

cut in until you are earning above $150,000. That applies to only two per cent of Australian taxpayers. In addition to that, the government has introduced a low-income tax offset, which means that low-income earners will not pay tax until their income goes above $10,000. In addition to that, this government has introduced new family allowances.

The reasons we have the opportunity to cut taxation are that we can fund our investments in health and ageing and education, we have had nine surplus budgets out of the last 10 and we have now repaid Labor's debt—the debt that was left to this country in 1996 by none other than the current Leader of the Opposition when he was Minister for Finance. This is what opportunity is about for all Australians, and tax reductions will 'incentivise' our tax system in Australia.

DISTINGUISHED VISITORS

The SPEAKER (2.09 pm)—I inform the House that we have present in the gallery this afternoon members of a parliamentary delegation from the Senate Parliamentary Committee on Constitutional and Legal Affairs of the Czech Republic, accompanied by the Ambassador to the Czech Republic. On behalf of the House I extend to them a very warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Budget 2006-07

Mr BEAZLEY (2.10 pm)—My question is to the Treasurer. Isn't it a fact that since last night's budget the bank bill futures market has shifted to predicting with 100 per cent certainty that interest rates will rise again within the next year? Is the futures market wrong? Will the Treasurer guarantee that interest rates will not go up as the futures market predicts?

Mr COSTELLO—According to my information, the overnight interest rates swap moved by one basis point, from 5.76 to 5.77. That is one basis point. I will have the Leader of the Opposition's figures investigated, but I always take his figures with a grain of salt. This is the man who, back in 1996, said a $10 billion budget deficit was a surplus. But there is one question that we are always happy to take from the Australian Labor Party: a question on interest rates. Those of us who have been in this place in opposition well remember the then Leader of the House and Minister for Finance presiding over a government which had home mortgage interest rates at 17 per cent. Whilst he was in office, through the whole period of the Keating years, the average home mortgage interest rate was 12¾ per cent, compared with an interest rate today of 7½ per cent.

Mr Speaker, if you were paying the 'Kim Beazley average rate'—not his highest rate but his average rate—you would be paying another $215 on a standard mortgage loan today. So the evidence is there. This is the government which has so run economic policy as to keep interest rates low. We will continue to manage the Australian economy so as to keep interest rates low, and they will be substantially lower than the Australian Labor Party's 12¾ per cent. If the Australian public want to make an assessment of records in relation to interest rates, we would invite them to do so because there is one person who would be coming down the bottom of the list and he goes by the name of the Leader of the Opposition.

Budget 2006-07

Mrs DRAPER (2.13 pm)—My question is also addressed to the Treasurer. Would the Treasurer inform the House of his plan to introduce the most significant reform to the superannuation system in decades? Who will

benefit and how will this help provide for future retirement needs, especially for my constituents of Makin?

Mr COSTELLO—I thank the honourable member for Makin for her question. I can inform her that the constituents of Makin, like other Australians, will benefit from the largest superannuation reform in at least two decades and, if you exclude bad reforms like the big one two decades ago, one of the best that has ever been made in respect of superannuation in this country. This is a plan to radically cut through the complexity of the superannuation system. It is a plan for no tax on end benefits: no tax on end benefits for lump sums and no tax on end benefits for pensions if you are in a taxed superannuation fund and you take your earnings after the age of 60.

As a consequence of that, we will now no longer need different rates for pre 1983 and post 1983, for pre 1994 and post 1994, for capital gains exempt, for getting the rebate and for a whole host of other complexities currently in the system. We will now no longer need reasonable benefits limits or age based limits because we will have one standard, universal limit. This will make superannuation an attractive savings vehicle for all Australians, and it will give people certainty in their retirement as a consequence.

The reform of the Australian superannuation system is broad-ranging reform and it is being undertaken by this government as part of its major tax reform in relation to income tax and business tax. It is a reform that will make retirement easier to understand. It will boost standards of living in retirement and it will boost Australia in a way in which we want to build our country into the future.

DISTINGUISHED VISITORS

The SPEAKER (2.15 pm)—I inform the House that we have present in the gallery this afternoon the Hon. Kathy Sullivan, a former parliamentary secretary and member for Moncrieff. On behalf of all members, I extend to her a very warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Workplace Relations

Mr BEAZLEY (2.15 pm)—My question is to the Prime Minister. Is the Prime Minister aware that, because of the government's industrial relations changes, Spotless Services, contracted to clean army barracks in Victoria, has offered its employees a new agreement that will cut part-time loadings, casual loadings and penalty rates? Isn't it the case that a permanent, full-time shiftworker, working an afternoon shift from 2 pm to 10 pm on less than $30,000 a year, stands to lose $16.96 a week under the new agreement? Prime Minister, how can any relief this worker receives under your budget possibly make up for the triple whammy of petrol price increases, interest rate increases and lower wages caused by your industrial relations changes?

Mr HOWARD—I do not know the particular circumstances to which the Leader of the Opposition is referring, but I do know something about the way real wages have moved under my government compared with how they moved under the government of which he was a member. As I have said frequently in this House, when it comes to the impact of industrial relations changes, my guarantee about real wages is my record. What the budget has done is to address in a very real way the concerns of millions of Australian families who are obviously feeling the impact of higher petrol prices.

I am interested that the Leader of the Opposition mentions petrol prices, because I seem to recall the Leader of the Opposition doing an interview on 6PR, I think in October or November last year, when he was asked whether it was a good idea to cut the

petrol excise. He said: 'No, it's not. The way in which you help people with higher petrol prices is to cut their tax.' And that is exactly what this government has done.

I am fascinated with the Leader of the Opposition, because I heard him this morning say that the tax cuts in the budget were long overdue. That is very interesting. They are long overdue in 2006, but who voted against them in 2005? None other than the person who asked me the question. I do not think the Leader of the Opposition has a lot of credibility in asking me about so-called triple whammies.

Budget 2006-07

Mrs MARKUS (2.18 pm)—My question is addressed to the Minister for Families, Community Services and Indigenous Affairs. Would the minister advise the House of steps the government is taking to build on its record support for families using child care?

Mr BROUGH—I thank the member for Greenway for her obvious passion for the families in her electorate. She is only too well aware that, since 1996, the federal government—the Howard government—has more than doubled the number of child-care places and more than doubled expenditure on child care in this country, providing more opportunities for families. Last night the Treasurer announced a further major investment in child care by the Howard government. For the very first time, not only will long day care be uncapped but family day care will be totally uncapped and outside of school hours care will be uncapped.

This means that, if a constituent in the electorate of Greenway, in the suburb of Glenwood, for argument's sake, were to come to the member for Greenway and say, 'I need an after school care place in that suburb,' she does not have to say, 'I have to wait for some bureaucratic round.' She can say, 'Let's do it. Let's go and produce it,' because the federal government will fund those places as long as they meet the basic criteria of safety. We will have uncapped family day care. We will have uncapped outside of school hours care and we will have uncapped long day care.

With this government's assistance, we will see more people entering the workforce and more women entering the workforce for the first time. We are extending the support through JET so that, when these people are making that crucial decision to go from welfare into work, not only will they get the child-care rebate and the child-care benefit but they will also be able to have most, if not all, of that gap paid in some instances so that they do not have to see child-care costs as a barrier at all. That is the commitment that the Howard government has to people re-entering the workforce and to giving them choice in child care.

We are spending nearly $10 billion over the next four years on child care, and we believe compliance is essential. So we will be ensuring that not only every child-care place is a quality, safe environment but every taxpayer's dollar is spent on delivering a child-care place. We will be doing that through a maintenance program using new IT, rolling it out across the country, supporting it with compliance and uncapping the places. This is fundamental reform which will give parents choice in where they place their child and which will ensure that they can have the quality of child care that they deserve.

Budget 2006-07

Ms PLIBERSEK (2.21 pm)—My question is addressed to the Treasurer. I refer to the Treasurer's budget announcement that the government will lift the cap on family day care and out of school hours care places. Doesn't the Treasurer realise that there are almost 100,000 after school care places and family day care places announced in previ-

ous budgets that are still unused, mainly because of the shortage of child-care workers? How exactly will lifting the cap help if there is no-one to deliver the services?

Mr COSTELLO—I think the Minister for Families, Community Services and Indigenous Affairs just explained the answer to that very well. What he said was that, as long as there is no cap on places and there is unfulfilled demand, any eligible person who can set up a facility is free to do so and to attract child-care benefit. I know that in my electorate there will be plenty of schools that will want to set up outside school hours care. Up until now, the problem has always been that the places were limited. I do not know if the member for Sydney is in contact with schools in her electorate, but certainly the ones that contact me say, 'Can you lift the limits?' I am going to go back to them and say: 'There no longer are any limits. As a consequence, if you have people who want to use a service, set it up and get it going they will get the child-care benefit and, in addition—something the Australian Labor Party never had the wit to introduce—a child-care rebate which from 1 July this year is going to give a 30 per cent rebate on out-of-pocket costs up to $4,000 per child per annum.' Let me put that in context. If you have two kids in child care, that could be $8,000. If you have three kids in child care, that could be $12,000. These are great announcements that would be welcomed by Australian families, and we look forward to the Australian Labor Party supporting them.

Budget 2006-07

Mr HAASE (2.24 pm)—My question is addressed to the Deputy Prime Minister. Would the Deputy Prime Minister outline to the House how last night's budget will assist our exporters to contribute to Australia's continued strong economic performance?

Mr VAILE—I thank the member for Kalgoorlie for his question. Of course, the electorate the member represents is a significant contributor to the export effort and the strength of the Australian economy at the moment. The budget delivered by the Treasurer last night is strong and comprehensive. It has been delivered through good government, good economic management and, most of all, through the discipline with which the government has managed the Australian economy over the last 10 years—a discipline which had not been shown by previous governments in Australia, particularly Labor governments. I congratulate the Treasurer on his fiscal prowess in delivering this budget—for striking the right balance for all Australians in this budget.

The budget forecasts that exports will rise by seven per cent in volume terms in 2006-07, and that is off a relatively high base, so exports are going to continue to grow. The budget announced an extra $2.3 billion investment in much needed transport infrastructure, which is going to be crucial in getting exports to the ports and out of Australia. The announced increase in the depreciation allowance to 200 per cent for businesses will encourage investment by Australia's exporting businesses. It will make them much more competitive in the international marketplace. As well, the budget provides $23.3 million to continue our TradeStart office network across Australia to reach out, encourage and help new exporters in particular to get into export markets. It also contains $160 million for the Export Market Development Grants Scheme, which, particularly for new exporters, is a very valuable resource for getting into new markets and supporting their efforts in opening up new markets.

Importantly, the budget delivers another surplus. A $10.8 billion surplus in the Australian economy is forecast. It is further proof of the government's stable and sound eco-

nomic management of this country. We will continue to maintain a strong and stable economy, which is the most important thing the business community needs to compete in the international marketplace. This is a responsible budget which invests in critical infrastructure for the future. It also invests in research and development in technology, and it gives the private sector the opportunity to invest in their future and be more competitive on the world stage.

Exports

Mr RUDD (2.27 pm)—My question also is to the Minister for Trade. As the minister responsible for Australia's export performance for the last six years, can the minister explain to the House why it was that in 2001 he forecast five per cent export growth when in fact exports fell by 0.8 per cent? In 2002 he forecast six per cent export growth when exports in fact fell, again by 0.8 per cent. In 2003 he again forecast export growth of six per cent while exports grew by barely more than one per cent. In 2004 there was a heroic forecast of eight per cent export growth whereas exports in fact only grew by 2.5 per cent. In 2005 there was a further heroic forecast of seven per cent export growth when in fact exports grew by barely two per cent. Minister, given that this track record is a total joke, on what basis should the Australian people believe that, for the first time in six years, the trade minister will actually fulfil his export forecast of seven per cent growth for 2006-07?

Mr Baldwin—Mr Speaker, on a point of order: the graph the member showed was upside down and it was very hard to see.

The SPEAKER—The member will resume his seat. That is not a point of order.

Mr VAILE—It was interesting to look at the prop the member for Griffith was holding up. He was holding it upside down. In all the years the member for Griffith referred to, there has been in trend terms a continued growth in exports out of Australia—apart from one year. I point out to the member for Griffith that in 2005-06 to date there has been a 17 per cent growth in exports out of Australia to $140.5 billion, and we are on track to achieve the seven per cent growth forecast in this budget in 2006-07.

Budget 2006-07

Mr VASTA (2.29 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister advise the House how this year's budget will boost Australia's medical research effort?

Mr ABBOTT—I thank the member for Bonner for his question. I can point out to him and to other members that the Howard government does not just talk about Medicare but invests the money necessary to make a good system even better—$48 billion in the coming financial year, as the Treasurer said last night with, I thought, a note of justifiable pride in his voice. But it is not just the quantity of the spending; it is the quality of the outcomes which count. That is why medical research is so important, because it is today's research which produces tomorrow's medicines and technologies which will keep millions of Australians happier and healthier.

Australia has always punched above its weight in health and medical research. We have produced no fewer than six Nobel prize winners in this area. Aspro, penicillin, the heart pacemaker, the ultrasound scanner and the bionic ear were all developed by Australians or in Australia. And last night's budget reinforces this great tradition: there is $905 million in new money for medical research. That means that national health and medical research funding will increase fivefold, from $127 million in 1996 to $700 million a year at the end of this quadrennium. It means new infrastructure for Australia's great medical

research institutes like the Walter and Eliza Hall, the Garvin, the Florey and the millennium institute at Westmead Hospital. I want to say that last night's budget substantially delivered on the major recommendations of the Grant and Wills review, and I want to congratulate John Grant and Peter Wills on their consistent vision and commitment in this area.

Budget 2006-07

Ms MACKLIN (2.32 pm)—My question is to the Minister for Vocational and Technical Education. Is the minister aware of the Australian Industry Group's comment on last night's budget:

> ... it is disappointing that more progress has not been made on the big nation-building goals of skills and innovation. ... investments in skills, innovation and infrastructure these areas are required to build the competitiveness of Australian business and to assist in rebalancing the economy as the current minerals boom begins to fade.

Why has the Howard government ignored the calls of Australian industry to invest in Australia's future and focus on skills development and training as the primary drivers of productivity and competitiveness on the world stage?

Mr HARDGRAVE—The member for Jagajaga is wrong again in her assertion and her assumptions. Whilst those opposite spent all of last year talking down and in fact trying to deny Australians tax cuts, they took their eye off the fact that we put a record $1 billion extra in last year's budget towards skills and skills development—in fact, over four years, over the current quadrennium, $10.1 billion. And last night we continued it: the Treasurer put $181.6 million into a range of new programs to meet Australia's continuing change in skills demands—that is, an extra $106 million over four years for new apprenticeships centres, an extra $6 million to fund the coordination of national skills shortages strategies, and on and on and on it goes. What the Labor Party has not focused on is the effort of last year which produced a record amount, a record investment and the challenge to Australian businesses to take full advantage of those circumstances.

Budget 2006-07

Mr SCHULTZ (2.34 pm)—My question is addressed to the Minister for Foreign Affairs. What plan does the government have in the budget to continue the battle against terrorism and protect Australians?

Mr DOWNER—Firstly, can I thank the honourable member for Hume for his question and for his interest. The government has given a very high priority to not just protecting Australia against terrorists but making sure we work with our regional neighbours in order to enhance the capacities of the region as a whole to deal with the problem of terrorism. Under this budget, the government will provide an additional $92.6 million to boost the capacity of countries in our region to fight terrorism. South-East Asian countries are front-line countries in the fight against terrorism and we have been collaborating with our neighbours to a very substantial extent. Counter-terrorism initiatives in the region are now worth something like $400 million since 2004. The fact is that our robust approach to counter-terrorism in the region is saving lives and is helping our regional neighbours to deal with the problem of terrorism. Terrorist networks have been disrupted and over 300 terrorists in South-East Asia have been tracked down and brought to justice. For example, as recently as 29 April the Indonesian police raided a house in Central Java, arresting two associates of Noordin Top and killing two other terrorists and seizing explosives. A number of terrorist trials are under way in Indonesia, including four which commenced yesterday, relating to the October 2005 Bali bombings.

The fact is that a number of Australian agencies are helping particularly Indonesia but also other countries in the region to fight terrorism. In the budget, the AFP and the intelligence agencies will get $34 million to continue this work; Customs, $7 million; the Department of Immigration and Multicultural Affairs, $10.9 million; nuclear safety agencies, $5 million; and the Department of Foreign Affairs and Trade, $35 million. I think that, apart from the United States, there is no other country that makes a greater contribution to the counter-terrorism effort in the region. It is an important theme of and component of our budget that, in the task of securing Australia and continuing to deal with the international security threats we face, we give such a high priority to assisting our regional neighbours to counter terrorism.

Oil for Food Program

Mr RUDD (2.37 pm)—My question is again to the Minister for Foreign Affairs. I refer to his evidence to the Cole inquiry that he did not have a 'specific recollection' of receiving or reading the critical warning cable of 13 January 2000, and further that he did not 'have a recollection six years back of precisely that'. Why did the minister claim in parliament on 28 February to in fact have had very specific knowledge that of course he would have read this cable? And he then went on to say:

> Obviously, this happened six years ago, but I have had the opportunity during the last few weeks to examine all of this material again very carefully, which is why I know so much about it today, 28 February 2006. These are cables from early 2000, but I do know a lot about them and I have examined this material very carefully.

Isn't it the case that in February, before he was hauled before the Cole inquiry, the minister was happy to boast to parliament about his detailed knowledge of this cabled warning but then suddenly developed an acute case of amnesia when he was required to repeat the same on oath to the Cole inquiry?

Mr DOWNER—I make two points about this. First of all, it is I think unprecedented for an opposition the day after a budget to run out of questions on the budget after six questions. I have sat in this parliament for 21 years and I have never seen an opposition give up on questions on the budget after just six questions. May I congratulate the Treasurer on a great job and a well-done job. Secondly, there are two completely different propositions here. Would I have seen the cables? I told the House that I am sure I would have. Did I specifically remember the details of the cables? Of course I did not—it was six years ago—but I explained to the Cole inquiry that I would have seen some of the cables. If the honourable member looks at the evidence given before the Cole inquiry and reads the transcripts, he will see that the two statements were entirely consistent.

National Security

Mr TICEHURST (2.40 pm)—My question is addressed to the Attorney-General. Would the Attorney-General inform the House what the government is doing to improve domestic security arrangements?

Mr RUDDOCK—I thank the honourable member for Dobell for returning to the budget, because, since the tragedy of the twin towers attacks of 2001, the Australian government has reviewed and improved every aspect of our national security arrangements. But we must never become complacent or assume that the task is complete. In other words, we should not allow ourselves to be lulled into a false sense of security. Last night's budget continues to build upon our comprehensive record in this regard. The key initiatives funded in the budget include a fulfilment of our five-year strategic plan for ASIO, building the organisation to an unprecedented level of staffing

and enabling it to explore unexpected and emerging sources of threat as well as existing sources of concern. It also includes boosting the Australian Customs Service, as part of our determination to protect Australia's northern borders for security and fisheries purposes. It increases the intelligence and surveillance capability of the Australian Federal Police. It continues our commitment to hosting a safe and secure APEC meeting in 2007, and there is also the roll-out of the National Document Verification Service and the establishment of three new ID security strike teams to further protect the identity of Australian citizens.

These and other budget measures are a further reinforcement of the government's first priority, which is keeping Australia safe. It is a measure of our commitment to the safety and the security of the Australian people, which is one of our primary human rights obligations.

Oil for Food Program

Mr BEAZLEY (2.42 pm)—My question is to the Prime Minister. I refer the Prime Minister to his statement of 20 March 2006 on the 'wheat for weapons' scandal.

Government members interjecting—

Mr BEAZLEY—We have to examine your deceptions on all fronts. That is our job, you see. That is what oppositions do, holding outfits like you accountable. You think you can slip your lies under the counter when something else is on.

Government members interjecting—

The SPEAKER—Order! The level of interjection on my right is far too high. The Leader of the Opposition will begin his question again.

Mr BEAZLEY—My question is to the Prime Minister. I refer the Prime Minister to his statement of 20 March 2006 on the wheat for weapons scandal, when he said—

Mr Abbott—Mr Speaker, I raise a point of order. The Leader of the Opposition made an offensive remark about slipping lies in and I think he should be required to withdraw.

The SPEAKER—The Leader of the Opposition will withdraw.

Mr BEAZLEY—I will withdraw, Mr Speaker, and start again. I refer the Prime Minister to his statement of 20 March 2006 on the wheat for weapons scandal.

A government member—So it's not about our budget?

Mr BEAZLEY—No, it is about Saddam's budget. You know, the one you supported. I refer to the statement in which the Prime Minister said that it was not until February 2005 that 'this issue really came onto the radar screen for me'. That was your quote. I also refer to this email, just released by the Cole inquiry, between the head of the Iraq task force in Canberra and Ambassador Thawley in Washington, from before the 2004 Australian election. This communication refers specifically to 'guidance we have from the Prime Minister and our ministers on AWB and the Volcker inquiry'. Prime Minister, doesn't this email prove that you were fully aware of the dimensions of this scandal prior to the last election?

Mr HOWARD—I thank the Leader of the Opposition for the question and I ask him to listen carefully to the response. It does not prove anything of the kind, and the reason that it does not prove anything of the kind is that the emails which form the basis of the Leader of the Opposition's question, and which form the basis of an erroneous report in the *Australian* newspaper this morning, were in fact exchanged in February 2005, not in September or October 2004. They were exchanged a week after I had received a memorandum from my department drawing my attention to the displeasure of the Volcker

inquiry with the lack of cooperation from AWB and a week after I had given clear written instructions that there had to be total cooperation and disclosure. Everything I have said on this has been totally truthful and consistent, and once again the Leader of the Opposition has been caught out misrepresenting the truth.

Budget 2006-07

Mr FAWCETT (2.45 pm)—My question is addressed to the Minister for Defence. Would the minister inform the House how last night's budget will enhance Australia's Defence Force capability?

Dr NELSON—I thank the member for Wakefield for his question. He spent much of his pre-parliamentary working life in Australia's Defence Force. Last night the Treasurer announced on behalf of the government an unprecedented long-term commitment to Australia's defence. The government in last night's budget announced in total a $15.9 billion increase in investment in Australia's Defence Force over the next 10 years. That comprises $5.2 billion to add to programs that are already in place and to bring in new ones, such as the acquisition of four C17 Globemaster heavy airlift aircraft and $1½ billion to strengthen and improve the size of the Australian Army. It also involves $560 million to support important initiatives in Australia's reserves. But in addition to that, $10.7 billion has been committed by increasing in real terms every year by three per cent, above and beyond inflation, the amount of money the Australian government will invest in the Australian Defence Force from years 2011-12 through to 2015-16.

What this means in plain language for many Australians is that we will be able to build three air warfare destroyers here in Australia, in South Australia. We will also be building two amphibious ships which will carry up to 1,000 troops and six helicopters. We will be acquiring, at a cost of around $15 billion, a Joint Strike Fighter. We will also be replacing, at a cost of around $2½ billion, the Army's trucks, trailers and land fleet. It also means that we will spend more than half a billion dollars more on improving the naval surface air warfare capacity.

What this means for Australians and for the next generation of Australians is that, notwithstanding the uncertainty that we face, the Australian government and the Australian Defence Force will be well prepared for the future. We all need to appreciate that what is going to most influence and threaten our secure future is not always the things we know but the things we do not, and this government is determined that we will be prepared.

Fuel Prices

Mr KATTER (2.48 pm)—My question without notice is to the Treasurer. Assuming the government is intending to address the skyrocketing price of petrol, is the Treasurer aware of the State of the Union address by President Bush? I quote:

> America is addicted to oil, which is often imported from unstable parts of the world … We must also change how we power our automobiles.

Referring to ethanol, electricity and hydrogen, he said, 'Our goal is to replace more than 75 per cent of our oil imports from the Middle East.' In light of the government's own published draft, showing Australia is self-sufficient to date in oil but will have to import 60 per cent of its requirements in 2012, could the Treasurer designate some Treasury officials to look at following America's mandated five per cent ethanol and devise an action plan to deliver Brazilian prices, currently 68c a litre, in contrast to Australia's, now $1.33c a litre—up from only 89c two years ago?

Mr COSTELLO—I thank the honourable member for Kennedy for his question. Australia is not self-sufficient in oil. We im-

port oil. We import the majority of our oil, which is why we are a price taker on international markets. If we were self-sufficient, it might be different, but we in fact are in the same position, more or less, as the Americans are, which is that we are price takers. Our oil predominantly comes from the Middle East, although it can usually be refined in Australia or, most likely, in Singapore.

In relation to alternative fuels, the very high price of oil and petrol is making alternative fuels more commercial all the time. One of the things that this government has put in place as part of its long-term energy white paper is a preferential arrangement for excise on biodiesel, on LPG and on other alternative fuels. Can I also say that the government has in place grants to people for biodiesel and ethanol projects. I believe it is about $50 million which has been given out and expended completely to people who have those projects. I also indicate that the government has recently taken steps to reassure the market in relation to ethanol blends. Ethanol blends were taken off the market some time ago as a result of scare tactics principally coming out of the Labor opposition, but the government has put in place measures to reassure people in relation to blends. I believe that high oil prices will in a market sense make alternative fuels more commercial and that, particularly with preferential taxation, we will see the development of this industry, and that in fact will be a good thing.

Mr Katter—I seek leave of the House to table the documents to which I referred.

Leave granted.

Budget 2006-07

Mr NEVILLE (2.52 pm)—My question is addressed to the Minister for Transport and Regional Services. Would the minister advise the House how budget measures will boost transport infrastructure?

Mr TRUSS—I thank the member for Hinkler. This budget makes an enormous boost to Australia's infrastructure. It is a fantastic additional investment in roads and rail in Australia and will help us to achieve some of those important national objectives to improve communications around our country. Perhaps at the head of that list is the $800 million extra being provided to the Hume Highway. So now we are within sight of achieving one of those great national dreams of having a four-lane highway between our two biggest cities. Surely after all these years that is an important objective and one that only a government with the proper levels of fiscal responsibility has been able to achieve.

But it is not just the Hume Highway that has benefited from this infusion of additional funds. There is $160 million more for the Pacific Highway. That brings to $1.3 billion the commitment by this government and the New South Wales government to upgrading the Pacific Highway. I commend the members from the Northern Rivers areas of New South Wales and northern New South Wales for their continuing efforts to ensure that this very significant piece of New South Wales state road infrastructure is appropriately funded. It is still a significant task to complete that upgrade, but it is wonderful that there is an additional contribution now to speed up that activity.

There is another $268 million to improve the road between Townsville and Cairns—a really significant investment in flood immunity in that region. I notice that the member for Kennedy, like the opposition, when asking a question the day after the budget could not even bring himself to ask about that most important piece of infrastructure development, most of which is in his electorate and will certainly benefit everyone travelling on the Bruce Highway in Northern Queensland. There is $323 million to upgrade roads in Western Australia, $100 million for the road

between Gawler and Nuriootpa in South Australia, $30 million for flood upgrading in the Northern Territory and $270 million for the Australian Rail Track Corporation to improve the rail track network around Australia. All of those projects are very significant investments. It is all new money available immediately. It is on top of the $12.7 billion in AusLink network investments and will certainly make significant improvements in a whole range of our key regional road areas.

Mr Snowdon interjecting—

Mr TRUSS—Someone opposite interjects, 'What about regional areas?' What about the Roads to Recovery program, with $307 million? Every local authority in Australia has now got more money to spend on local roads and local streets in projects of their choice, and this will make a very significant difference as well.

Naturally, this infusion of additional funding for roads has been widely welcomed around the country. Almost every commentator has spoken with enthusiasm—the NRMA, the Tourism and Transport Forum and Commerce Queensland. Even the South Australian Labor Treasurer said that this was a balanced budget and a budget that recognises the need for road upgrades and investment in our defence forces and the Murray River. So all sorts of people have been giving endorsement to what is really an outstanding budget.

I can only find one critic of this investment and that is Senator Kerry O'Brien. He does not want money to be spent on road infrastructure. He wants it instead to be spent on creating a bureaucracy called 'Infrastructure Australia' to do yet another audit of road needs. We know the problems. We are getting on with fixing them.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Budget 2006-07

Mr COSTELLO (Higgins—Treasurer) (2.56 pm)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The minister may proceed.

Mr COSTELLO—I was asked a question by the Leader of the Opposition about the futures yield. I inform the Leader of the Opposition that the 90-day futures yield for a September 2006 contract was 6.01 per cent yesterday, before I brought down the budget, and this morning at 10 o'clock, after the budget was brought down, it was 6.01 per cent still. Any suggestion that the budget moved the futures yield is completely and utterly false.

Mr Beazley interjecting—

The SPEAKER—The Leader of the Opposition does not have the call.

PERSONAL EXPLANATIONS

Mr KATTER (Kennedy) (2.57 pm)—Mr Speaker, I wish to make a personal explanation.

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

Mr KATTER—Yes.

The SPEAKER—Please proceed.

Mr KATTER—The Minister for Transport and Regional Services said that I was not aware of the road funding that was coming through in the budget. I should be well aware of it because he has made the same announcement four times and the government made it in the last election campaign.

DOCUMENTS

Mr McGAURAN (Gippsland—Deputy Leader of the House) (2.57 pm)—Documents are tabled as listed in the schedule circulated to honourable members. De-

tails of the documents will be recorded in the *Votes and Proceedings* and I move:

That the House take note of the following documents:

Migration Act 1958—Section 486O—Assessment of detention arrangements—

Government response to the Commonwealth Ombudsman's statements—Personal identifiers 049/06 to 055/06.

Reports by the Commonwealth Ombudsman—Personal identifiers 049/06 to 055/06.

Sydney Airport Demand Management Act—Quarterly reports on movement cap for Sydney airport for periods—

1 April to 30 June 2005 and 1 July to 30 September 2005.

1 October to 31 December 2005.

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

BUSINESS

Mr McGAURAN (Gippsland—Deputy Leader of the House) (2.58 pm)—by leave—I move:

That standing order 31 (automatic adjournment of the House) be suspended for the sitting on Thursday, 11 May 2006.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Budget 2006-07

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

The Government putting at risk the living standards of middle Australia by its failure to invest adequately in the reforms to build the capacity of the Australian economy.

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—

Mr SWAN (Lilley) (2.59 pm)—The test of any budget is the degree to which it builds for the future. This Treasurer has splashed a lot of money around. It is always popular to do that, and it is easy to do that in very good times when there is a 21st century gold rush on. He has been splashing money around like confetti. But doing that is not building for the future. At the Press Club today the Treasurer said that this budget contained far-sighted reform, that it was all about the future. There is an old saying: if you think education is expensive, try ignorance. What the Treasurer has tried in this budget is ignorance.

The absence in this budget of any far-sighted initiatives when it comes to training and education means that we have prejudiced our future—we have not put forward the initiatives required to invest in productivity, to lift our growth and to maintain prosperity well into the future. So it is the failure of the government particularly to invest in education and training as well as the failure of the government to put forward a national infrastructure plan that mean that this Treasurer has turned his back on the future. He did not fairly face the future; he turned his back on the future.

This budget is more directed at the government's short-term political needs than the long-term needs of the country. This Treasurer has turned his back on far-sighted, serious, broad based reform that is absolutely essential to lift productivity and to ease the speed limits on the Australian economy. In doing that, the Treasurer has turned his back on all of the expert advice that is coming to this government about the need to lift productivity to ensure that we can create wealth for the future. Let me quote the Business Council, an organisation that is close to the

Treasurer and the government. The Business Council had this to say:

> Serious constraints and imbalances are emerging within the economy that, in the absence of reform in key areas, will slow growth, limit opportunities and undermine the economy's capacity to deal with longer-term challenges ...

Or why don't we quote the OECD:

> ... reform efforts have slackened off, despite new challenges.

Perhaps most significantly, particularly for all those Australian families paying higher interest rates, the Treasurer has ignored the concerns of the Reserve Bank in their *Statement on Monetary Policy* published only last week. So Australians have had two interest rate rises in the last 14 months from this Treasurer, who promised record low interest rates at the last election. They have had two interest rate rises since that time, which is putting families in this country under considerable financial pressure. This is what the Reserve Bank board had to say last week, after they raised interest rates for the second time:

> ... the economy has been operating with limited spare capacity, and underlying inflation has been forecast to increase gradually ... the Board had taken the view that the next move in interest rates was more likely to be up than down ...

So what does the Treasurer do in the face of this challenge, clearly outlined by the Reserve Bank board in their *Statement on Monetary Policy*? Despite the fact that we have a 21st century gold rush, he does not include in this budget a national plan for infrastructure. We get a bit of National Party pork-barrelling and a bit more, but no overall national plan for infrastructure, which is so essential to lift our productivity.

And we most certainly get no action when it comes to the skills of our people to address the skills crisis and the government's neglect of education. We are the only country in the OECD that has gone backwards in our investment when it comes to the education of our people. Investment in all the other countries is going up, particularly countries in our region. It is absolutely critical that we be more competitive because we have escalating foreign debt.

The Treasurer in this House has never before conceded that foreign debt—or our current account deficit—is a problem. Indeed, he did not concede that in the budget. You could not find very much in the budget about the Treasurer's concern about the current account deficit. But we did get it at the Press Club today. He did admit that it was a problem. The truth is that the Treasurer is forecasting a recovery in exports in the budget. He has done so in every one of the last six budgets, and it has failed to materialise. It is our escalating current account deficit that is leading to an explosion in our foreign debt—up 2½ times from $193 billion to $500 billion. So this Treasurer here is the half-trillion dollar man! He has a foreign debt of $500 billion.

Mr Crean—He was gonna get it down!

Mr SWAN—He was. Then we had the ridiculous situation a week or so ago where he said it was zero debt day. All this Treasurer has done is shift the burden to households. He has sold assets, he has put up his taxes, he has taken the lazy way out and Australian households are now indebted to a great extent. It goes right back to the policy prescriptions of this Treasurer. Households have racked up $1 trillion of debt and foreign debt has blown out to half a trillion dollars. As Peter Costello knows, as foreign debt rises so too does the risk to interest rates.

I should quote here the Treasurer's own words from 1995. He was there in front of the debt truck. It had the numbers on it—$180 billion. He expressed his cold anger at a foreign debt of $180 billion. Where is the cold anger now, Treasurer? Where is the cold

anger now that it has hit $500 billion? The half-trillion dollar man. Do you know what he said in 1995, when it was at $180 billion? He referred to:

> … pressure on interest rates, on home buyers, on businesses, on those who have credit card bills, on those who are trying to pay off their cars and their mortgages.

That is what is happening out in the suburbs and the great towns and regional areas of this country, Treasurer. And you know very well, as the IMF has warned, that this does pose a threat to our interest rates. I will quote from the IMF:

> ... sustained current account deficits and the build-up of external debt ... could leave Australia potentially vulnerable to shifts in market sentiment ...

So, Treasurer, you are fairly blase about this problem. It is little wonder that you remarked on radio in Melbourne during the week that a rise in interest rates was not a problem for people with small mortgages. That was what our Treasurer said. The problem is there are no cheap houses and no small mortgages. This is a Treasurer who is completely out of touch. Who can forget when last year this Treasurer went on one of the current affairs programs and said, 'Any interest rate with a single digit is okay.' Does that mean that this Treasurer thinks an interest rate of 9.5 per cent is okay? Is that where he really thinks interest rates are heading? Is that why he is so blase about our level of foreign debt and the risk that it poses to interest rates in this country and the risk that it poses to sustainable prosperity in this country?

Of course, the Treasurer would claim that he has put forward a far-reaching tax reform package in the budget. I think if we look at that, we could call it a modest reform package. 'Modesty' is where he delivers a small amount of money to those in Middle Australia and on low incomes, but, of course, he is giving them back less than he has taken during the period that he has been in government. These people are currently facing the triple whammy. We have had two interest rate rises, we have record petrol prices and we have his industrial relations legislation which is eating away at the wages and working conditions of Australians. For those who lose their penalty rates that can mean over $200 a month. Someone receiving $10, $20 or even $30 from the Treasurer in this tax package can easily have that eaten up by rises in petrol prices, by the attack on their wages and working conditions and, of course, by rising interest rates, which he is very blase about.

But let us go back to the tax package. By next year, without any changes, average wage earners would have paid $13.40 per week more tax than the burden they faced in 1996. In the budget, he gives them less than $10 back. As I have said before, that is just $10 a week for someone on an average income and that is going to have to stretch a long way because the cost of servicing an average mortgage has increased by almost $13 a week since the last election. That is before you come to increases in the price of petrol. Let us have a look at the fairness of the tax package. This is a Treasurer who brought a tax package in here last year that absolutely ignored and treated with contempt low- and middle-income earners in this community. When we stood up and fought for them, all we got was the smirk and the ridicule because, once again, the Treasurer demonstrated last year just how out of touch he is with average Australians.

Labor is satisfied that this year's tax proposals are fairer than those proposed last year. While last year's tax cuts delivered only a third of the total relief on offer to those earning under $50,000 and two-thirds to those on incomes above, at least this year it delivers half and half. At least this year,

half the tax cuts go to those below $50,000 and half go to those above $50,000. But the Treasurer says, 'It's a reform package.' It is a bit of a reform package, but it has a way to go. Certainly, when we look at measures like the new $600 tax offset—a direct copy of what we put forward last year—which lifts the tax-free threshold to $10,000, that will certainly deliver for people moving from welfare to work and parents returning to work. But there is one problem in here and it shows you how sneaky this Treasurer is. Unlike Labor's proposal at the last budget, the Treasurer's proposal will not be available in the fortnightly pay packet when it is needed most. These are some of the lowest income earners in our community, but he has not been round crowing about that.

Similarly, the decision to lift the 30c threshold from $21,000 to $25,000 and reduce the Medicare levy shade-in will improve incentives for low-income earners. Notwithstanding these improvements, the tax measures announced last night fall short of systematically addressing punishingly high effective marginal tax rates. They are still in the system punishing, particularly, second-income earners who are predominantly women—so much for this Treasurer's lofty rhetoric about being female friendly. He has constructed one of the most unfriendly tax systems in the world when it comes to women and he continues to do it. Middle-income families will face a tax grab on extra earnings of 51.5c in the dollar because the increase in the family tax benefit A threshold just shifts taper zones; it does not actually reduce them. Similarly, second-income earners will still routinely face marginal tax rates of up to 60c in the dollar on personal income between $10,000 and $20,000 per year. So it is not a perfect package, but it is certainly an improvement.

But what does all this add up to? What this adds up to is that the government only have one long-term plan to produce economic growth and lift productivity. That long-term plan is to slash wages. That long-term plan is to take the Australian workforce down the food chain, down the low-skilled, low-wage road. That is the plan they have to be more competitive—to compete against China and India, to compete in our region. That is their plan. But we have a different plan. We have a long-term plan. We have a belief in the Australian workforce. We believe we must train the Australian workforce. We believe we must educate the Australian workforce. We believe we must go forward for the long term in bold new initiatives when it comes to education and training, not back to the Dark Ages where this Treasurer wants to take Australian working conditions.

So there is a very clear and stark difference and it jumps out of the budget. You could see it in the budget speech. You open it up and, on the last page, there is a heading 'Education' with about five or six lines and that is it. In 4,000 words, the Treasurer could barely manage 100 words, or even 50. When it comes to the most critical element of boosting productivity in this society, of maintaining prosperity for the future, the Treasurer turned his back on the future; he went back to the past. He wants to go back to the industrial relations Dark Ages. He does not want to skill this workforce, he does not want to train this workforce and he does not want to invest in the future. That is why this budget does not provide for the long term. It is merely a short-term political document from someone who is not a serious Treasurer when it comes to reform—just a pretend PM. *(Time expired)*

Mr COSTELLO (Higgins—Treasurer) (3.14 pm)—This matter of public importance is supposedly about the living standards of Middle Australia and the government's failure to invest adequately in reforms to build the capacity of the Australian economy. I

listened very carefully to 15 minutes of a speech from the shadow Treasurer and he named not one single area of infrastructure which he thinks the government should have invested in last night but failed to do so. There was not one road—

Ms George—What about the Princes Highway on the South Coast?

Mr COSTELLO—He did not mention the Princes Highway. The member for Throsby interjects, asking about the Princes Highway. There is one problem—the shadow Treasurer did not mention the Princes Highway. The Labor Party have an MPI on the failure to invest in infrastructure, they mention not one policy or area of infrastructure and it takes the backbench to interject on their own spokesman to say what he should have said—the Princes Highway. But he did not say it. He had 15 minutes in which to name the projects that we have failed to invest in. He just did not get around to mentioning one—not one road, not one rail, not one tax cut, not one superannuation change and not one IR change. We heard 15 minutes on an MPI which is allegedly about the failure to invest in infrastructure and not one policy was mentioned.

I think it was Gary Gray who said that he thought Labor's problem was that they were getting white sliced bread politicians—people who come through their organisation, go to Labor Party training schools and come into parliament with no real business experience or no real life experience and no commitment to anything. And when he was talking about it who was he referring to? The member for Perth and the member for Lilley. What they learned at the ALP training school is to get up and complain about everything in the world but to never have a policy.

I invite those people who are sitting in the gallery to think about this: last night for 30 minutes I presented a detailed plan on how this government would invest in the Australian economy with $800 million for the Hume Highway, $220 million for the Bruce Highway, $45 million to do flood works in Tully, $323 million for the Great Northern Highway, money for the East Tamar Highway, $500 million for the Murray-Darling Basin and $220 million for the Australian Rail Track Corporation. I stood here and I enumerated them one by one in relation to rail, road and transport. Then I went on to tax—tax thresholds and tax rates. Then I went on to superannuation, business tax and depreciation. Then I went on to small business changes. I went through them one by one.

You would think that if the Labor Party had a complaint that there were not enough projects they would have come in here at the first opportunity to reply to the budget and say, 'You were wrong about the Great Northern Highway. That money should have gone to the Princes Highway; it has a higher business case.' But he did not say that, did he? He could have said, 'You were wrong about the Murray-Darling Basin Commission because what we ought to be doing is working on rivers up in northern Queensland,' but he did not. He could have said, 'You were wrong on superannuation because you should not have changed end benefits; you should have addressed contributions tax,' but he did not. He could have said, 'You were wrong about the income tax rate because you moved thresholds too much at the top when you should have moved them down the bottom,' or, 'You are wrong about the rate,' but he never actually had a policy. This is what you get from a white-bread politician—whatever the government has done it is the wrong thing, but what he would do he cannot ever say. Whatever you do, never announce a policy, because if you announce a policy you might be held accountable and that is the one thing to be avoided at all costs by the roost-

ers of the Labor Party. Never be held accountable. If you put a policy out there, people can assess it. They can work out distributionally whether it is better or worse. They can work out who would be the winners and who would be the losers.

In the lead up to this budget, the shadow Treasurer was out there saying what I should do in relation to tax. Somebody put this question to him: what do you think the rate should be? It was not a bad question. He said, 'I am not putting any rates out there because then Peter Costello would cost them and he would come into the parliament and debate them.' Fancy actually discussing a policy. He cannot put out a policy. Why? Because I would debate a policy. So he comes in here and engages in 15 minutes of diatribe, allegedly on the failure to invest, without naming any particular project.

I have to say that the Minister for Foreign Affairs was pretty good in question time today. He observed that he has been here for 21 years. I have not been here for that long, but I do not think I have ever seen an opposition run out of questions on the budget at No. 5 the day after. Normally, they try to keep going for 10 questions. Some of you have not been here long enough to know that it did not used to be like this. During budget week—and some of you are newer members—

Mr Downer—When I was the shadow Treasurer—

Mr COSTELLO—'When I was the shadow Treasurer,' the Minister for Foreign Affairs has interjected.

Mr Downer—we savaged the government.

Mr COSTELLO—During budget week the parliament would debate the budget, questions would be asked of the Treasurer and alternatives would be put. The opposition would not come in here the day after, ask three or four questions, put up a pretence and move on to the Cole royal commission. The opposition might as well come in here and wave a white flag as to go on to the Cole royal commission after five questions. I have never seen a worse response. I must say to the Labor backbench that I have now seen a lot of Labor shadow Treasurers. We had the member for Holt, Mr Gareth Evans. After that, we had the member for Hotham, Mr Crean. After that we had the member for Fraser, Mr McMullan.

Mr Downer—He was hopeless.

Mr COSTELLO—After that we had the member for Werriwa, Mr Latham.

Mr Downer—He was excellent!

Mr COSTELLO—Then we had the member for Hotham again, and now we have the member for Lilley. It is a big call as to who was the worst.

Mr Downer—The member for Lilley, I think.

Mr COSTELLO—It is a big call as to who is the worst, but I have never heard a weaker response to a budget—and I have done a few of them now—than I have heard in this MPI.

It is hard for me to address the areas where allegedly we failed to invest in infrastructure because I have not heard them, but I will remind the House what we did in relation to infrastructure: $2.3 billion, a 20 per cent increase, for our national infrastructure plan. I think it was said by the member for Lilley that there was no national infrastructure plan. We have AusLink—a five-year program. It was $12 billion; we increased it by 20 per cent last night. It is the biggest investment in road and rail transport in Australian history. It has never been done before. Last night we added to it the Hume Highway, the Bruce Highway, the Tully works, the Great Northern Highway, the Sturt Highway,

the East Tamar Highway and the Victoria Highway.

We outlined all of the projects, including a national infrastructure plan of a dimension never seen before. The Murray-Darling Basin received the biggest injection of funds. The Darling is our biggest river catchment area. The Darling comes out of Queensland and joins the Murray, which divides New South Wales and Victoria. It flows to South Australia and provides the drinking water for Adelaide. We outlined an investment in dams and irrigation, an investment which has never been made before. That was the investment of last night.

Let us go to medical research—an area where Australia leads, as you heard during question time. We invented the bionic ear, penicillin and treatment for stomach ulcers and melanomas. Do I hear someone say one of those machines—

Mr Pyne—The pacemaker.

Mr COSTELLO—Australian scientists have led the world. We announced an investment last night to increase health and medical research, which was $125 million per annum, to $700 million—a fivefold increase—for 65 new fellowships and $235 million for laboratories and facilities and investment programs. But did he say, for example, that we had given it to the wrong institutes or that it should not have been done or that it should have gone through the ARC rather than the NHMRC? This is what politics and political debate used to be before the roosters debased parliamentary debate in this place with the kind of snippety little speeches that they give where everything is wrong but a policy never appears. That is what political debate used to be in this chamber. I think one of the problems for the Labor backbench is that they have not seen anything different. You think this is normative; it is not. You did not used to be that bad as an opposition. This is what has been happening under the Leader of the Opposition and the opposition policy—debasement with the kinds of shenanigans that we have been seeing of recent times.

Let me come to foreign debt. I knew that we would have a little bit of foreign debt, because Michelle Grattan told us that the Labor strategy group had recently had a meeting in Sydney with PowerPoint slides. The first of their slides was headed 'What is our purpose?' That is a good question. I am not sure what the answer was. The leadership group was there. One of the things that they decided they had to do was identify a major national problem. This is what the research focus group had told them: you have to find a major national problem and give a whole-of-opposition political focus to it. Labor believed that they could find an issue in the foreign debt 'crisis'. The article stated:

> … Labor believes it can build its economic credentials by teasing out the problem foreign debt can cause …

Here it is; it came out of a focus group and a PowerPoint slide. It is faithfully brought in here by the rooster, as he does all the time and as he runs through here, as a consequence of the focus group. Wouldn't you think, by the way, if he were really concerned about foreign debt that he would have announced the policy which would deal with it? But you did not hear a policy on this matter either, because the at all costs Labor strategy is to never give a policy. 'Never let them know where you stand, never allow yourself to be pinned down and never get into a policy debate,' is what they are told coming out of the focus groups, 'otherwise you can't keep up the criticism.'

Let me make a point about foreign debt. No foreign debt is owed by the Australian government because the Australian government owes no debt—no domestic debt and

no foreign debt in net terms. Yes, it is true that Australian corporations borrow overseas, and principally they are the banks—Westpac, Com Bank, the National and the ANZ. The principal borrowers overseas in this country are those companies. Would we be concerned if we thought they could not service their debt? Yes, we would. That is why we do stress tests on them, that is why we have APRA go through them and that is why we have the Reserve Bank. Are we worried that they cannot meet their debts? No, we are not, because all of our stress tests and the IMF stress test show that these banks—and every Australian knows it—are enormously profitable and very well capitalised.

That is who owes foreign debt in this country. Would foreign debt affect Australia's interest rates? It would if it led to a downgrading of our credit, which it did under the Labor Party when it was downgraded on two occasions. But since we were elected we have taken that credit rating back up to AAA. You cannot get a higher credit rating than the Australian government has for foreign currency bonds, and that becomes the benchmark for private bonds operating in the market. I think we can push that one to one side as well.

In relation to our tax changes, the complaint seemed to be—and this is what he said—'Last year we voted against tax changes and all we got was ridicule.' You deserved it. That is what you deserve for voting against the tax changes this year. Labor have been so burned by that experience that he says, 'We're going to vote for it this year.' In fact, he even seemed to suggest it was all his idea anyway. But it could not have been his idea, because he never expresses a policy and he certainly did not express this one.

Mr Deputy Speaker, if you want any evidence as to how rooster logic works in politics, you found it at the last election when Labor decided they were going to take a $600 payment off people. What was the reason why people were not worse off when you took $600 away from them? Remember what the member for Lilley said: 'It wasn't real money.' Isn't that funny? It went into bank accounts, it was exchanged for goods and services, but it was not real money. As Mr Latham said in his book, the night before the policy release he asked the member for Lilley what he should say about the abolition of the $600 annual payment. He replied, 'Just say that it's not real money.' In other words, deny reality, contradict the obvious, assert against what actually is and try to skate through. It will not work, it is not comprehensive, it is not at all persuasive and it is one of the reasons why this has been the weakest opposition response to a budget in the last 11 years.

Ms MACKLIN (Jagajaga) (3.29 pm)—It is extraordinary, isn't it? We have seen the most amazing display of arrogance from this Treasurer—arrogance that we expect over and over again. He is doing it again here while he sits at the table—making silly noises like a silly little boy. Actually, Treasurer, what can happen in the workplace now is that if you smirk like you are smirking now you can actually get the sack. That is what happened to a constituent of mine recently. He got the sack for smirking in the workplace, like you have just smirked all the way through question time and through your response to this matter of public importance. All this Treasurer knows is how to smirk. One thing we have got to expect from this Treasurer is he knows how to smirk.

In his reply on this MPI the Treasurer asked us to describe what it was that he got wrong in the budget. Of course, he pointedly refused to go to the critical issue that Labor has raised, which is his failure to invest in the skills of this nation. That did not get a mention in his response in this matter of pub-

lic importance debate, because this budget does absolutely nothing to invest in the skills of our nation. We know and the people of Australia know that this Treasurer has failed to invest in the young people of our country. He has refused to invest in the skills of our nation. He has refused to invest in building prosperity for our future.

He did not mention the word 'education' once in his 30-minute speech yesterday—not once. There was no mention of education. We have a budget that has a massive amount of extra spending—about $11 billion in this coming year alone. How much extra on apprenticeships? You might think that out of $11 billion, if you were serious, there would be something. The Treasurer wants to know what he got wrong. I will tell him what he got wrong: all they are spending extra is $40 million on apprenticeships. This is the area that the Reserve Bank of Australia says is the No. 1 capacity constraint on the Australian economy that is putting upward pressure on interest rates. What has this Treasurer done when it comes to addressing this No. 1 capacity constraint? He has done next to nothing—

Mr Keenan—Technical colleges.

Ms MACKLIN—Did he mention technical colleges?

Ms Gillard—Yes, he did.

Ms MACKLIN—I am glad he mentioned technical colleges, because this government has completely failed to deliver on these technical colleges. There are in fact fewer than 100 extra people enrolled in these technical colleges.

Mr Barresi—Stop talking down the trades. You are always talking down the trades.

Ms MACKLIN—The Australian Industry Group says we need 100,000 extra people. I am not sure who was the dope over there that mentioned the technical colleges, but thank you very much for mentioning them, because so far they have been a complete and total failure. I think it might have been the member for La Trobe by the way he is looking. The member for La Trobe should go back to the drawing board—

Mr Barresi—He is not even in the chamber.

Ms MACKLIN—Obviously it is somebody I do not even recognise; he has made such a little contribution. Thank you very much for mentioning the technical colleges, because so far not even 100 extra people have been enrolled in them. The government promised that we would have 25 of them. So far they have managed to get four open and at the most only 100 extra people. The Australian Industry Group says we need 100,000 extra trained tradespeople. We had the Australian Industry Group last night coming out saying how incredibly disappointed it was with last night's budget.

The Treasurer might come in here and arrogantly say: 'I didn't get anything wrong. I am absolutely perfect. I can smirk my way through anything.' One thing he has got terribly wrong when it comes to the future of the Australian economy is the need to invest in skills. The Treasurer this morning on the radio tried to say the reason we have such a terrible skills shortage is that we do not have a pool of unemployed people that are underutilised. That just shows how incredibly out of touch he is.

Ms George—Come to the Illawarra.

Ms MACKLIN—Go to the Illawarra. That would be one place. Go to Ballarat, go to Western Sydney, go to the Northern Rivers. There are so many places around Australia where there are, in particular, young people desperate to work who cannot find work. In fact, there are 500,000 officially unemployed people. Add to that the 600,000 peo-

ple who are working part time who actually want to do some more work. Add to them the 1.2 million jobless Australians who want to work but who do not show up in the monthly unemployment figures. That is 2.3 million Australians who want to work or who want more work. But the Treasurer, of course, just wipes them off. Those unemployed people, those people who want more work, are not relevant to him. These people want to work. What they need is assistance to get the training that they need to get the jobs that are out there.

The skills crisis in this country is the direct result of this Treasurer's poor economic management. There is nobody else to blame but this Treasurer. He knows that this country is the only developed country in the world that has actually cut public funding to universities and TAFE. No wonder we have seen since this Treasurer has been in charge 300,000 young Australians turned away from TAFE. He does not think he got that wrong. No doubt he blames somebody else for that. There have been 300,000 young Australians turned away from TAFE. This is what the Treasurer has got wrong. There has been no investment in skills—and the Treasurer has now come back into the chamber—and the government's only answer to the skills crisis is to bring in more skilled migrants from overseas. We have seen 270,000 extra migrants brought in from overseas since this government has been in power. At the same time it has turned away 300,000 Australians from TAFE. There was no new money in this budget for TAFE. There was a reduction in a whole lot of different programs. The Treasurer did not even bother to highlight it in his reply today as the major capacity constraint identified by the Reserve Bank. It has been one of the big criticisms that the government has received from the Australian Industry Group.

The Treasurer wanted us to highlight some of the policies that we have put forward. I am sure he does not really want to hear about them because, if he were prepared to take any notice, he might have implemented some of them in last night's budget. One of the major problems with apprenticeships in this country is that 40 per cent of young people do not complete their apprenticeships. Labor has proposed a very straightforward policy whereby a trade completion bonus would be paid to young people to encourage them to complete.

We have also proposed skills accounts for every traditional trade apprentice, but the Treasurer is not really interested in new policies in this area. He said he was—he made a big song and dance about it in his reply—but he is now studiously avoiding taking any notice of the changes that Labor has proposed. Labor has proposed a skills account for every traditional trade apprentice, which will make sure that apprentices do not face any TAFE fees. We do not want anything getting in the way of young people undertaking a traditional trade apprenticeship. We want to encourage them to do so. We have also proposed that 4,000 extra school based apprenticeships be funded. We have said that the government should have a trade TAFE program in schools. How many more initiatives would the Treasurer like Labor to put forward?

There is one proposal that I am glad to say the government did pick up last night, and it did not cost very much money. Labor and the Australian Industry Group have put forward a proposal to extend employer incentives to higher level technical skills at the diploma and advanced diploma levels. I am glad that the Treasurer picked up that initiative. It is not very much money, but it is very important. Unfortunately, there are many other initiatives that Labor has put forward that the Treasurer has not picked up. We will con-

tinue to do the hard policy work and we hope that, one day, the Treasurer might take some notice. *(Time expired)*

Mr BARRESI (Deakin) (3.39 pm)—This matter of public importance, which says that the government is risking the living standards of Middle Australia by its failure to adequately address reforms to build our capacity, is plainly a wrong assertion. It is absolutely hypocritical that the member for Jagajaga has been chosen to be one of the speakers today on this very MPI. How many times did we hear the former Minister for Education, Science and Training plead with the member for the Jagajaga to ask questions about trade and vocational education and training? Yet the member for Jagajaga has the hide to come here today and criticise the Treasurer for paying scant regard to the whole concept of education and trades in the budget speech yesterday. This is a shadow minister who could not bring herself to actually utter the words 'vocational education and training'. She could not bring herself to even talk about it. Instead she wanted to talk about university places and, through her very actions, denigrate and belittle the wishes of a lot of young kids who want to move into the trade areas.

The Labor Party does not have good form on this issue. When the Leader of the Opposition was the Minister for Employment, Education and Training, apprenticeship numbers were driven down. The number of apprenticeships under the minister for employment and education—who is the present Leader of the Opposition, Mr Kim Beazley, the member for Brand—went down by 122,600. Under the coalition government, more than 400,000 apprentices are in training today, which is a far cry from the Australian Labor Party's position. Labor has a real cheek to come in here today to talk about the government's failure to build the capacity of the Australian economy.

Of course, we are used to the ALP doing this. The member for Lilley and the member for Jagajaga used the MPI to make points that have no substance. The member for Lilley came in and said that our plan, through the budget, is to take people down a low-wage path. The best indication of where we are taking the Australian people and the economy is to look at what we have done in the last 10 years. We are now debt free. The budget that was brought down yesterday by the Hon. Treasurer indicates that no debt is owed by this government. Member for Jagajaga, how many times has that happened in the history of the Commonwealth? Go away and look at how many times that has been done by Australian governments over the last 100 years. The answer is twice. The last occasion was followed by the disastrous Whitlam government era in the early 1970s.

Far from being a low-wage economy, we have seen a 14 per cent increase in real wages under this Prime Minister and through the Treasurer's stewardship of the economy. The member for Jagajaga should not come in here and criticise the government's ability to build the capacity of the Australian economy as well as our record on vocational education and training.

The Treasurer has already outlined in his contribution on the MPI the government's infrastructure contributions to rail and road. The superannuation changes will provide an incentive to people to further their contributions to superannuation, knowing that they will receive their contributions tax free. That will build national savings. What are national savings used for? National savings are used by banks and investment houses to further invest in our economy and in infrastructure.

Yesterday we also had the wonderful news, which this opposition has failed to mention, that as a skills-building policy initiative the government is putting funding into

medical research. These bright Australian people will be making a contribution to the Australian economy and, through their contribution, there will be a flow-on effect to other occupations, skills and trades.

The member for Jagajaga has no form on this. In fact, it is the member for Jagajaga who has turned her back on the young kids who want to get into vocational education and training. These kids are basically told that it is a university degree or nothing else. We have had ministers coming into this place and saying over and over again, 'We need to develop an Australian psyche which values vocational education and training and which places it at the same level as a university degree.' The opposition has failed to do that.

The member for Jagajaga outlined some recent announcements by the ALP on TAFE and further education. It has been long overdue, but they have finally announced a policy on it. She talked about the assistance that the opposition will give to young kids to enable them to enter TAFE colleges and pay for the charges. But has the member for Jagajaga ever picked up the telephone and called Steve Bracks or Morris Iemma or written a letter to them to ask why they have increased the charges for TAFE courses? Member for Jagajaga, have you ever picked up the phone and spoken to your colleagues, the premiers of Victoria and New South Wales, and asked them, 'Why are you creating a disincentive for these young kids'—who often come from households with income levels that would struggle to pay some of the TAFE fees—'by increasing the charges'? No, she has not done that at all. Yet she comes in here and criticises the government's initiatives on vocational education and training. She criticises the fact that the government has increased apprenticeship numbers from the low of minus 122,000 under the Labor Party to over 400,000. But of course she will not attack members of her own party in the states—who do, after all, have the principal responsibility for our TAFE systems—for what they have done to drive people away from the TAFE institutions.

The member for Jagajaga ridiculed the intervention about Australian technical colleges made by one of my colleagues. She said that she was glad about the intervention and laughed it off. Member for Jagajaga, my understanding is that your colleague in the Victorian parliament, Premier Steve Bracks, announced only a few weeks ago a model for introducing technical colleges into the Victorian education system that is modelled on the federal system. It has not got all the good parts about it; there are deficiencies in the Bracks government model. But at least the Premier has looked at our model and taken our lead. Yet you ridicule this government's attempt at introducing Australian technical colleges throughout Australian electorates.

I am pleased that we have allocated around $343 million over five years to these 25 colleges. They are not all up and running; there are about four that are up and running. I am pleased that one of them, the Ringwood Secondary College, is in my electorate. This technical college has been overwhelmingly hailed by the schools in the area, the parents and the kids. They recognise that this is a very positive contribution. I am very proud of that initiative by the Minister for Education, Science and Training, and I am particularly proud of the fact that there is one in my electorate. The thing about the Australian technical colleges that the member for Jagajaga has failed to recognise is that it is a model which brings in local industry. This model looks at what industry wants and says, 'This is the type of education we are after.'

This budget does build capacity. There is over $181 million for a range of collaborative vocational and technical education initiatives to build a better future for all Austra-

lians. Each year, more than 1.7 million Australians enrol in publicly funded vocational and technical training. That increase in the number of enrolments has been brought about by this government. I have a graph here—the ALP is very good at showing graphs—which shows Australian government expenditure on VTE. Members do not need to see the numbers but they can see that there is an upward trend here: there is increasing expenditure, not decreasing expenditure. The budget that we brought down yesterday indicates that even more money has been allocated for apprenticeships and employers. I denounce this MPI. *(Time expired)*

The DEPUTY SPEAKER (Hon. IR Causley)—Order! The discussion is now concluded.

BUSINESS

Rearrangement

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (3.49 pm)—I move:

That notice No. 4, government business, be postponed until the next sitting.

Question agreed to.

EXPORT MARKET DEVELOPMENT GRANTS LEGISLATION AMENDMENT BILL 2006

Referred to Main Committee

Mr BARTLETT (Macquarie) (3.50 pm)—by leave—I move:

That the bill be referred to the Main Committee for further consideration.

Question agreed to.

AUSTRALIAN BROADCASTING CORPORATION AMENDMENT BILL 2006

First Reading

Bill received from the Senate, and read a first time.

Ordered that the second reading be made an order of the day for the next sitting.

NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL AMENDMENT BILL 2006

First Reading

Bill received from the Senate, and read a first time.

Ordered that the second reading be made an order of the day for the next sitting.

PROTECTION OF THE SEA (POWERS OF INTERVENTION) AMENDMENT BILL 2006

Report from Main Committee

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

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (3.52 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

AGE DISCRIMINATION AMENDMENT BILL 2006

Report from Main Committee

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

Ordered that this bill be considered immediately.

Main committee's amendment—

(1) Schedule 1, item 15, page 7 (cell at table item 11, 3rd column), omit the cell, substitute:

regulations 8.10, 9.1, 9.5 and 9.20

The DEPUTY SPEAKER (Hon. IR Causley)—The question is that the amendment be agreed to.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (3.53 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

DEFENCE HOUSING AUTHORITY AMENDMENT BILL 2006

Report from Main Committee

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

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Mr ANDREWS (Menzies—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (3.54 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

COMMITTEES

Selection Committee

Report

The DEPUTY SPEAKER (Hon. IR Causley) (3.54 pm)—I present the report of the selection committee relating to the consideration of committee and delegation reports and private members' business on Monday, 22 May 2006. The report will be printed in today's *Hansard* and the items accorded priority for debate will be published in the *Notice Paper* for the next sitting.

The report read as follows—

Report relating to the consideration of committee and delegation reports and private Members' business on Monday, 22 May 2006

Pursuant to standing order 222, the Selection Committee has determined the order of precedence and times to be allotted for consideration of committee and delegation reports and private Members' business on Monday, 22 May 2006. The order of precedence and the allotments of time determined by the Committee are as follows:

COMMITTEE AND DELEGATION REPORTS

Presentation and statements

1 AUSTRALIAN PARLIAMENTARY DELEGATION VISIT TO THE 14TH ANNUAL MEETING OF THE ASIA PACIFIC PARLIAMENTARY FORUM, JAKARTA, AND PAPUA NEW GUINEA

Report of the Parliamentary Delegation to the Fourteenth Annual Meeting of the Asia Pacific Parliamentary Forum, Jakarta and to Papua New Guinea, January 2006

The Committee determined that statements on the report may be made —all statements to conclude by 12:40pm

Speech time limits —

Each Member —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

2 AUSTRALIAN PARLIAMENTARY DELEGATION VISIT TO AUSTRALIAN DEFENCE FORCES DEPLOYED TO SUPPORT THE REHABILITATION OF IRAQ

Visit to Australian Defence Forces Deployed to Support the Rehabilitation of Iraq

Report of the Delegation, 22 to 28 October 2005

The Committee determined that statements on the report may be made —all statements to conclude by 12:50pm

Speech time limits —

Each Member —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

3 JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Australia's Defence Relations with the United States

The Committee determined that statements on the report may be made —all statements to conclude by 1:00pm

Speech time limits —

Each Member —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

4 JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Expanding Australia's Trade and Investment Relations with North Africa

The Committee determined that statements on the report may be made —all statements to conclude by 1:10pm

Speech time limits —

Each Member —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

5 PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY

Review of the listing of the Kurdistan Workers' Party (PKK)

The Committee determined that statements on the report may be made —all statements to conclude by 1:20pm

Speech time limits —

Each Member —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

6 JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Funding and Disclosure: Inquiry into disclosure of donations to political parties and candidates

The Committee determined that statements on the report may be made —all statements to conclude by 1:30pm

Speech time limits —

Each Member —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

PRIVATE MEMBERS' BUSINESS

Order of precedence

Notices

1 Mr Albanese to present a Bill for an Act to ratify the Kyoto Protocol to the United Nations Framework Convention on Climate Change. (Avoiding Dangerous Climate Change (Kyoto Protocol Ratification) Bill 2006) (Notice given 27 February 2006)

Presenter may speak for a period not exceeding 5 minutes —pursuant to standing order 41.

2 Mr Baird to move:

That this House:

(1) note with concern:

(a) the increasing use of the death penalty as a criminal sanction in our region;

(b) the execution of Mr Van Tuong Nguyen in the Republic of Singapore; and

(c) the plight of all Australians who are currently on death row;

(2) congratulate the Governor-General, the Prime Minister and the Australian Government and Opposition for their recent efforts on behalf of Australians on death row; and

(3) call on the Australian Government to:

(a) advocate with our regional neighbours the abolition of the death penalty or, as an interim measure, the establishment of a moratorium on executions; and

(b) encourage our regional neighbours to ratify the United Nations International Convention on Civil and Political Rights and the Second Optional Protocol. (Notice given 27 February 2006.)

Time allotted —remaining private Members' business time prior to 1.45 p.m.

Speech time limits —

Mover of motion —5 minutes.

First Opposition Member speaking —5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

3 **Mr Bartlett** to move:

That this House:

(1) recognises Taiwan's:

(a) world class health care system;

(b) strong commitment to improved international health standards and international health security; and

(c) proud record of medical assistance to developing countries;

(2) notes that:

(a) as emphasised by Dr Jong-wook Lee, Director-General of the World Health Organisation (WHO), the experience of SARS in 2003, and the ongoing threat of Avian Influenza, show the imperative of an internationally coordinated approach to international health emergencies;

(b) in the same way that Taiwan's containment and management efforts during the SARS epidemic in 2003 were hampered by its inability to access the expertise of the WHO, its capacity to meet the challenges of a global Avian Influenza epidemic would be similarly constrained if it continues to be denied the right to participate in the operation of the WHO;

(c) the World Health Assembly's (WHA) Rules of Procedure formally allow for the participation of observers in the activities of the organisation, without reference to questions of sovereignty;

(d) the participation of observers in WHO activities is consistent with the principle of 'universal application', given expression in the WHO's constitutional mandate to "advance the health of all peoples";

(e) there are currently six semi-permanent WHA observers, including a sovereign state (the Holy See), a quasi-state (Palestine), a political entity (the Order of Malta), and three international organisations, and thus the granting to Taiwan of observer status should not be construed as a form of political recognition;

(f) private Members' bills in support of Taiwan's bid for observer status with the WHO were tabled in this House in both 2003 and 2004;

(g) support for Taiwan's previous bids has also come from many other governments, including the US Government, the EU, Japan and Canada at the May 2003 and 2004 Summits of the World Health Assembly in Geneva; and

(h) there is considerable public support for Taiwan's participation in the WHO from professional medical organisations; and

(3) supports the participation of Taiwan in the WHA as an observer, given that such participation would allow Taiwan to more effectively contribute to international health coordination, and to better protect its 23 million people from possible trans-national health emergencies, including Avian Influenza. (Notice given 9 May 2006.)

Time allotted —30 minutes.

Speech time limits —

Mover of motion —5 minutes.

First Opposition Member speaking —5 minutes.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

4 **Mr Windsor** to move:

That this House:

(1) recognises the hardship faced by families who face significant losses with the withdrawal of water rights;

(2) acknowledges that a similar problem confronts those whose livelihood is threatened by government imposed changes in the use of forest resources;

(3) acknowledges that compensation is being made in recognition of the loss of property rights caused by such policies;

(4) recognises that any benefit such compensation confers will be substantially negated unless the government changes its stated policy of treating such compensation as income and taxing it accordingly; and

(5) calls for the introduction and passage without delay of amendments to the Income Tax Assessment Act to correct this anomaly. (Notice given 28 March 2006.)

Time allotted —remaining private Members' business time.

Speech time limits —

Mover of motion —5 minutes.

First Government Member speaking —5 minutes.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

SOCIAL SECURITY AND VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS TO INCREASE ASSISTANCE FOR OLDER AUSTRALIANS AND CARERS AND OTHER MEASURES) BILL 2006

First Reading

Bill and explanatory memorandum presented by **Mr Brough**.

Bill read a first time.

Second Reading

Mr BROUGH (Longman—Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs) (3.55 pm)—I move:

That this bill be now read a second time.

The measures in this bill are a further demonstration of the government's appreciation and acknowledgment of the contribution older Australians and carers have made, and continue to make, to our society.

As with past bonus payments, these new payments will be paid in the majority of cases before the end of this financial year and are possible because of the government's careful economic management. This has delivered the capacity to give extra support to these members of the Australian community and acknowledge their valuable work.

The first bonus payment provided by this bill will go to older Australians. The 2006 one-off payment will be equal to the annual rate of utilities allowance, which is an existing entitlement to help older income support customers to pay regular household bills such as gas and electricity, and currently set at $102.80. This one-off payment will be made to people of age pension age, or veterans of qualifying age, who are receiving on 9 May 2006 a social security or veterans entitlements income support payment. Recipients at that date of mature age allowance, partner allowance or widow allowance will also attract the one-off payment.

The one-off payment of $102.80 will be shared between two members of a couple living together, if they both qualify for it. Otherwise, the whole payment will go to every qualified person in his or her own right. No household with at least one qualified person will receive less than $102.80.

Older Australians not actually receiving the stipulated payment on budget night will still get the bonus if they had claimed it by that date and subsequently have their payment backdated to cover that date.

Self-funded retirees will not miss out on the bonus payment—they will receive $102.80 per person if they are, on that same date, qualified or eligible for seniors concession allowance.

Carers are the second group targeted by this bill for bonus payments.

Carers receiving carer income support on 9 May 2006 in the form of a social security carer payment or carer service pension under the Veterans' Entitlements Act will be paid a $1,000 one-off payment. Carers who receive the non-means tested social security income supplement known as carer allowance in addition to either wife pension or a partner service pension under the Veterans' Entitlements Act will also be paid a $1,000 one-off payment. Any carer receiving carer allowance will be paid a separate $600 one-off payment for each eligible care receiver. Carers who have claimed the targeted payments on or shortly before 9 May 2006 and are subsequently granted with effect from 9 May 2006 or earlier will receive the payments.

Carers whose children qualify for a carer allowance health care card only will not be eligible for the bonus payment of $600. Carers who claim carer allowance after 9 May 2006 and whose payment is backdated due to the application of the carer allowance backdating provisions will not be eligible for the bonus payment, even though the backdated period will have included payment for 9 May 2006.

Neither of the special one-off payments provided by this bill will be subject to income tax, nor will either count as income for social security, veterans entitlements or family assistance purposes.

I commend the bill to the House.

Leave granted for second reading debate to continue immediately.

Ms PLIBERSEK (Sydney) (3.59 pm)—I rise today to speak about the Social Security and Veterans' Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006. The bill seeks to provide a one-off payment to certain older Australians, as the Minister for Families, Community Services and Indigenous Affairs has said. Those eligible for the payment include: firstly, people who have reached pension age by 9 May 2006 and are receiving income support under the Social Security Act 1991; secondly, people who are qualified for the seniors concession allowance on 9 May 2006, or who would qualify because they had lodged a claim for the seniors health card by 9 May and would be eligible for that card on 9 May; and, thirdly, people who are receiving widow allowance, mature age allowance or partner allowance for a period that includes 9 May by virtue of a claim made prior to that date. Fourthly, the legislation also provides for one-off payments to certain veterans and carers.

The payment rate for a single, a member of a temporarily separated couple, a respite care couple, an illness-separated couple or a member of a couple whose partner does not qualify for the payment will be $102.80. People receiving the widow allowance, mature age allowance, mature age partner allowance or partner allowance, in similar circumstances, will also receive that same amount. For people who are members of a couple, each of whom is eligible for the payment, $51.40 will be paid to each person. The amount for a person who is qualified or becomes eligible for a seniors concession

allowance is also $102.80. Most of these payments will be made in June of this year.

Labor supports the payment of this one-off bonus to older Australians. Many older Australians, particularly those entirely dependent on income support, survive on very low incomes, and any additional financial assistance is very welcome to help them make ends meet, particularly in an environment where many of them are paying more for their petrol than they ever have.

I note that those seniors who are entirely dependent on income support have seen the smallest growth in disposable income of any household type listed in appendix A to the government's budget overview. Despite the economic growth of the last decade, senior singles and senior couples entirely dependent on income support have seen a disposable income growth of only 17.1 per cent and 17.5 per cent respectively. This is the lowest rate, as I said, listed in appendix A to the government's budget overview. This is the lowest level of disposable income growth of any of the household types listed by the government, and it does not reflect well on the government's treatment of older Australians without independent resources.

With regard to payments to seniors in couples, Labor fails to understand why pensioner couples are getting only half the assistance that is being provided to self-funded retirees. Whereas a pensioner couple will receive the equivalent of only one payment of $102.80, self-funded retiree couples will be entitled to two payments, one for each member of the couple. I am sure that pensioner couples who are listening today will be interested to know and will be pressing their members of parliament, if they are government members, to explain why they are being provided with only half the assistance that is being provided to self-funded retirees. In an environment where their cost of living is increasing exponentially day by day, it seems like a cruel hoax to provide these older Australians with less assistance than will be provided to self-funded retirees who are of the same age and in very similar circumstances.

Mr LINDSAY (Herbert) (4.04 pm)—I suppose my electorate office would be typical of electorate offices across the country, and it certainly was very clear to me in the run-up to the budget that carers were looking to have this particular bonus extended to them by indicating to the government how important it was to them. Last night, the government delivered on the provision of the carers bonus package. There is no doubt that we should be looking after this segment of our community who look after others. That is what the one-off payments are about: they are there to look after people who look after others in difficult circumstances.

Carers Australia is the peak body for over 2.6 million people of all ages providing care for family members or friends with a disability, mental illness or chronic condition or who are frail aged. Carers Australia provides services and support to Australian carers through a network of carer associations in each state. Its national president said overnight that Carers Australia applauds the government's recognition of carers in our community and that Carers Australia is again pleased that carers had been acknowledged by the Australian government. The government appreciates that recognition, and I know that our carers will also appreciate that recognition.

The Minister for Families, Community Services and Indigenous Affairs has outlined the technical detail in the Social Security and Veterans' Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006. It is quite

straightforward—it is similar to what has been delivered in previous years—but the key is that this legislation will make sure that these promised one-off lump sum payments will be paid before 1 July. That is just fantastic news for our carers. So many government decisions that have been announced over the years have been implemented quite some time after the announcement. The government is moving extraordinarily quickly to make sure that money for these and other measures announced last night will be available basically immediately.

There has certainly been a very favourable reaction to the announcement that was made last night, which is now covered in this bill before the House. It has been made possible by the government's ability to run a strong economy and its wherewithal to make these payments back into the community. The Treasurer and the minister have been very clear that, where we can, where we are able to, we will return resources to the community that provided them in the first place.

I also note in last night's budget the very strong financial performance the government has been able to achieve. We have heard all the reasons why that is, but carers in Australia should also recognise that they are the beneficiaries. Because of that, I support the legislation and I am pleased that the opposition is supporting the legislation. I commend the bill to the House.

Mr GRIFFIN (Bruce) (4.08 pm)—I am pleased today to stand to support the speedy passing of the Social Security and Veterans' Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006. I want to make sure that it is clearly understood that the opposition has facilitated this legislation going forward as quickly as possible. I have no doubt that other members would have liked to have spoken on the issue. I will make some brief comments today, but if I had had a bit more time to prepare I can assure you that I would have had more to say about the circumstances around the issue of carers in our community.

Carers in our community perform an amazingly important job and it is right that, on this occasion, the government have recognised that with the payments they have provided. It is good to see a situation where that has been recognised in the community. We know that in two previous budgets payments have been made to some carers on that basis. One of the good things about this legislation is that it recognises the fact that many Australians who care for veterans have in the past been excluded from receiving those payments and that is going to be remedied. I welcome that; I think it is long overdue. I think it is something that the government ought to be commended for, but I would remind the government that in previous years payments have been made but many carers of veterans missed out on those occasions.

The circumstances of caring and being a carer are difficult. Many carers are, in fact, elderly and in a situation where they are caring for people who are also elderly and with disabilities. In those circumstances the sorts of struggles they deal with are absolutely phenomenal. It is not often that we hear a lot about what actually occurs. In my travels as shadow minister for veterans' affairs, on many occasions the issue of carers has been raised with me and the sorts of circumstances faced by particular carers.

I would not want to say that it is harder in the veterans community than in the general community, but a lot of people who are carers of veterans deal with multiple problems and the circumstances can be difficult, even before you start going to the question of the

general problems that occur as we get older. Some months ago I was at a meeting of the Extremely Disabled War Veterans Association at their annual conference in Hervey Bay in Queensland and this issue was raised with me at the time. Subsequent to that, I got some correspondence from one of the people who was there, because, in order to make a case for why relief was needed, I had asked for examples of the circumstances people were being faced with. I would like to read from a letter from someone who was involved to give you an idea of the sorts of circumstances that people are dealing with, particularly with respect to veterans. He said:

Dear Mr. Griffin,

I had the pleasure of meeting you at the National Conference of the Extremely Disabled War Veterans Assoc., held at Hervey Bay Queensland 2nd Oct., 2005.

At that meeting you asked for as many reasons as possible as to why E.D.A. pensions and carers conditions should be improved. That we should all go back to our individual associations and come up with the real issues that will help. I have already written one letter and sent it to our National President, but concern for my members has forced me to write another. Mr Griffin I am not only the President of our Newcastle Association but also Welfare Officer. I have during the month of November and December been most busy visiting the sick and helping where I can. I have just returned home from visiting two people in hospital, a husband and wife. This is just one of the reasons, I write to you with a great feeling of urgency.

The husband is an E.D.A., member he is ex-army and 92 years of age, his wife has been his carer for nearly 60 years. She was admitted to hospital for a triple by-pass to the heart. The husband who is unable to take care of himself was also admitted to the same hospital (luckily) with kidney problems. I have no doubt that his wife's condition has in some way been caused by the extra work and stress of the years as carer.

Another member last year was admitted to hospital with fluid on the lungs, he has since been sent home with oxygen equipment so that his wife who is his carer can administer oxygen when required, and she has also been his carer for many years.

Another member who is at risk of losing his right arm after 4 years and still being treated with trips between hospital and home, his wife is his carer and she is on the verge of a nervous breakdown.

Another member with heart problems, whose wife has been his carer all these years, has just entered hospital for a knee operation which probably was bought on by extra work caring for her husband.

Another member I visited is almost deaf and unable to walk very far is being cared for by his wife, who also is in a lot of pain but will not give up caring for her husband.

I myself have to watch my wife do the heavy work around the house, listen to my complaints about my aches and pains, but she is a carer and continues knowing things will only get worse not better.

Sadly I have to say over the last few months we have had deceased members. Mr Griffin, if we were to stop and think about what it takes to be a carer the extra pressure the extra work. what it does to the carers own health, the many nights of lost sleep and the saddest part of all not being able to enjoy the last few years together the way we should.

All E.D.A. members suffer war caused injuries and those that care for them should also be cared for by the Government, by providing free health care, free transport, a card that recognisers them as a carer.

Our many years of caring, the deterioration of the health of veterans carers should also be classed as war caused problems. It is a fact that several of our members are so sick, that the wife's are suffering by being abused by their sick husbands causing more stress on the wife. The wife puts up with the abuse because they know their husbands are sick. The wife wants her husband kept at home with her and tolerates the situation even though it does affect her health.

That is just a selection of some of the concerns raised by veterans, which will give you

an idea of the sorts of circumstances faced by many carers in the community. Particularly in the veterans community, there are heightened problems. It is good to see that, on this occasion, the government has recognised that and been able to come forth with a payment that takes into account the circumstances of those individuals. However, I would also urge the government to look at the fact that, on the previous two occasions when this payment was made, many people in those circumstances missed out and I do not think that was fair. I understand that this area is complex and, therefore, certain issues exist that must be dealt with. However, I would also say to the government that these are some of the most deserving people in our society. They are part of a group that does a tremendous job in dealing with the needs of many of our frail and disabled, which group includes those who care for veterans, who also have done a very great job for our country.

I urge that the bill be given a speedy passage. I am sure the government notes that this legislation is going forward with our blessing and our support. However, I assure the government that many members would have liked to have had the opportunity to speak on this bill or to speak on it for longer. I myself would have liked more time to prepare my remarks—not that I think my contribution has not been quite good!

Opposition member interjecting—

Mr GRIFFIN—I have to say that I am the only one who has ever judged it that way. Rather than being flippant for too long, I would say that this is an important initiative and I wish it a speedy journey to the other place.

Mr BROUGH (Longman—Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs) (4.17 pm)—in reply—I thank the opposition whips for their courtesy and cooperation in passing through this place and sending off to the other place today the Social Security and Veterans' Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006. Two issues were raised by the shadow minister. The first was that, in looking at the government's budget papers, she stated correctly that the disposable income of seniors had increased by 17.1 per cent in real terms—I think they were her words. It is good news to think that, rather than having gone backwards or staying the same, their position has improved. In fact, this improvement results from indexing pensions twice yearly to either CPI or wage increases. If we had not taken such a step, that 17.1 per cent increase in disposable income would not have occurred and seniors would be far worse off today.

The second issue she raised relates to why self-funded retirees receive $102.80 per person and pensioners receive $102.80 per couple. This goes back to an election commitment. For a number of years now, the Howard coalition government has been saying to the states, 'We will provide you with direct cash so that the benefits that are enjoyed by pensioners in the form of travel, rates and a number of other subsidies can apply to self-funded retirees.' Unfortunately, the state Labor governments have not agreed to our assistance there. Finally we gave up in exasperation and, instead, paid the money directly to the self-funded retirees. So the money was put there in place of what they would have been receiving if the states had accepted the federal government's contribution, added their own contribution and provided that range of services. I hope that clears the matter up for the member for Sydney.

I welcome the words of the honourable member for Bruce, who has just spoken, particularly his reference to a Mr Carter. I believe we should all acknowledge that there is not a more hardworking group in our society than that of carers. The heartfelt conditions and circumstances he spoke of are only too real and quite often it is the spouse whose health ultimately breaks down through giving to their partner so much in love, time and effort. We are so pleased that we are in a position to be able to give this recognition. It is not a fix-all, but it is a clear recognition from the Howard government—three years in a row now—that, because of our good economic position, we have been able to acknowledge that effort, thank people and show them they are cared for in a very practical way. With those words, I thank the members opposite for their cooperation and I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr BROUGH (Longman—Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs) (4.20 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

COMMITTEES

Public Works Committee

Report

Mr BRENDAN O'CONNOR (Gorton) (4.21 pm)—On behalf of the Parliamentary Standing Committee on Public Works I present the sixth and seventh reports of the committee for 2006 relating to fit-out of new leased premises for the Department of Agriculture, Fisheries and Forestry in Civic, ACT, and fit-out of new leased premises for the Australian Taxation Office at the site known as section 84, precincts B and C, Canberra City. I am making this statement on behalf of the chair of the committee, who is absent today, and all other members of the committee.

Ordered that the reports be made parliamentary papers.

Mr BRENDAN O'CONNOR—by leave—The sixth report of 2006 addresses the fit-out of new leased premises for the Department of Agriculture, Fisheries and Forestry in Civic, ACT, at an estimated cost of $36 million. The department anticipates that the fit-out will provide a modern, efficient work environment which will meet the department's needs for the next 15 years. The new building will meet Commonwealth building, environmental and security standards and will take account of the occupational health and safety needs of the staff.

The committee investigated all aspects of the work, paying particular attention to lease arrangements, workflow considerations and building facilities.

To accommodate the department at its new premises, overflow office space in the adjacent building has been included in the lease arrangements. The department assured the committee that tenancy of both buildings would be cost effective and beneficial for staff amenity. Furthermore, the lease will provide flexibility should not all the space in the adjacent building be required.

The committee was particularly interested in the department's project cost control committee, which was established to oversee all aspects of the relocation project, including strategic direction, goals and priority setting. The committee commends the department on the cost control committee's

management of the project and hopes that other agencies will undertake similar initiatives.

The department submitted that the on-site provision of a cafe, gymnasium and child-care facilities was being considered against the availability of those facilities in the vicinity of the new premises. The committee recommends that the department advise it when a decision has been reached regarding the provision of on-site child care.

Following consultation with the Department of Finance and Administration, the committee was satisfied that the lease incentive obtained by the department represents standard commercial practice and recommends that the project proceed at the estimated cost of $36 million, noting that this figure may be reduced by the lease incentive.

The committee's seventh report of 2006 presents findings in relation to the proposed fit-out of new leased premises for the Australian Taxation Office at the site known as section 84, precincts B and C, Canberra City, ACT.

The purpose of the proposed work is to consolidate ATO national headquarters at one location. The ATO currently occupies seven buildings in central Canberra, which has led to administrative and operational inefficiencies. Consolidation of the national headquarters into a single complex will allow for the implementation of more collaborative work practices, uniformity of workspace and increased efficiency.

During the hearing into the proposed work, the ATO amended the project cost estimate to $76.879 million, including GST. The committee inquired into the reason for the increase and was satisfied by the information provided by the ATO. The committee was also satisfied with the information provided on the proposed lease incentive arrangements for the project.

Given that the ATO proposes to relocate from seven different buildings, the committee was interested to know what contingency arrangements would be exercised should the fit-out of the new premises be delayed. The ATO assured the committee that it had already extended two of its leases and added that its seven existing leases each have different expiry dates, which provides some flexibility in the event of construction delays.

Having given detailed consideration to the proposal, the committee recommends that the proposed fit-out of new leased premises for the Australian Taxation Office proceed at the estimated cost of $76.879 million, noting that any money saved through the lease incentive will be returned to consolidated revenue.

I wish to thank my committee colleagues and all those in the secretariat—Margaret, Vivienne, Raymond and Penny—who assisted with the public hearings. I commend the reports to the House.

Treaties Committee

Report

Dr SOUTHCOTT (Boothby) (4.25 pm)—On behalf of the Joint Standing Committee on Treaties I present the committee's report entitled *Report 73: Treaties tabled in February 2006*.

Ordered that the report be made a parliamentary paper.

Dr SOUTHCOTT—by leave—Report 73 contains the findings and recommendations of the committee's review of six treaty actions tabled in parliament on 7 and 8 February 2006. I will comment on all the treaties reviewed.

The amendments to the Convention on the Conservation of Migratory Species of Wild Animals newly lists numerous endangered migratory species. This includes the basking shark, which was jointly nominated by the

United Kingdom and Australia. As a range state for the basking shark, Australia is obliged to protect the migratory species and already meets its responsibilities in this regard through the Environment Protection and Biodiversity Conservation Act 1999. The committee supports the joint nomination of the basking shark by Australia and the United Kingdom as a continuation of Australia's efforts to protect sharks as well as a continuation of its broader efforts to protect migratory species.

The bilateral aviation safety agreement and the implementation procedures for airworthiness with the United States of America are effectively two treaties on which the committee has provided combined comment. The bilateral aviation safety agreement is an umbrella agreement that provides for cooperation with the United States of America in the areas of aircraft and environmental certification, maintenance and flight operation. The second treaty, relating to the development of implementation procedures for airworthiness under the agreement, details the technical processes that Australia's Civil Aviation Safety Authority and America's Federal Aviation Administration will undertake in certifying, approving and overseeing a range of airworthiness activities, including the design and production of aeronautical products.

The protocol of amendments to the Convention on the International Hydrographic Organisation will improve the efficiency of the organisation by creating new structures and processes to improve corporate governance. This includes the establishment of an assembly, council, and finance committee. In addition, the amendments introduce voting procedures that will apply where consensus between member states cannot be reached and will make it easier for new states to join the International Hydrographic Organisation. Established in 1921, the International Hydrographic Organisation is an intergovernmental consultative and technical organisation that supports safety in navigation and the protection of the marine environment. Australia exercises its obligations under the convention through the Australian Hydrographic Service, which is part of the Royal Australian Navy.

The protocol amending the agreement with New Zealand for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income revises the exchange of information article of the existing agreement in line with the new OECD standard. In addition, the protocol inserts two new articles: assistance in the collection of taxes, and a most favoured nation article covering withholding taxes. The revision of the agreement with New Zealand will enhance Australia's competitive and modern tax agreement network, ensure it remains relevant for emerging issues and improve the level of cooperation between the two jurisdictions.

The agreement with the government of Bermuda on the exchange of information with respect to taxes provides for the full exchange of information on criminal and civil tax matters between Australia and Bermuda. The agreement will help Australia to protect its revenue base, by allowing access to necessary offshore information, and to improve the integrity of the tax system by discouraging tax evasion, especially through tax havens. The agreement is modelled on the OECD's tax information exchange agreement framework, which was formulated in response to eradicating harmful tax competition. The committee heard that around $A5 billion is moved out of Australia annually to tax havens. To help combat the problems associated with tax havens, the Australian Taxation Office, the Australian Crime Commission and the Australian Federal Police have commenced a major investigation

into the use of offshore tax havens for alleged money laundering and tax evasion. The agreement is the first of its kind for Australia and the third such agreement to be signed in the world; it will aid investigators in the collection of evidence and in determining the extent and nature of tax evaded.

In conclusion, the committee believes that the treaties reviewed in Report 73 are in Australia's interest and should be ratified. I commend the report to the House.

Mr WILKIE (Swan) (4.31 pm)—by leave—The report of the Joint Standing Committee on Treaties entitled *Report 73: Treaties tabled in February 2006* contains a review of the following treaty actions: amendments to appendices I and II of the Convention on the Conservation of Migratory Species of Wild Animals, the bilateral aviation safety agreement and the implementation procedures for airworthiness with the United States of America, the protocol of amendments to the Convention on the International Hydrographic Organisation, the protocol amending the agreement with New Zealand for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and the agreement with the government of Bermuda on the exchange of information with respect to taxes. Amendments to appendices I and II of the Convention on the Conservation of Migratory Species will, as it has been stated, allow Australia to extend its conservation of migratory species to those species added to appendices I and II of the convention. In this case the basking shark will be listed on both appendices to the convention, which will oblige Australia to ensure its protection in Australian waters.

The bilateral aviation safety agreement will reduce barriers for Australian aviation industry entry to the United States of America. In addition, the agreement will reduce costs imposed on the aviation industry by technical inspections, evaluations and testing and will serve to promote aviation safety. The implementation procedures for airworthiness under the agreement provide for cooperation between the US and Australia in areas such as design approval activities, export airworthiness approval activities and technical assistance between authorities. They are the first technical implementation procedures to be developed under the agreement. Whilst there was a concern that aircraft may be flown to America to be serviced, rather than that operation being done in Australia, we were assured that would not be the outcome of this agreement.

The protocol of amendments to the Convention on the International Hydrographic Organisation will serve to improve corporate governance within the organisation. In turn, Australia will benefit from the expected efficiency improvement through a subsequent improvement in internationally accepted nautical charting products beneficial to maritime trade and defence activity in Australia's area of maritime interest. The protocol amending the agreement with New Zealand for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, as with Australia's other such tax agreements, will allocate taxing rights between parties so that Australian taxpayers investing offshore will not be subject to double taxation. In addition to the Australia-New Zealand Closer Economic Relations Trade Agreement, this agreement will serve to signify the importance Australia places on closer economic and administrative relations with New Zealand. Under the protocol, Australia is obliged to:

- exchange information relevant for administration or enforcement of domestic law concerning all federal tax laws administered by the Commissioner of Taxation;

- treat information received through exchange as secret in the same manner as information obtained under its own domestic law;
- collect information if requested by New Zealand even where it is not needed for Australia's own taxation purposes;
- assist New Zealand in the collection of revenue claims where amounts owed in respect of taxes of every kind and description are imposed under New Zealand law;
- where requested by New Zealand, collect a revenue claim owed to New Zealand as if it were an Australian revenue claim.

Either party, in line with OECD model guidelines, may not supply information where a trade or business secret may be disclosed or disclosure of information is contrary to public policy, such as a breach of human rights policy. The agreement paves the way for entering into similar agreements with other jurisdictions that have committed to work with OECD member countries under the auspices of the Global Forum on Taxation. The information exchange model agreement creates a process for establishing a global level playing field with a high standard of transparency in the equitable information exchange on tax matters between OECD member and non-member countries. In relation to the agreement with the government of Bermuda on the exchange of information with respect to taxes, it is a welcome addition that this move will help to clamp down on tax evasion havens. We support this particular agreement. As with the committee chair's comments, I commend the report to the House and thank the secretariat for their ongoing work for the committee.

Dr SOUTHCOTT (Boothby) (4.35 pm)—by leave—I move:

That the House take note of the report.

The DEPUTY SPEAKER (Mr Jenkins)—The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Intelligence and Security Committee

Membership

The DEPUTY SPEAKER (Mr Jenkins) (4.36 pm)—The Speaker has received a message from the Senate informing the House that Senator Nash has been appointed a member of the Parliamentary Joint Committee on Intelligence and Security.

ELECTORAL AND REFERENDUM AMENDMENT (ELECTORAL INTEGRITY AND OTHER MEASURES) BILL 2005

Second Reading

Debate resumed.

The DEPUTY SPEAKER (Mr Jenkins)—The original question was that this bill be now read a second time. To this the honourable member for Bruce 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.

Ms PLIBERSEK (Sydney) (4.36 pm)—As I was saying before question time, the measures in the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 will disenfranchise many people, particularly young people such as those up in the gallery today. The reason young people will be disenfranchised is that, as I said before question time, if their names are not on the roll when the election is called their names will not be on the roll for that election. They will not have the period of grace they have now.

The government has claimed it is doing this because it wants to strengthen the integ-

rity of the roll and the electoral system. This bill does not do that; it merely disenfranchises people. As it is, the Australian Electoral Commission has very strong protocols to ensure the integrity of the roll. Through doorknocking and through direct mail they are able to ascertain whether people continue to live at the address where they are enrolled, and if the people they are surveying do not respond they are removed from the electoral roll after all efforts have been made to ensure that they are no longer at their enrolled address.

It is curious that the requirement to come up with a photo ID will also be very troublesome for a number of people. Obviously people who do not drive do not have a drivers licence to rely on. People who are from non-English-speaking backgrounds will find the increased complexity of the system difficult to comprehend. People in rural and regional Australia, and in remote Aboriginal communities in particular, will face a higher risk of exclusion from our political processes. But, as I said earlier, it is young people whom I particularly want to focus on today. Antony Green, who is a noted expert in this area, said in his submission to the Joint Standing Committee into Electoral Matters inquiry in 2004:

> If suddenly the election is called two or three months early, people will not have regularised their enrolment. You will cut young people off, as the numbers show ...

Professor Costar, whom I spoke of earlier, told the same committee inquiry:

> Good reasons would need to be adduced to justify the denial of the vote to such a large cohort of citizens; especially the new enrolees, most of whom would be young people ...

You will recall, Mr Deputy Speaker, that I mentioned earlier that 75,000 new enrollees were enrolled in the period of grace at the time of the last election. Those 75,000 new enrollees would miss out entirely under the system that the government is proposing. If the government were serious about strengthening democracy and improving the integrity of the electoral system there are many things it could do. For a start it could address the very high rate of informal votes. We know that in the last election 639,851 people voted informally. Surely with better voter education we could bring that figure down. It seems shocking that over 600,000 people wasted their votes in the last federal election.

The other thing the government could do if it were serious about strengthening democracy and improving the integrity of the electoral system would be to improve voter turnout. Almost three-quarters of a million people who were enrolled to vote did not turn out to vote in 2004. The exact figure was 743,478—that is, almost three-quarters of a million people did not turn out to vote in the last election.

The government also has the opportunity to pre-enrol more 17-year-olds. At the moment, as you would know, Mr Deputy Speaker, a 17-year-old can fill out the paperwork with the Australian Electoral Commission and lodge that paperwork before they turn 18, and their enrolment becomes effective on their 18th birthday. The day these young people turn 18 they go onto the electoral roll. This is a provision that the Australian Electoral Commission offers, but it is certainly not something that this government has promoted. If we are serious about the integrity of the electoral roll—getting people registered and getting them registered in their right names and at their right addresses—surely provisional enrolment of 17-year-olds is something the government should be supporting and throwing some resources into. Instead, we have a piece of legislation that will disenfranchise, on the count of the last election, probably over 75,000 young people enrolling to vote for the first time and over 300,000 people who have

changed their address since the previous election. You are looking at hundreds of thousands of people who want to vote, who are desperate to vote, who are desperate to send the Howard government a message, missing out on their chance to vote.

It is extraordinary that people speak of young people as somehow not being interested in politics. That is not my experience of young people at all. I am lucky enough to engage with young people in my own electorate and in the schools that I visit, and through Labor's youth consultations I have been able to meet young people around Australia. They are passionate about this country. They are passionate about international politics—issues of poverty, the Iraq war, refugees, global warming and the rights of workers in developing countries. All sorts of issues are raised with me as I travel around during my youth consultations. I tell you: it is not that young people are not interested in politics and not interested in how the world is run; it is that they have received a consistent message from this government that their voice does not matter. They are being told now that it does not matter whether they get a vote, even if they are entitled to one. In fact this legislation will make it harder for them to vote.

This legislation comes on top of 10 years of discouraging young people from speaking out. It comes on top of junking the Australian Youth Policy and Action Coalition after decades of bipartisan support for this peak body. It comes after reducing young people's entitlement to youth allowance and other income support. It comes after ignoring the plight of thousands of young students who are homeless every night in Australia. We believe that up to 26,000 young people under the age of 24 are homeless on any given night in Australia. These are the issues that young people care about, and to rob them of their vote and their ability to vote by introducing this regressive legislation is a disgrace.

Mr GAVAN O'CONNOR (Corio) (4.44 pm)—I rise to oppose the Howard government's Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 simply because this is quite a deceptive and sinister attempt by a failing government to eke out a partisan political advantage by manipulating the provisions of the Electoral Act and Australia's electoral processes. Quite dishonestly, I believe, the government attempts to portray this bill as introducing greater integrity to Australia's electoral processes. In fact it does the opposite, and therein lies the deception of a government that arrogantly believes it can prostitute our electoral processes for partisan political advantage—and, what is worse, it expects to get away with it.

This is a government that has abandoned any standards of propriety in relation to ministerial and government behaviour. This is a government led by a Prime Minister who gave Australians the non-core promise, the never ever GST, the children overboard scandal and the deceit over weapons of mass destruction in Iraq and who now denies any knowledge of the AWB scandal over which he and his ministers have presided. And now we have a cynical and quite deliberate attempt to undermine our great democracy by a range of measures in this bill dressed up as enhancing democratic processes in this country.

Mr Deputy Speaker, I recently participated in a parliamentary delegation, led by your Speaker, which visited Malaysia and Japan. By the way, Mr Deputy Speaker, it was a very successful delegation, well led by the Speaker—and of course by the deputy speaker, me, if I can be so humble as to give all the members of that delegation a pat on the back. I think we did this country proud.

The more I travel and visit other countries, the more I have come to realise just how precious our Australian democracy is. I think that would be a view that is shared by all members of this place. I am not casting any aspersions on the countries that I visited recently, because this is a view that I have developed over a long period of time visiting other countries. I merely make the observation that we ought to be proud of our history, our democratic institutions, processes and practices and, above all, guard them against those who seek to compromise our great democratic traditions.

I have been around politics for a long time and I make this observation: the worst offenders when it comes to attempting to rort and compromise democratic practice in this country are the conservative Liberal and National parties. We have seen this at the state level in Victoria under the last Liberal Premier, Jeff Kennett, and we have seen the erosion of individual rights and the assault on civil liberties that has been conducted under the guise of the war on terror by this government. The worst offenders when it comes to a wholesale assault on the rights and liberties of Australians are indeed the Liberal and National parties, and here in this legislation today they are at it again.

This bill drips with deceit and hypocrisy. It is not hard to see when you cast your eye over the major provisions in this bill. In an age where apathy often rules the political landscape, where public cynicism casts a deep shadow over that political landscape, we have in this bill a thinly veiled attempt by the government parties to disenfranchise thousands of Australians under the quite spurious justification of restoring integrity to electoral processes. This is clearly demonstrated by the changes proposed by this government to voter enrolment practices and by the new proof of identity requirements.

With regard to the early closure of the roll, the proposal in this bill to close the roll on the third working day after the issue of the writs will have one important consequence: it will effectively disenfranchise, at a conservative estimate, around 280,000 Australians and exclude them from the national vote. That will be a source of national shame to any country that calls itself a democracy. At present the roll closes seven days after the election writs are issued. The government has made two minor exceptions to its new provisions, but as it stands this measure is deliberately being pursued because of the partisan electoral advantage all commentators consider will flow to the incumbent conservative government as a result of these changes.

Dispossession cannot be justified on any available evidence. Indeed, the Australian Electoral Commission had this to say in a 2002 submission to the Joint Standing Committee on Electoral Matters:

> 7.3 The AEC is on record repeatedly expressing its concern at suggestions to abolish or shorten the period between the issue of the writs and the close of the rolls. That period clearly serves a useful purpose for many electors, whether to permit them to enrol for the first time (tens of thousands of electors), or to correct their enrolment to their current address so that they can vote in the appropriate electoral contest (hundreds of thousands of electors). The AEC considers it would be a backward step to repeal the provision which guarantees electors this seven day period in which to correct their enrolment.

So the experts in the trade, the independent people that we charge with the responsibility to keep our elections fair, have made the strongest statement that this measure will curb the democratic rights of hundreds of thousands of Australians, and that is a source of shame and disgrace for any government that calls itself a liberal government. In putting this on the legislative table, members opposite ought to hang their heads in shame.

Moving on to other provisions of the bill, of particular concern to the opposition is the proposal to amend the Electoral Act to increase the declarable limit for the disclosure of all political donations from $1,500 to above $10,000 and indexing this to the CPI. Quite frankly—let's not pull any punches on the floor of this House—this is a licence to rort. That is what it is: it is a licence to rort the electoral process and for people in the community to disguise the fact that they are attempting to purchase influence by the donations that they make to political parties.

One of the great strengths of our democratic process has been the transparency we have been able to achieve under the current law in this area. The system may be imperfect—and nobody is claiming that it has perfection—but low limits ensure as best we can that there is a level of transparency and accountability in this very important area. This proposal is a recipe for massive amounts of money going into party coffers without the public being aware of it. The dangers of this for democracy and our political system ought to be apparent to even the most cynical operators on the other side of the House.

Let me outline in some detail for members opposite what might be in store for communities across Australia if these provisions are enacted. In my own community in Geelong we are in the middle of unravelling an unsavoury affair involving the secret donations by Liberal businessmen in Geelong to local government councillors and candidates, including some from my own party, I regret to say. So I bring impartiality to this debate, because what has happened in my community involves both my party and the Liberal Party. The affair has been dubbed 'Costagate' and the matter is currently being investigated by a municipal inspector, Merv Whelan, appointed by the Bracks government to examine the affair. It demonstrates the corrosive impact that large, undisclosed campaign donations can have on democratic practice and good governance at any level of government in this country.

Members should keep in mind that we are debating in this bill a provision to increase the threshold for undisclosed donations from $1,500 to 10,000. In November 2004, the conservative *Geelong Business News* ran a very interesting article on the forthcoming municipal elections which belled the cat on an unholy alliance between the Liberal dominated Costa Group, led by prominent Geelong businessman Frank Costa, and the right wing of the Labor Party, led by none other than ACTU Assistant Secretary Richard Marles and state ALP member John Eren. As history now reveals, the alliance had a financial basis in substantial sums of money being channelled by Mr Costa and other Liberal businessmen to Labor and other candidates. Mr Costa has publicly admitted that he took the hat around to at least five of his Liberal mates and asked them for $10,000 each, which was paid over to his assistant in cash and cash cheque form and then doled out to Labor and other intermediaries to pay for the campaign costs of Labor councillors and others.

The Geelong community was justifiably outraged when this matter came to public attention, but it was blissfully unaware of the 'cash for councillors' saga until the media took a deep interest in the matter. When Mr Costa was approached about these undisclosed campaign donations, which had hitherto been a secret, well kept from Geelong ratepayers, he disclosed that three Geelong councillors and other candidates had received undisclosed campaign donations.

But then the real problem started—and this is the point we are making about this bill: if you seek to lift the disclosure limits to $10,000, you will create the sort of problem that my community has faced in Geelong.

Prominent Geelong businessman Robert Riordan first denied ever handing over the cash and then later disclosed that it was handed over to a small committee to disburse it to councillors and candidates. Councillor Saunderson, Labor councillor, Labor unity operative and confidant of Mr Marles, who recently contested the seat of Corio, first denied receiving the money and later admitted that he had, but has steadfastly refused to disclose whom he received it from or whether he was part of a small committee that Mr Riordan claimed doled out the dough. Councillor Tom O'Connor—no relation—who has no political affiliation, first denied he had received the money, then said he had and then again denied he received it.

Councillor Brazier, another Marles confidante and supporter, had the good sense not to deny she received the funds, but, in an extraordinary loss of memory, could not remember who donated over $6,000 to her municipal campaign. There is not one member on either side of this House who, having received $6,000 from a campaign source, would not remember who fronted with the money. Yet here, in the bill before us today, this government wants to increase the limit of disclosures from $1,500 to $10,000.

The lessons are quite clear: a failure to demand the disclosure of donations of up to $10,000 by local government candidates in Geelong has led to a web of deceit that has done enormous damage to the credibility of the City of Greater Geelong and to good governance in the Geelong region. The community lives in hope that Mr Whelan's investigation will shed some more light on this saga. We hope that Mr Whelan can shed some light on the fourth councillor who received funds, the fifth donor and the names of those on the small committee who doled out the slush fund to these councillors. This is the problem that you are potentially going to create here. We certainly hope Mr Whelan can shed some light on the crisis meeting held at Mr Costa's office and attended by Mr Marles and others, before Mr Whelan's meeting with council, to hammer out how they were going to handle his investigation—not an open approach to making donations to the political process but 'how we are all going to cover it up'. This is what your bill is going to create.

The Geelong community is also hoping that Mr Whelan can shed some light on even more disturbing information that council candidates recommended by Mr Costa were interviewed by Mr Eren, a Labor member in Geelong, and his electorate officer, Councillor Saunderson, at Mr Eren's electorate office in Geelong for their suitability to stand at these council elections. This is an extraordinary saga that clearly demonstrates what will happen when you lift this $1,500 limit to $10,000 and give enormous scope for people to go via the back door in making political donations.

We cannot afford to damage public confidence in our democratic procedures and processes as a result of these sorts of provisions. Under this government's proposals, even if disclosure laws were in place in the Geelong instance, upping the limit to $10,000 would have permitted the sort of behaviour that has transpired in this affair to remain undisclosed. For those interested in good governance and keeping our electoral system honest and free from corruption, mandatory disclosure of donations with low limits is essential to the transparency and accountability required to preserve good democratic practice.

The AEC, in its annual disclosure returns for 2004-05, indicated that over $143 million was received by the major parties in funding. That is the Labor Party and the Liberal Party. Eighty per cent of those donations were donations of under $10,000. If these changes

proceed then those 80 per cent of donations will be undisclosed. That is very unhealthy for transparency in electoral processes and for accountability of candidates and donors and it is a danger to democratic practice in this country.

The final matter of substance in this bill that I want to refer to is the onerous proof of identity requirement that the government will now demand. Good democratic process should be about encouraging the widest legitimate public participation in our electoral process in national elections, indeed in state and local government elections. Only this afternoon I spoke to students from Clonard College who were visiting Canberra, the national capital, about the importance of these matters and of making sure that the great democracy we hand on to them is in the best shape possible and that they defend it—they defend the individual rights that are guaranteed in our community and they defend the democratic processes that at the end of the day ensure that they have freedoms to enjoy.

The greater identification requirements for enrolment and for provisional voters in this legislation will make it harder for Australians to enrol and will make it harder for them to cast their votes on election day as well as increasing the bureaucratic burden on the Australian Electoral Commission.

These are serious matters. There are some measures in this bill that, reading through it, I could support and that I am sure other members on this side of the House could support as well. But when you get to the fundamental provisions in this bill, and when you read the detail carefully, you see what a threat to democratic practice this legislation really is. The worst feature of it is that, under the guise of restoring integrity to democratic processes in this country, this government is seeking partisan political advantage. That is regrettable.

The mark of good governance in this country, and the mark of a government of substance, is when it goes to extraordinary lengths to make sure that what it introduces in these particular areas does not give itself partisan advantage. That is the great measure of whether a bill reaches particular standards in democratic practice. I warn members opposite: if you do not want across Australia the sort of thing that has happened in my community, by increasing the limits from $1,500 to $10,000, then do not let this particular measure go through in your legislation. If you want to enfranchise many, many Australians, hundreds of thousands of young voters, and get them into the political process, you should abandon the measures in this bill. Ultimately, that will be the best defence that we have as an Australian democracy with these people who are taking an interest in and voting in the political process.

I oppose this legislation. I do so on the basis of experience in my own community. I do so on the basis that I know that the young people I spoke to today from Clonard College want to be a part of the political process. They do not want to be disenfranchised by measures that are contained in this piece of legislation.

Ms OWENS (Parramatta) (5.04 pm)—I rise, like my colleagues, to oppose the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. I am surprised and saddened that in 2006 in Australia we are discussing a bill that acts so strongly to weaken what is a great electoral system in this country. This bill is without any doubt entirely about political power. It is about weakening the power of voters and about strengthening the power of political donors in this country, all for the absolute good—and only the good—of the Liberal Party.

I have believed in the power of the vote ever since I was a child—the power of a single vote in this country. That was years before I discovered what that really meant in a marginal seat. In a seat like mine, which I hold by 0.7 per cent, the numbers that change the course of government are very small. In a community of 3,000, 10 people changing their mind gives a swing of 0.7 per cent. In the local soccer club of 100 people, one person changing their mind and voting the other way gives a swing of 0.7 per cent. In those circumstances, one person who is informed, engaged and active in a community can dramatically change the course of an election.

But this is not just true in marginal seats. Unfortunately, we cannot lock all of our electors in the one electorate—they cross borders, they go into safe seats and they work in other seats, they play sport in other seats, they get their information from across the community. So even people in safe seats, who sometimes feel quite powerless, have extraordinary power to influence the votes of the very small number of people who ultimately affect the direction of an election. Individuals in our society have extraordinary power—and so they should. When I was campaigning I discovered the many people in my electorate who no longer believe in the power of their vote, who believe that it is not particularly useful to engage in the political process at all. By opting out, they make that lack of power a reality.

I believe that this parliament, all of our parliaments and all members of this House have a fundamental responsibility, as custodians of the important positions that we occupy temporarily, to leave our democracy in a better state of health than we found it in. That means more empowered voters—more informed, more engaged, more active. We should be judged not just by what we achieve in government or in opposition but by the state of the political process and the reputation of the positions that we hold when our terms are over and we pass those positions to the next person.

We do that, unfortunately, in Australia at the moment in the context that the average person is becoming less and less sure of the political process. Many believe that politicians do not listen any more to the people in the street but that we do listen to unnamed voices of wealth, big business and power. Our job is to improve the integrity of the democratic process in our local areas and federally and to leave our electorates more engaged, more empowered and more informed. That does not mean only empowering the voter but ensuring that the real power is with voters and that it is not unduly influenced by the flow of money through the electoral system. The power is with voters and not with donors. That means that donations to political parties need to be open. People need to feel that their vote is important and they need to engage and participate. Business needs to know that policy cannot be bought with campaign donations. The structure of our systems must allow broad participation as candidates, not based on wealth alone. We must not follow the American path where winning and losing becomes more a matter of money and advertising than the characteristics of our candidates. How this government will be judged at the end of its term will depend greatly on the support for the bill that it has put before us today.

This bill fails the test of lifting the integrity of our democratic system by fundamentally undermining the value of the voter and profoundly increasing the value of political donations. It is ironic that this bill has in its title the words ‘electoral integrity’. When you see that, you might think that it does actually improve the integrity of the system. You would be foolish to think that, of course, because we have seen in the last couple of

months many bills with names that make a lie of the content of the bill. We have seen Work Choices legislation that offers no choices to workers. We have seen Welfare to Work legislation that traps people into welfare. This electoral integrity bill undermines the electoral integrity of our great system.

Let us start looking at the ways in which our system is weakened by this bill. There are quite a few. They are all significant changes. Some make it easier to have political influence and to participate in the political process, and some make it harder but, ironically, it makes it easier to participate in the political processes in areas where the general public would find that a negative. It makes it easier for people to donate secretly to political organisations—to donate behind closed doors by raising the disclosure threshold from $1,500 to $10,000—and easier to donate by increasing the threshold for tax-deductible donations; in other words, asking taxpayers to subsidise political, behind closed doors donations. This is a movement towards donocracy, not democracy. It makes it harder in areas where the Australian public would feel it should be easier. It makes it harder to vote. It does this by closing the roll essentially on the day that an election is called and by making it more difficult to enrol in the first place. It makes it more difficult for ordinary people to vote. It makes it harder for community groups to comment on government policy by introducing new disclosure regulations for organisations, but it makes it much easier for people and businesses with extra cash to donate to political parties secretly. When they do donate, it asks taxpayers to subsidise the donations but then will not give you a list of whom exactly you subsidised.

There is a lot of concern about the changing power in our society. I hear about it at the mobile offices when I am out there and when I am doorknocking. There is a growing feeling that there is very little that an individual can do in the political process. They are losing their power and that power is gradually being transferred to big lobby groups, big business and big money. This bill is all about encouraging that shift in power. It goes a long way to making that perception a reality in a very strong way. People are worried about that transfer of power. It has been going on slowly and surely with election costs going up every election in a dramatic way, gradually following the path of the US. But this bill is overt. This bill puts the agenda absolutely out there in the open. This bill is about nothing else but transferring the power away from the voter and giving that power to money.

Interestingly, it makes two groups disappear. It makes a number of voters disappear. About 300,000 voters will disappear from our roll in the next election because of these changes, and when those voters disappear they lose their power altogether. On the other side, it makes a whole stack of political donors disappear as well. But when you make a donor disappear you increase their power; you make it possible for them to feel comfortable in making a political donation without scrutiny by the public or the media.

Labor is strongly opposed to the provisions of this bill which make it more difficult for people to vote. The first change is the closing of the roll on the day that the election is called, effectively reducing the time that people have to update their enrolment from the current seven days to just 8 pm on that day. There are a few small exceptions: people under the age of 18 who will turn 18 between the calling of the election and the election and new citizens, but that is a very small number. For the vast majority of people, the roll will close at 8 pm on the day that the election is called. This bill will also introduce new proof of identity requirements for people enrolling to vote and new proof of

identity requirements for people lodging a provisional vote. At the same time as it improves the flow of secret money, this bill introduces a set of regressive changes that make it much harder to vote.

These changes are supposed to be about electoral integrity but they are far from that. The Australian Electoral Commission, an organisation held in extremely high regard by Australians, which has managed very clean, well-organised elections for decades, says that there is not a problem with the roll. It has made it very clear that it does not believe there is an issue with the integrity of the electoral roll. The experts are quite baffled by the government's decision to change these laws in the light of that statement by the Electoral Commission. Even the Australian National Audit Office reported in 2002 that the electoral roll is one of high integrity, so there is very little evidence out there that the electoral roll is so distorted that it warrants disenfranchising up to 300,000 voters in the next election in order to improve its integrity.

Professor Brian Costar has argued:

> If there is a fault in the current Australian electoral procedures it is not in rampant enrolment fraud but the very real perception of secretive influence peddling produced by the excessively free flow of political money.

Again, this bill increases the ability for secret money to flow and makes the electoral roll less accurate than it is now.

The Joint Standing Committee on Electoral Matters conducted a really thorough investigation into the integrity of the electoral roll back in 2001. During that inquiry the Electoral Commission testified that it had compiled a list of possible cases of enrolment fraud during the decade of 1992 to 2001. It identified 71 cases of electoral fraud—one per 200,000 enrolments. In order to expunge the electoral roll of as many as 71 fraudulent enrolments, we are looking at introducing a set of regulations that will effectively mean that up to 300,000 voters cannot vote in the next election. The main way it would do that is through the early closure of the electoral roll at 8 pm on the day the election is called. Currently, we have seven days before the roll is closed.

These changes will substantially affect the least powerful in our community. Young people in particular will be affected. Anybody essentially who moves house a lot will be affected by these changes. People in public housing, new citizens and young people will all be dramatically affected by these changes. In the 2004 election, over 280,000 people enrolled to vote or changed their enrolment details after the election had been called, 78,000 of whom were new enrollees, 78,000 were people changing or updating their existing details, 96,000 people were transferring intrastate and 30,000 people were transferring interstate. These are all people with a legitimate right to vote. These are all people who I have always thought did have the right to vote but who will be excluded from the next election and the election after that simply because they moved house at the wrong time.

Remember that in this country we do not have fixed terms. If we did have a fixed election date, there might be some justification for saying, 'You know the election will be called on 1 June; you had better be enrolled before then.' This is not the case. The next election could be called perhaps late this year, any time next year or early the year after. Can we really expect those 280,000 people who are moving at any particular time to be continuously on the roll? All it requires to lose your right to vote is to have moved last week or a month ago and still be waiting for your change of address to come through.

This is an outrageous disenfranchisement of legitimate voters. There can be no doubt that the only reason the government would be doing this is to shore up its vote. The government is well aware that the people who are most likely to be disenfranchised by these changes tend not to support the government. This is simply about the government shoring up its vote. In order to do that, it claims to be improving the integrity of the roll through taking out those 71 fraudulent enrolments by literally disenfranchising up to 300,000 voters.

The weekend before last I doorknocked in one of my public housing areas. In that area I would estimate that as many as one in 10 people are not currently correctly enrolled. In some of the unit blocks it is even higher than that. I know from the hours that I have spent in shopping centres in those areas—because I have worked very hard in those areas of high unenrolment—that a lot of it has been deliberate. In the last election in particular when I was campaigning in those areas I found many people in the streets saying, 'I am not voting; there is no point.' In those areas they were clearly choosing not to vote. I have worked very hard because, as I said earlier, I believe that it is a very important function of each politician to improve the quality of the democratic process and that does involve trying to bring back into the democratic process people who currently feel very much left out of it. I know that the vast majority of those people are unenrolled on purpose, that they have lost faith in the system, and I know that as hard as I work to get those people enrolled—and I am having quite a bit of success—making it as difficult as this government plans to make it for those people to enrol will only encourage that attitude.

The government in this bill is proposing changes to the enrolment requirements that are really quite onerous. The new proof of identity requirements for new enrollees and those updating their details are a bit of a nightmare of red tape, I have to say, particularly if you have just moved, particularly if you do not have a drivers licence, particularly if you do not have a passport and particularly if you do not walk around with your birth certificate or know where it is or have the money to get one from Queensland or whichever state you come from. A person enrolling or updating their details under this bill will have to provide one or more of the following types of identification: a drivers licence, a prescribed identity document to be shown to a person who is within a prescribed class of electors and who can attest to the identity of the person or an application for enrolment signed by two referees who are not related to the applicant whom they have known for at least one month and who can provide a drivers licence number.

I know that some of the people in those public housing areas have not known anybody in that area for a month. They could have moved in last week and not have known any local person for a month, they might not have a drivers licence or a passport and they probably do not have a chequebook in order to send a cheque off to whichever state to pay for their birth certificate. Not only that, they are not the keenest voters. They need to be encouraged to vote. They need to be taken by the hand and told, 'Your vote is worth something.' They do not need this government to make it so difficult that the inclination to opt out is made even easier.

It will be particularly difficult for young people. For a start, 30 per cent of people in New South Wales between the ages of 16 and 19 do not have a drivers licence and between 10 per cent and 20 per cent of adults do not have a drivers licence. In Parramatta we have a very large population of itinerant people. We have up to 500 homeless people sleeping out per night, and they are just the

people sleeping out. There are many more in temporary accommodation concerned about a hell of a lot of things other than changing their enrolment when they are looking for accommodation, particularly when they do not have permanent accommodation.

These are incredibly onerous requirements for the most vulnerable people in our society—people whom we should be bending over backwards to bring into the democratic process. The votes of these people are so important in determining the direction of this country. These people have no other power in the political process other than their vote. These are not people who can make political donations, these are not people who can lobby effectively and these are not people who join political parties. They are the weakest people in our society who have just one go at political influence and that is their vote. That is all they have. In this place we should be bending over backwards to make it easy for them to exercise that vote. We should be ensuring that we take them by the hand and take them down there and show them exactly how powerful they are in this process—and they are powerful. And I have no doubt that that is one of the reasons why the government is trying to ensure they will not get a chance to vote. *(Time expired)*

Ms GEORGE (Throsby) (5.24 pm)—I begin by commending my colleague the member for Parramatta on her most perceptive and analytical exposition of the reasons why the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 ought to be opposed. Prior to the member making her comments I happened to be sitting in my room and had the opportunity to hear some of the comments made by the member for Fremantle, particularly about the issue of financial donations to the political process, and I might come back and comment on that later.

Having heard those very erudite contributions, I want to say a few words for the public record so that the voters in my electorate know how I voted and felt about this important issue. One thing that really concerns me is that we have a wonderful democracy and we have an abiding principle that all adults have an equal right to vote and that their vote should be considered of equal value. I think that is a fundamentally important underpinning of our country's open, accessible and democratic electoral system. Up until now, according to the history of electoral changes and reform, much of which has been very progressive, it has usually been done with the support of both political parties—for example, the introduction of secret ballots, votes for women, preferential voting, compulsory voting, although I note in more recent times the differences of political opinion that are emerging about that issue, and votes for 18-year-olds. All those major and significant milestones in our electoral history have enjoyed bipartisan support and I am really concerned that, for the first time, reforms are being proposed in this House which have a distinctly partisan political approach to them. They are reforms that are not brought here on the basis of some expert evidence or are the impartial views of the Australian Electoral Commission but being promoted by certain members of the government who perceive that these changes would give government members some political advantage in future elections.

As the local member, I believe, as argued by the member for Parramatta, that it is my responsibility to do everything in my power to encourage the people I represent to believe they have a stake in the political process and that the views and opinions of every person—whoever they might be, however wealthy or poor, however engaged or disengaged, whether they are in work, those at the top end of the income scale or those on pen-

sions and benefits—who comes to my office and seeks my support is equally important to me. It is only once every three years that people in my electorate have the opportunity to express their view about the competing policy platforms of the major political parties.

On a couple of occasions people have come to me and said, 'Jennie, I didn't vote for you in the last election,' but that is no problem for I have always taken the attitude that, regardless of who they vote for, the most important thing is that they cherish the fact that, unlike many other countries in the world, they have a process that allows them a secret ballot and one chance every election period to express their point of view about matters that are of significant concern to our nation.

I am opposing this bill because all the changes that are raised in it are in complete contradiction to the principles that I believe in and to the principles that underpin our democracy. I think we ought to look at the reasons for the arguments advanced that the so-called integrity of the roll needs to be enhanced or that we need to prevent electoral fraud. I do not think this nation has any history of electoral fraud. The member for Parramatta referred to 71 cases of fraudulent enrolments that were investigated over a decade. Yes, you might find isolated cases of wrong enrolments, but there is nothing fundamentally wrong with the integrity of our electoral process or the roll that is prepared for our elections.

The acceptance of the integrity of the process is well shown in our history. Even when my party has won a majority of the two-party preferred vote but has failed to win enough seats to govern, Australians have accepted that outcome. I think there is a great deal of faith in the system. People might not like politicians, but I do not hear people raising with me their concern about widespread problems in our electoral system.

Believing as I do that every vote and every constituent is equally important and valued, I would never support anything which made it more difficult for people that I represent, whether they vote for me or not, to have the chance to express their opinions on election day. I am particularly concerned about the proposals for the early closure of the roll. I am also concerned about the greater identity requirements, which are going to impact on people who are already marginalised, and the new requirements for provisional voters to show proof of identity on polling day or soon thereafter.

I do not accept the minister's argument that the changes are designed to ensure the integrity of the roll. I do not accept that personally and I find it of interest that no evidence was produced in submissions to the Joint Standing Committee on Electoral Matters or in any testimony made to the joint standing committee to indicate the concerns that allegedly bring these changes before us. In fact, the committee majority itself conceded:

> ... to date the committee has had no evidence to indicate there has been widespread electoral fraud.

I can only repeat that I have come to the conclusion that the real motivation is the belief that the changes foreshadowed in this bill would give this government some future partisan political advantage.

The early closure of the roll is going to have a marked impact on people's ability to vote, particularly young people and people who have moved into an electorate, as many do in my electorate, and find that they are going to be caught short. It may appear on the surface that the proposal will close the roll at 8 pm on the third working day after the issue of the writ. If you look at the fine

print, there are only a couple of exceptions. For the majority of people enrolling for the first time, that decision will have to be made and exercised by eight o'clock on the first day of the writ being issued. Only existing enrollees will be given three days to change their details.

Why this change? That is really the question that is at the bottom of my strong opposition to these proposals. In 2002 the Electoral Commission argued:

> It would be a backward step to repeal the provision which guarantees electors this seven day period—

which is what is in place now—

> in which to correct their enrolment.

The commission's longstanding view has been that last-minute enrolments constitute neither an administrative overload for their staff nor a source of fraud. In its submission to the 2000 parliamentary inquiry the commission stated:

> ... early closure of the rolls will not improve the accuracy of the rolls for an election. In fact, the expectation is that the rolls for the election will be less accurate, because less time will be available for existing electors to correct their enrolments and for new enrolments to be received.

I find it really remarkable that the government's proposals are in direct contrast to the advice of the independent Australian Electoral Commission. I came across an article written by researchers at Swinburne Institute which looked at the changed position—the almost somersault in position—that has been adopted by the AEC in the last 12 months. It seems to coincide with the appointment of the new Electoral Commissioner, Mr Campbell.

In March 2005, when the AEC made its first submission to this inquiry into the conduct of the 2004 election, the AEC then expressed no concern about the workload it faced at the election when voters were given seven days grace. Nor did it express its support for the argument that the last-minute rush of enrolments creates opportunities for fraud. Yet, interestingly enough, as Costar and Browne in their article point out, almost exactly a year later, appearing before a Senate committee on 7 March 2006, the recently appointed Australian Electoral Commissioner, Mr Campbell, expressed almost exactly the opposite view.

If I have to choose between the views of people who have worked in the commission for lengthy periods of time and the commission's long held view that the seven-day closure was not a problem and its new view, which I find interesting, I have not been able to get to the bottom of this remarkable change in attitude other than Mr Campbell indicating that the early roll closure would mean less work for the commission and that it would 'make life easier' and give the commission 'time to concentrate on the other issues we have to deal with in the preparation for the election'. Costar and Browne in their article argued:

> This new attitude from the commission is not only a departure from its thinking a year ago. It is at odds with the commission's longstanding view that last-minute enrolments constitute neither an administrative overload nor a source of fraud.

What impact will this earlier closure have on people in my electorate? I am particularly concerned that it will have an impact on young people. I am particularly concerned that it will have an impact on people with lower levels of education, on the Indigenous Australian community in my electorate, on the many migrants and people from non-English-speaking backgrounds and on the growing numbers of people who either are homeless or have no fixed address. All the studies, even the AEC's report *Youth electoral study*, show that young people are disengaged as it is from the electoral process. Often they do not understand the voting sys-

tem and they do not perceive themselves generally as well prepared to participate in voting. So I would have thought it was our responsibility as politicians to be out there actively encouraging the participation of young people in the democratic process, showing them that they have a stake in that participation. After all, we do want to have more informed, more engaged and more active constituents in each of our electorates. The one thing that we can be sure of if these changes come into practice is that it will be young people enrolling for the first time who will be severely disadvantaged. Why would any government want to put any unnecessary barriers into the process of young people being able to exercise a vote?

Professor Costar, one of the experts on electoral reform issues, argued just recently that good reasons would need to be adduced to justify the denial of the vote to such a large cohort of citizens, especially the new enrollees, most of whom would be young people who actually need encouragement to become civically engaged. So no good reason has been produced by the government to support the disenfranchisement of thousands of young Australians. I am particularly concerned about the ability of people on the margins—the homeless and the transient populations—to have proof of identity to the extent required in these new changes.

What impact will the changes have? People have already said that, in the seven days after the writ for the last election was issued, 78,000 people enrolled for the first time. They had seven days. If they had one day, how many of those 78,000 people would have got a vote? In that period of time, 345,000 people updated their details. Even after the closure of the roll after that seven-day period, another 150,000 Australians tried to enrol. Under the proposed changes, nearly all of the 78,000 could potentially be excluded from voting, as could an indeterminate percentage of the 345,000. In fact, the large number attempting to enrol late—the 150,000 who still tried to get a vote after the closure of the roll—suggested that, if anything, the period of grace should be extended rather than shortened.

I had a look at the figures in my own electorate, and I rang my divisional returning officer just to understand the impact it might have in the electorate of Throsby. In the last election, between the time of the issuing of the writ and the close of the roll, there was a total of 1,805 enrolment changes—1,805 people changed their details or wanted to add their name in that seven-day period. Many of these 1,805 electors could be denied a vote if these new procedures were to become law. Another 859 changes occurred following the closure of the roll and up to polling day. Of these, unfortunately, 185 were new enrollees. I presume they were young people who would not have been able to exercise their vote on election day.

I come back to saying that our electoral system should do everything to have committed, involved and active constituents participating in the democratic process and that we should always reject any barriers or restrictions in the way of achieving that outcome. It is for similar reasons that I am concerned about the increased requirements for identification on enrolment. Obviously we have to make sure that people are enrolling correctly in their electorates. Some enhanced requirements were suggested but have not been implemented, yet this government's bill wants to introduce even more stringent requirements when the earlier provisions such as requiring production of a drivers licence or identification by two people on the roll have not even been put into place.

I want to say in conclusion that, at the same time as making it harder to vote, the government is intent on making it easier to

donate to political parties. The member for Parramatta and the member for Fremantle addressed this issue in some considerable detail. I am most concerned about the impact of raising the declarable limit for disclosure from $1,500 to $10,000—that is, that donation details would not be made public until the threshold of $10,000 was reached. I have serious concerns because I do think there is a view out there that money opens doors, money buys power and money buys access, and the ordinary citizen becomes somewhat disillusioned with the process. I think this can only encourage massive sums of money to be offered to the coffers of both political parties away from public scrutiny, transparency and accountability. I think the member for Parramatta referred to it as an emerging 'donocracy'. The member for Fremantle argued very cogently that raising these disclosure limits undermines the notion that each citizen will share equally in political power. The changes enforce the perception that not all of our citizens are equally able to influence their representative—that money buys influence and power. She argued that we run the risk of becoming a 'corporate democracy' run by 'money politics'.

The American experience is that money is a powerful political force. Recently Senator Robert Byrd put it this way:

> The incessant money chase that currently permeates every crevice of our political system is like an unending circular marathon. And it is a race that sends a clear message to people: that it is money, money, money—not ideas, not principles but money that reigns supreme in American politics. The way to gain access on Capitol Hill, the way to get the attention of members of this body, is through money.

I know that we are certainly going down the route of America in many areas, and I think we should be very careful and learn from their experiences of the potential for abuse and corruption of the democratic political process when transparency is not part of the system.

For all those reasons, the bill before us is unacceptable. I find it amazing that a government would make it harder for people to vote and to be engaged in the political process and in the same bill make it so much easier for corporate and other bodies to donate in secret to political parties. I think that these proposals are the antithesis of the values that I believe in and the processes that I try to implement in my electorate to make sure that all citizens are actively engaged.

Mr WINDSOR (New England) (5.44 pm)—I am pleased to be able to speak to the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. I listened with interest to some of the previous speakers, particularly those who referred to the integrity of our system and to the tendency to follow the American path in relation to 'donocracy', as I think it was just called—the capacity of money to influence the outcome of policy.

One of the problems that I see with this legislation is that it reinforces a concern—and one that I think in a sense adds to the erosion of the credibility of the parliamentary and democratic processes—that many people in the electorate have about donations being made to political organisations, particularly through associated entities but through other processes as well, that are not disclosed in any shape or form under the current arrangements. This legislation is very wide ranging and covers a number of issues, and some of them I support. But, on balance, I will be opposing the legislation and introducing some amendments. I know my colleague the member for Calare will be introducing some amendments as well—again, some of which I support and others which I do not.

The common thread throughout the debate that is taking place is a concern about proper and adequate disclosure of donations made by people to political parties—and to Independents, for that matter. There should be proper disclosure when issues such as fuel and renewable energy are being debated, which is occurring at the moment. When various obstacles are put in the way of a constructive renewable energy industry moving forward, one has to wonder who is pulling the strings. The government has been fairly active in moving forward in many other areas, so why is there reluctance to do anything about fuel prices? There is a lot of talk about global energy costs and external factors but very little talk about internal factors and things that can be done domestically. Maybe the Minister for Revenue and Assistant Treasurer, who is seated at the table, or the minister who will be replying will be able to help me understand this. There is no way that a voter, or even a member of parliament, for that matter, can ascertain who is pulling the strings of the political processes and the political parties, particularly through the associated entity arrangement that has been in place over many years.

I will be moving amendments that essentially maintain the requirement for media broadcasters and publishers to file returns following elections. I think both sides of the political fulcrum are going to oppose that amendment. I will be interested to see whether they do and to hear their arguments as to why they would oppose disclosure by the media. We all recognise that the media play a very important role in the political process, particularly during election campaigns, so why shouldn't they have to disclose? The only argument that I have heard is that disclosure is an administrative burden on the media. If the government and the opposition vote against my amendment because they are so concerned about administrative burdens, they should have a look at what is happening with the myriad other pieces of legislation that are before the parliament. This concern about the administrative burden that the media would have to put up with really interests me, and I would like to hear the argument pursued by the minister who will be responding.

The issue of public disclosure by media in our current laws is that it only gives a check on the process of disclosure. If we remove that, we remove another check as to who is paying the piper, who is pulling the strings and who is getting something for donating money. The donation will not be observed. In my seat of New England, the only way that you can find out the potential spend of the National Party candidate, for instance, is to look through the media disclosure, because the National Party candidate will inevitably have a nil disclosure. Some people in the public arena might think: 'He didn't spend anything. Isn't he a great candidate? That's the sort of candidate we want—someone who stands on their own resolve.' But that is not the reality of the situation.

People are donating a massive amount of money, essentially through associated entities, which is finding its way to the candidates. Some of that money then goes into media for publicity for that candidate, but we do not know who is pushing the buttons of that particular candidate. As an Independent, I have to disclose my donors. People are well aware of how much is donated and who is donating it to my campaigns. But a National Party candidate does not have to do that. I think the broader electorate would rather know who is paying the piper so that they can make an adjudication on the issues that come before the parliament and see what is going on.

Another amendment is for associated entities to become more clearly defined and for

their reporting requirements to show who their donors are. In a democratic process, I would have thought that for all of the major parties to have constructed this mirage and to camouflage donations was quite destructive to our political process. At the end of the day, people do not elect parties. They elect individuals to represent their electorate in this place; they do not elect a party. For the parties to hide behind these associated entities is, in my view, a rort of the system. If we need any proof from other democratic nations of where that takes us—of where money, rather than policy and principle, actually becomes the game—we need only look to the United States to see the massive input of political donations there and the whole economy that has been derived from them.

I will be introducing an amendment that requires each candidate, regardless of party affiliation, to file an individual return that indicates their donors and expenditure. I think most people would view that as fair; I think they would view that as happening now. But when they see a massive media campaign taking place in the media and on television screens, and they look up a particular candidate's disclosure form and it says 'nil', they wonder how that happens. We know how that happens, but I think one of the things that has to come out of this process is that people really do need to know what is going on in this so-called democratic institution.

Transparency is obviously a very important part of this process, as is integrity. Before I heard the minister's second reading speech, I was pleased to see that the bill is actually called the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. On the issue of integrity and our parliamentary processes, and related to the Electoral Commission, I would like to show how our processes can be abused. Mr Deputy Speaker, you would be aware of the Senate Finance and Public Administration References Committee inquiry into Regional Partnerships. You would be aware of the allegations of political bribery that were made. You would be aware of the involvement of Greg Maguire, a businessman from Tamworth. I would like to read from the findings of that inquiry as they relate to the Australian Electoral Commission—and this shows how the process can be abused. Under the heading 'Possible offence by a witness', the report states:

1.46 The Committee took evidence from Mr Greg Maguire, a central figure in the allegations of Mr Tony Windsor MP that he was offered an inducement not to stand for the seat of New England at the 2004 federal election. During his appearance before the Committee Mr Maguire claimed that his companies had made contributions to Mr Windsor's state and federal election campaigns. When asked to provide details to the Committee, he refused to answer but instead undertook to provide the information on notice. The information was important for corroborating some of Mr Maguire's evidence and was material to the Committee's examination of the matter.

1.47 Contrary to his undertaking at the hearing, Mr Maguire subsequently failed to provide the information to the Committee. The Committee wrote to Mr Maguire on three occasions to remind him of his undertaking. On the final occasion the Committee drew his attention to Senate procedural resolutions which make it an offence for a witness to fail to answer questions and provide information when required to do so. Mr Maguire informed the secretariat that he would not be making a response.

1.48 During this process the Committee received fresh evidence which raised serious doubts about the veracity of Mr Maguire's statements. The Committee provided this evidence to Mr Maguire and invited him to comment. Mr Maguire also refused to respond to this material.

1.49 The Committee is deeply concerned by Mr Maguire's evasiveness on this matter. His refusal to provide relevant information made it

difficult to not only corroborate his evidence before the inquiry but also to verify whether Mr Maguire—

and this is a key point—

had disclosed these election contributions to the Australian Electoral Commission (AEC).

1.50 Given the obligation on both donors and recipients to disclose both cash and in-kind contributions to election campaigns, the Committee is concerned that Mr Maguire may be in breach of the Electoral Act. The Committee is particularly troubled by the conflicting evidence provided by Mr Maguire and Mr Windsor, as well as Mr Maguire's refusal to clarify the matter despite repeated requests by the Committee for him to do so. The Committee intends to write to the Australian Electoral Commissioner asking that the matter be investigated.

That process has taken place. The matter has been referred to the Australian Electoral Commission for investigation. But there are a number of issues that are pertinent to this debate today and to the integrity of the political process. Firstly, when a witness appears before a Senate inquiry they are obliged to tell the truth. In this inquiry, not only were these witnesses under the normal provisions of parliamentary privilege and the normal matters that covered that inquiry but these witnesses had also sworn an oath.

Mr Maguire has made certain commitments to the committee that he has not felt obliged to comply with. It is going to be extremely interesting to see what the Australian Electoral Commission does in the assessment of this breach of protocol before a Senate inquiry. If the Electoral Commission decides that it cannot hear the matter—and that may be its course; I do not know—it will become a matter for the Senate to deal with. If the Senate does nothing to deal with this particular matter, the message it sends about the integrity of our political process is that you can make a whole range of allegations and you can say you are going to perform in terms of the delivery of evidence to a parliamentary inquiry and not do so. I think it will be an extraordinary set of circumstances if in fact that does occur. Hopefully it will not. Hopefully the Australian Electoral Commission will make inquiries. But to this day I have not been contacted by the Australian Electoral Commission asking about political donations from one Mr Maguire.

Mr Maguire also made the point to the committee that he could not recall which of his 37 companies had made the supposed donations to one Mr Windsor and that he would provide information on the 37 companies. To my knowledge he has not done that. When you do a search of some of these companies, you find Mr Maguire apparently has two names: Gregory Kenneth Maguire and Gregory Kevin Maguire. So I think there are some real matters of integrity that are going to be before this independent body, the Australian Electoral Commission, which makes decisions on the integrity of our election process. I would ask this parliament and the Special Minister of State, who will be responding soon, to make sure that the Australian Electoral Commission does everything in its power to examine this matter, referred by a Senate committee, of a witness who was under oath. It is an extraordinary circumstance that in one of our committees a sworn witness agreed to provide information under oath but that information has not been provided.

I will be moving some amendments to this bill and I know my parliamentary colleague the member for Calare will be introducing many amendments as well. Hopefully some of these amendments will be accepted, but in total I doubt very much whether I will be supporting the general thrust of this legislation. What it does is an insult to the voter in that people can make political donations in this nation, that those donations are hidden and that there is no capacity for the normal

voter or even a member of parliament to find out where the money went and what deals were done in terms of the money—with the little nods and winks that would be going on as money is donated—when that money cannot be sourced back to the original wallet from whence it came. I think that is an extraordinary thing. The Electoral Act is bad enough at the moment but to be making it worse by way of amendment, in terms of the public disclosures that people make and the capacity for individuals to look at their democratic processes and ascertain the integrity or otherwise of donations, is appalling.

Mr KATTER (Kennedy) (6.04 pm)—I have strong feelings about the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. The last campaign that I fought my way through was easily the most bitter and ugly campaign in which I had ever been involved, for or against The Nationals. The Nationals dragged my own family into the fray, which is something that I had never seen done before. Maybe it had occurred somewhere before in Queensland, but in 32 years of being a member of parliament I most certainly had not seen it occur, nor during my father's involvement before that. As for the gentleman who was running against me for The Nationals, I had never seen him at a National Party meeting in my entire life. He obviously had no interest in the party or its beliefs whatsoever but when the opportunity to become a member of parliament arose he suddenly became very interested in politics. One would have to ask whether or not a person who has never shown any interest whatsoever in a political party for his entire life—and he was well on in years; he was not a spring chicken—and then suddenly becomes interested has a belief system that is backing his commitment.

We counted the road signs on the highway between Cairns and Townsville—we were doing the whole run—and there were 15 corflute signs of theirs for every one that we had. We spent $6,500 on the corflutes, so presumably they had spent 15 times more than we had. On the basis of what was spent on television, around $350,000 would have been spent on the campaign to unseat me in that electorate. If you looked at the figures, you would know that, however bad I may have been and however clever their candidate may have been, it was a fairly ambitious sort of task to pull a swing of 20 or 25 per cent or whatever it was. I think that money yields benefits. If you have got the money to put a person into the field for a good year in which he does nothing else, that in itself is probably $100,000: he has got a car, he has got fuel and he has got overnight accommodation. This person seemed to be in the field doing nothing else for a full year, presumably, and the party picked up nine, 10 or 15 per cent—I do not know what it was. They did pull up a good vote, but it did not particularly worry me, because I think our vote went up half a percentage point or something of that nature. It was almost identical to what it was at the election before last, so it did not make any impression upon us.

But for those people in the party who asked whether it was money well spent when Larry Anthony, a very fine former member of this House and a very decent person in every single respect, lost his seat and had very little money to spend on his campaign, one wonders whether the money was well spent or whether it was just a venting of people's hatred and viciousness. I would say that the latter is probably the only interpretation you could put upon the behaviour of the people involved.

As far as being able to buy votes, I remember when we had to give a little boat to a little Aboriginal community. It was getting close to federal election time, and I was a state minister at the time. Without thinking I

asked our candidate to come up when I was handing over the boat, and I remember my reaction afterwards was that I felt really cheap and I knew that my actions had been enormously inappropriate. And that was just having the candidate there when I made a handover of a small boat. It would not have been any more than a few thousand dollars for the boat, and it was something that had to be done. The point I am trying to make is that I felt like taking a shower afterwards.

But, during this campaign, day after day and week after week we picked up the paper and read about the Regional Partnerships program, and there was someone or other from the National Party up there, handing out a cheque for this, that or the other thing. Last week I was approached by people who said—and I have no hesitation in saying this because I think it is a true thing to say—'How would we get money from that fund?' I said, 'If you contact the local National Party and offer to hand out how-to-vote cards for them at the next election, I think you'll get the money.' And they all burst out laughing. I said: 'The great tragedy is that I'm not laughing at all. I'm being quite serious. If you want to get that money, then you have to indicate that you are a supporter of this party. That's the way that it operates.' Now, if that is—

The DEPUTY SPEAKER (Hon. BC Scott)—I would remind the member for Kennedy that this is the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. I have allowed the member a great deal of latitude and I bring him back to the matter and the bill before the House.

Mr KATTER—Mr Deputy Speaker, the bill refers to 'electoral integrity and other measures', and I am pointing out where integrity operates and where it does not operate. I am pointing that out fairly bluntly, but I think it needs to be said. You should read my submission to the Senate inquiry on regional sustainability, Mr Deputy Speaker. The minister resigned but he resigned at midday, and I was going in to give my submission at four o'clock that afternoon. If I were him, I would blush with embarrassment and I would hand my resignation in because no decent person, I think, can have done what was done there without seeing it as an onus upon himself to resign.

The money provided is not provided for you to advance the interests of your political party. That money is provided for you. We are using money to fight an election campaign, and the government is saying that we are moving from $1,500 declarable to $10,000 declarable. So what is the money being contributed here? If you are utilising the resources of the country, the government and the taxpayers to campaign—every single one of us is campaigning all the time in a sense—I think there is a point where decent people realise that this is not really about helping the people of the area that we are paid to represent. This is simply about winning a political contest.

Let us turn to the issue. There are people who are very well equipped to trace money, even though they are not legally obliged to trace money, and there are people working on those traces at the present moment. I am absolutely intrigued by the decisions that have been made, for example, in the sugar industry. I am absolutely intrigued by the massive amounts of money that were spent in the last federal election campaign. I was in the party for a long time and my father never had access to $350,000 in election campaign funds. I think I ran three election campaigns federally for the National Party. The first one was not a marginal seat; it was a 6½ per cent seat so, technically, it was not a marginal seat. I had to win a non-marginal seat but the polls were indicating that we were running

neck and neck. I can assure you, Mr Deputy Speaker, that I did not have $350,000 to knock off the ALP member for Kennedy. I was given very little support at all. Fortunately, I had an income from my superannuation from the state parliament and I was able to campaign full-time for that year.

We are intrigued to know where the $350,000 came from. I give fair warning in this place that there are ways of tracking down this money. We know who has benefited, from the decisions subsequently made in the sugar industry. We know where the benefits have flowed. One company here appears to have got $195 million in handouts. The deregulation of the sugar industry has delivered to the millers literally hundreds of millions of dollars that, under the old system, would have gone to the farmers.

I proudly belonged to the party. I read the book on John McEwen and just felt so proud that I was associated with a political organisation that had been led by such a man, who had instituted for us the world sugar price agreement and who had instituted for us, along with Doug Anthony, the wool scheme, which gave us decent prices for 20 years.

The DEPUTY SPEAKER—I will remind the member for Kennedy again: I have given him a lot of latitude in his address to this bill. I bring him back to the matter before the House, which is the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. I am having a problem identifying how I could possibly relate the sugar industry to the bill before the House.

Mr KATTER—Mr Deputy Speaker, with all due respect, I find that extraordinary. What I am saying to you is that, if after an election a company profits to the tune of tens and maybe hundreds of millions of dollars and the donations have been very generous in certain electorates during the election campaign against people who were diametrically opposed to the deregulation of that industry, that is the very heart and soul of what this bill is about. Parties will be able to receive $10,000 without having to nominate who they got it from.

I can remember one of my friends with a big company who said, 'This company does not give money.' I said, 'I noticed you at a lot of government and political functions, and I don't think you get invited there unless you make a donation.' He said, 'No, we give them individually.' So individual names appear and the amount of money is much smaller. It was a very big company and a very naughty company later on, as it turned out—after this friend of mine had left, I must emphasise. So at the very heart and soul of this bill is whether by making political contributions you can buy an IOU from a political party that you can call in subsequently.

I do not deny an industry such as the mining industry the right to back a political party that has a very aggressive attitude to developmentalism. That is not what I am talking about here. What I am talking about here is a fundamentally different situation where you can provide that money to influence the political party in making a decision which they would not normally make. I proudly belonged to a party that had as its very essence the right to collectively bargain. It was inherent in our wool industry, our tobacco industry, our sugar industry and our wheat industry, and we had been the party that instituted that. Every page in the McEwen profile we turned over said that, and it was similar with Doug Anthony. Why did they change their position? I say that the reason lies in the same place as the answer to where the $350,000 came from that was used in the campaign against me in the last election. Where did that money come from? Those are the questions that we want answered.

What is happening here is the door is being closed on ever answering those questions in the future. They are closing the door so that nobody can see what happens behind that closed door. That may be good for the interests of a political party in the short term, but the current government will not always be in parliament, as the other side will be in government some time. Heaven only knows that so many people suffered as a result of similar nefarious activities that took place in the Hawke and Keating administrations. Heaven only knows that Hawke and Keating may have been the kings in that area, though I would not like to say that they are not being rivalled for their kingly status at the present moment.

But the decisions that were made to deregulate those industries benefited greatly certain corporations and reduced us to a situation where we had a suicide every month in the sugar industry. That is what happened to us on the other side of the coin. A lot of those people still have loyalty to the National Party and they believe in the National Party. They still think it is the institution that it once was, and I sort of think really that that is nice. I have never held it against them that they have maintained that. As for the fact that their own lives have been totally destroyed by the actions of that particular party, that is upon the consciences of those people and one day they will have to go to meet their maker and explain to Him what happened there.

But today what we are doing is closing the door so that people cannot see what is going on behind that door. If you are a corporation and you provide hundreds of thousands of dollars of support, you do not do that because you are Santa Claus. You do that because you will get an IOU that can be called in somewhere down the track. That is the nature of political donations.

Quite separately from that, I will reiterate this point. I have said it before but I will say it once again: there are genuine people who believe that it is in the best interests of them, their families, their district and their country to provide donations to a political party. But, to me, they have never been the sorts of people who give $10,000. They are not those sorts of people. They are the people who will give $1,500 or less. What is happening here is that we are extending the figure from $1,500 to $10,000, so that will incorporate the corporate donors, and the corporate donors want something in return. Unfortunately and sadly, I personally believe that they have got a very good return on the investment they have made in my old political party that I was once so proud to belong to. For those who read *Hansard*, I would say: do not think about what that particular political party is today. Think about the once greatness of that party that instituted the International Sugar Agreement, the party that instituted the wool price scheme that gave us decent prices for our products.

I will finish on this note. When I was burying my father I had to think about the really important things that happened while he was a member of parliament in our area. I thought: the most wonderful thing that ever happened to us in western Queensland—and, I would say, probably in inland Australia—was the wool scheme. As a young man, when I left secondary school I did not see any remote hope that the wool industry could survive. My very first financial venture was to buy sheep for a pet food operation, because I thought that all that sheep could be used for was pet food! You would remember it well, Mr Deputy Speaker Scott. Because of those brave and courageous men—and I name them: Doug Anthony and John McEwen—we were able to enjoy 20 years of prosperity in that industry.

It was only brought down by the likes of Mr Keating. I think that not only was he influenced by very generous donations over a long period but it wove its way into his thinking. He thought that just giving into the big corporations all the time was a good thing to do. He was conditioned to that response. When he abolished the wool scheme, within three years—as you will recall, Mr Deputy Speaker—the price for our product dropped clean in half. Now, to quote Alan Jones, 'half of that industry has vanished'.

These people who give big donations—in the main; not all of them—are people whom we have to ask very serious questions about. I have had donors who have contributed over $1,500 and they never worried about using their names, because they knew that I believed in the things that they believed in. It was money well spent and they were proud to be able to wear it. They did not have to hide behind closed doors or behind an act that enabled them to remain behind closed doors.

Mr NAIRN (Eden-Monaro—Special Minister of State) (6.23 pm)—In summing up, I thank the honourable members who have contributed to the debate on this very important legislation. I would also like to thank the chair and members of the Joint Standing Committee on Electoral Matters for the committee's comprehensive report into the 2004 federal election, and the chair and members of the Senate Finance and Public Administration Legislation Committee for their inquiry and report on the provisions of the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. Having been chair of the joint standing committee from 1997 to 2001, when quite a number of recommendations along very similar lines as these were made, it is very pleasing to now be the minister taking through the parliament the legislation which will enact these changes.

The opposition have made a number of claims about the proof of identity and close of roll provisions in these reforms. Firstly, they claim that the proof of identity requirements will disenfranchise thousands of Australians; secondly, they claim that closing the roll early is aimed at disenfranchising the young; thirdly, they claim that closing the roll early will disenfranchise over 280,000 Australians; fourthly, they claim that the 1983 election is proof that closing the roll on the day the writ is issued will disenfranchise thousands of Australians; and, finally, they claim that these changes are not required because there is no substantial proof of fraud on the roll.

Let me start with the proof of identity provisions, which require proof of identity for people wanting to enrol, re-enrol or cast a provisional vote. The notion that asking people for proof of identity in the form of a drivers licence or in another form is asking too much and will disenfranchise thousands of Australians simply is not true. At the time of the 2003 census, it was found that more people in Australia held a drivers licence than there were people entitled to vote. For those Australians who do not have a drivers licence, a broad range of options will be available for them to provide proof of identity that will meet the identity requirements for electors. These provisions will substantially improve the integrity of the roll and will overcome the absurd situation where, under Labor's electoral laws, it is easier to get on the roll than it is to hire a DVD. These are logical, practical measures, and I am perplexed by Labor's opposition to them.

The second claim made by the opposition is that these changes are aimed specifically at disenfranchising young people. According to the latest Australian electoral study, 41 per cent of young people voted Liberal at the last election compared to just 32 per cent who voted Labor. We love young people, and they

are voting our way, so I categorically reject claims by the ALP that we are seeking to deliberately disenfranchise young people.

The third claim made by the opposition is that over 280,000 people will be disenfranchised by the changes to the close of roll period. This is one of the most misleading claims by the opposition in this debate. The figure of 280,000 represents roll transactions made during the close of roll period before the 2004 election. The figure includes 126,799 divisional transfer transactions and 157,311 new enrolment and re-enrolment transactions. Under the bill, those who are enrolled but are changing address will have three days from the issue of the writ to update their details. Had these arrangements been in place for the last four elections, from the time the election was called people changing division would have had five business days to change their details in 2004, six business days in 2001, four business days in 1998 and six business days in 1996. That is an average of five business days from the time the election was called, which is more than enough time for people to change their details.

Clearly, the 126,799 electors who changed division in the close of roll period before the 2004 election would not have been impacted by these changes and it is misleading to suggest otherwise. That leaves the new enrolments and re-enrolments. Under the bill, new enrolments and re-enrolments will have to enrol by the day the writ is issued. Had these arrangements been in place for the last four elections, from the time the election was called people enrolling or re-enrolling would have had two business days to change their details in 2004, three business days in 2001, one business day in 1998—with one day's notice—and three business days in 1996, which is an average of two business days from the day the election was called.

There were 157,311 new enrolment and re-enrolment transactions received in 2004. Of these, 110,231 were received either in the first two days or in the last two days of the close of roll period—that is, either electors enrolled early or they enrolled at the deadline. The case can be made that there will always be electors who either enrol early or enrol at the deadline. This will be the case regardless of the length of the close of roll period. These 110,231 electors would therefore not have been affected.

Figures from fixed-term jurisdictions show that even with four years notice there is still a rush of transactions the day the roll closes. Using the 2004 close of roll figures, the number of electors then that may have been affected under the proposed arrangements is close to 47,000, not the 280,000 that the Labor Party claims. But let me remind the House that using the 2004 enrolment figures is a complete hypothetical. While it has been shown that the impact would have been much less than the ALP claims, that does not take into consideration the significant and specifically targeted advertising campaigns the AEC is currently developing and will implement for the next election. These will be aimed specifically at informing the community of the changes.

The fourth claim the opposition has repeatedly made is that the 1983 election was proof that closing the roll the day the writ is issued will disenfranchise thousands of Australians. This is what the member for Bruce had to say on the matter in this place on 29 March this year:

> In 1983 the electoral roll was closed on the day that the election writ was issued ... on polling day approximately 90,000 people found themselves unable to vote because they had not enrolled in time.
>
> … … …
>
> in 1984 Labor sought to enfranchise the 90,000 voters who missed out on the opportunity to vote

because of the early closure of the rolls in the 1983 federal election.

So what has the Labor Party achieved in the last 22 years in this place? In 1983, 90,000 people who turned up on polling had their votes rejected because they were not on the roll. Let us fast forward to the 2004 election, 20 years after Labor implemented its policy of an extended close of roll period, presumably with the impact of reducing the number of provisional votes being rejected on polling day. At the 2004 election 180,865 people cast a provisional vote on polling day. Of these votes more than 67,000 were rejected because the applicants were not enrolled at all. A further 22,000 provisional votes were rejected for the House of Representatives because they were enrolled in the wrong division. So under pre-Labor policy in 1983, 90,000 provisional votes were rejected. Under Labor policy in 2004, 89,000 provisional votes were rejected because they were not on the roll or were enrolled in the wrong division. Clearly, Labor's policy has done absolutely nothing to extend the franchise. The same number of provisional votes were rejected in 1983 as were rejected under Labor's policy. All Labor's policy has done is unnecessarily expose our electoral system to vulnerability, a vulnerability that this government is committed to fixing.

Finally, and most concerning, is the claim by Labor that these changes are not required because there is no substantial proof of fraud on the roll. I cannot emphasise enough that the government remains firmly committed to ensuring the continuing integrity of the electoral system and reducing the potential for electoral fraud. The electoral process is at the core of our democracy and is the basis of the Australian people's acceptance of the election outcomes. Voting is a fundamental right, an absolute right, and that is why we must protect its integrity. There is no point in providing the franchise if we cannot protect its integrity.

However, when it comes to fraud the ALP prefer to turn a blind eye, presumably because they are beneficiaries of such fraud. May I remind members opposite of rorts perpetrated by Mr Mike Kaiser, the disgraced Labor roll rorter, who was forced to resign from the Queensland parliament, now deputy federal director of the Labor Party; or Ms Karen Ehrman, a Queensland state ALP candidate who went to jail for electoral fraud. I remind members opposite of Mr Christian Zahra's own false enrolment when he was not an Australian citizen and of the roll rorts committed by a former Labor staffer of Mr Colin Hollis. And I remind them of cases such as Curacao Fischer Catt, the pet that was enrolled in the New South Wales seat of Macquarie. I recall another one—Giddy Goanna. Giddy Goanna got enrolled in the electorate of Groom.

The guilty opposition takes a position of absolute complacency on this issue. The government will not be complacent. The government considers that measures in this legislation, particularly proof of identity for enrolment, re-enrolment and provisional voting, and the early close of the roll, will go a long way towards strengthening our electoral system and stopping fraud before it happens.

Can I add that no-one needs to be disenfranchised by these changes if they obey the law. The law is that you must be enrolled—unless the Labor Party is proposing that people should not follow the law. Is the Labor Party actually saying that the law should be broken? If you obey the law and enrol you are not disenfranchised.

Turning to the provisions in this bill to increase the disclosure threshold to amounts above $10,000: the government considers this to be an appropriate threshold on the two-fold basis that the current thresholds

ranging from $200 to $1,500 were too low when originally set and have since been eroded by inflation. It has also been Liberal Party policy since 1984, and we do not back off from that. The opposition claims in relation to this matter have been alarmist and nonsensical. Figures provided by the Australian Electoral Commission show that, had these arrangements been in place for the 2004 financial year, the following would have been disclosed: the Australian Labor Party, 82 per cent of all private funding, amounting to $56 million; the National Party, 83 per cent of all private funding, amounting to $8 million; the Liberal Party of Australia, 80 per cent of all private funding, amounting to $52 million; and all other parties, 81 per cent of all private funding, amounting to $124 million. Clearly, transparency and accountability is not lost through the increase to the disclosure threshold. The increased threshold will ensure that these significant donations will continue to be disclosed and people will know who is making them.

Why then is the opposition so opposed to these changes? The answer is simple. The ALP know that under the new arrangements honest, hardworking Australians can support the party that supports small business and they can do this without the fear of retribution and intimidation from trade unions and their Labor puppets. The Labor Party opposes a more competitive democracy. Much has been said in this place about donations, corruption and the receipt of multiple donations. The member for Bruce spoke about political donations, once again on 29 March this year. He said that claims:

> ... that amounts of $10,000 and below were not enough to improperly influence political parties
>
> … … …
>
> completely ignores the fact that, as explained, a party can receive multiple donations from the same donor. This fact clearly increases the chances of corrupt behaviour …

So multiple donations increase corrupt behaviour, according to the member for Bruce. He continued:

> ... you would not have to be Einstein to work out that as the amounts of money increase so do the chances of inappropriate, or even corrupt, behaviour.

This is where it gets interesting, because when it comes to multiple donations the Australian union movement wrote the book. In 2004-05 more than 260 separate donations from the unions flowed to the ALP. In 2004-05 the top multiple union donators to the ALP were: fifth-ranked, the AMWU with 27 donations; fourth, the CEPU with 31 donations; third, the TWU with 32 donations; second, the CFMEU with 46 donations; and top of the rank, the MUA with 47 donations. That is a total of 185—worth over $1.6 million—and that is just the top five.

By his own admission, the member for Bruce believes that the receipt of multiple donations clearly increases the chance of corruption. I wonder how much inappropriate and corrupt behaviour 260 individual donations from the union movement buys in the Australian Labor Party. I wonder which of the union donations actually bought the opposition leader's endorsements for the bids to have the members for Bruce, Maribyrnong, Corio, Isaacs and Hotham thrown out of their seats.

Mr Rudd—Madam Deputy Speaker, I rise on a point of order. I see that as a grossly offensive, personal reflection on the Leader of the Opposition. I ask that it be withdrawn immediately.

The DEPUTY SPEAKER (Hon. BK Bishop)—Minister, is the comment withdrawn?

Mr NAIRN—I will withdraw. My point is that everything the ALP say in criticising the electoral reforms before this House is absolutely and categorically refuted by their own

actions and by the actions of their union masters. The truth is that these changes will not affect transparency and accountability. The hypocrisy and misinformation the opposition continues to spruik contributes nothing to this debate.

With respect to the tax deductibility of political donations, the government agrees with the JSCEM's view that a higher tax deductibility level would encourage more people to participate in the democratic process. The government believes that public involvement in the democratic process has a significant social value. By changing the tax deductibility arrangements, the bill will encourage greater public participation in the democratic process. The legislation also provides tax deductibility for donations to Independent candidates and members at a federal or state election. This will provide parity of treatment between Independents and political parties.

I reject opposition claims that these changes are somehow aimed at benefiting the Liberal Party. In making these claims, the opposition have clearly missed the point that the parties with the greatest reliance on donations of less than $1,500 are the minor parties and Independents. The reality is that these tax changes will make it more economically viable for the supporters of the minor parties and Independents to contribute to their campaigns. That will actually lead to an increase in the competitiveness of the democratic process. By opposing these provisions, the ALP have shown their hand. The last thing the Labor Party want is a more competitive, democratic process. It is not the first time the ALP have shown their hand on what they think of a competitive democracy—need we be reminded of Labor's intentions when they changed the electoral system in 1984. Former Labor frontbencher Graham Richardson revealed in his book *Whatever It Takes* that when Labor changed the electoral system they did so with the aim of ensuring:

> ... that Labor would embrace power as a right and make the task of anyone taking it from us as difficult as we could.

That appears on page 144 of the book. Who was the Special Minister of State at the time? It was none other than the current Leader of the Opposition.

With respect to prisoner voting, the government remains firmly of the view that people who commit offences against society sufficient to warrant a prison term should not, while they are serving that prison term, be entitled to vote and elect the leaders of the society whose laws they have disregarded. People being detained on remand, those serving alternative sentences such as periodic or home detention, those serving a non-custodial sentence or people released on parole will still be eligible to enrol and vote.

On the subject of third-party disclosure, the government believes that NGOs must be held accountable for any activities that they engage in which are clearly related to electoral matters. The provisions in the bill will require third parties who are engaging in political campaigning in the non-election period to disclose their expenditure on an annual basis where expenditure incurred exceeds $10,000. I will be moving government amendments to this part of the bill. Changes will be canvassed in more detail when I formally introduce those into the House shortly. Let me say that they were developed in consultation with the not-for-profit sector and the response has been very positive.

In conclusion, there are a number of other measures in this bill that will strengthen our electoral system that have not been covered in great detail during the debate. In summary, these provisions relate to expanding AEC demand powers, increasing nomination fees for candidates, removing requirements for

publisher and broadcaster returns, requiring divisional offices to be located in the electorate they service, setting minimum requirements for the continued registration of political parties following a federal election and providing for the deregistration of parties that do not meet the requirements, and a number of other matters. Most importantly, through this bill this government achieves, more than any government before it, a reduction in electoral fraud, the removal of vulnerabilities in our electoral system and the protection of the integrity of the fundamental democratic right of Australian citizens to cast a vote. I commend the bill to the House. *(Time expired)*

Question put:

That the words proposed to be omitted (**Mr Griffin's** amendment) stand part of the question.

The House divided. [6.48 pm]

(The Deputy Speaker—Hon. BK Bishop)

Ayes……	77
Noes……	55
Majority……	22

AYES

Abbott, A.J.	Anderson, J.D.
Andrews, K.J.	Bailey, F.E.
Baird, B.G.	Baker, M.
Baldwin, R.C.	Barresi, P.A.
Bartlett, K.J.	Billson, B.F.
Bishop, J.I.	Broadbent, R.
Brough, M.T.	Cadman, A.G.
Causley, I.R.	Ciobo, S.M.
Cobb, J.K.	Draper, P.
Dutton, P.C.	Elson, K.S.
Entsch, W.G.	Farmer, P.F.
Fawcett, D.	Ferguson, M.D.
Forrest, J.A. *	Gambaro, T.
Gash, J.	Georgiou, P.
Haase, B.W.	Hardgrave, G.D.
Hartsuyker, L.	Henry, S.
Hockey, J.B.	Hunt, G.A.
Jensen, D.	Johnson, M.A.
Jull, D.F.	Keenan, M.
Kelly, D.M.	Laming, A.
Ley, S.P.	Lindsay, P.J.
Lloyd, J.E.	Macfarlane, I.E.
Markus, L.	May, M.A.
McArthur, S. *	McGauran, P.J.
Nairn, G.R.	Nelson, B.J.
Neville, P.C.	Panopoulos, S.
Pearce, C.J.	Prosser, G.D.
Pyne, C.	Randall, D.J.
Richardson, K.	Robb, A.
Ruddock, P.M.	Schultz, A.
Scott, B.C.	Smith, A.D.H.
Somlyay, A.M.	Southcott, A.J.
Stone, S.N.	Thompson, C.P.
Ticehurst, K.V.	Tollner, D.W.
Truss, W.E.	Tuckey, C.W.
Turnbull, M.	Vaile, M.A.J.
Vale, D.S.	Vasta, R.
Wakelin, B.H.	Washer, M.J.
Wood, J.	

NOES

Adams, D.G.H.	Albanese, A.N.
Beazley, K.C.	Bevis, A.R.
Bird, S.	Bowen, C.
Burke, A.E.	Burke, A.S.
Byrne, A.M.	Crean, S.F.
Danby, M. *	Edwards, G.J.
Elliot, J.	Ellis, A.L.
Ellis, K.	Emerson, C.A.
Ferguson, L.D.T.	Ferguson, M.J.
Fitzgibbon, J.A.	Garrett, P.
Georganas, S.	George, J.
Gibbons, S.W.	Gillard, J.E.
Grierson, S.J.	Griffin, A.P.
Hall, J.G. *	Hatton, M.J.
Hayes, C.P.	Hoare, K.J.
Jenkins, H.A.	King, C.F.
Lawrence, C.M.	Macklin, J.L.
McClelland, R.B.	McMullan, R.F.
Melham, D.	Murphy, J.P.
O'Connor, B.P.	O'Connor, G.M.
Owens, J.	Plibersek, T.
Price, L.R.S.	Quick, H.V.
Ripoll, B.F.	Roxon, N.L.
Rudd, K.M.	Sawford, R.W.
Smith, S.F.	Snowdon, W.E.
Swan, W.M.	Tanner, L.
Thomson, K.J.	Vamvakinou, M.
Wilkie, K.	

* denotes teller

Question agreed to.

Original question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr WINDSOR (New England) (6.56 pm)—by leave—I move my amendments (1) to (5) together:

(1) Schedule 1, item 75, page 20 (lines 13-14), omit the item.

(2) Schedule 1, after item 77, page 20 (after line 21) insert

77A After section 302

Insert:

Division 3A - Return by candidates

302A Interpretation

(1) In this Division

electoral expenditure in relation to an election, means all expenses incurred by or on behalf of a candidate, and gifts or donations received by or on behalf of the candidate in connection with the election and includes expenditure incurred and gifts or donations received in connection with the election (whether or not incurred during the election period) on:

(a) the broadcasting, during the election period, of an advertisement relating to the election; or

(b) the publishing on the Internet or in a journal, during the election period, of an advertisement relating to the election; or

(c) the display, during the election period, at a theatre or other place of entertainment, of an advertisement relating to the election; or

(d) the production of an advertisement relating to the election, being an advertisement that is broadcast, published or displayed as mentioned in paragraph (a), (b) or (c); or

(e) the production of any material (not being material referred to in paragraph(a), (b) or (c)) that is required under section 328 or 332 to include the name and address of the author of the material or of the person authorizing the material and that is used during the election period; or

(f) the production and distribution of electoral matter that is addressed to particular persons or organisations and is distributed during the election period; or

(g) the carrying out, during the election period, of an opinion poll, or other research, relating to the election.

candidature includes the actions in connection with a candidate's attempts to be elected as a Senator or as a Member of the House of Representatives.

(2) For the purposes of this Division, electoral expenditure incurred by or with the authority of a candidate shall be deemed to have been incurred by that candidate.

302B Candidates to make returns

(1) Within 15 weeks after the polling day in an election every candidate at the election shall sign and provide to the Electoral Commission a return of the electoral expenditure incurred or authorised by the candidate showing

(a) all electoral expenditure paid, and

(b) any disputed and unpaid claims for electoral expenditure, and

(c) the names of persons or organisations who have made gifts or donations to the candidate in connection with the election, and the details of the gifts or donations received.

(2) The return must be in accordance with a form set out in the regulations.

(3) The Electoral Commission must ensure that returns or certified copies of returns are available for public inspection at an office of the Electoral Commission for a period of 6 months after they have been received by the Commission.

302C Expenditure etc on behalf of candidate

Any person incurring or authorising any electoral expenditure on behalf of a candidate or providing or making a gift or donation to a candidate without the written authority of the candidate shall be guilty of a contravention of this Act

(3) Schedule 1, item 82, page 22 (lines 16-17) omit the item.

(4) Schedule 1, item 128, page 35 (lines 12-13), omit the item.

(5) Schedule 1, item 130, page 36 (lines 13-14), omit the item.

I will speak briefly to the amendments because I have just spoken to them at some length in the second reading debate. For those members who were not here or who were not particularly interested, in summary the intent of the amendments is essentially to maintain the requirement that media broadcasters and publishers continue to file returns following elections and that associated entities be more clearly defined as to their reporting requirements, to show who their donors are, and for each candidate, regardless of their party affiliation, to file an individual return indicating their donors and expenditure. The amendments are self-explanatory in that sense, and I ask members to support those amendments.

Mr ANDREN (Calare) (6.57 pm)—I support the member for New England in this set of amendments, particularly those pertaining to the retention in this legislation of the disclosure requirements for publishers and broadcasters. I make the point that, where there is an increase in the amount of the donation to $10,000 before a declaration is required, as is proposed in this legislation, combined with the current practice of nil returns from most if not the overwhelming majority of party candidates, and then coupled with the elimination of the requirement for the media to report, it leaves absolutely no way for an individual, Independent or other candidate to seek information about how that opponent candidate's election is funded. It beggars belief that anybody could consider that this is a move towards more integrity and a more transparent electoral process.

It has been suggested to me by the opposition that their global reporting process provides for sufficient delineation of those donations, but I can tell you that there is absolutely no way, unless these media returns are fully furnished, that I or anybody else—a member of the public or a candidate—can find out who has spent money on behalf of which candidate in any particular electorate. I strongly recommend that the House support these amendments.

The DEPUTY SPEAKER (Hon. BK Bishop)—The question is that the member for New England's amendments be agreed to.

A division having been called and the bells having been rung—

The DEPUTY SPEAKER—As there are fewer than five members on the side for the ayes, I declare the question negatived in accordance with standing order 127. The names of those members who are in the minority will be recorded in the *Votes and Proceedings*.

Question negatived, Mr Andren, Mr Katter and Mr Windsor voting aye.

Mr ANDREN (Calare) (7.04 pm)—by leave—I move my amendments (1) to (19) and (22) together:

(1) Schedule 1, item 3, page 5 (lines 12-14), omit the item.

(2) Schedule 1, item 4, page 5 (lines 15-25), omit the item.

(3) Schedule 1, item 14, page 7 (lines 14-15), omit the item.

(4) Schedule 1, item 15, page 7 (lines 16-22), omit the item.

(5) Schedule 1, item 16, page 7 (lines 23-25), omit the item.

(6) Schedule 1, item 20, page 8 (lines 9-11), omit the item.

(7) Schedule 1, item 24, page 8 (lines 26-28), omit the item.

(8) Schedule 1, item 28, page 9 (lines 13-15), omit the item.

(9) Schedule 1, item 39, page 13 (lines 18-19), omit the item.

(10) Schedule 1, item 40, page 13 (lines 20-22), omit the item.

(11) Schedule 1, item 41, page 13 (line 23) to page 14 (line 17) , omit the item.

(12) Schedule 1, item 42, page 14 (lines 18-19), omit the item.

(13) Schedule 1, item 43, page 14 (lines 20-21), omit the item.

(14) Schedule 1, item 44, page 14 (lines 22-24), omit the item.

(15) Schedule 1, item 45, page 14 (lines 25-26), omit the item.

(16) Schedule 1, item 50, page 15 (line 14) to 16 (line 8), omit the item.

(17) Schedule 1, item 51, page 16 (lines 9-10), omit the item.

(18) Schedule 1, item 52, page 16 (lines 11-12), omit the item.

(19) Schedule 1 item 61, page 17 (lines 24-27), omit the item.

(22) Schedule 1, item 66, (page 18 (lines 19-20), omit the item.

These amendments and a subsequent set that I will be moving make the necessary changes to restore transparency to the Commonwealth Electoral Act and enhance the electoral process to improve its ability to deliver the best representative democracy possible rather than the best democracy that money can buy.

Amendments (1) to (5), (16), (19) and (22) will retain the status quo with regard to prisoner voting. I spoke in opposition to the disenfranchisement of prisoners on three separate occasions in the last parliament and I reiterate my opposition now. The right to vote, to have a say in who governs the country and even, at a state level, who runs the prisons, is a basic human right and as a right is not something that should be taken away by politicians. This was also the view of a past joint standing committee of this parliament that adopted a recommendation that all prisoners, except those convicted of treason, be granted the right to vote. Nothing has changed my view. Madam Deputy Speaker, I am finding it very difficult to concentrate with the noise.

The DEPUTY SPEAKER (Hon. BK Bishop)—I would ask members if they would afford the member for Calare some courtesy and let him be heard.

Mr ANDREN—I did not support the measures with regard to prisoner voting that eventually passed the parliament that only those serving sentences over three years be excluded from the roll. This was a reduction from the original five years in the Commonwealth Electoral Act. As the reduction to three years was passed by both houses, I am willing to retain that compromise in my amendments to remove the government's total exclusion of anyone serving a custodial sentence, regardless of whether it is two months or two years, from the electoral roll and to retain the status quo. This policy is designed to do nothing more than further enhance the electorate's perception that the government is tough on crime and criminals. Sure, but it is too tough, I would believe, in excluding all prisoners from a right to a vote, which should in any humane society be part of a rehabilitation process.

I said before in this place that some people commit crimes and are not jailed but retain the right to vote. Some are jailed and later

found to be innocent. The blanket disenfranchisement ignores the reality of our justice system, which is that it is imperfect and fallible. From my experience in Calare, unless we pay particular attention to the rehabilitation of prisoners and offer them rights which they can appreciate as rights—indeed, their participation in a fundamental process in our society—it will only further cement behaviour which will continue to be antisocial and which will exacerbate crime. It will certainly have a more negative outcome in the long run.

I draw the House's attention to the Indigenous prisoner population, which is a huge percentage—up to 30 per cent—of the prison population in Bathurst jail. Indigenous prisoners make up 22 per cent of our prison population, which is up from 14.2 per cent in 1992. This statistic is screaming out at us. Here is something that needs to be attended to. Having spent time with those incarcerated in Kirkconnell, Bathurst and Lithgow jails, I believe many of those people recognise they have made a mistake and many of them would want the right to have a say as part of the rehabilitation process and not one that encourages recidivism.

In a similar vein my amendments (6) to (15), (17) and (18) will retain the status quo in respect of the closure of the roll seven days after the election writ is issued. This would avoid the disenfranchisement of hundreds of thousands of Australians who will enrol or change their enrolment. Much of this has been covered in other debate. I would only say that it is a better process to have students and young people in my electorate engage when the election is called and then take part in that election than to have them take no part whatever in the process. *(Extension of time granted)*

Finally, as the AEC has consistently stated in past inquiries into electoral matters, the commission is not of the view that so-called last-minute enrolments overburden it nor present a risk to the integrity of the roll. There has not been support for early closure of the roll from the AEC. In this debate it has been suggested that in the Senate inquiry into the bill the commissioner reversed this long-held opinion. I have looked at the *Hansard* of the inquiry and I am satisfied that, far from supporting the early closure of the roll, the current commissioner merely gave his opinion on the impact the early closure of the roll would have on the commission and its workload. I seek support for these amendments and I will be seeking a division. I will be moving subsequent amendments.

Mr NAIRN (Eden-Monaro—Special Minister of State) (7.10 pm)—The government does not support the amendments. With respect to amendments (1) to (5), (16), (19) and (22), the government remains firmly of the view that people who commit offences against society sufficient to warrant a full-time prison term should not be entitled to elect the leaders of the society which makes the laws that they have disregarded. This will bring Australia into line with many other Western countries, including the United Kingdom, Switzerland, Belgium and the majority of states in the United States of America.

I dealt with amendments (6) to (15) and (17) to (18) in great detail in my summing up. The member for Calare probably did not listen to my summing up and to the facts about the early closure of the roll. To save some time, for the reasons that I set out in very clear terms in my speech summing up the debate we oppose these amendments.

Mr Andren—Madam Deputy Speaker, I rise on a point of order. I am trying to facilitate this debate to get it over by 7.30. I really object to the insinuation that I was not listening to the debate. I made it clear in my sec-

ond reading contribution, if the minister read it.

The DEPUTY SPEAKER (Hon. BK Bishop)—There is no point of order. The member will resume his seat. The minister has concluded. I call the member for—

Mr GRIFFIN (Bruce) (7.12 pm)—Madam Deputy Speaker Bishop, you are the second Deputy Speaker today to forget my electorate. I am concerned.

The DEPUTY SPEAKER (Hon. BK Bishop)—I am sorry about that.

Mr GRIFFIN—It is important today to make it very clear that this package of amendments proposed by the member for Calare to the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 will be supported by the opposition. They particularly relate to the issue of prisoners and the issue of the closure of the roll and seek to maintain the systems that currently stand.

Our position on the bill as a whole is very clear. The bill stinks. It is a rank piece of legislation. It is designed to corrupt the electoral system in a manner to benefit the conservatives. Have no doubt about that. But let us be very clear about these amendments. The comments of the Special Minister of State in closing off the second reading debate were that this is all about the Labor Party—this is all about what Graham Richardson did so long ago. That is what it is about. Basically the position is: 'We are acting altruistically, honestly and in the best interests of the public, but it is in response to your evil—the things that you did so many years ago,' which I might add did not in fact work that well.

Let us also be clear about what some of the experts have said. There is one expert that I want to quote. That expert said, 'There is little evidence of fraud in our electoral roll.' Who said that? I will tell you who that was. It was Senator Eric Abetz, the previous Special Minister of State. We all know this minister has form on these sorts of issues because we all know where he came from before he landed in Eden-Monaro. It was the Northern Territory. We all know what happened in the Northern Territory. We all know what he was accused of in the Northern Territory. We all know what happened there. It is good to have so many members of the coalition sitting here behind me supporting me while the minister is sitting over there with all his mates.

The fact of the matter is that it is not just us. During the committee hearing into this legislation, a series of experts raised concerns about this proposal. Professor Brian Costar summed it up pretty well. He said:

> I think that this conspiracy theory ... that there is out there a vast army of villains who want to take advantage of every nook and cranny of the law to sign up phantom voters ... to rort the system is not based on evidence.

But it was not just him. What about the Australian Electoral Commission? The Australian Electoral Commission has on a number of occasions had an opinion and a view about this issue. On this occasion, they did not. The position taken by the current Electoral Commissioner is one of: 'If the government does that, then we shall obey.'

But previous Australian Electoral Commissions, even those under Andy Becker—and we all know his links historically—had a very clear position. In 2000, in a submission to an inquiry into the integrity of the electoral roll, the AEC stated:

> ... the AEC expects the rolls to be less accurate because there will be less time for existing electors to correct their enrolments and for new enrolments to be received.

Their position has been consistently that closing the roll off early will have an impact. So it is not just me; it is not just us. It has

been the view of the Electoral Commission on a number of occasions over many years. It is the view of Professor Brian Costar, an independent expert on this matter. But it is not just them either. Let us go to what Antony Green from the ABC said in relation to the JSCEM inquiry into the 2004 election:

> If suddenly the election is called two or three months early, people will not have regularised their enrolment. You will cut young people off, as the numbers show ...

That will be the result. The minister made the point that the electoral survey shows that young people vote conservative. You can question that survey—and I have not got long enough to do that because I have got only five minutes—but that is not the point. The point is that you will disenfranchise people.

There is the argument that it is okay, that it is a matter of obeying the law. Let us look at AWB for a second. If Minister Downer had read and understood the cables, if he had done his job, maybe we would not have the problem we have now with AWB. Lots of people out there in the community only fix these sorts of things when they know they have to. It is all right saying that the roll is going to close when elections are called, but unless you have a fixed date approach—which the government reject—the circumstances are that you will not get people acting in this fashion. *(Time expired)*

Mr SNOWDON (Lingiari) (7.17 pm)—I am glad that the member for Eden-Monaro is sitting at the table, because I lived in the Northern Territory when he was there, involved with the CLP. He scarpered. He knows that he is now endorsing a piece of legislation, the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005, which will effectively disenfranchise literally thousands of Territorians. Indigenous Australians who live in remote communities and Indigenous Australians who are in jail, as the member for Calare has said, will be now disenfranchised because of this legislation.

Young Aboriginal Territorians turning 18 may not be aware of their responsibilities as electors and citizens of this country when the next election is called. How will they have knowledge that an election has been called? Most will not have a radio. They certainly will not have access to a newspaper. They will not be in a position to register on the roll. That is partly because of decisions taken by the first Howard government in 1996 to get the Aboriginal voter education unit out of the Electoral Commission. That is what they did. It was a shameful exercise to take away the capacity of the Electoral Commission to provide information and educational material to Indigenous Australians which demonstrated their responsibilities as voters and put them on the roll. This legislation is fundamentally antidemocratic. There is no need to close the roll on the day the election is called. What is the legitimate reason?

Mr Nairn interjecting—

Mr SNOWDON—Oh, when the writ is issued!

Mr Nairn—Have a look at the bill. You don't even know the bill.

Mr SNOWDON—When the member for Eden-Monaro closes his trap for just a short while he will understand the implications of this legislation. The CLP have been trounced time and time again by blackfellas in the bush. That is what this legislation is about—crude politics. The government will try and disenfranchise anyone who they do not believe votes for them. Why are they doing it to people in the jails? Because they know that historically people in jail who get to vote do not vote for them. Why are they doing it to Indigenous Australians? Because they know

historically Indigenous Australians do not vote for them.

We should not be under any illusion as to what this is about. This is a crude political exercise to try and maximise the Liberal Party vote by disenfranchising Australians. This legislation seeks to disenfranchise people who have a right to be enrolled so that they do not get to register and do not get to vote on polling day. The government should be ashamed of itself.

Mr MELHAM (Banks) (7.20 pm)—I rise to support the amendments to the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 that have been moved by the member for Calare. The retention of prisoners' right to vote is essential. I think I am one of the few members of this House who has appeared on behalf of members of the prison population. I was a criminal lawyer before I went into parliament. The statistics show that a large proportion of the prison population is Indigenous and a large proportion of the prison population is also serving short-term sentences. I believe that the current law is balanced: anyone who is serving imprisonment for three years or more is precluded.

What the parliament should be about is enfranchising people, not disenfranchising them. This is where we come to the second amendment in relation to early closure of the roll. In my speech in the second reading debate, I labelled that together with the idea of more identification for people who are claiming provisional votes. I regard those provisions as the 'hanging chad' provisions—provisions that are there to knock people out. We are not talking about one or two voters here. We know that, if this provision had been in place at the last election, 70,000 electors would have been disenfranchised. Quite frankly, I do not care whether electors are Labor, Liberal or Callithumpian. We as a parliament should not be moving to disenfranchise a massive number of electors; we should be encouraging people to enrol.

It is a fact that young people are a bit slack. The minister would know there are research papers by the Australian Electoral Commission that show that 18-year-olds are the least enrolled. Not until voters are 25 years of age, according to the Australian Electoral Commission statistics, do we get the balance right on enrolment. Only among voters aged 25 or older is the same percentage enrolling. But the figures show that among those aged 18 to 25 the enrolment is not as large. We are not talking about phantom enrollees; we are talking about real people—many thousands of people.

The minister claims that at the last election more young people voted for the Liberal Party than voted for the Labor Party. Well, so what! Whether or not they voted for the Labor Party in bigger numbers should not be the criterion. The criterion should be: has the government demonstrated massive fraud requiring this provision which is going to disenfranchise tens of thousands of people? Has the government shown massive fraud as a basis for this coming in? No. There have been assertions, there has been prejudice, there has been suspicion and there have been unsubstantiated allegations made.

I served on the Joint Standing Committee on Electoral Matters from 1990 to 1996 and for subsequent short terms. For the whole of my time on that committee, I was guided by a philosophy of empowering people—making sure that legitimate people can get on the roll, have a vote and elect the government of their choice. It is all about retaining integrity in the system. This legislation will not bring a higher level of integrity to the system. In close elections we will end up with a Florida-like situation in which there will be a question mark over the vote be-

cause people have been disenfranchised. Florida was a blight on the American voting system. The provision being brought in here is going to be a blight on the Australian electoral system, and I believe the government is quite wrong in wanting to bring it in. I believe that, down the track, it is going to create disenchantment with our electoral system.

Whether we like it or not, younger people do have a problem getting on the roll. We should be giving them every encouragement to get on the roll. We should be giving them the slack that is currently in the Electoral Act. The provision in the Electoral Act is not corrupt; it is a savings provision. It gives them a safety net of seven days from when an election is called to get on the roll. I think it is a disgrace. *(Time expired)*

Mr DANBY (Melbourne Ports) (7.25 pm)—I have served on the Joint Standing Committee on Electoral Matters since I was elected to this parliament in 1998. I went to all the hearings around Australia as part of the 2004 investigations. I patiently went to remote parts of Australia with a large group, mostly members of the government. This parliament should know that at none of those hearings was evidence presented that there was substantial fraud of the Australian electoral roll. In fact, electoral officer after electoral officer, and academic expert after academic expert, testified that there is no substantial fraud of the Australian electoral system. The changes being contemplated by the government in the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 are not based on any evidence.

Let me remind the House that between 1990 and 2001 there were six election events—five elections and one referendum. At each of those election events, 12 million Australians voted. So, over those six election events, 72 million people voted. During that period of time—the same time that 72 million people voted—the Australian Electoral Commission discovered 71 cases of proven electoral fraud. So why on earth are we changing a system that works? Hundreds of thousands of Australians will be affected as a result of evidence that one in a million Australians who voted in those six election events was proven to be involved in electoral fraud.

It is this legislation that is an absolute fraud. In a compulsory voting system we have an obligation to the Australian people to make sure that as many of them as possible have the right to vote—and that is exactly what this legislation is sabotaging. I cannot speak more strongly on this. This legislation is an abrogation of the rights of the Australian people. Younger people in particular will be affected by this, as the member for Banks has said.

No evidence of fraud was adduced to the committee at all of the hearings I was at in 2004. The current minister was not there, nor was the current Chair of the Joint Standing Committee on Electoral Matters. There was no evidence produced at months of inquiry that proved there was any substantial electoral fraud that affected any division in Australia, let alone a national election result. This legislation is based solely on what the Soviets used to call ‘salami tactics’. Slice by slice, the Liberal Party are trying to slice off voters who may support the opposition—hopefully, the next government—at the next election. The government want to slice off young people. They want to slice off Aboriginal people. They want to slice off all people who may not have enrolled perfectly or do not have a drivers licence, and they want to slice off elderly people—all the categories we raised in the inquiry. This legislation is an absolute disgrace to Australian democracy.

Mr GRIFFIN (Bruce) (7.29 pm)—In the few seconds that remain before we go to the adjournment, while knowing that the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 will be considered in further detail tomorrow, I would like to make a couple of points in addition to those that I made before. I make it very clear to the Australian people that this is about the Liberal Party of Australia implementing an agenda; it is not about an equitable and fair electoral system. I mentioned before the opinions of a number of experts and I want members to know that when we are back in here tomorrow I will be mentioning quite a few more that show that all this is about is the conservatives trying to rort the system to give them the opportunity to try to put in place ongoing domination of the electoral system as a result of changes to the detriment of young people and other disadvantaged groups in this country.

Debate interrupted.

ADJOURNMENT

The SPEAKER—Order! It being 7.30 pm, I propose the question:

That the House do now adjourn.

Budget 2006-07

Mr GEORGANAS (Hindmarsh) (7.30 pm)—I am concerned that age pensioners are fighting a losing battle and retirees without substantial superannuation or investments are continuing to slip further behind financially. The most alarming consequence of this is worsening health. Many concerns are raised by retirees in Adelaide's western suburbs, concerns that I am sure are raised around the country, which the federal government could be addressing with their multibillion dollar handouts. Today I would like to advance two recurrent themes that are raised by many and varied people over the age of 65. Firstly, retirees view as unjust current retirement policies which produce an effective marginal tax rate of 40 per cent for single retirees in receipt of some $16,000 per annum. They view a 40 per cent effective marginal tax rate—payable ordinarily by singles earning well over $60,000 per year—being applied to people in their circumstances as almost obscene. The 40 per cent is the rate of withdrawal of the age pension for every dollar that a person 'earns' over the exempt amount.

The arguments for the application of a means tests are longstanding, almost eternal, within Australia. Such tests have been applied in one form or another since the first age pension was introduced. People expect policies to change over time, subject to different circumstances, attitudes, needs and the economic fortunes of the country. People have seen business tax reduced from 36 to 30 per cent in order to elicit a particular response from the business community. Superannuation taxes have been moulded to encourage certain behaviours within the workforce. Capital gains taxes have been altered for certain assets if held for minimum periods of time to promote prescribed behaviours in investors. I am concerned that the 40 per cent effective marginal tax rate decreases the desire of older Australians to provide more for themselves in retirement. I am concerned that people who may be able to provide a greater proportion of their own retirement income, through postpension age employment and/or preretirement savings and investments, may be discouraged from decreasing their reliance on the age pension by this form of tax.

It is said repeatedly that Australia needs retirees to provide for themselves as much as possible through superannuation. It is also said that Australia will increasingly need older Australians post the retirement age of 65 to remain in the workforce. Age pensioners see themselves on 40 per cent, with most wage earners being on 30 per cent, busi-

nesses being on 30 per cent and others receiving comparable income on 15 per cent marginal tax rates. Pensioners often ask me: 'Why should I bother? Why not blow all my savings on a holiday before claiming the age pension and deriving its maximum benefit?' Retirees within Hindmarsh may still go out and generate additional income by one means or another, but they are not at all happy with the disincentive and want it addressed.

The second point I want to make is that pensioners in Hindmarsh are still waiting for the federal government to recognise section 51 of the Australian Constitution and take responsibility for the provision of dental care. It is unimaginable how an administration can spend tens of billions of dollars and still manage to step around its responsibility for the oral health of Australians. I listened carefully to the Treasurer's budget speech for half an hour last night and I have listened to him in many minutes of news grabs since and the number of times he has mentioned 'dental care', 'oral health', 'dentures' or 'teeth' is zero. How mean and how callous! There is a $17 billion surplus but for those who desperately need help with their oral health there is nothing—zero.

This budget shows the most blatant contempt for the health of senior Australians on limited means. We are left with the government's previous assertion: 'We meet our dental responsibility through the private health insurance rebate.' Single age pensioners on $250 a week or couples on $210 a week each are going to be some of the least likely people in Australian society to be able to afford private health insurance. Age pensioners are a group in most need of direct assistance, when required, to overcome dental problems. Without such assistance what happens? It is what has been happening over the last 10 years: pensioners' health suffers. Some of the most dutiful, honourable, hardest working and longest suffering people that this country has been able to produce are being left to endure poor dental health, and everyone knows that poor dental health leads to worsening overall physical health. This government may consider itself, or at least try to represent itself, as generous. But many thousands of our mums and dads out there do not think this is the case. As I said, the government have a $17 billion surplus, but they could not find it in their hearts to offer a Commonwealth dental health system to our retired people and age pensioners who can least afford dental care.

WorldSkills Australia National Competition

Mr HENRY (Hasluck) (7.35 pm)—I was fortunate enough to attend the WorldSkills Australia awards presentation ceremony and 25th anniversary gala dinner in Melbourne on Monday night, following the WorldSkills Australia National Competition. The WorldSkills Australia National Competition is an incredible event which brings together young people from all over Australia to showcase their skills in traditional trades and new technology vocations. The competition covers 39 categories of skills from auto-electrical to floristry and web design, with over 100 awards presented this year to many deserving young Australians. There are 29 WorldSkills regions in Australia, with the best performing region winning the Evatt Shield. I believe that Tasmania won it this year. More than 55,000 people attended the Melbourne Exhibition and Convention Centre between 5 and 7 May to watch apprentices and tradespeople from all over Australia work in a variety of skilled trades: bricklaying, plumbing, painting and decorating, cooking, garment production, welding, heavy vehicle mechanics and many more. Many of those visiting the exhibition took the opportunity to try a trade.

I am very pleased to say that five young people from my electorate of Hasluck made the long trip across the Nullarbor to participate in the national WorldSkills competition, and I was honoured to be there to support them. Gavin Zimmer, from Lesmurdie, won the gold medal for the heavy vehicle mechanics category. He lives in the same suburb as I do, and I congratulate him on a fantastic effort. He is a fine young man and a great example of the fine tradesmen produced by the Caterpillar Institute in Guildford, Western Australia. From Forrestfield, Caleb Jacobs represented WA in cabinet making and Daniel Dixon in carpentry. Brian Hart, from Gooseberry Hill, represented Western Australia in the retail-baking (pastry) category and Jonathon Gronbeck, from Lesmurdie, represented WA in the welding category. All of these competitors did a fine job of representing Western Australia, and the skills developed in Western Australia were accorded high recognition. These fine young people are great examples of what our apprenticeship and traineeship programs are developing, and I would like to congratulate them all on their outstanding performances. Making a commitment to such a competition to demonstrate the skills you have acquired during your apprenticeship or traineeship is a fantastic thing to do.

Since the beginning of WorldSkills Australia, around 50,000 young Australians have measured themselves against their peers in their industries. WorldSkills Australia, formerly Work Skill Australia, has been operating since 1981 when it was founded by Jack Dusseldorp. WorldSkills Australia has participated in every international competition since 1983 and has introduced many new ideas to the foundation, such as 'skills of the future' categories. These include mechatronics, manufacturing team challenge, landscape and IT software applications. Australia also hosted the Worldskills International competition in 1988.

Competitions highlight the importance of vocational education and training as a career option. The competition stimulates the academic motivation of many students by focusing on the fun of learning through interesting and diverse skill challenges. In my former life as the CEO of the Master Plumbers and Gasfitters Association and the Master Painters Association of WA I was heavily involved in vocational and technical education and skills training. I remain a strong and vocal advocate of skill based training, and I am convinced more than ever that promoting vocational and technical education and training is the best way to address the skills shortages faced by Australian business.

I had the privilege of attending the International WorldSkills Competition in St Gallen, Switzerland in 1997, and I have been a strong supporter of the state and national WorldSkills competitions for over 18 years. I can personally attest to the enormous value these competitions provide to the training and skills of our workforce.

WorldSkills Australia announced their intention to bid against Sweden and the United Kingdom to host the 2011 International WorldSkills Competition, a bid which was well supported by the Australian government and Australians generally. Unfortunately, out of the three competing bids, Australia was unsuccessful, with the United Kingdom being selected to host the International WorldSkills Competition in 2011.

I congratulate Mr Bob Puffett AM, Chairman of WorldSkills Australia, and his entire team on organising and executing this year's competition. In particular, I congratulate all those who participated and encourage them to use the experience to encourage others to take part in this wonderful opportunity provided by the WorldSkills competitions.

Budget 2006-07

Ms OWENS (Parramatta) (7.40 pm)—On Wednesday next week we will be holding a consultation in my electorate on work and family balance and child care. Since sending out the notices a month ago, we have had an extraordinary response from people who are desperate for solutions to the stresses within their families caused by trying to find a balance between earning the money their families need, being where they need to be for their children and building relationships with each other.

If you talk to businesswomen, as I did at a business breakfast recently, it is amazing to find how a group of powerful women will suddenly start to talk about child care above all other topics. For them it is a major issue in spite of their high salaries. If you talk to women who are out of work, finding a job that is flexible and finding child care are the subjects most talked about. If you talk to women without skills in the workforce and to many in the migrant communities, you will meet the real complexities for families.

The change to workplaces has altered work patterns beyond nine to five. I meet husbands and wives who work different hours so that they can care for their children but who do not get to be together as a family. These are men and women who both work night shift, and many of them are skilled migrants who left their extended family behind in their home country and have no family support here. There are men and women who both work casual jobs and who do not know from week to week, or even from day to day, when they are next working. For them, issues of child care are so far out of reach that they hardly mention them at all. These are people with great need and little ability to pay, and they have requirements for flexibility in the new industrial relations world that are not provided now and will not be provided for under the current government's budget.

I admit that I was hoping, after all the chat from government about child care, that the budget announcement might make the consultation meeting next week irrelevant. But in my dreams, I am afraid! Two areas of real shortage in my electorate are in long day care and in highly flexible services for parents who do not work nine to five, do not work regular hours or do not know when they are working tomorrow. The budget does nothing for those families. It will not deliver new places, and it certainly will not deliver the kinds of solutions that families in my electorate need.

So let us look at what the Treasurer claims to have delivered. He claims to have delivered more places. That is a con, Mr Speaker. It is an appearance of creating places, just as in the last budget. It will not create additional places, and certainly not where they are most needed. The Treasurer is relying on lifting the cap—that is, the number of places they would fund. But in the most serious area of shortage, long day care, it just is not mentioned. He certainly has not suggested lifting the cap, and there is good reason for that: it is not capped already. There is no cap on long day care, and still there is a chronic shortage. The cap is not the problem. In the two areas that are capped, where the Treasurer has now lifted the cap, there are tens of thousands of places that are unfilled. The supply has nowhere near met the cap already in place and so lifting it, quite frankly, is not going to help.

There are 67,000 unused out of school hours care places under the old cap that could be filled if there were businesses prepared to do that. They have not because there are issues. Yet the government is lifting the cap, and it is hard to see how that is going to make any difference at all. There are 30,000

family day care places from last year's budget that are still unused. So the government says, 'Let us give them some more unused places.' Lifting the cap is not going to work. The cap is not the problem. These places are not being used for a variety of reasons, none of which has anything to do with the cap. For instance, family day care schemes, which incidentally decreased by 6.6 per cent between 2002 and 2004, cannot attract enough workers to deliver the places. The pay is poor, set-up and compliance costs are too high and the fees charged of only $3.67 per child per hour mean that you cannot really earn a good living. Increasing the cap above the 30,000 unused places now will make little difference in this area.

What the government has done in this budget, by abolishing the child-care caps, is a con and contains no substance. It will not create more places and it certainly will not deal with the extraordinary need for flexibility in the modern workplace. It is outrageous that this government introduces IR laws that mean that more and more workers are working without a guarantee of hours in the days coming, yet the child-care arrangements in this country provide very little in the way of flexibility. There are 28 occasional care places in my electorate, yet in some areas of my electorate casual work is the norm. *(Time expired)*

United Nations Human Rights Council

Dr SOUTHCOTT (Boothby) (7.45 pm)—Last year I served as the parliamentary adviser to the United Nations General Assembly and was part of Australia's delegation at the 60th session of the General Assembly. Of that experience, the first thing I would say is that I cannot speak highly enough of the young men and women of the Department of Foreign Affairs and Trade and other Commonwealth departments who represent us at the Australian Mission to the United Nations. They are very effective, very diligent and really a great testament to the sorts of young people that Australia produces.

The 60th session began with the leaders summit. Over 150 leaders visited New York at that time and they came up with a summit outcome document. This was in the context of the United Nations reform kicked off in some ways by the Secretary-General. There were three limbs of that United Nations reform: firstly, Security Council reform; secondly, the establishment of a peace-building commission; and, thirdly, consideration of replacing the old and discredited United Nations Commission on Human Rights.

The peace-building commission has been set up, the Security Council reform has certainly stalled, but I would like to speak about the replacement of the Commission on Human Rights. It was widely realised that the United Nations Commission on Human Rights was failing in the job that it was meant to do. This was recognised by the Secretary-General of the United Nations. It was even recognised by countries like Cuba. It was unable to act in places like Darfur and Kosovo and in places where human rights were being systematically violated, such as Zimbabwe and Burma. So in the end, rather than looking at reforming this body, it was decided to start afresh, to scrap this 53-member body and replace it with a 47-member Human Rights Council.

The rules for the new council were established in March. Any member of the council would require 96 votes, or an absolute majority of the General Assembly, to become elected. It was thought that this would be enough to stop the really bad abusers of human rights from getting elected. Australia's position, along with Canada and New Zealand, was that this bar was too low and that we should require a two-thirds majority of

member states. The European Union, Canada, Australia and New Zealand have all said that they will not vote onto the council countries where there is objective evidence of gross and systemic violations of human rights, including those that are subject to UN Security Council sanctions for such abuse.

Overnight the vote was held for the first elections to this new body, the Human Rights Council, and the first thing to say is that countries that previously had been able to get elected through a vote just of their regional organisation and, having been elected, to avoid any scrutiny of their human rights, did not stand for election. Sudan, North Korea, Belarus, Zimbabwe, Uzbekistan and Burma did not run for election.

The United States based Human Rights Watch said that, of all the candidates, they found there were seven who, based on their record of votes on human rights resolutions, their signatories and membership of various human rights treaties, were unworthy of membership. They termed those seven to be Russia, China, Cuba, Pakistan, Saudi Arabia, Iran and Azerbaijan. Of those countries, only Iran missed out. Azerbaijan got there on the second round. They did not get an absolute majority of the General Assembly in the first round. But Cuba was elected, Russia was elected and China, Saudi Arabia and Pakistan were also elected. I should point out that Canada, whom we worked very closely with in that forum, was also elected. Ghana topped the pool of the African countries, Brazil topped the pool of the Latin American countries, India of the Asian countries, Germany of the Western European group and the Russian Federation of eastern Europe.

This is a new start for the United Nations human rights body. I think the jury is still out. It is definitely an improvement on what we have seen. These countries that have been elected, including Cuba, are now required to look at their own human rights practices—*(Time expired)*

Department of Education and Training New Apprenticeships Centres

Ms HALL (Shortland) (7.50 pm)—I was horrified to learn that the federal government had decided to defund DETNAC, the Department of Education and Training New Apprenticeships Centres. I question the reason behind this decision, and so does my constituent Alison, who is dedicated to training young Australians to address the chronic skills shortage in our nation. She wrote to me in April when she learnt of the fact that DETNAC in Newcastle had been defunded and she put the facts on the table. It is an organisation that provides services to new apprentices, trainees and their employers.

The staff were taken in and collectively informed at the beginning of April that they were no longer required as they did not get the new contract, and that would be effective from 1 July. As of 30 June this year, they will all be unemployed. DETNAC is an organisation with sites all over New South Wales—in Sydney, Newcastle, Wollongong, Lismore, Tamworth and Wagga. All in all there are approximately 300 employees who will be out of work within 10 weeks—not very good at all.

They have been regularly audited by the Department of Education, Science and Training with a 98 per cent success rate and are constantly praised as being the best NAC in Australia. They are dedicated to providing the best service to both apprentices and employers. To use Alison's words, it was a 'bombshell' when she found out about the government's decision. She came to me to ask if I could assist, and of course I will endeavour to do everything in my power to get the minister to reconsider the government's decision.

To give you some background on DETNAC, in December 2005 the Commonwealth gave it a quality rating of 98.63 per cent. Employers and apprentices gave DETNAC a satisfaction rate of 93 per cent, which is above the average—they were above average on both counts. DETNAC was the only NAC to meet the Commonwealth's quality assurance benchmark in each New South Wales region in 2005 and it has met or exceeded the retention and completion benchmark in every region, yet the Howard government has defunded this high-performing organisation.

The high quality of assistance offered by DETNAC has delivered services which are complemented by a commitment to improve participation and achievement in apprentices and trainees through strategies such as Way Ahead for Aboriginal People, which has increased employment of Aboriginal apprentices and trainees by 230 per cent in the last 18 months—hardly something you would suspect would lead to the defunding of an organisation.

This issue was taken up by the Minister for Education, Science and Training. She, like many other people in the community, expressed concern about how this decision will hurt New South Wales apprentices and employees. She believes, as do people in the electorate that I represent, the people who work at DETNAC and the people who have received training from DETNAC, that this decision is unwarranted. The minister supported employees and trainees across the state who have called on the Commonwealth to reconsider this decision.

The DETNACs in New South Wales have helped more than 100,000 apprentices and trainees and more than 37,000 employers. It is absolutely imperative that the minister revisit this. This decision is outlandish and I call on the minister to immediately reconsider and award the contract to DETNAC for people who are skilled and dedicated—*(Time expired)*

Mrs Joan Bevan

Mr LAMING (Bowman) (7.55 pm)—My fellow Redlands resident Joan Bevan has left behind her an enormous legacy in music both in the electorate of Bowman and in the greater Brisbane region. 'Joann', as she was known—Joann with two n's because in the orchestra with which she was involved there were four other Joans, so she informally changed the spelling of her name—was attached initially to the St Lucia Orchestra before moving to the Redlands area in 1987. Even before making that move, she had already committed to supporting the Cleveland Symphony Orchestra—an orchestra for which we are enormously grateful; it has given tremendous performances at affordable prices throughout the Redlands area. In that orchestra, Joan contributed both as a player of the viola and violin and in providing that often vital background administrative support which is the backbone of community orchestras and is responsible for their delivering fantastic entertainment year after year.

'Joann' was remembered by Colin Hardcastle, who was the manager of the Brisbane Philharmonic Orchestra, when he said:

> Joan was there to give an encouraging word or two. She helped me find my direction and helped inspire me to work for what I wanted to accomplish.

This year the Redlander of the Year category of the Australia Day Awards accepted nominations in the category of arts and culture. Joan Bevan was among those named. Tragically, just two weeks before we were to judge that category, Joan Bevan passed away with non-smoking related lung cancer.

She was a mother of four and a grandmother of five, and this year was to become a great-grandmother as well. She was re-

membered not just by the orchestras she played in and supported but by a wide range of community groups that were the beneficiaries of her great work—and I will list just a few of those. The Relay for Life is one of the great cancer fundraisers in my electorate, and she would provide entertainment during that 24-hour event. She was part of concert parties and the nostalgic barbershop quartet groups that would visit aged care facilities around the Redlands region and hospitals around Brisbane, where she provided entertainment to inpatients and to patients in aged care facilities.

As I have already mentioned, she was part of our local community orchestra, but she also set up the administrative backing that was provided to the Queensland Community Orchestras association. They were helping musical associations as far north as the Great Barrier Reef to ensure that musicians and anyone who wanted to connect with community orchestras could join a music society and have instant access to the information they required. She supported the Scottish and Celtic Society in the Redlands by playing as a volunteer and played for the Genesis Theatre Company. She provided secretarial work beyond her love of music to local community radio stations such as 4MBS FM and Bay FM in Thornlands, where she was a volunteer program guide.

She was part of a very small group known as the Belle Strings—a quartet that did charity work throughout the Redlands. The mayor called upon them for the variety spectacular and for a range of concerts with the local churches. In addition, Joan was part of the Silvara Strings, which did similar work with schools. You can see she gave an enormous array of entertainment and support to her local community.

When her nomination for the Australia Day Award was considered there was great debate about whether it should be awarded for the first time posthumously, and indeed it was. It was for her enormous efforts—unflinching and indefatigable—that Joan Bevan was made the recipient of the Australia Day Award for her contribution to music and culture in our area. It was collected by her husband, Allan, on the evening. On behalf of the entire Redlands area, I want to thank Joan Bevan for the enormous contribution that she made throughout the decades that she was with us in the Redlands.

Question agreed to.

House adjourned at 8.00 pm

NOTICES

The following notices were given:

Mr Dutton to present a bill for an act to amend the law relating to excise, and for other purposes. *(Excise Laws Amendment (Fuel Tax Reform and Other Measures) Bill 2006)*

Mr Dutton to present a bill for an act to amend the Customs Act 1901, and for related purposes. *(Customs Amendment (Fuel Tax Reform and Other Measures) Bill 2006)*

Mr Pyne to present a bill for an act to amend the Therapeutic Goods Act 1989. *(Therapeutic Goods Amendment Bill (No. 3) 2006)*

Mr Robb to present a bill for an act to amend the Migration Act 1958, and for related purposes. *(Migration Amendment (Designated Unauthorised Arrivals) Bill 2006)*

Mr Nairn to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of new leased premises for the Department of Agriculture, Fisheries and Forestry in Civic, ACT.

Mr Nairn to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of new leased premises for the Australian Taxation Office at the site known as Section 84, Precincts B & C, Canberra, ACT.

Wednesday, 10 May 2006

The DEPUTY SPEAKER (Hon. IR Causley) took the chair at 9.32 am.

STATEMENTS BY MEMBERS

Bay Group Companies

Ms GRIERSON (Newcastle) (9.32 am)—I rise to report to the chamber on the collapse of the Bay Building group of companies in the Hunter region, a collapse which has left over 500 creditors owed around $35 million. Most of the unsecured creditors are small businesses, contractors and tradesmen from my electorate, Newcastle, and the surrounding Hunter region.

Several businesses have already gone under as a result of being owed up to $135,000, and many others have had to lay off staff and are struggling to survive. There are also mum-and-dad investors caught up in the collapse after putting money into property developments promoted by the Bay group. One couple has reported losing $500,000, along with their house. The employees of the Bay group have also sustained significant losses, including two employees who are owed $20,000 each.

Mum-and-dad investors, small businesses, contractors, tradesmen and employees of the companies have lost as much as hundreds of thousands of dollars each. The impact on their businesses and their lives cannot be underestimated. It is one of the worst corporate collapses in our region's history, and I call on the Treasurer to order the Australian Securities and Investments Commission to investigate it urgently.

The creditors deserve to know what happened to their money. They are so concerned about the suspicious circumstances of the collapse that they have moved to put up more of their own funds to establish an investigation, through an initiative of the Masters Builders Association. They should not have to do that. Good governance suggests that ASIC should investigate; that is its job. The Treasurer should instruct it to do so; that is his job.

In this case, reports of events surrounding the group's collapse suggest some very murky dealings. They should be brought to light and investigated. For a start, the four associated companies—Bay Building Investments, Bay Constructions, Morgan Building and Property Maintenance, and Debay Holdings—all collapsed on the same day in February. Since then, the administrator has been unable to find a full record of the companies' financial accounts, after computer servers disappeared from offices.

There have also been reports that the four companies had borrowed money from each other before the collapse, ensuring that their directors had large numbers of proxy votes in the administration process. There have been rumours that one of the last remaining assets of the companies—a development site at The Entrance on the Central Coast named Paradiso—had been secretly sold off to a third party.

This is all highly irregular. We do not know if there were illegal activities, but we do know that suspicion and doubt exist. That is why a full public examination is needed. There are people who are owed hundreds of thousands of dollars and whose livelihoods, businesses and homes are at risk. They deserve to know what happened to their money when these companies collapsed.

John Howard stepped in and helped when his brother's company went bust in the Hunter; his government should do the same for the people of the Hunter who have been affected by the collapse of the Bay group. I again call on the Treasurer to direct ASIC to conduct a full public examination of the circumstances surrounding the collapse of the Bay group of companies.

Operation Sports Airlift

Mr WOOD (La Trobe) (9.35 am)—I rise this morning to inform the House of the work of an extraordinary young man named Peter Cole. Peter recently led a successful aid mission to Fiji, named Operation Sports Airlift. Operation Sports Airlift is so named because, through the program, sporting equipment is donated to under-resourced schools in Fiji. Peter, like many Australians, is sports mad. At only 23 years of age he is already the vice-president of the Ferny Creek-Olinda Football Club, a club in my electorate of La Trobe—and which I used to play for as a junior.

Peter was inspired to set up Operation Sports Airlift after his first trip to Fiji in 2000. It was then that he encountered what he called the 'heartbreaking' sight of Fijian children without sporting equipment instead playing games with sticks, bottles and old shoes. The medal tally at the recent Commonwealth Games tends to bear this out: Australia won 221 medals while Fiji won a solitary bronze medal.

On 31 March this year Peter returned from a remarkable odyssey that took him from his home in Ferntree Gully on the outskirts of Melbourne to the outskirts of Fiji and back. Peter and his friends Stephen Longham, Matthew Dunn and Mark Hawkins were able to deliver over $100,000 worth of sporting goods to 85 schools on Fiji's main island. These sporting goods—everything from cricket balls to hockey sticks—were generously donated by hundreds of individuals, schools, sports clubs and businesses from around Australia.

A freight company, Transom Marine Services, kindly shipped the container to Fiji free of charge. High-profile sponsors, such as the Essendon Football Club and *National Nine News*, also contributed. However, the trip was not without its hiccups. When the container arrived, it took seven days of intense negotiations before the team could convince the Fijian government to lift a $15,000 VAT on the equipment. This could have effectively derailed the mission before it began.

Eventually, with the help of the Australian High Commission, the Fijian government saw fit to lift the tax. However, unfortunately it meant that the equipment had to be distributed in just eight days and without the help of Matthew and Mark, who had to return to Australia. So it fell to Peter and Stephen to journey through some of Fiji's most remote areas to reach 85 schools in just eight frantic days. This involved a lot of driving that often started before dawn and did not finish until the early hours of the morning.

Operation Sports Airlift was met with rapturous receptions. In his official report, Peter observed:

> Even though we were treated like movie stars, the real reward for Stephen and me was the smiles on the kids' faces and the comments from their teachers.

Peter and his friends have done an amazing job. He is a young local in my electorate of La Trobe and I take my hat off to him. He has done a magnificent job. *(Time expired)*

Taiwan

Ms BURKE (Chisholm) (9.38 am)—I would once again like to bring to the attention of the House the ongoing issue of Taiwan's application to participate in the World Health Assembly and the World Health Organisation. Last year I tabled a petition with 1,705 signatures in support of Taiwan's participation. In just one year, the organisation supporting the petition has managed to double that, and this year I will table a petition with 3,321 signatures. The World Health Organisation's constitution states:

> The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

Good health is a basic right for every citizen in the world, and access to the highest standard of health information and service is necessary to guarantee this right. However, Taiwan, whose population is of a similar size to that of Australia, has been repeatedly denied participation in the World Health Organisation and the World Health Assembly as a result of political pressure from its connected mainland China.

Without access to the WHO's network of services, Taiwan is significantly impaired in the ability of Taiwanese health authorities to respond to and assist with disease outbreaks, thereby endangering the welfare and health safety of the people of Taiwan. This refers predominantly to infectious disease, which can be spread quickly by international air travel, such as the presently active threat of avian flu. It is the responsibility of all countries to work with the WHO to control and monitor these diseases, irrespective of political preferences.

On its own, Taiwan's achievement in the field of health is substantial. It includes one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of Western countries, the eradication of such infectious diseases as cholera, smallpox and the plague, and being the first to be rid of polio and to provide children with free hepatitis B vaccinations.

In recent years Taiwan has shown great compassion towards fellow countries in times of disaster, sending in aid as well as extensive monetary relief. Taiwan is eager to share and exchange its health understanding and expertise. By excluding Taiwan, the WHO is also excluding a vast amount of medical knowledge and expertise that similar advanced societies possess and wish to share. The exclusion of Taiwan is a lose-lose situation, especially with those very nations that led the campaign to exclude Taiwan being the very nations that would benefit most from its inclusion.

The World Health Assembly has allowed observers to participate in activities—organisations including the Palestinian Liberation Organisation in 1974, the Order of Malta, the Holy See, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies—without their being member states. These groups participate as entities in the activities of the WHO, particularly as observers at the WHA. Thus Taiwan's participation in the WHO as an observer would be supported by precedent.

Various outside-governmental and non-government organisations have publicly expressed their support for Taiwan's inclusion in the WHO. At the WHA in 2004, Japan, the US, the European Council and others supported Taiwan's inclusion.

I wish to bring to the attention of the chamber this important petition, which is of very vital interest to numerous members of my constituency.

Budget 2006-07

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for the Environment and Heritage) (9.41 am)—I rise to address some of the issues raised for my electorate in the federal budget last night. In particular, some months ago I spoke to this chamber about road priorities in the electorate of Flinders. I am delighted that there will be an immediate payment to each of the councils within or bordering my electorate, in the following amounts. There will be $1,045,000 for the Mornington Peninsula Shire Council under the Roads to Recovery program, paid by 30 June for road projects in the coming year. That money will be available immediately and will double the funds which would otherwise have been available. Similarly, to Bass Coast Shire Council, there will be $560,000; to the Cardinia Shire Council, $972,000; and to the Casey City Council, $851,000. What that means is that the very road projects which we set out as priorities in this chamber in recent months can now, in part, be addressed.

I have spoken this morning with one of the senior officials at the Mornington Peninsula Shire Council and outlined my view that the No. 1 project, the No. 1 priority, in the Mornington Peninsula shire is resolution of the Baxter Tavern intersection in Baxter. This road, which borders the Baxter-Tooradin Road, Fultons Road and the Baxter Tavern intersection, is desperately in need of an upgrade. It is one of Melbourne's great blackspots. The road needs work, and there is an enormous bottleneck which is a great danger to children and families every day of the working week. My view is that the Baxter Tavern intersection is the No. 1 priority on the Mornington Peninsula.

Other roads which could also be addressed include the Stony Point Road intersection at Cribb Point with the Frankston-Flinders Road. In addition to that, there is the Bentons Road and Nepean Highway intersection and also the Queens Road and Western Port Highway intersection on the Mornington Peninsula. Those four roads represent an overwhelming priority.

In the city of Casey in the southern part, I think it is critical that we address Manks Road. In the Cardinia shire there is a considerable amount of work which can be done on Westernport Road at Lang Lang. In terms of the Bass Coast shire, the Nyora-St Helier Road is again a priority. Those, I believe, are projects which can now be addressed. The funding is on the table, it is available immediately and there are no strings attached. It is a wonderful opportunity to address the projects which were previously identified. I am delighted to be able to work with my local shires to that effect. *(Time expired)*

Page Electorate: Workplace Relations

Gorton Electorate: Education

Mr BRENDAN O'CONNOR (Gorton) (9.44 am)—I had the good fortune of being in your electorate last week, Mr Deputy Speaker Causley. Lismore is a wonderful place. People are very concerned about the industrial relations laws, of course, like every other community in Australia—concerned that the Howard government has enacted very extreme, harsh provisions and imposed its will on working people across the country. I think you would know this as the local member. The people in Lismore are indeed very concerned about a number of things. One is the fact that now they can be dismissed without cause. Even small businesses in your electorate, Mr Deputy Speaker, are concerned, in that they do not want to reduce their staff's employment conditions but they are fearful that, if their competitors do, they will be forced to do the same. The legislation allows bad employers to do bad things and forces good

employers to consider doing the same. They know that in Lismore, and I thought I would just pass that on to you.

I want to raise an issue that has arisen very recently in my own electorate. It is to do with an application for land by Christ the Priest Catholic Primary School, which made application for land that is held by Delfin, the company that, along with other companies, has been developing Caroline Springs. They made application very recently. They had a view that they were given an undertaking that they would be given an extra piece of land to ensure that their students would be able to move to the second campus, because of the extraordinary and exponential growth of the community in that region of the electorate.

However, instead of ensuring that that application went to the Catholic Education Office, Delfin chose to provide that land to Independent Colleges Australia. Of course, as we know, if that is not a subsidiary of ABC Learning, it was established by that company. In effect, many would argue that it is a for-profit company looking to set up a primary school. It would be the first primary school in Victoria that would be run by a company that is on the stock market, I would allege, and I have grave concerns that that would take place.

Forty-five per cent of the constituents in the region of Caroline Springs are Catholic. Many were given undertakings by Delfin that they would have a place to put their children in those schools, and now they feel that they have not been given that right. I think it is important that the governments at both the state and federal level examine whether they want to provide funding to a for-profit organisation that wants to set up a primary school in Victoria. I certainly have grave concerns about that happening.

Education

Mrs GASH (Gilmore) (9.47 am)—Several weeks ago, during the last recess, I was grateful to be invited to the Illaroo Road Public School to address years 5 and 6 classes on government and my role as a politician. It is an extremely gratifying process to be able to dissect in the simplest of terms what we do here in parliament. To take away the jargon and complexity and explain something in a way that children of 10 years, 11 years and 12 years would understand allows you to express a clarity that is, in some ways, humbling. The innocence of the young is refreshing and at the same time inspirational.

Some of these young people will be standing in our shoes some day, and after listening to them I am confident that they will serve their community well. Of particular interest was when I asked for a show of hands over their level of awareness. I asked how they found out information and how they processed that information. I asked how many read the local papers, and about 70 per cent put up their hands. There was a similar response for those that listened to the news and to the question of how many talked about what they heard with their own peer groups and with their teachers.

What was disappointing, I suppose, was the response to the question about how many discussed what they had heard with their parents. The response was about 20 per cent at best. It is not so much the numbers that are important as the contrast between the responses on the level of personal awareness and those on discussing these issues with the parents. The disparity was more than significant.

Now, I could say that perhaps there is something in the outdated axiom that children should be seen and not heard, but I wonder how many children are discouraged from engaging with

their parents by the attitude of those very same parents. We as adults often criticise children for acting selfishly and even irresponsibly. We point the finger at children who are caught engaging in vandalism and for being surly, for seemingly not caring about what we care about. Perhaps the blame, if there is any, should be directed at the people who make the difference: the adults. Maybe we are not investing in the time we need with our children to validate our perceptions. The children I spoke to that day were alert, intelligent and receptive, but only to the degree that we have allowed. There is a lot of potential that can be developed, and we as parents need to encourage that development. Too often we rely on de facto parent figures such as teachers to do the job for us, when we should be investing in that process personally.

In some of their questions I could hear an echo of their parents' thoughts. How much money do politicians make? Do they pay for their own petrol? What does what? And so on. There were also a number of misconceptions over government, and I went to pains to explain that they cannot believe everything they read in the newspapers.

The schools are doing a wonderful job in teaching civics and how our society works. Schools can encourage curiosity, responsibility and the need to live in accord with each other; but that is the role of parents, and I would encourage each and every parent to get closer to their children. It also told me that I must spend more time with my grandchildren, for, like the parents, I do not always tune in to what they may be telling me.

I have to say, it was the most challenging hour that I have faced for some time. To the teachers who tutored these children, my compliments. The children were articulate and very aware of the issues and complexities affecting Australia and even the world. Illaroo Road Public School and its staff are a credit to the Gilmore community, as are the students themselves, for setting such an exemplary standard. *(Time expired)*

Commonwealth Emergency Relief Program

Mr BOWEN (Prospect) (9.50 am)—I rise to speak on an important local issue that affects the most disempowered and vulnerable people in the Fairfield local government area. The Fairfield LGA missed out on a large part of its $267,000 emergency relief funding in 2005-06. Emergency relief targets individuals and families in dire financial straits who are struggling to pay the rent and bills—those on struggle street.

Last year, the Department of Family and Community Services raised concerns with Fairfield Community Aid and Information Service, which had been administering the emergency relief in Fairfield for over 30 years, about their accounting processes. Fairfield community aid pointed out to the department that, with only $5,000 allocated for the administration of a $267,000 scheme, it was difficult to meet all the department's requirements.

I have said in the House before that I fully respect and support the right of the department to ensure that funds under this program are properly administered, but the government's handling of the upshot of this dispute has been nothing short of a disgrace. This is *Yes, Minister* at its worst. Fairfield community aid did not receive its funding for the 2005-06 financial year. I understand that the department made the commitment to Fairfield community aid that emergency relief would be released within Fairfield to it or another organisation to distribute before Christmas. However, it was not until the end of January that we discovered that the Salvation Army had hastily been given an additional $40,000 in emergency relief funding; they could not handle any more.

The department was asked by local newspapers why the local community, clients of Fairfield community aid or even the local member were not alerted to the extra funding going to the Salvos. The department's answer was: 'There might be a stampede.' So, after holding back funding for six months, the department said, 'We cannot let anybody know where it has gone in case they find out about it and turn up to claim the money.' This is why I say that this is *Yes, Minister* at its worst. We have the situation where the department cuts off funding to one organisation and gives a small portion to another organisation but will not reveal where that funding went.

I make the point that at no stage in the last 12 months has anyone from the department contacted me or my office to discuss my concerns or to offer a briefing about how they propose to fix the situation, despite three letters from me to the successive ministers, a question on notice, requests for meetings and my statements in this House and in local newspapers. I find this attitude from the department to be contemptuous. The new minister had a chance to fix the situation. I wrote to him in a genuine attempt to sit down and find a solution, but this problem has been ignored. The department has now called for tenders. It is now 10 May and no announcement has been made. The department must fix this problem.

Budget 2006-07

Cronulla Sharks

Mr BAIRD (Cook) (9.53 am)—Last night, when the budget was brought down by the Treasurer, we had extremely good news for the taxpayers of New South Wales in terms of tax cuts, moves on superannuation and significant infrastructure funding as well as specific advantages for families through family allowances. In addition, I want to mention in the chamber the good news that we had at the Sharks football team with the announcement the Treasurer gave a week ago.

On Friday, 21 April, my friend and colleague the Hon. Peter Costello visited my electorate. The purpose of the Treasurer's visit was to announce an Australian government grant of some $9.6 million to be used to upgrade the home ground facilities for my local NRL team, the Cronulla Sharks. The Sharks are doing very well at the moment, with successive wins on the last three occasions, including beating the favourites, the Cowboys.

This badly needed funding follows more than eight months of submissions to the government by both club president, Mr Barry Pierce, and me. It supports and mirrors that previously given to the St George Dragons, amongst others, which was some $8 million, and the Penrith Panthers, which was funded to the order of $10 million. This grant will be used to increase the comfort of patrons by providing more undercover seating and to provide disabled patron access and purpose-built seating as well as new lifts for the ground. The grant will also allow the Sharks to better ensure the safety of patrons. The provision of additional fixed seating around the ground, new secure turnstiles, secure entry points, improved lighting of public areas and closed circuit television monitoring will allow security to better manage the large crowds which regularly attend the facility.

Perhaps most importantly, this grant will allow the Sharks to provide better facilities for other users. The redevelopment of the ground will allow the club to provide meeting and conference facilities and special parking on the western side of the ground to cater for events such

as the recent New South Wales Surf Lifesaving Championships, which were held on Cronulla Beach.

Finally, the grant will allow the Sharks to improve the environment surrounding their ground. Toyota Park is built on the edge of Woolooware Bay, immediately adjacent to World Heritage protected wetlands which provide a habitat for various endangered migratory birds. The grant and the corollary development of Toyota Park will allow the Sharks to remove old structures and buildings and rehabilitate the channel on the western side of the ground, which flows directly into these protected wetlands.

When the Treasurer made this announcement, he told the players that at his last visit to the ground the Sharks had an upset win over the Roosters. The same thing has happened on the last three occasions. This is a good sign. The Treasurer has also had a few home runs in terms of the budget last night, which has been extremely well received in my electorate and in all electorates throughout Australia. *(Time expired)*

Mr Arthur Foster

Mr HAYES (Werriwa) (9.57 am)—Recently I had the opportunity to attend the funeral of a very special resident of Ingleburn. The passing of any community member generally involves much sadness for family and friends as they come together to celebrate a life, but this funeral marked the passing of a very special man, Arthur Foster, a much loved and long-term resident of Ingleburn. Arthur was also the oldest resident of the area, as he died aged 105. Yes, that is right: Arthur's date of birth coincided with the birth of our nation—a nation that at that stage comprised 3.7 million people, a young nation of hope and promise.

Arthur William Foster was born on 17 January 1901 in the country town of Hay. He was the youngest of a family of 13 children. At the age of two, his mother died and he was brought up by his father and his older sisters. Arthur's family moved to Gundagai in his early years and that is where he learnt his trade of being a mechanic. It was here that he met a young lady from Mount Pleasant called Lila Neve, who was his wife for almost sixty years. They were married in Gundagai, where they settled down and started to raise a family of eight children—five girls and three boys. Later they moved to the small town of Coolac, where they spent the next few years. Arthur had a trucking business and also a motor car, truck and farm machinery garage in Gundagai and Coolac. Because of his mechanical engineering abilities, he was well known in the district as 'Doc Foster'.

They moved to Ingleburn around 1946. They built the family home in Carlisle Street and it was here that they spent the rest of their married life together. Arthur worked as a mechanic at Dairy Farmers and at Burt Watson's garage in Ingleburn. Later he decided to start his own business and opened Foster's Ampol Service Station, where he worked tirelessly until he retired in his late seventies.

Arthur was a very strong and disciplined man who had great respect for others. The love and respect that both Lila and Arthur shared served as a beacon to their family. Arthur's quiet manner hid a very quick wit and a keen sense of humour. He was a kind and caring man and well known throughout his local community. Those who knew him will never forget Arthur's sayings: 'You'll be right,' no matter how painful and difficult the odds were, and, 'Can I give you a hand?'—and that was even when he was aged 100-plus.

Arthur certainly loved his sport. In his younger days he was a very keen tennis and cricket player—I understand he was a good left-hand bowler—and he never lost his love for fishing. In the last two of his 105 years he was lovingly cared for by the staff of Camden House nursing home. Arthur had seen off 10 members for Werriwa, two world wars and a century of Australia. What an innings! What an inspiration! May he rest in peace. *(Time expired)*

Level Crossing Accidents

Mr NEVILLE (Hinkler) (10.00 am)—The fatal accident involving the collision between a high-speed train and a truck in Victoria last month prompts me to speak in the House today. Two people died when a truck collided with a train at an unprotected level crossing between Ararat and Ballarat on 28 April. I suggest the fatalities might not have happened if a number of safety initiatives highlighted in the 2004 committee report *Train illumination* had been taken into account. That report was from the House of Representatives Transport and Regional Services Committee inquiry, which I chaired, and it is pleasing to see here today the member for Oxley, who was on that committee. The catalyst for that inquiry was a dreadful accident at Yarramony in Western Australia in July 2000 where there were multiple deaths at a passive level crossing. The whole idea of train illumination was to highlight trains at passive level crossings.

During this inquiry some very extraordinary figures came out. For example, 70 per cent of collisions happen in daylight, 50 per cent of crashes occur at crossings controlled with lights or boom gates, the vast majority of accidents occur where the driver has local knowledge of the crossing, 85 per cent occur in fine weather and 89 per cent occur on straight roads, which is quite extraordinary. The argument for train illumination was that if you lit the sides of the trains this would reduce the accident rate. But, given that 70 per cent of collisions occur in daylight, for what purpose would you light the side of trains? And 64 per cent of accidents occur at the front of trains, so, again, why would you light the sides of trains?

The committee considered all this evidence and we came up with recommendations, amongst others, for three physical things that could be done to improve passive level crossings. One was to put rumble strips in the lead-up to the crossing, which I think is very important: when you get that bumpety, bumpety, bumpety effect it would trigger in your mind that you are coming to a crossing. The other two things were that trains carry a reflective strip at eye level to seated drivers and that trains carry beacons. We have beacons on ambulances, police cars, fire engines and SES and mining vehicles—a whole range of things. Why not on trains? It is not as if it would be some rare precedent—sections of the sugar industry, as you will know, Mr Deputy Speaker Causley, have white strips on cane bins and beacons on trains. It is not rocket science. It is not expensive and, more importantly, it could save lives.

The DEPUTY SPEAKER (Hon. IR Causley)—Order! In accordance with sessional order 193 the time for members' statements has concluded.

PROTECTION OF THE SEA (POWERS OF INTERVENTION) AMENDMENT BILL 2006

Second Reading

Debate resumed from 29 March, on motion by **Mr Truss**:

That this bill be now read a second time.

Mr RIPOLL (Oxley) (10.03 am)—Today I rise to speak on the Protection of the Sea (Powers of Intervention) Amendment Bill 2006 on behalf of the opposition. This bill amends the Protection of the Sea (Powers of Intervention) Act 1981 to ensure the Commonwealth can effectively respond to threats of serious marine pollution arising from maritime incidents. This bill also provides a great deal of clarity to the current terms of the legislation to ensure that those in the maritime industry know their obligations and responsibilities. It also ensures that officers of state governments and the Commonwealth are able to make confident and quick decisions in environmental emergencies.

One of the key features of this bill is the specific clarification that the act is to complement the state and territory law where there is not a conflict. Firstly, this removes any confusion as to the Commonwealth government's powers under the act and, secondly, it provides for a co-operative approach to managing Australia's waters. The bill also provides a determination that the powers of the Commonwealth over the exclusive economic zone correspond with the powers over the coastal sea as determined in the Seas and Submerged Lands Act and that the definition of 'high seas' corresponds with the United Nations Convention on the Law of the Sea. It also provides a determination that directions issued by the Australian Maritime Safety Authority, AMSA, will prevail over the directions of any other person.

The bill also provides a broadening of the areas at sea at which action can be taken against a ship that poses a threat of significant pollution. This allows for more extensive measures to be taken to prevent harm to our waters. Clarification of the persons to which directions can be made by authorities and an explanation as to how that direction can be given to any person who can 'prevent, mitigate or eliminate' the risk of a spill and the circumstances under which they may be directed. What this does is give greater alignment with international standards. It also allows for a strong provision for recovery of costs from offending vessels and gives further clarification and simplification of provisions by removing unnecessary clauses and streamlining the text of the bill.

As the explanatory memorandum further sets out, the bill provides a clarification to the extent and scope of intervention powers in relation to prevention of pollution by extending powers for direction in relation to tugs, places of refuge and persons other than shipowners, masters and salvers. It outlines a revision of penalties for noncompliance with a direction given under the act and also has a provision for responder immunity from liability for decisions made with due care. It provides for reimbursement on just terms for the use of requisitioned property, including compensation for damage or loss occurring while property is under requisition.

These are sensible measures and they have the support of the Australian Labor Party. What Labor does not support, though, is the Howard government's continuing failure to embrace a shipping policy that supports the viability of the Australian maritime sector more broadly. This policy neglect and lack of leadership have a number of consequences, not least of which is the threat that flag of convenience vessels present to our marine environment. Anyone who has read the report *Ships of shame* would know exactly what we mean when we talk about flags of convenience and the ships of shame. Australia has a unique and sensitive marine environment. Pollution can greatly upset the health of our waters and marine life. Strong regulation is necessary to ensure the preservation of healthy waters. We have been extremely fortunate that a disaster involving a flag of convenience vessel has not caused an environmental

catastrophe in Australian waters. With increasing numbers of poorly maintained flag of convenience vessels plying the Australian coastline, Labor fears it is a matter of when, not if, a major maritime environmental catastrophe occurs.

AMSA is tasked with managing ecological disasters arising from maritime incidents and cannot do so without the power to employ any necessary action to prevent an environmental disturbance. We hope that, with the passage of this bill, AMSA will be better equipped to undertake this task. But we are most concerned that disasters are prevented in the first place. The prevention, mitigation and elimination of risks to our marine environment are core responsibilities of the national government. But rather than support a domestic shipping industry, which would minimise the risk to our coastline, the Howard government has encouraged foreign rust buckets to ply our coastal trade, the vessels that pose the greatest threat to our marine environment—the ships of shame.

As a Queenslander, and like most other Queenslanders, I am intensely proud of my home state. It is one of the world's great natural wonders and has immense resources and beauty, not the least of which is, of course, the Great Barrier Reef. Should a serious maritime incident occur on the waters surrounding the Great Barrier Reef, a place where flag of convenience vessels actually ply the coast, it would result in a disaster of unimaginable proportions. It would forever destroy sections of this wonderful natural feature that belongs to all Australians. This is not something outside the realm of possibility; in fact, it could happen, and it nearly did. In January this year 25,000 litres of heavy fuel oil leaked from the *Global Peace*, a Korean owned, Panama registered bulk coal carrier. Rather than leak on the reef proper, though, the leak occurred in Gladstone Harbour in the Great Barrier Reef Marine Park. It was a close call, but I think it demonstrated to people just how sensitive our waters are and the responsibility that we all, and particularly the national government, have to ensuring that we have the right protections in place to protect one of the natural wonders of the world.

It is absolutely critical for Australia to take every possible action to protect our marine environment, firstly, to protect the livelihood of Australia's hardworking fishers, as well as other industries that rely on a healthy marine environment, such as aquaculture and marine biotechnology; secondly, to protect Australia's great tourism industry, which sees thousands of people each year visit Australia to appreciate our crystal clear waters and our beautiful marine life; and, lastly, to preserve our oceans for future generations to appreciate and enjoy. I believe the Great Barrier Reef is entrusted to us and that an Australian government should do everything possible to protect it.

The risk posed to the Great Barrier Reef and the Torres Strait region from shipping has been recognised by the government, and new arrangements for emergency towage have recently been instituted. An emergency vessel will be able to tow disabled ships to a safe mooring. But this post-incident response will do little to repair lasting damage to the Great Barrier Reef, should it happen, or any other marine environment damage as a consequence of a marine incident.

In Labor's view, this bill fails to address the most significant threat to Australia's unique marine environment—the threat posed by flag of convenience vessels. These vessels have been encouraged into Australian waters by a government that has adopted an anti-Australian shipping policy framework, a policy framework that encourages flag of convenience vessels, not Australian shipping employing Australian workers. Australian vessels are well maintained,

they are of good quality and they have good crews who are trained and know what they doing. They are operated by well-skilled people.

Australian crews have a vested interest in ensuring that the Australian coastline is protected. That interest is not necessarily shared by the masters and crew of flag of convenience vessels that ply our coast. This fact has not dissuaded the Howard government from issuing single and continuing voyage permits in the style of a drunken sailor. The Howard government's anti-Australian shipping posture has cost Australian jobs. It continues to threaten the Australian environment and continues to threaten Australian jobs. This bill, while containing some very worthy measures, does not signal a change of policy on the part of the government. A more universal and comprehensive approach is needed if we are going to provide real protection to Australia's beautiful coastline. For that reason, I move:

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 condemns the Government for administering anti-Australian shipping policies that favour foreign Flag of Convenience vessels and put the marine environment at unnecessary risk."

The DEPUTY SPEAKER (Hon. IR Causley)—Is the amendment seconded?

Mr Price—I second the amendment.

Dr JENSEN (Tangney) (10.12 am)—I rise to speak on the Protection of the Sea (Powers of Intervention) Amendment Bill 2006. Before I get into the details of some of the necessary amendments to the original Protection of the Sea (Powers of Intervention) Act 1981, I think it is very instructive to go into its history.

The current act came about as a result of the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties 1969. This convention came about as a result of the *Torrey Canyon* disaster of 1967. The *Torrey Canyon* was the first of the supertankers. It carried about 120,000 tonnes, or 860,000 barrels, of oil. The captain of the vessel had scheduling problems. There were problems with the ship being able to arrive at or depart ports due to draught problems. We know that these draught problems still exist. The House of Representatives Committee on Transport and Regional Services has been around Australian ports, and issues relating to draught of channels and ports still have a part to play. The problem here was that, as this was the world's first supertanker, the draught was such that the influence of tides on when the ship could dock at port were extremely important and, as such, there were possibilities of delays of 24 hours or up to a week with this vessel if it did not arrive in port on schedule. Given this, the captain of the ship was pressed for time to arrive at his destination.

On the day in question, the captain had had limited sleep, and the vessel was heading towards one of the ports in England and it was going around the end of Land's End. An error in navigation had led to the ship being about 20 nautical miles east of the planned position, which was near Land's End. The original plan involved sailing to the west of the Isles of Scilly; however, due to this error in navigation the captain made the decision to sail a relatively narrow channel between the Isles of Scilly and Land's End. Once in the channel the ship had to manoeuvre to one side of the channel to avoid fishing boats and their nets.

There was a further navigation error at this time. There had been a change in watch at 8 am and the captain had given a fairly junior navigation officer the post of navigating at the time.

An error by this junior navigation officer compounded the original error. The method of navigation that he was using is what is called 'bearing and distance'. Essentially, that involves taking a bearing of a known landmark and then taking a range off radar and that allows you to plot your position. However, any slight error in either of those obviously leads to a significant navigation error. In situations such as this—and remember these are the days before GPS—the better method of determining position is to take three bearings and if they all intersect at the same point you know that you have got an accurate position—an accurate fix. This had not occurred at the time.

The additional problem with the *Torrey Canyon* was that it had what may kindly be called 'limited mobility'. In fact, it was only able to turn 20 degrees in a period of one minute, and it covered 500 yards in that time. It also took about five nautical miles for the ship to stop. Further compounding things for this vessel was the bad ergonomic design of the autopilot. There were problems with whether the ship was on autopilot or not and with sensing whether the ship was turning as it should. Of course, with 20 degrees in one minute it is very difficult to sense a change in direction. The end result of all of these errors was that the ship ended up hitting the reef, and over a period of days it broke up. Three oil slicks formed, and obviously all 120,000 tonnes or 860,000 barrels of oil ended up in these oil slicks, and 10,000 tonnes of detergent were sprayed onto the slicks to try to emulsify the oil. Other methods were also attempted, but the result was ecological disaster.

The incident resulted in the British government organising an early meeting of the Intergovernmental Maritime Consultative Organisation to consider needed changes in international maritime law and practice. Relevant laws at the time were considered overly complex and were also out of date in many respects.

I will insert a side bar here: clearly, the act as it stands and as we plan to amend it will help to mitigate these disasters. The problem is, of course, that every time we have had a major oil leak from one of these supertankers there have been major ecological problems. In my view this is why we should as a society be moving towards a hydrogen economy. Needless to say, hydrogen can be very safely transported across the oceans. If you had a hydrogen leak it would evaporate almost immediately because it is stored at cryogenic temperatures. The best way to produce hydrogen is to use nuclear energy, particularly fourth generation nuclear reactors where you can use a thermal or heat process to crack water to make hydrogen. Having said that, I will get back to the original reason for the act coming into being. As I stated, an early meeting of the Intergovernmental Maritime Consultative Organisation was called.

At this meeting concerns were raised as to the extent to which a coastal state could take measures to protect its territory from pollution where a casualty threatened that state with oil pollution, especially if the measures necessary were likely to affect foreign shipowners, cargo owners or even flag states. Clearly you have a conflict of interests. The ships want to define exactly how they want to move, where they want to sail, their timetabling and so on, and the nation concerned has its national interest in mind when it thinks about the route and the speed at which the ship plans to go. That is clearly contrary to maritime safety and there could end up being an ecological disaster.

There was general consensus that there was a need for a new regime which, while recognising the need for some state intervention on the high seas in cases of grave emergency, clearly restricted the right to protect other legitimate interests. A conference to consider an appropri-

ate regime was held in 1969 in Brussels. The resulting convention affirms the right of a coastal state to take such measures on the high seas as may be necessary to prevent, mitigate or eliminate danger to its coastline or related interests from pollution by oil or the threat thereof, following upon a maritime casualty.

We heard the member for Oxley talking about the Great Barrier Reef. Clearly, we do not want an ecological disaster on the scale of the *Torrey Canyon* or indeed the *Exxon Valdez* disaster in Alaska to take place in Australian waters, particularly with some of our pristine marine environments, which are internationally recognised.

The coastal state is, however, empowered to take only such action as is necessary after due consultations with appropriate interests including, in particular, the flag state or states of the ship or ships involved, the owners of the ships or cargos in question and, where circumstances permit, independent experts appointed for this purpose.

A coastal state which takes measures beyond those permitted under the convention is liable to pay compensation for any damage caused by such measures. Provision is made for the settlement of disputes arising in connection with the application of the convention. The convention applies to all seagoing vessels except warships or other vessels owned or operated by a state and used in government non-commercial service.

I will go on to the protocol of 1973. The 1969 Intervention Convention applied to casualties involving pollution by oil. In view of the increasing quantity of other substances, mainly chemical, carried by ships, some of which would, if released, cause serious hazard to the marine environment, the 1969 Brussels conference recognised the need to extend the convention to cover substances other than oil.

Draft articles for an instrument to extend the application of the 1969 convention to substances other than oil were prepared and submitted to the 1973 London Conference on Marine Pollution. The conference adopted the Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil. This extended the regime of the 1969 intervention convention to substances which are listed in the annex to the protocol or which have characteristics substantially similar to those substances. In fact, amendments were made in 1991, 1996 and 2002—all revising the list of substances attached to the 1973 protocol.

The original 1981 Australian act gives effect to the intervention convention. It allows AMSA to intervene on high seas. To date, Australia has avoided major pollution on the sea since the introduction of the current act. Today there is far more traffic on our seas than there was at the time of the introduction of the act.

The problem with the 1981 act is that the definition only refers to coastal waters or high seas; there is no mention, for instance, of the exclusive economic zone. The exclusive economic zone relates to Australian economic waters, but in the definition of the original act it would in most cases be considered to relate to high seas. This bill updates the act by redefining the powers in Australia's internal waters, coastal areas, exclusive economic zones and high seas. It clarifies the exclusive economic zone status. The bill will amend the act to clarify the status and scope of the Australian government's power of intervention in Australia's EEZ, align the scope of powers available to the Australian government in the EEZ with that in the coastal sea and extend the application of the act to all ships in the coastal sea which present a threat of significant pollution. It clarifies the extent and scope of intervening powers in rela-

tion to prevention of pollution by extending powers of direction for release of tugs or other assets, determination of a place of refuge and directions to persons other than shipowners, masters and salvors in possession of the ship.

The bill provides that intervention directions issued by AMSA will prevail over directions of any other person where these conflict with AMSA's directions. It provides for responder immunity from liability for decisions made with due care and provides for reimbursement on just terms for the use of requisitioned property, including compensation for damage or loss which occurs while the property is under requisition. The bill extends the scope to which all ships present a threat. AMSA prevails over other authorities.

The bill revises penalties. It is important that penalty settings are set at a level which ensures compliance. These settings are proposed in line with current rules concerning setting of penalties in federal legislation, and these have due regard to the potential negative impacts that noncompliance could cause, the need for penalties to appropriately punish serious breaches and the need for penalties to provide a real disincentive for any person who might otherwise consider that the penalties applied might be commercially justified in light of other business options that the person may have. The responder has immunity from liability, provided they have acted with due diligence. As I stated, there is reimbursement on just terms.

The current act does not mention the exclusive economic zone 'high seas' and is incompatible with the current understanding. As I have stated, the exclusive economic zone, by and large, is what was in the high seas. The bill defines 'high seas' consistent with UNCLOS , the United Nations Convention on the Law of the Sea.

There is no direct financial impact from this bill. The costs incurred by AMSA in taking measures under the act are recoverable from the owner of the shipping casualty under parts IV and IVA of the Protection of the Sea (Civil Liability) Act 1981. The bill reinforces this power to recover the authority's costs from the shipowner and clarifies that other parties incurring costs as a result of complying with directions issued under the act may also recover their costs from the shipowner consistent with the rights of shipowners to limit their liabilities under international law.

This is a very important bill. It amends the legislation, allowing the current understanding of the United Nations Convention on the Law of the Sea to be enshrined within Australian law as far as powers of intervention are concerned. I commend this bill to the House.

Mr TRUSS (Wide Bay—Minister for Transport and Regional Services) (10.29 am)—Can I begin by thanking the honourable member for Tangney and the honourable member for Oxley for their contributions to the Protection of the Sea (Powers of Intervention) Amendment Bill 2006. The member for Tangney has gone, in great detail, through the particular elements of the bill and demonstrated a solid understanding of what is proposed in this legislation. I thank him very much for his contribution. The member for Oxley introduced some somewhat extraneous matter in discussing his amendment in relation to so-called foreign flag of convenience vessels, which he suggested especially put the marine environment at unnecessary risk. I trust he would acknowledge that this legislation covers ships, whatever their registry may be, and in that regard helps to ensure the protection of the Australian environment from whatever threat there might be from the shipping industry.

The legislation demonstrates the government's commitment to promoting environmentally sensitive, safe shipping practices. It is important legislation because it will contribute significantly to ensuring that our capacity to protect our pristine environment from the consequences of unforeseen maritime disaster remains adequate and relevant. The effectiveness of our national response capability relies not only on our infrastructure and resources but also on the robustness of the regulatory regime that underpins the framework of intervention.

The international experience of major pollution incidents has shown that it is desirable to have a robust regime which facilitates effective decision making and encourages cooperation with coordinated actions to counter a major pollution threat. This belief is shared by my state and territory counterparts, who agreed in November 2005 that these measures are needed to ensure that Australia's emergency towage and response capability is adequate and that the regulatory regime that underpins the capability is effective in delivering the desired pollution prevention outcomes.

Honourable members will be aware that the Australian government is putting in place a new range of emergency towage measures and, as an important part of that step, contracts are being let now around Australia to ensure that there is emergency towage capability available on as little as two hours notice right around the continent. This is a very important practical step in ensuring that we can respond effectively if there is some kind of a maritime disaster. This legislation is important to ensure that the investment in improved towage capability is underpinned effectively by law.

The bill implements the regulatory elements of the national system for emergency response, updating existing legislation to align it with international maritime law and, consistent with the desired pollution prevention outcomes of the legislation, clarifying the provisions of the legislation to strengthen the regulatory framework for the national system, while ensuring compliance with the provisions of the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution 1969.

The bill does not actually introduce new legislation; it proposes a number of amendments to the Protection of the Sea (Powers of Intervention) Act 1981, the Australian legislation implementing the international convention, so as to clarify and update its provisions. The bill introduces the definition of an exclusive economic zone, or EEZ, and clarifies the Australian government's powers to intervene in the EEZ when there is a threat of serious pollution from a casualty. As a consequence of the redefining of the various maritime zones in accordance with contemporary law, the bill also clarifies the powers of the Australian Maritime Safety Authority to intervene in Australia's internal waters, coastal seas and the EEZ, and on the high seas.

Another important clarification that this bill provides relates to AMSA's general powers to direct persons other than those directly related with a casualty, such as its owner, master or a salvor. The clarity is essential to deliver the outcomes we are seeking. The bill also provides AMSA with the role of national decision maker and reinforces the primacy of Commonwealth law in the event of a conflict. The bill also introduces the concept of responder immunity to encourage compliance and cooperation to effectively counter a threat of pollution. I have every confidence that these measures will be of benefit to the Australian community and will help ensure that we have an effective capability to respond to any maritime disaster that occurs near to our shores. I commend the legislation to the committee.

The DEPUTY SPEAKER (Mr McMullan)—The original question was that the bill be now read a second time. To this the honourable member for Oxley 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.

Ordered that the bill be reported to the House without amendment.

AGE DISCRIMINATION AMENDMENT BILL 2006

Second Reading

Debate resumed from 29 March, on motion by **Mr Ruddock**:

That this bill be now read a second time.

Ms HALL (Shortland) (10.35 am)—At the start of my contribution to this debate on the Age Discrimination Amendment Bill 2006 I want to mention that the shadow Attorney-General will be speaking after the member on the other side rather than at this time. My contribution will precede hers. I also understand that we have another speaker from this side. I mention that for the information of the Attorney-General.

We are supporting this legislation. The exemptions that are sought will allow the proper functioning of the legislation. The changes that are identified in the legislation are for specific exemptions. This is a result of departments and the government conducting an audit of all Commonwealth laws to determine whether any ongoing exemptions are required.

At the start of my contribution to this debate, I would like to highlight some of the points that I made in the debate on the Age Discrimination Bill 2003. At that time I congratulated the government on introducing the legislation. As the shadow Attorney-General has come into the chamber, I seek leave to continue my remarks after she makes her contribution.

Leave granted.

Ms ROXON (Gellibrand) (10.38 am)—I thank the chamber for that indulgence and apologise for being a few minutes late to speak on the Age Discrimination Amendment Bill 2006. Two years ago, as this chamber would be aware, the Age Discrimination Act 2004 came into effect. In passing this legislation, parliament took a great step forward in recognising the valuable contribution to the life, wealth and wellbeing of the nation made by Australians of all ages, from children to the elderly. We recognised that, although people of different ages have different needs and different abilities, age alone should not be used to discriminate between citizens in the context of employment, education or the provision of goods and services. Young or old, people should be treated as individuals and judged on their merit, not their age.

The Age Discrimination Act is the newest addition to our collection of antidiscrimination statutes that do so much to protect the rights of everyday Australians and in particular to protect them against arbitrary, irrational and bigoted treatment. The Racial Discrimination Act, the Sex Discrimination Act, the Disability Discrimination Act and the Age Discrimination Act are key pieces of legislation that protect one of the most fundamental of our national values—respect for human rights.

This is an impressive range of legislation. With the wealth of protections in place, it is surprising that the government is so reluctant to acknowledge that this is part of a national respect for human rights and that the words 'human rights' are so rarely uttered by the government unless it is to disparage them as something that other people in other countries should be worried about. We have a proud history. There has been a proud history previously—and prior to this government—of recognising these sorts of things. I am both fearful and worried that the government is prepared to deride rights in the way that it does so regularly and in so many areas.

In some ways, it was a surprise, but a pleasant one, to see that the government was prepared to take this step and introduce age discrimination protection through the Age Discrimination Amendment Bill 2006. As I will flag in a moment, and as people will remember, at the time the original legislation was introduced we did have reservations that the act did not go far enough.

Labor have always been a strong advocate for the greater protection of human rights. We are very proud both to have created the human rights commission but also to have played the role we did in introducing the Racial Discrimination Act, the Sex Discrimination Act and the Disability Discrimination Act. We were happy to support the Age Discrimination Act when it was considered in this place two years ago. But members—including, I am sure, the Attorney—will remember that our support was not unqualified. We thought the bill did not go far enough and created a weaker standard than applies in those other Labor antidiscrimination acts. Unlike in the areas of race, sex or disability discrimination, this act works to prevent discrimination only when it can be shown that the age of the person was the dominant reason for the discriminatory act.

This is a much weaker standard, where age discrimination is treated as a lesser order issue than other types of arbitrary or prejudicial treatment. It seems to me that, particularly in a world where we so often at least with our language—and the government is very keen to do this—pay respect to older Australians and the contributions that they have made to the community, to give people a weaker protection on the basis of age than they would have on the basis of race, sex or disability is contrary to where the government has traditionally wanted to position itself. When you look at the sort of pressure particularly older Australians are under in the workplace, not giving them a strong protection from age discrimination seems to be a weakness with this legislation. An opportunity could be taken while this act is introduced or in the future to bring protection for age discrimination on par with the other legislation.

There is another very important criticism that the government did not pick up on at the time, and I would like to use this opportunity to urge them again to reconsider this. We were very critical and continued to be critical of the government for failing to pick up our idea to include provisions prohibiting harassment on the basis of age. We know that this can be a big problem. Probably it is more often thought about as a problem for young people in their first jobs. One study at Griffith University in 2001 estimated that workplace bullying cost Australia between $6 million and $13 million in lost productivity. Not all of that bullying necessarily involves age based harassment, but we do know that the bullying of younger workers is a large part of this wider problem, particularly through some very barbaric examples of so-called initiation rituals et cetera in the workplace. The government should take this seriously. They particularly should look at whether there is a need for this provision, given that they

have introduced wide-reaching reforms in the Work Choices package that will leave people fairly exposed.

I am sure the Attorney will stand up and say, 'Oh, but there is unlawful discrimination protection still in the Work Choices package.' There is some protection if people can afford to mount a Federal Court case. The $4,000 that you are not allowed to use for litigation but can use for advice is not going to go very far if a 16-year-old who has been harassed and dismissed on the basis of their age wants to make a complaint. I do not think that the protection from dismissal only, where the only remedy is going to a court that most people cannot afford to go to, is adequate. Think about this: there is no protection against anything else that may happen but that might not be dismissal. There is no protection against the sort of discrimination that may occur at the point of interview, in the conditions of employment people might be offered or if someone wants to complain about being harassed. These issues could be dealt with and are dealt with in other discrimination legislation, but for some inexplicable reason age is not seen as an important enough issue for the government to give people—that is, either younger or older Australians—the same protection that they have from being mistreated on the basis of sex, race or disability.

It is not just younger workers who need this protection through our laws. Intimidation, humiliation and abuse of the elderly are also entirely inconsistent with the Australian way of life. We have unfortunately seen some pretty horrible examples of elder abuse starting to arise in our aged care sector. I am not suggesting that this act would deal with that. What I am suggesting is that it is not unknown for older Australians to be the victims of harassment, bullying or abuse, and I can see no reason why the government would want to hold back from putting a protection like that into this legislation. I am hopeful that the Attorney will give us the reasons why he is not prepared to do that, even when we revisit this legislation two years on from its initial introduction. Clearly, the elderly should be able to be protected. They should in any civilised society be able to be confident that they can live their life freely and without harassment or bullying from others. Our laws should reflect that and provide a clear message that the harassment of older Australians will not be tolerated.

Sadly, two years ago the coalition refused to accept Labor's amendments to address these two issues. We fought hard for them, both in this place and the other place, but, in the face of really quite determined intransigence from the Attorney-General, the bill had to go through in its more limited form. That was the story of the act two years ago. The general circumstances that we flagged we were concerned about have been made significantly worse by the introduction of the Work Choices package.

But there was one very important part of the act that Labor fully supported and that created the need for the bill we are talking about today. The act that was introduced two years ago provided a two-year window for the Commonwealth to get its own house in order. Section 39 of the main act provided a two-year period in which a general exemption existed for any discriminatory conduct that was done in direct compliance with the Commonwealth law. This had the effect of putting some pressure, of course, on the government to do serious and urgent work to identify whether there were any Commonwealth laws that ought to be exempted from age discrimination rules. It is much better, of course, to do this work and then provide very specific and limited exemptions rather than to continue with the general exemption for the Commonwealth. This bill is the result of the commitment made at the time to the two-year

review that has been undertaken, and the broad two-year exemption period expires on 23 June next. If it were not for this bill, many areas of legitimate age based discrimination in the law would become ineffective or unlawful on that day.

What this bill proposes to do is something that Labor can support. The bill proposes to exempt Commonwealth laws in three categories. The first I would call categorical exemptions. These provide exemptions in the body of the act for certain categories of Commonwealth law. One example in this category is an exemption for law which creates age based rules for the service of documents. It is standard that documents are only taken to be served in a litigation process when they have been provided to a person whom the server reasonably believes to be over 16. This is clearly a type of age based discrimination but it is also a reasonable and legitimate protection. We want to ensure that the sorts of age requirements that serve a legitimate public purpose are able to continue and will not run contrary to the Age Discrimination Act. There are a number of other examples of laws that fall within similar categories.

The second group is exemptions for whole Commonwealth laws. These are listed in schedule 1 of the bill, which already lists some laws to which the Age Discrimination Act does not apply. These include laws relating to the age restrictions, for example, for civil pilots—which are required by international law—and also to the National Classification Code, which clearly sets up a system of classification based on age discrimination in order to protect our children from inappropriate media content. Obviously, it is appropriate to continue an exemption for these sorts of categories of laws where there is actually a legitimate age based reason that a law needs to specify ages for certain categories of conduct. We support such exemptions so that the Age Discrimination Act cannot be used to knock over important pieces of legislation that include some protection for, usually, the young or when there are other international standards that have to be acknowledged.

The third category involves exemptions for specific provisions of other laws. These are going to be clearly listed in the new schedule 2 of the act. They include exemptions for the provisions, for example, of the Passports Act, which allows that a passport has to be refused to a minor where there is not appropriate parental consent. Clearly this is a sensible rule to help prevent child abduction, which unfortunately we have seen occurring a little more in recent times.

Schedule 2 would also include a provision of the Workplace Relations Act which prevents a person under the age of 18 being appointed as a bargaining agent in workplace negotiations. This is consistent, of course, with the rule that persons under 18 cannot consent on their own behalf to a workplace agreement without their parent's or guardian's consent as well. That is a fairly minor protection when you look at the whole scheme of what the government is doing in the workplace relations area. Nevertheless, it is a protection that we want to ensure is still there.

The opposition have looked at each of the proposed exemptions and we believe that they are based on sensible and legitimate policy grounds. As a result, we do support this bill. In fact, we look forward to the speedy passage of this bill and then to 24 June when the Age Discrimination Act effectively will reach its full force, binding the Commonwealth as well as its citizens.

On the Age Discrimination Act itself, as I have already flagged, we still firmly hold to the view that it is not as strong as it should be. Age discrimination should not be considered some

lesser evil, with a weaker test applying to it than the tests that apply to race, sex or disability discrimination. We also believe that the law should truly reflect the Australian value of a fair go by prohibiting harassment based on age. Our young workers and older Australians deserve to know that the law will protect them from bullies in our community, and we will continue to press for those changes to the Age Discrimination Act.

In the meantime, we welcome this opportunity to meet the requirements of the two-year review and to fix up the act so that it does not have such broad exemptions, so that we specify those particular acts that are required to be exempt and so that the age discrimination protections can operate with full force from 24 June this year. I commend the bill to the House.

Mr BROADBENT (McMillan) (10.51 am)—I enjoyed the address by the previous speaker, the member for Gellibrand, on the Age Discrimination Amendment Bill 2006. She raised a concern of harassment in her address. With regard to harassment, I have lived in a world of decent employers, of decent employees and of people who are reasonable and who are watching what is going on in the workplace. My experience has been that, where there was discrimination against or harassment of any person, on every occasion that was drawn to the attention of the employer or those in responsible positions, whether they were the director of an institute, part of the community or part of the family farm.

There are always anomalies and one recent anomaly was the harassment of older people in aged care facilities. My view is that those particular situations were for policing decisions, not for aged care decisions. We are forever going to have problems in specific areas, but where police should be taking direct action that should be done, as against making a whole-of-government or whole-of-industry policy, particularly in aged care.

From my experience in Gippsland, we have the best aged care system, including the people that deliver that system: the nurses and other staff, and the administration. No-one can knock what we do in this country. The care and consideration given to our older people is absolutely sensational. That is why I get really concerned at our overreaction when there are reports in the media about a number of small instances. We do not treat it as a police matter but as a whole of industry matter and jump all over the whole industry, which then makes these people quite afraid about what they do.

I am concerned about the address of the shadow minister, the member for Gellibrand. My fear is that if you were in government you would overregulate to the point where you would discount the ability of people to manage their workplaces.

Ms Roxon interjecting—

Mr BROADBENT—Of course I would not take away the things we have in place that are quite reasonable. We have put those sorts of things in place. But if you overregulate you stifle everything that happens and discount reasonable people.

Ms Roxon—Why is age less important?

Mr BROADBENT—Age is important. All of these things that you have just raised in your interjections are important. However, my concern is that your tendency is to overregulate on every occasion. You think you have the answers to everything, but I can tell you that neither I nor you have the answers to everything.

We can reasonably put processes in place that are acceptable to the Australian community, keeping in mind where we want to go and the sorts of protections we want for people. But we

must not overregulate to the point where the controls on the industry, the management or the staff are completely overwhelmed by governments who think they can just come in, tread all over the whole situation and ignore the processes.

In the lead-up to the 2001 federal election, the Howard government promised to develop legislation that would prohibit age discrimination, the aim being to eliminate age based discrimination in key areas of public life. The Age Discrimination Act 2004 implemented this commitment to the Australian people and is working well. People from all walks of life, regardless of their age, should not have to tolerate negative stereotypes. I say this about younger and older workers but today particularly about older workers.

Throughout the whole of my retail career, I was in praise of older women. I was in praise of older women because they were very effective in all our business activities. We were flexible in our arrangements—as the new IR laws are to be flexible in their arrangements. People were able to work the hours that suited them, after they dropped their children at school and before they picked them up again. They were able to come in at night, if they decided to do that, and work when their children were being cared for by a spouse, partner or grandparent. They were able to perform tasks that they were specialists in, and they were excellent in the delivery of their service to the customers and clients that we had.

Throughout my life I have been concerned about men—particularly men—and many women who found themselves, for one reason or another, without work. This occurred after a life of domestic activity, in many cases, with regard to women, and with men who had been in a particular stable job for a long time, say working for GMH in those days or working for International Harvester or Nestle. At 45 years of age, no-one wanted them. We have to have laws like this where we give a guide to people as to where we want our older people to be employed.

For a long time now we have been looking at proposals where people retire at around 50 years of age. With regard to planners and all sorts of other people, that is not the time for them to be retiring; that is the time for them to be taking off. They can actually look at the mistakes they have made. In my case, I am glad that there is not a retirement age of 60 for politicians. I would have five years to go, and I have a lot more work to do in this job than five years can possibly allow. There is a great opportunity for us as a nation to be different, to say to older people, 'We really value your contribution.' Whether it is in the area of planning, community activity or aged care, there is a whole generation of people out there whom we need to find new ways to employ.

This act is a guide to protection for older people, but more importantly we as a community have to take a view that older people are valuable in the workplace. They can make a contribution. They can make a mentoring contribution in any company where they may offer their services. We need to get a trend whereby, if a curriculum vitae comes in from someone who is older than 45 or 50, it is not immediately moved to one side and the value of that person not taken into account.

For me, this bill is particularly about the Australian view of older people and how we might put that into law. It has been put into law, but the two-year review of the act has refined the provisions. I commend the bill to the Main Committee. I thank the chamber for the opportunity to speak on the bill and look forward to the Labor Party contributing to the rest of the discussion.

Ms HALL (Shortland) (10.59 am)—by leave—In continuing my remarks on the Age Discrimination Amendment Bill 2006, I want to start by saying that, unfortunately, I feel that the member for McMillan has actually supported age discrimination. I am very disappointed in some of the statements that he made at the beginning of his contribution—statements directed to the shadow Attorney-General.

We on this side of the House appreciate the fine work done in most aged care facilities throughout the country. But that does not mean that we should ever accept any type or form of discrimination against older people—be it in the aged care sector, where people may not be treated with the dignity they deserve, or somewhere else—or against younger people, who can be bullied, as the shadow Attorney-General identified, and as many of us mentioned in the debate on the Age Discrimination Bill 2003. Those sorts of behaviours are unacceptable. Discrimination of any form is unacceptable. To put a lesser standard on age discrimination, which I believe the member for McMillan was doing, is unacceptable; discrimination should not be tolerated within our community.

When I made my contribution two years ago I emphasised the importance of not discriminating on the grounds of age. At the same time I highlighted the fact that age discrimination does exist within our community and within our society. The government's action in introducing the Age Discrimination Bill at that time was very late because other states had had it in place for some time and other areas of antidiscrimination had previously been enacted. But the action of finally getting around to introducing that bill was very important. It sent out an important message to the community as a whole that you cannot discriminate against a person on any grounds. Any type of discrimination does not benefit our nation. It leads to loss of opportunity and creates division, negative feelings and actions and marginalisation of people who are discriminated against. There is no basis for discrimination of any form and particularly, as we are discussing now, age discrimination. Discrimination is based on negative stereotypes rather than facts.

I do not think there is any greater area where you can see those negative stereotypes at work than job applications. If you pan through the papers, you will see that certain age groups are more favourably valued by employers. I am sure most members of this House have had people visit them in their electorate office complaining about the fact that when they apply for a job they are either too old or too young. One of the problems with the original piece of legislation was the fact that age had to be the dominant reason. Nowhere is discrimination more obvious than in the area of employment. It can be argued, say: 'We wanted a qualification in the area of accounting that was obtained within the last 12 months. We wanted somebody who had expertise and knowledge in a particular theory that had just been introduced. We wanted somebody who could perform some other task that was totally unrelated to the job.'

It is important to note here that in New South Wales there were more complaints related to age discrimination made to the Human Rights and Equal Opportunity Commission than there were related to any other form of discrimination. More than 200 people phoned in complaints—I am using figures that are a couple of years old, taken in 1999-2000. Again, in the following year, there were many complaints in that area. People were ringing in and lodging complaints that they had been discriminated against because they had applied for jobs and been advised that they were too old for those positions. When the government is focusing on encouraging employers to employ older workers, when there is an active campaign to encour-

age employers to take on workers that are older, it seems to me that the fact that it needs to be a dominant reason works against that.

The other area that I would just like to touch on quickly is that I believe, particularly in the area of mature age employment, there is subtle discrimination against particularly blue-collar workers who are over 45. There seems to be a feeling—and once again it is subtle; it is a stereotype; the types of things that lead to discrimination—that if you are a blue-collar worker and you are over 45 then you are unemployable. These are the types of issues that need to be addressed.

I have no problems with the specific exemptions that will be enacted with this legislation. The government has taken two years to complete its audit, and it looks at issues like scholarships, competition prizes, superannuation, the service of documents—I do not think anyone could argue about the requirement that documents should be served on somebody that is reasonably believed to be over the age of 16—pensions, allowances and benefits. Once again, I think that these areas should be exempt, and many of the areas of exemption are actually forms of positive discrimination. Commonwealth employment programs is an area where the government can act to work against some of this stereotyping and age discrimination, and I would like to think that it may become a little more active in doing that. These areas are to be welcomed, to be embraced, as are areas like civil aviation. Also, under the maritime act it is illegal to employ someone that is not 16 years of age. Areas like passports, medical indemnity and private health insurance are all reasonable and should be embraced.

The message that I would like to leave today for the government is that it is very important that we have age discrimination legislation. It is great that we had the legislation introduced in 2003. The exemptions that are included in this legislation are more than acceptable, but I am still not happy with the fact that age discrimination can only be a dominant reason. I believe that is very easy to get around. I think that the government really needs to revisit the original piece of legislation, remove that requirement that it be the dominant reason and treat it in the same way that it treats every other piece of legislation that relates to discrimination.

It is no more acceptable to discriminate against a person on the grounds of age, be they young or old, than it is to discriminate against a person on racial grounds or because they have a disability. In a community where we have an ageing population, in a community where we should be valuing our older people and our younger people, I think it is imperative that 'dominant reason' be removed from the legislation. We should get the message out to the Australian community that discrimination on the grounds of age is totally unacceptable.

Mr GEORGANAS (Hindmarsh) (11.09 am)—The age profile of South Australia's residents shows that the state has the oldest population in the country. Seventy-five per cent of older South Australians live in metropolitan Adelaide. As a percentage of the population, the electorate of Hindmarsh is one of the oldest electorates in Australia. Therefore I have great concern for how these very valuable members of my electorate are treated by government and the wider society. Despite the introduction of age discrimination legislation almost two years ago, the occurrence of age discrimination in many areas of society is still very rife. Attitudes need to change, especially in employment. It is my hope that the effort to remove exemptions from some Commonwealth acts, regulations, instruments, schemes and programs will, to some extent, assist in a change of attitude.

Media headlines are flooded with announcements of a nationwide skills shortage and an ageing population, as if the two occurrences were synonymous. Too often the potential of the members of our community beyond 50 years of age is ignored. Retraining and reskilling programs are bypassed for skilled migration and other programs. In 2003, Linda Matthews, the Commissioner for Equal Opportunity in South Australia, commented:

South Australia will have a severe labour shortage if business continues to deny the relevance and experience of older workers.

This message cannot be stated strongly enough. It applies not only to South Australia but to the nation as a whole.

Last year the Australian Bureau of Statistics reported that, while the unemployment rate tends to be lower for 45- to 64-year olds than for most other age groups, the people in this age group generally have more difficulty in obtaining work once they become unemployed and, hence, are at greater risk of remaining unemployed for long periods. In fact, almost half the people aged between 55 and 64 are long-term unemployed. According to the ABS, due to the difficulties people aged 45 to 64 face in finding work, they are much more likely to become discouraged and drop out of the workforce altogether.

These statistics reflect the very real bias against older workers, particularly as job seekers. These statistics demonstrate that older workers were facing these difficulties prior to the introduction of the new workplace laws. It is my belief that these new laws will only exacerbate the poor situation for older workers. With corporations given wide powers to hire and fire under these new laws, it is likely that the workforce participation rate of older workers will continue to decline.

The ALP has a long history of supporting workers and will continue to defend the rights of mature workers to participate in the workforce. It will continue to acknowledge the high levels of skill, understanding and experience that mature workers contribute to society. The Australian Bureau of Statistics projects that the proportion of the Australian population aged over 65 will increase from 13 per cent in 2002 to nearly 30 per cent by 2051, while the proportion of the population aged 15 to 64 will decline from 67 per cent in 2002 to between 57 and 59 per cent in 2051. So, if attitudes towards the participation of mature people in the workforce do not change in the immediate future, the results could be disastrous for our economy.

There were some examples in the lead-up to the millennium. With the Y2K bug scare, the information technology industry realised very quickly the problems associated with a culture of age bias in their field. At that time, many retired computer programmers were asked to deal with the pending situation. A number of those programmers refused to re-enter the industry as they felt cheated about having been previously forsaken many years before their expected retirement age.

In 2002, the IT Council of South Australia in their newsletter featured an article acknowledging that their industry, along with public relations, media and telecommunication companies, was amongst the worst in terms of age discrimination. The council also noted the danger of overlooking the skill, knowledge and maturity of older employees. The article acknowledged that, if attitudes did not change now, some of the workers may not be able to return to the industry. The IT council quite powerfully described the following:

The bottom line is that there is still a considerable skills shortage across the broader range of knowledge industries and with each year that passes the median age of the knowledge workforce is climbing. Smart

employers with an eye on the longer term have already figured out that dumping older workers is a mug's game. Sooner or later the dim-witted ones will figure this out.

Despite the Australian IT industry's awareness of this in 2002, an article by Stan Beer from IT Wire demonstrates that the industry, as recently as April this year, is still snubbing mature age workers. Hudson, a recruitment firm, earlier this year surveyed 8,345 employers nationally. Their survey indicates that only 32.3 per cent of employers in the IT sector and 23.8 per cent in the telecommunications sector are proactively seeking to attract and retain older employees. The survey indicated that these industries are still well behind other sectors. The director of Hudson's IT sector has commented that IT employers must take serious note of the findings in the survey and act immediately to retain competitive advantage, given the ageing workforce and skill shortages. He also mentioned that the sector is especially lacking in reskilling and retraining programs, and that the sector needs to examine the proactive strategies to attract and retain mature age workers, including flexible work options.

The example I gave about the situation in the IT industry should highlight the importance of government's responsibility in raising awareness and assisting in changing attitudes towards age discrimination, particularly in the workplace. These amendments are just the beginning of what needs to be done by government to demonstrate leadership in changing attitudes in this area. I note that the government must provide proactive assistance in defeating ageist attitudes that are so obviously still rife throughout many industries. Labor supports a strong program of awareness and recognition of the importance of defeating a culture of age discrimination throughout all sectors.

There is also a wider impact of ageism in the workplace. As can be seen with the IT workers who did not want to come back when called upon to assist with the Y2K issue after being dismissed due to their age in earlier times, the mental impact of age discrimination is very high and extremely underestimated. The rejection that those IT workers, as well as many others who have suffered age discrimination, feel is legitimate and should be addressed. Awareness needs to be raised about the social impact and especially the impact on the families of people who are not able to find employment once they are over a certain age.

Depression and other mental health issues have been linked to unemployment and loss of control over work in older Australians. Human rights commentators and analysts often comment on the underreporting of cases of age discrimination. People in the community are hesitant to come forward when they have been discriminated against, often because they believe their concern may not be taken seriously. This is another factor that demonstrates the need for change in attitudes about this form of discrimination. Labor believes it is important to bring these issues into the spotlight and to lead the way for a changed, more understanding culture on the age issue.

On the point of education and health in relation to employment, the Council on the Ageing and National Seniors partnership is the largest seniors organisation in Australia, with more than 280,000 individual members and more than 1,500 seniors organisations under its umbrella. The Council on the Ageing and National Seniors partnership's response to the Department of the Treasury's May 2004 report *Australia's demographic challenges* responded to problems associated with improving the capacity for work. It highlighted the important issue that, in order to address the skills shortages and reduce age discrimination, facilitative mechanisms must be put in place.

The council on the Ageing and National Seniors partnership suggested methods to enable this, one of which was a government commitment to lifelong learning programs enabling workers to upgrade their skills throughout their careers. Further effort needs to be made in education, specifically about learning. If this government is serious in its commitment to reduce age discrimination, we have to take that seriously. In South Australia, while the number of older persons participating in further education programs is growing, these people still only represent a very small proportion of the Australian population. The Council on the Ageing and National Seniors partnership also recognises that, in addition to education, other facilitative measures such as ensuring adequate access to health systems are vital in ensuring that mature persons are able to participate fully both economically and socially in our society.

The ALP have always represented the need for well-funded health and education systems as important cornerstones of our society. We support a strong public health and education system that would see the facilitation of mature people to re-enter and remain in the workforce. We are strongly committed to lifelong learning, and our national platform has an entire chapter dedicated to this commitment. We believe that adult education is an integral part of lifelong learning, and we believe that it should be affordable and flexible.

Another point I want to touch on is volunteer work. When the Age Discrimination Act was passed in 2004, the government rejected a number of amendments by the opposition, including the extension of the laws to cover voluntary work. Volunteering Australia's submission on the Productivity Commission's October 2004 study titled *Economic implications of an ageing Australia* demonstrates that, while the total number of volunteers in the over-65 age group is lower than groups that are younger, volunteers over 65 contribute far more hours on average. However, there are barriers to these people volunteering. We should recognise the important contribution that volunteers make to our society. From emergency services to school canteen helpers, each volunteer is a valuable asset to this country. Volunteering Australia recognises that the barriers to older people's involvement in volunteering often include an ageist culture coupled with lack of support and training for elder volunteers.

Labor believes in comprehensive age discrimination legislation which covers these valuable older persons in their roles as volunteers and leaders in the community. The government's failure to properly apply age discrimination legislation to volunteers will have a negative impact on the level of volunteering in the future, especially given the ageing population. Australia's economy and society depend on volunteers and we should encourage and support volunteers of all ages. I hope that the government's commitment to fighting age discrimination will not end with these amendments. Labor will continue to raise awareness of age discrimination and continue to fight for the rights of older persons in the community.

Mr RUDDOCK (Berowra—Attorney-General) (11.22 am)—in reply—First, I thank my colleagues the members for Gellibrand, McMillan, Shortland and Hindmarsh for their contributions in the debate. I welcome the fact that the Labor Party will not be opposing this measure. However, I will say that much of the debate has not focused on the bill or any substantial objections to it but, rather, on where people believe that the Age Discrimination Act does not go far enough. Interestingly, I recall some 13 years of Labor in government and I do not recall any legislation dealing with age discrimination. The government have put this matter on the agenda; it is amazing how many people develop so-called considered views and alternative ways of addressing questions when you are pursuing an initiative.

I will deal with some of the alternative approaches that have been raised, because the government do have a view about how the legislation that we have implemented ought to be progressed. The member for Gellibrand raises the question as to why there is a dominant purpose test in the act. The act provides that age must be the dominant reason for an act before the act can substantiate a complaint of age discrimination. We argued during the substantive debate on the bill in 2004 that this was a different test from other antidiscrimination legislative measures which provide that the act is taken to have been done for the relevant reason if age is one reason out of a number of reasons. It is the government's view that the primary solution for most aspects of age discrimination is based on education and attitudinal change. It is critical that the legislation not establish barriers to such positive developments by, for example, restricting employment opportunities for older people by imposing unnecessary costs and inflexibility on employers acting in good faith.

The second issue that was raised related to harassment. While there is no specific provision in the act, this does not mean that age based harassment cannot form the basis of a complaint under the act. The act covers both direct and indirect discrimination. Acts of age based harassment may well amount to an element of discrimination on the basis of age. For example, bullying on the basis of age could fall within the scope of the direct discrimination under section 14 of the act—that is, treating someone less favourably on the basis of their age. Similarly, imposing unreasonable conditions on workers of a particular age would form the basis of a complaint of indirect discrimination under section 15.

The third matter that was raised was in relation to the interrelationship between this and the Work Choices legislation. Section 39(8) of the Age Discrimination Act contains an exemption relating to workplace relations. The purpose of the exemption was to prevent awards and agreements that have already been scrutinised by a court, tribunal or other body with industrial powers, such as the Australian Industrial Relations Commission, from being re-agitated before the Human Rights and Equal Opportunity Commission in the context of a discrimination claim. Essentially, we were seeking to ensure that there was a proper basis on which these matters could be pursued, but we do not want to have in place regulatory overreach by providing a range of opportunities in which matters might be relitigated, be it in a different form.

The Workplace Relations Act provides that workplace agreements that contain prohibited content are void to the extent of the prohibited content. Prohibited content includes material that is discriminatory. Of course, the Human Rights and Equal Opportunity Commission's existing jurisdiction in relation to discrimination in employment under the Age Discrimination Act as well as the Racial Discrimination Act, the Sex Discrimination Act and the Disability Discrimination Act is maintained. We recognise the value of the commission's conciliatory based approach and we have increased the commission's resources to be able to handle complaints in that context.

Issues were raised as to what is happening in the workforce. I heard the member for Hindmarsh making some observations about the need for change. Change is occurring. Mature age employment data indicates that the number of mature age persons in employment has increased in the last 10 years from approximately 2.45 million to 3.7 million. That is up 51.3 per cent. There has also been a 4.3 per cent increase in the past year ending in March 2006. The mature age labour force participation rate has increased by 5.6 percentage points in the past 10 years, from 43.4 to 49 per cent, and the mature age unemployment rate has decreased from

6.2 per cent in March 1996 to three per cent in March 2006. That data relating to mature age persons—45 years and over—is a reflection of the significant change that is occurring in relation to discrimination on the basis of age.

The purpose of this bill is to deal with very specific issues in relation to implementation. The bill is the result of the government's review of the Age Discrimination Act 2004 in the light of the expiry of the general exemption applying to all Commonwealth acts and regulations, and this is replaced by more limited and specific exemptions and provides legal certainty for a number of laws and programs that are intended to provide benefits for particular age groups. Nobody seems to have any complaint about those issues. The opposition says it supports the measure and I welcome that support. Age discrimination measures through this act remain a key part of the government's wider strategy to address issues arising from Australia's changing demography and demonstrate the government's continued commitment to removing age discrimination as far as possible while taking into account a balanced approach where legitimate age related needs have been identified. It is a very important piece of the government's legislative agenda, one that we developed when we were in opposition and pursued when we were in government and one in which I think the opposition are really only latter-day converts. I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr RUDDOCK (Berowra—Attorney-General) (11.29 am)—I have an amendment and a supplementary explanatory memorandum in relation to that amendment, which I table. I move government amendment (1):

(1) Schedule 1, item 15, page 7 (cell at table item 11, 3rd column), omit the cell, substitute:

regulations 8.10, 9.1, 9.5 and 9.20

This amendment changes the last line in the bill. The bill as introduced lists regulation 8.10 of the Workplace Relations Regulations 2006 as a provision for which an exemption from the Age Discrimination Act is provided. The amendment adds three further regulations: 9.1, 9.5 and 9.20. These regulations are similar to regulation 8.10 and require an exemption for the same reason—that is, each regulation sets out a minimum age of 18 years for a person to undertake a role in workplace bargaining where they represent the interests of others. I commend the amendment.

Question agreed to.

Bill, as amended, agreed to.

Ordered that the bill be reported to the House with an amendment.

DEFENCE HOUSING AUTHORITY AMENDMENT BILL 2006

Second Reading

Debate resumed from 30 March, on motion by **Mr Billson**:

That this bill be now read a second time.

Mr McCLELLAND (Barton) (11.31 am)—Defence housing is a fundamental condition of military service and is central to the retention of experienced personnel and the attraction to the service of talented young Australians. The Defence Housing Authority has evolved as a separate authority from the cumbersome bureaucracy which preceded it, and the Defence Housing Authority Amendment Bill 2006 is a further step in that process of evolution.

Under the previous bureaucracy, housing was the subject of numerous complaints by serving members of the ADF. While the situation is far from perfect, there have in recent years been a number of improvements. The previous complaints related to the basics, such as lack of maintenance or a poor standard of accommodation, and it would be naive to suggest that some of those problems do not remain, certainly in some areas. It is entirely relevant because, for a long while, when members were posted to different locations they expected that their families would suffer the same poor standard of housing. Fortunately, in a number of areas conditions have significantly improved. In particular, better management and attention to defence housing as a critical issue in the early 1980s saw the establishment of the Defence Housing Authority.

In the current strategic climate in which the ADF is experiencing a high operational tempo it is clearly unacceptable for defence families to have to live in substandard accommodation or receive substandard service while partners and parents are deployed overseas. It is the husbands or wives or the children who are most affected by poor quality housing and poor service in the provision of that housing.

DHA has matured and its responsibilities have grown with maturity to include removals. The service requirement of postings is another issue which potentially impacts on the retention of experienced personnel. Moving house can be a traumatic experience. The frequency of removals for service families demands quality and efficiency in the delivery of that service. Our military men and women deserve no less. The authority's task in facilitating removals on posting is rightly expected to minimise the inconvenience occasioned to defence families.

A further step in the evolution of the DHA is the move from providing and maintaining its own properties to being a broader property management business which is active in the rental and leaseback fields. DHA now performs commercially and reports accordingly. This bill will improve on that by establishing a smaller, more commercially focused board in an arms-length relationship from government, thus providing, in theory, greater freedom to act.

The bill establishes an advisory committee to assist the DHA board in meeting Defence's operational requirements. Importantly, the bill emphasises the importance of people in Defence by confirming that the primary function of the DHA is to provide housing and housing related services to Defence and its members.

The commercialisation of DHA has seen improvements in the quality of housing provided to ADF members. The success of the commercialisation is evidenced in last year's figures. Last year's earnings, before interest and tax, were $82.3 million, up some $8 million on the previous year. Net profit was $66.9 million, which was $26.5 million above target.

During the year, 451 houses were built and a further 520 purchased. The combined cost of this was $396 million, which equates to more and better quality houses for defence families. Investors in the Australian property market can also appreciate the benefits of renting to the DHA, including guaranteed year-round rental income and total property maintenance. The

success of the government's business enterprise is unfortunately not reflected in other Defence acquisition programs.

The greater commercialisation of DHA as provided by this bill is reflected in the name change from the Defence Housing Authority to Defence Housing Australia; thus the bill converts DHA from a statutory authority serving Defence exclusively to a commercial enterprise providing housing related services to other Commonwealth agencies.

The bill also broadens DHA's powers to allow it to provide services that are ancillary to housing. These ancillary services are not further defined except that they must have a nexus with housing and housing related services, the minister having the discretion to broaden the ambit of these ancillary services. These ancillary services may include the provision of access to providers of social support such as education, recreation and financial services. Presumably such ancillary services could include preschools and family support during absences on deployment, all of which have a direct nexus with housing related services and all of which are critical to the problem of retention and recruitment. We would certainly support such a holistic approach to the provision of housing services to defence families.

The commercial focus of the bill sees a reduction, as I have mentioned, of DHA board members from 12 to nine. This may, however, be adverse to Defence in that Defence representation will now be reduced from five to two. The representatives being removed are from the defence community, including a spouse representative. In light of the high operational tempo and the result that spouses remain at home while serving members are deployed, the removal of a spouse representative from the board is unquestionably a negative aspect of the bill.

While it is intended that the DHA, as it will be renamed, will have a broader role in the provision of housing for Commonwealth purposes, its primary emphasis will remain on defence families, and we believe it is appropriate that defence representatives remain on the board, including, most importantly, the spouse representative. We believe that defence families deserve representation in matters which directly affect them, and housing is one of the most significant matters that affect them and their families. Reflection on the number of complaints related to housing, particularly in days gone by, and on the adverse impact on retention that poor housing has had—and, it must be said, continues to have in some areas—is evidence of the value of spousal representation.

The bill intends that representatives of defence families and the Department of Defence will be members of the advisory committee to the board in lieu of having a representational responsibility. The value of this advisory role, to the detriment of a representational function as an actual board member, is questionable. The purely advisory function of the committee is reinforced in clause 30 of the bill, which gives the board power to issue the committee with directions as to how it should operate. Notwithstanding the criticisms as to the removal of the defence family representation on the board, we support the bill, which it must be said does enhance the welfare of ADF families.

Military life makes demands on individuals and families which are not necessarily reflected in the civilian world. Indeed, very few families in the civilian world face the same level of dislocation of moving from base to base and of overseas deployment. The absences from home and the service requirement to frequently relocate can be difficult for members and their families and may affect the decision to remain in the service. It is said that increas-

ingly the numbers of serving personnel are affected in their decision to remain with or leave the military as a result of the input, as would be understandable, from their family. Good quality housing and housing services go some way towards alleviating the pressures on defence families.

Conditions of service are at the very heart of military life and directly impact on the recruitment and retention of personnel, which is one of the real crisis issues facing our defence forces and, hence, our nation's security. When the labour market is tight and recruitment is difficult, the attraction of subsidised housing can be a very important incentive to people both joining and remaining in the Defence Force. But obviously to have that impact it must be good housing. Defence families deserve quality housing and a standard of living which recognises the unique and mobile nature of service life. The dedicated members of the ADF provide an invaluable service to this country. In return, good housing is part of the deal and that is why we support this bill as going some way towards enhancing that condition of service.

Mr BILLSON (Dunkley—Minister for Veterans' Affairs and Minister Assisting the Minister for Defence) (11.42 am)—in reply—I would like to thank the member for Barton for his considered contribution and I welcome his sincere, genuine and ongoing interest in the welfare of our Defence Force and its members and in its important work. I thank him for his comments.

In summing up on the Defence Housing Authority Amendment Bill 2006, let me reiterate some of the key points. This bill will help to underpin the long-term viability of the Defence Housing Authority as a government business enterprise. The existing DHA Act is 19 years old. It requires updating to better reflect the current governance arrangements that are to be applied to the DHA. The proposed amendments are supported by both the shareholder ministers and the DHA itself.

The amendments reinforce the government's clear and ongoing commitment to provide quality housing and housing related services to defence personnel and their families. As the member for Barton mentioned and as is very clear in my role, the link between support for Defence Force members and their families and the important role that appropriate housing plays is very clear to the government and is very much a priority and a focus for me. This is also why these amendments allow DHA to expand its commercial base to include other government agencies whilst ensuring that the interests of Defence are safeguarded. The expansion of DHA's client base and services will enable it to provide a more diverse range of services to Defence and will assist it in competing more effectively in the marketplace for new accommodation projects, and I remind the House of the ongoing efforts of the government and the DHA to constantly review and improve the housing stock available for ADF members and their families.

The bill also proposes amendments that will expand the scope of the DHA and increase its operations beyond defence. DHA will be able to provide housing and housing related services to other Commonwealth agencies, and ancillary services to both Defence and other Commonwealth agencies. The ability for Commonwealth agencies to utilise DHA's expertise in the provision of housing and housing related services has the potential to benefit the whole of government.

The changes to the structure of the DHA board will provide a more commercial focus and will better reflect the best practice outlined in the Uhrig review. The member for Barton men-

tioned some of those changes. For those who are interested in this subject, the new board will in fact have a nominee representing the Secretary of Defence and the Chief of the Defence Force, so that direct link with the client group, if I could put it that way, is reflected in the board itself.

The member for Barton also mentioned the issue about Defence Families Australia's representation. Let me just draw out what is embodied in this bill, and it is in line with the Uhrig review recommendations. Those representative roles for Navy, Army, Air Force and Defence Families Australia will be appointed to the advisory committee. As the member for Barton would know, the decision to restructure and reform DHA presents board members of DHA with corporate governance responsibilities which go to the wellbeing of the entity itself. Therefore, those people seeking to play a key advocacy role in arguing and pressuring and raising issues is potentially inconsistent with the governance responsibilities and the directors' responsibilities on the board. So what we have done—and it has been recommended in the Uhrig review and I think it will be a very effective method—is establish this advisory committee, including representatives from Navy, Army and Air Force and Defence Families Australia, as the primary vehicle for representation of the defence and defence families community to the DHA board.

That committee will assist and support the board in its primary role as the provider of housing to meet the operational requirements of defence, but not lead to a confusion between the role of directors that goes to the welfare, viability and ongoing responsiveness of DHA and the advocacy role of the advisory group. That group can stridently and with great vigour put its case through the advisory committee to the DHA board. I also meet regularly with Defence Families Australia and other interest groups, so there is plenty of opportunity for those avenues to provide feedback and insight and for the views of the families themselves to be factored into the operations of DHA. So the concerns there are noted. We have tried to take account of them and provide those advocates with a strong advocacy role, and not have that cluttered or confused with the specific responsibilities of directors which go to the welfare and wellbeing of the entity. We think that will work quite well, but we will certainly keep on an eye on that and make sure that the defence community's voice is heard loudly and clearly in the deliberations of DHA.

The bill proposes amendments that will improve the harmonisation between the Defence Housing Authority Act 1987 and the Commonwealth Authorities and Companies Act 1997. The DHA governance arrangements will be more closely aligned with those of other government business enterprises. The bill is an investment and an assistance to ensure the long-term viability of the DHA and to support the DHA in making sure the defence community has the housing stock and support it needs for its crucial role. I welcome the input of the member for Barton and thank him for his encouraging remarks. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Ordered that the bill be reported to the House without amendment.

Main Committee adjourned at 11.49 am

QUESTIONS IN WRITING

Migrant Information Centres
(Question No. 810)

Mr Kelvin Thomson asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 14 March 2005:

(1) How many Migrant Information Centres currently operate in Australia.

(2) What are the distinctions between Migrant Resource Centres and Migrant Information Centres.

(3) Does he intend to establish any new Migrant Information Centres anywhere in Australia.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

(1) and (2) The term 'Migrant Information Centre' is a name used only by the Migrant Information Centre of Eastern Melbourne (MICEM). It was established in 1998 to deliver migrant settlement services in the eastern suburbs of Melbourne.

The MICEM is a Migrant Service Agency (MSA). Although different in name, MSAs and Migrant Resource Centres (MRCs) provide similar settlement services and receive core funding from the Australian Government. There are currently four MSAs and twenty-four MRCs funded to provide settlement services.

Two of the MSAs, including the MICEM, were established as companies limited by guarantee on the recommendation of steering committees established to advise on the most appropriate model for the two agencies. The committees also recommended that the Board of Directors be appointed by the Minister.

(3) As noted in my previous answer above, Migrant Information Centres do not exist as discrete entities.

Migrant Information Centre (Eastern Melbourne)
(Question No. 811)

Mr Kelvin Thomson asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 14 March 2005:

(1) In respect of the appointment of Board members to the Eastern Melbourne Migrant Information Centre in December 2004, what advice did he act upon in determining that the Board's recommendation of Mr Tony Robinson should not be accepted.

(2) How does he reconcile his view that Mr Robinson lacked experience with migrant settlement services with the fact of Mr Robinson's leadership of a Victorian Parliamentary Committee inquiry into Cultural Diversity which delivered a report in September 2004 featuring extensive comment on how settlement services could be enhanced.

(3) Did he receive any oral, written, or electronic advice from the Member for Deakin recommending that Mr Robinson's appointment not proceed.

(4) Did his office disclose to the Member for Deakin any indication of his decision on board member approvals prior to the receipt by the former Migrant Information Centre Board Chairman of the Minister's advice.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

(1) Through the Department, Mr McGauran sought further information on the seven nominations recommended to him by the Deputy Chairperson of the Migrant Information Centre. Mr Robinson's CV, among others, was forwarded to him.

(2) Mr McGauran determined that an essential criterion for membership would be first-hand experience in the provision of settlement services. Mr Robinson did not have any such experience.

(3) I do not have access to Mr McGauran's records so cannot provide an answer to this part of the question.

(4) I do not have access to Mr McGauran's records so cannot provide an answer to this part of the question.

Migrant Resource Centres

(Question No. 812)

Mr Kelvin Thomson asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 14 March 2005:

(1) Has he or his office staff, at any time, sought advice on ways in which Migrant Resource Centres might have their constitutions changed to allow the Minister greater influence in the appointment of directors.

(2) Has he or his office staff, at any time, received advice on the possibility of Migrant Resource Centre constitutions being changed through the withholding of Commonwealth funds, with a view to allowing the Minister greater influence in the appointment of board members.

(3) Has the Department of Immigration, Multicultural and Indigenous Affairs provided any advice referred to in (2) to the office of the Minister for Citizenship and Multicultural affairs or any other Minister in the past three years; if so, (a) what are the details of the advice and (b) to whom was it provided.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

(1) Mr McGauran sought such advice in the context of briefing on his portfolio responsibilities.

(2) Mr McGauran sought such advice, again in the context of briefing early in his term of office.

(3) The advice referred to in (2) was provided to the former Minister for Citizenship and Multicultural Affairs in November 2004. The Department has not provided this information to any other Minister in the past three years.

(a) The advice was provided by email, the relevant section of the email is attached.

(b) The Minister's Chief of Staff and the Minister's Adviser.

ATTACHMENT QON 812 (3)(a)

Relevant section of an email sent to the former Minister for Citizenship and Multicultural Affairs in November 2004.

MRC appointment process

You also enquired about the possibility of having other MRCs change their constitution to allow the Minister to approve its Board nominations and appoint Board members directly (along the lines of the MIC).

Most, if not all, MRCs are incorporated associations and their affairs are government by their Constitution. The Constitution (we have assumed that the Gippsland one is typical of all others) does not provide for any involvement of the Minister in the appointment process of members to the MRC committee of management. The Constitution does provide that Federal Government nominees may be co-opted to the committee of management as observers and or advisers but they will not have voting rights.

For the Minister to have involvement in the appointment process of the MRC committee of management, the Constitution would have to be amended to include specific provisions providing for such involvement.

It is possible that this requirement could be made a condition of continued Commonwealth funding on the basis that the Commonwealth through the Minister would like to have some involvement in the selection of the committee of management if it will be making decisions to spend funds provided by Commonwealth taxpayers. The question then would be whether this is a condition to be placed on one, several or all MRCs.

If it were to be all MRCs, the Minister could write to MRC/MSAs requesting that they amend their constitutions to make provision for the Minister to have formal involvement in appointment processes. For example, this condition could be identified when we write to MRC/MSAs in requesting their bids for core funding for 2005-06. Should they decline funding could be denied. However, if organisations wanted to comply, we have been advised that enacting amendments to an organisation's constitution can be a lengthy and very public process. It would involve the calling of special meetings etc, and will attract attention and publicity. Denial of funding would also be seen as provocative.

An alternative would be an informal approach on a one-to-one basis between Minister, the dept and the organisation.

Media Monitoring and Clipping Services

(Question No. 1279)

Mr Bowen asked the Treasurer, in writing, on 11 May 2005:

(1) What sum was spent on media monitoring and clipping services engaged by the Minister's office in (a) 2002-2003, (b) 2003-2004, and (c) 2004-2005 to date.

(2) What was the name and postal addresses of each media monitoring company engaged by the Minister's office.

Mr Costello—The answer to the honourable member's question is as follows:

(1) Sum spent on media monitoring and clipping services engaged by the Minister's office in:

(a) 2002-2003, $9,375.96.

(b) 2003-2004, $7,315.90.

(c) 2004-2005 to date, $5,491.83.

(2) Media Monitors.

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GRIFFITH ACT 2603

Superannuation

(Question No. 1438)

Mr McClelland asked the Treasurer, in writing, on 24 May 2005:

(1) What mechanisms are available for employees to recover unpaid superannuation contributions from their employer.

(2) What time limits apply to the commencement of recovery action.

(3) What procedures are in place to notify employees of the non-payment of superannuation contributions.

(4) For 2004-2005, how many (a) instances of non-payment of superannuation contributions were identified by the Australian Taxation Office (ATO), (b) enforcement and/or recovery proceedings

were commenced by the ATO, (c) enforcement or recovery proceedings were successful, and (d) enforcement or recovery actions are current.

(5) Is the ATO permitted to notify an employee when an employer is not fulfilling employer superannuation obligations to that employee; if not, is the ATO aware of the number of instances in which employees have been deprived of the opportunity to commence recovery proceedings because the employees were ignorant of the fact that employers had not complied with their superannuation obligations.

(6) Will the Government (a) remove the restrictions preventing the ATO notifying employees of the failure of their employers to comply with their superannuation obligations and (b) require the ATO to notify employees of those instances where their employers have failed to comply with their superannuation obligations.

Mr Dutton—The answer to the honourable member's question is as follows:

The Treasurer has referred this question to me as it falls within my ministerial responsibilities.

(1) An employee can report unpaid contributions to the Tax Office as the Commissioner of Taxation has the general administration of the Superannuation Guarantee (Administration) Act 1992 (s 43). The Tax Office investigates all employee complaints of unpaid superannuation contributions.

The Commissioner will raise a superannuation guarantee (SG) charge assessment if he is of the opinion that the employer is liable to pay the SG charge (and the employer has not lodged an SG statement). The Commissioner will also pursue payment of any unpaid SG charge assessment.

An employee also has the ability to take action under Commonwealth or state workplace relations legislation to recover unpaid award superannuation contributions.

(2) Once an SG charge debit assessment issues there is no time limit for recovery of that debt.

(3) Superannuation funds and retirement savings account (RSA) providers are required to issue annual account statements to their members. Employees can identify non-payment of superannuation contributions when they receive their annual account statement and can ask their employer or superannuation fund at any time. Note, some superannuation funds and RSA providers issue statements more frequently and/or provide online access to accounts.

(4) (a) From 1 July 2004 to 30 June 2005, 10,439 cases were finalised where the Commissioner issued a debit SG charge assessment. These cases related to cases started in the 2004-2005 year and earlier years.

The Commissioner undertakes audits of all employee notifications of non-payment of superannuation guarantee. However, this does not mean that there is necessarily a non-payment of superannuation contributions. This is only determined when an audit case is finalised and an employer is issued a debit SG Charge assessment.

(b) From 1 July 2004 to 30 June 2005, 13,154 new audit cases were commenced. Of these, 5,850 were finalised. It was determined that no further action was required on 2,632 cases as the employer had in fact complied with the law and a debit SG charge assessment was raised in 3,218 cases.

(c) In 627 cases identified from 1 July 2004 to 30 June 2005, the debt SG charge raised has been collected in full.

(d) As at 30 June 2005, 7304 of the audit cases commenced were still being investigated and recovery action was still being undertaken in 2,591 cases where the audit action had been completed.

(5) No. The ATO is unable to advise employees when an employer is not fulfilling their superannuation obligations due to secrecy provisions in the SGAA (section 45). The answer to the second part of the question is no.

(6) The Government will give consideration to these matters.

Religious Organisations: Funding

(Question No. 1902)

Dr Lawrence asked the Minister for Families, Community Services and Indigenous Affairs, in writing, on 9 August 2005:

(1) Is the Minister's department providing any funds to organisations which require their employees to meet certain religious requirements (eg membership of a particular church or religious group) as a condition of their employment; if so, will the Minister identify the organisations.

(2) Does the Minister's department provide funds to any organisations for programs which include religious instructions, or faith-based counselling; if so, will the Minister identify the organisations.

(3) Does the Minister's department place any requirements on church and charitable organisations which receive funds from the department that the funds not be used for religious or evangelical purposes; if so, what are the guidelines or requirements.

(4) How does the Minister's department ensure that services and programs funded by the Government and delivered by church and charitable organisations are not used for religious or evangelical purposes.

Mr Brough—The answer to the honourable member's question is as follows:

(1) and (2) My department provides funding to a wide variety of organisations to deliver programs on behalf of the Australian Government. Some of these organisations are faith-based however, FaCSIA does not fund programs for religious instruction or faith based counselling. As part of the conditions of funding set out in funding agreements, all funded organisations are required to comply with all relevant legislation, which would include employment legislation and regulation.

(3) Programs funded through FaCSIA have specific guidelines and/or performance requirements. The funding agreements between organisations and my department require organisations to only expend funds for the purposes for which it they been given and to meet specific outcomes, milestones and/or deliver specific services to individuals or families, also set out in the funding agreement.

(4) Any funds expended for purposes other than those covered by the funding agreement have to be refunded by the organisation.

Consultancy Services

(Question No. 2413)

Mr Bowen asked the Minister for Industry, Tourism and Resources, in writing, on 10 October 2005:

Did his department engage Jaguar Consulting Pty Ltd to provide consulting services at a cost of $32,400; if so, what consulting services are being provided under the terms of this contract.

Mr Ian Macfarlane—The answer to the honourable member's question is as follows:

Yes. Jaguar Consulting has been engaged by the Australian Building Codes Board to provide impact assessment services for the consultation draft of the Disability Standard for Access to Premises Regulation Impact Statement.

Consultancy Services

(Question No. 2414)

Mr Bowen asked the Minister for Industry, Tourism and Resources, in writing, on 10 October 2005:

Did his department engage LP and Associates to provide consulting services at a cost of $72,000; if so, what consulting services are being provided under the terms of this contract.

Mr Ian Macfarlane—The answer to the honourable member's question is as follows:

Yes. LP and Associates were contracted by the Australian Building Codes Board (ABCB) at a cost of $72,000 to undertake regulatory reform activities identified under the ABCB 2005/2006 Work Plan, in both the national and international building regulatory environment. This includes work involving international code and research collaboration, the Japanese Evaluation Body and the Strategic Review of the Building Code of Australia (BCA).

Electoral Roll

(Question No. 2468)

Mr Murphy asked the Special Minister of State, in writing, on 12 October 2005:

(1) Has he read the article titled 'New democracy: fewer parties, voters' in the *Sydney Morning Herald* on 11 October 2005 which discussed the findings of the Joint Standing Committee on Electoral Matters following the committee's inquiry into the conduct of the 2004 Federal Election and reported that "the government majority recommended the earlier closure of the electoral rolls when an election is called, a move that could cost hundreds of thousands of people their right to vote".

(2) How many Australians (a) enrolled to vote, and (b) varied their enrolment details during the five day period before the electoral rolls closed following the calling of the Federal Election on Sunday, 29 August 2004.

(3) Of those Australians identified in part 2(a), how many were (a) enrolling for the first time, (b) under twenty-five years of age, (c) of non-English speaking background, and (d) not tertiary educated.

(4) How many Australians enrolled to vote during the five day period before the electoral rolls closed in (a) 1996, (b) 1998, and (c) 2001.

(5) In respect of the statement in the report that "to date the Committee has had no evidence to indicate there has been widespread electoral fraud", is the Minister aware of evidence of widespread electoral fraud at any recent Federal Election.

(6) Will the Minister ensure that the Government's proposed changes to Australia's electoral system will not disenfranchise any Australian citizen.

Mr Nairn—The answer to the honourable member's question is as follows:

(1) Yes.

The Australian Electoral Commission has provided the following information in response to the question.

(2) (3) (a) and (b) It should be noted that there was a period of seven working days between the announcement of the 2004 federal election and the closing of the rolls. The statistics provided in the following three tables represent enrolment transactions in that seven-day period.

State	New Enrolment (i)	Reenrolment (ii)	Reinstatement (iii)	Transfer In Intrastate (iv)	Transfer In Interstate (iv)	Intra-Area Transfer (iv)	No Change Enrolment (v)	Address Renumber (vi)	Total Enrolment Transactions (vii)
ACT	2,279	2,038	54	636	1,690	2,572	1,084	6	10,359
NSW	23,706	24,645	483	29,464	7,244	26,486	8,242	176	120,446
NT	835	1,160	31	315	1,439	1,250	698	0	5,728
QLD	10,098	13,066	359	18,116	8,443	20,736	5,799	169	76,786
SA	9,163	5,337	29	8,630	1,984	8,773	3,363	52	37,331
TAS	2,136	1,890	6	1,376	1,288	3,128	1,274	1	11,099
VIC	15,863	19,456	310	23,101	5,902	22,530	11,326	162	98,650
WA	14,736	10,903	93	14,408	2,763	13,040	7,637	14	63,594
Australia	78,816	78,495	1,365	96,046	30,753	98,515	39,423	580	423,993

(i) Inclusion of an elector's name on the roll based on the receipt of a claim, where no previous enrolment record exists.

(ii) Inclusion of an elector's name on the roll based on the receipt of a claim, where a non-current record exists.

(iii) Re-instating an elector's name to the roll from a non-current enrolment record where the removal of the elector was in error.

(iv) Alteration of an elector's enrolment details based on the receipt of an enrolment claim form, or in some circumstances written notice, from an elector. A 'transfer in intrastate' means the elector's enrolled address moved from one division in a state to another division in the same state. A 'transfer in interstate' means the elector moved from their previous enrolled address to an address in a division in another state or territory. An 'inter-area transfer' is an alteration to an elector's enrolled address within one division.

(v) The elector submitted an enrolment form that was identical to the elector's current enrolment details and no change was required.

(vi) Alteration of a currently enrolled elector's address details after the receipt of information from the appropriate authority that the address details have been amended.

(vii) Total enrolment transactions that added, amended or confirmed an elector's enrolled address.

Close of roll new enrolments by age – States and Territories – 2004 federal election

Age at Polling Day	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Australia
17	131	690	41	400	566	146	1253	1534	4,761
18	846	13,176	268	5,538	3,465	1,084	7,522	5,108	37,007
19	561	3,410	142	1,098	2,159	468	2,866	3,428	14,132
20-24	588	3,039	215	1,443	2,108	280	1,863	3,522	13,058
25-29	52	843	49	326	207	38	650	288	2,453
30-34	30	644	30	292	154	25	473	204	1,852
35-39	16	504	25	227	138	17	362	182	1,471
40-44	23	424	21	225	122	18	301	149	1,283
45-49	12	281	20	175	94	19	198	114	913
50-54	14	272	13	130	69	18	146	85	747
55-59	3	157	6	102	29	11	85	65	458
60-64	2	117	4	64	19	7	56	28	297
64-69	0	56	1	38	13	4	47	10	169
70-74	0	40	0	23	8	1	20	10	102

Age at Polling Day	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Australia
75-79	1	36	0	8	8	0	10	7	70
80+	0	17	0	9	4	0	11	2	43
Total	2,279	23,706	835	10,098	9,163	2,136	15,863	14,736	78,816

Close of roll other transactions by age – States and Territories – 2004 federal election

Age at Polling Day	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Australia
17	6	35	5	31	28	8	90	70	273
18	113	1,188	41	975	406	242	1,320	894	5,179
19	179	1,590	84	1,400	684	296	1,949	1,273	7,455
20-24	1,710	13,746	743	10,261	4,906	1,407	12,672	8,131	53,576
25-29	1,812	17,390	862	9,944	4,860	1,328	15,749	8,072	60,017
30-34	1,410	16,383	763	9,209	3,953	1,164	13,622	6,951	53,455
35-39	865	10,825	590	7,001	2,828	838	9,121	4,972	37,040
40-44	636	9,019	512	6,165	2,571	839	7,214	4,567	31,523
45-49	460	7,080	411	5,331	2,117	670	5,779	3,802	25,650
50-54	308	5,739	377	4,731	1,741	615	4,444	3,224	21,179
55-59	221	4,701	260	4,039	1,289	517	3,530	2,477	17,034
60-64	133	2,894	130	2,624	776	298	2,219	1,505	10,579
64-69	70	1,877	52	1,772	520	216	1,431	1,007	6,945
70-74	52	1,367	28	1,152	440	176	1,128	651	4,994
75-79	35	1,128	20	942	391	132	975	550	4,173
80+	70	1,778	15	1,111	658	217	1,544	712	6,105
Total	8,080	96,740	4,893	66,688	28,168	8,963	82,787	48,858	345,177

This table provides numbers of all other enrolment transaction types (that is, the total transactions minus the new enrolments) by age on a State and Territory basis.

(3) (c) and (d) The information sought on non-English speaking background and non-tertiary educated is not data that are captured or recorded on the electoral roll.

(4) The following table sets out the number of new enrolments and the total number of enrolment forms received during the period between the issue of writ and the close of rolls. It should be noted that this was a period of five working days.

Election	Number of new enrolments	Total number of enrolments forms received
1996	100,718	428,694
1998	64,014	351,913
2001	83,027	369,966

(5) No evidence of widespread fraud has been detected, however current systems could result in fraudulent activities not being detected until after the ballot has been finalised.

(6) The aim of any proposed changes to Australia's electoral system is to provide an electoral system which ensures the franchise of all Australians. However, it is each person's legal responsibility to ensure they are correctly enrolled and that they cast a vote at each election. Not being enrolled correctly is illegal.

Foreign Affairs and Trade: Small Business Payments

(Question No. 2657 and 2660)

Mr Bowen asked the Minister for Foreign Affairs and the Minister for Trade, in writing, on 28 November 2005:

For 2004-2005, (a) how many and (b) what proportion of payments made by the Minister's department to small business were not made within (i) 30 and (ii) 60 days of receipt of the goods or services and a proper invoice in accordance with Government procurement policy.

Mr Downer—On behalf of the Minister for Trade and myself, the answer to the honourable member's question is as follows:

The department's finance system is not configured to provide information relating to payments made to small businesses. It would be an unreasonable diversion of resources to provide the specific information requested on payments to small businesses only.

Retirement Visas

(Question No. 2686)

Mr Martin Ferguson asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 28 November 2005:

(1) How many people who hold a Retirement Visa (subclass 410 – Temporary) are resident in (a) Australia and (b) each Commonwealth electoral division.

(2) Will the Government adopt the recommendations of the Joint House Committee on Migration to permit self-funded retirees who renew their visas a second time to be eligible to apply for permanent residence under a new category of visa based on the same principles applying to the retirement visa.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

(1) As at 1 March 2006, there were 5,020 Retirement Visa (subclass 410 – Temporary) holders. It is estimated that the vast majority of these currently reside in Australia. A breakdown of these visa holders by Commonwealth electoral division, however, is not available.

(2) I am aware of proposals put to the Joint Standing Committee on Migration (JSCM) by Retirement visa holders that they be able to access permanent residence. The Chair of the Committee, Mr Don Randall MP wrote to me on 16 March 2005 seeking my agreement to conduct a short inquiry into "Aged Parent and Retiree visas". I replied on 19 April 2005 declining this request but indicated my willingness to consider issues relating to aged parent and retiree visas at a later date.

Legal Services

(Question No. 2700)

Ms Roxon asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 28 November 2005:

(1) What sum did the Minister's department spend during 2004-2005 on external (a) barristers and (b) solicitors (including private firms, the Australian Government Solicitor and any others).

(2) What sum did the Minister's department spend on internal legal services.

(3) What is the Minister's department's projected expenditure on legal services for 2005-2006.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

(1) During the 2004-05 financial year the Department of Immigration and Multicultural and Indigenous Affairs spent:

(a) $5.5 million on external barristers, and

(b) $32 million on external solicitors. This figure includes all disbursements, with the exception of barristers' fees.

(2) During the 2004-05 financial year, the Department of Immigration and Multicultural and Indigenous Affairs spent $9.1 million on internal legal services. This figure includes administrative staffing support costs attributable to the provision of legal services.

(3) The projected expenditure on legal services for 2005-06 is $52.5 million. It should be noted that Indigenous Affairs was part of this Department's portfolio for part of the financial year 2005-06, however, as they are no longer included in the Department's portfolio we have excluded their expenditure from this projection.

All figures quoted in the answers above are GST exclusive.

Security Clearances

(Question Nos 2761 to 2779)

Mr Bevis asked all ministers, in writing, on 5 December 2005:

(1) How many staff of the Minister's department are required to have a security clearance higher than a basic police check.

(2) How many special project positions require a security clearance.

(3) How many staff requiring a security clearance are currently waiting for it to be completed.

(4) What is the (a) longest and (b) average period taken to obtain a security clearance.

(5) What are the factors contributing to the delays in obtaining security clearances.

(6) In each year since 2001, were there any staff undertaking tasks requiring a security clearance before they had received the appropriate level of clearance for those tasks; if so, (a) how many and (b) where were they.

Mr Ruddock—I provide the answer to the honourable member's question on behalf of all ministers as follows:

(1) (2) and (3) For reasons of security, the government does not comment on the numbers of staff undergoing security clearance processes through Australian Government agencies.

(4) For reasons of security, the government does not comment on the length of time required to obtain a clearance.

(5) Factors impacting on security clearance timelines include:

- the degree of accurate completion and submission of supporting documents by the vettee
- the availability and degree of cooperation of the vettee in providing further information, and
- the timeliness of responses by other organisations and persons to requests for necessary information.

(6) Where a person's security clearance is yet to be finalised, Agency Heads have the discretion to implement interim temporary arrangements to enable a person to start in a position without a security clearance and without access to classified material. In those cases, continuing employment is contingent on a security clearance being obtained so that the full measure of the person's responsibilities can be carried out.

Legal Services

(Question No. 2913)

Ms Roxon asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 8 December 2005:

(1) For 2004-2005, what sum did the Minister's department and portfolio agencies pay to (a) Clayton Utz, (b) Blake Dawson Waldron, (c) Phillips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephen Jaques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors for legal services.

(2) Which partners or principals of (a) Clayton Utz, (b) Blake Dawson Waldron, (c) Phillips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephen Jaques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors were responsible for undertaking or supervising legal services supplied by the firm to the department or agency in 2004-2005.

(3) For each partner or principal listed in response to part (3), what was the total amount billed to the department or agency for services undertaken or supervised by that partner or principal in 2004-2005.

(4) What are the details of the legal services provided to the department or portfolio agencies by (a) Clayton Utz, (b) Blake Dawson Waldron, (c) Phillips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephen Jaques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors in 2004-2005.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

(1) For the period 2004-05 the Department and portfolio agencies paid the following firms for the provision of legal services:

(a)	Clayton Utz	$9,278,434
(b)	Blake Dawson Waldron	$5,212,913
(c)	Phillips Fox	$1,725,888
(d)	Sparke Helmore	$5,989,160
(e)	Freehills	Nil
(f)	Minter Ellison	$53,115
(g)	Corrs Chambers Westgarth	$195,128
(h)	Mallesons Stephen Jaques	Nil
(i)	Deacons	Nil
(j)	Craddock Murray Neumann	Nil

(2) Set out below are the partners or principals of each firm who were responsible for undertaking or supervising legal services for the Department.

(a)	Clayton Utz	Robert Cutler
		Richard Morrison
		Peter Crowley
		John Carroll
		Sally Sheppard
		Brigitte Markovic
		Barry Dunphy
		Joanne Daniels
		Fred Hawke

(b)	Blake Dawson Waldron	John Clark
		Paul Dawson
		Shaun Gath
		GL Hughes
		PC Vane-Tempest
		Guy Humble
		Anne Dalton
		Andrew Carter
		Anthony Willinge
(c)	Phillips Fox	Anthony Willis
		Caroline Atkins
		Gary Rumble
		George Marques
		Leonard Leerdam
		Lex Holcombe
		Richard Potter
		Stuart Imrie
		Norman Abrams
(d)	Sparke Helmore	Paul Mentor
		Phillip Salem
		Julie McIntyre
		Michael Will
(e)	Freehills	Not applicable
(f)	Minter Ellison	Garry Hamilton
		David O'Brien
(g)	Corrs Chambers Westgarth	Tig Paecock
		J Whittaker
		Tom Brennan
(h)	Mallesons Stephen Jaques	Not applicable
(i)	Deacons	Not applicable
(j)	Craddock Murray Neumann	Not applicable

(3) For the period 2004-05 the Department paid the following legal firms professional fees for services undertaken or supervised by principals or partners as set out below. The professional fees paid in respect of litigation have been apportioned against the partner in the state where the litigation was undertaken.

(a)	**Clayton Utz**	
	Robert Cutler	8,437
	Richard Morrison	163,576
	Peter Crowley	2,594
	John Carroll	172,863
	Sally Sheppard	2,496,617
	Brigitte Markovic	5,617,390
	Barry Dunphy	714,293
	Joanne Daniels	102,575
	Fred Hawke	89
(b)	**Blake Dawson Waldron**	
	John Clark	29,732
	Paul Dawson	78,334
	Shaun Gath	18,033

	G L Hughes	3,019
	P C Vane-Tempest	5,523
	Guy Humble	381,079
	Anne Dalton	785,698
	Andrew Carter	3,776,471
	Anthony Willinge	135,024
(c)	**Phillips Fox**	
	Anthony Willis	3,942
	Caroline Atkins	46,138
	Gary Rumble	49,045
	George Marques	8,790
	Leonard Leerdam	1,513,548
	Lex Holcombe	4,011
	Richard Potter	800
	Stuart Imrie	3,759
	Norman Abrams	95,855
(d)	**Sparke Helmore**	
	Paul Mentor	7,777
	Phillip Salem	5,015,123
	Julie McIntyre	950,375
	Michael Will	15,885
(e)	**Freehills**	Nil
(f)	**Minter Ellison**	
	Garry Hamilton	50,430
	David O'Brien	2,685
(g)	**Corrs Chambers Westgarth**	
	Tig Paecock	55,619
	J Whittaker	35,000
	Tom Brennan	104509
(h)	**Mallesons Stephen Jaques**	Nil
(i)	**Deacons**	Nil
(j)	**Craddock Murray Neumann**	Nil

(4) Set out below are the details of legal services provided to the Department or portfolio agencies by the legal firms.

(a)	Clayton Utz	
		Advice relating to commercial issues Advice relating to migration issues Representation on behalf of the Minister and the Department in migration matters before the Courts and the Administrative Appeals Tribunal Advice relating to native title issues
(b)	Blake Dawson Waldron	
		Advice relating to commercial issues Advice relating to migration issues Representation on behalf of the Minister and the Department in migration matters before the Courts and the Administrative Appeals Tribunal

(c)	Phillips Fox	
		Advice relating to commercial issues
		Advice relating to migration issues
		Representation on behalf of the Minister and the Department in migration matters before the Courts and the Administrative Appeals Tribunal
		Advice relating to native title issues
(d)	Sparke Helmore	
		Advice relating to migration issues
		Advice relating to personnel issues
		Representation on behalf of the Minister and the Department in migration matters before the Courts and the Administrative Appeals Tribunal
		Advice relating to corporate governance issues
(e)	Freehills	Nil
(f)	Minter Ellisons	
		Advice relating to indigenous issues
(g)	Corrs Chambers Westgarth	
		Advice relating to indigenous issues
		Advice relating to native title issues
(h)	Mallesons Stephen Jaques	Nil
(i)	Deacons	Nil
(j)	Craddock Murray Neumann	Nil

All figures quoted in the answers above are GST exclusive.

It should be noted that in the financial year 2004-05 the portfolio included Indigenous Affairs and their expenditure has been included in this response.

Legal Services

(Question No. 2920)

Ms Roxon asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 8 December 2005:

(1) For 2004-2005, what sum did the Minister's department and portfolio agencies pay to (a) Clayton Utz, (b) Blake Dawson Waldron, (c) Philips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephens Jacques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors for legal services.

(2) Which partners or principals of (a) Clayton Utz, (b) Blake Dawson Waldron, (c) Philips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephens Jacques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors were responsible for undertaking or supervising legal services supplied by the firm to the department or agency in 2004-2005.

(3) For each partner or principal listed in response to part (3), what was the total amount billed to the department or agency for services undertaken or supervised by that partner or principal in 2004-2005.

(4) What are the details of the legal services provided to the department or portfolio agencies by (a) Clayton Utz, (b) Blake Dawson Waldron, (c) Philips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephens Jacques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors in 2004-2005.

Mr McGauran—The answer to the honourable member's question is as follows:

(1) Department of Agriculture, Fisheries and Forestry

(a)	Clayton Utz	$20,918.49
(b)	Blake Dawson Waldron	$40,420.93
(c)	Philips Fox	$0.00
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$3,041,646.78
(g)	Corrs Chambers Westgarth	$139,162.57
(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$0.00
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #1 – Australian Wine and Brandy Corporation

Nil

Portfolio Agency #2 – Cotton Research and Development Corporation

(a)	Clayton Utz	$0.00
(b)	Blake Dawson Waldron	$0.00
(c)	Philips Fox	$19,564.60
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$0.00
(g)	Corrs Chambers Westgarth	$0.00
(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$3,968.25
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #3 – Fisheries Research and Development Corporation

(a)	Clayton Utz	$0.00
(b)	Blake Dawson Waldron	$222,692.00
(c)	Philips Fox	$0.00
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$0.00
(g)	Corrs Chambers Westgarth	$0.00
(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$10,229.00
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #4 – Forest and Wood Products Research and Development Corporation

Nil

Portfolio Agency #5 – Grains Research and Development Corporation

(a)	Clayton Utz	$0.00
(b)	Blake Dawson Waldron	$16,931.40
(c)	Philips Fox	$45,089.35
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$17,029.10
(g)	Corrs Chambers Westgarth	$0.00
(h)	Mallesons Stephens Jacques	$0.00

(i)	Deacons	$41,350.10
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #6 – Grape and Wine Research and Development Corporation

Nil

Portfolio Agency #7 – Land and Water Australia

(a)	Clayton Utz	$0.00
(b)	Blake Dawson Waldron	$0.00
(c)	Philips Fox	$21,874.00
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$0.00
(g)	Corrs Chambers Westgarth	$0.00
(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$0.00
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #8 – Rural Industries and Development Corporation

(a)	Clayton Utz	$0.00
(b)	Blake Dawson Waldron	$0.00
(c)	Philips Fox	$0.00
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$10,636.50
(g)	Corrs Chambers Westgarth	$8,748.00
(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$0.00
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #9 – Sugar Research and Development Corporation

Nil

Portfolio Agency #10 – Australian Fisheries Management Authority

(a)	Clayton Utz	$63,406.20
(b)	Blake Dawson Waldron	$0.00
(c)	Philips Fox	$0.00
(d)	Sparke Helmore	$0.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$0.00
(g)	Corrs Chambers Westgarth	$0.00
(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$0.00
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #11 – Australian Pesticides and Veterinary Medicines Authority

(a)	Clayton Utz	$90,580.00
(b)	Blake Dawson Waldron	$14,200.00
(c)	Philips Fox	$0.00
(d)	Sparke Helmore	$10,144.00
(e)	Freehills	$0.00
(f)	Minter Ellison	$300.00
(g)	Corrs Chambers Westgarth	$0.00

(h)	Mallesons Stephens Jacques	$0.00
(i)	Deacons	$0.00
(j)	Craddock Murray Neumann	$0.00

Portfolio Agency #12 – Wheat Export Authority

Nil

(2) Department of Agriculture, Fisheries and Forestry

	Firm	Partners/Principals
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	Paul Dawson
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	Alan Bradbury, April Purry, S. Soh, L. Richardson, Paul McGinness, Elizabeth Whitelaw, N. Parkinson, D. O'Brien, A. McCormick, F. Fior, D. Tippett
(g)	Corrs Chambers Westgarth	Dorothy Terwiel
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #1 – Australian Wine and Brandy Corporation

Not applicable.

Portfolio Agency #2 – Cotton Research and Development Corporation

	Firm	Partners/Principals
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	Stuart Imrie and Ian T Warfield
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	Edwina Menzies and Alan Grinsell-Jones
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #3 – Fisheries Research and Development Corporation

	Firm	Partners/Principals
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	Angela Summersby, Paul Vane-Tempest, Richard Bunting, Geoffrey Man, Shaun Gath, John Clark, Phillip Wiseman, Barbara Phair
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #4 – Forest and Wood Products Research and Development Corporation

Not applicable.

Portfolio Agency #5 – Grains Research and Development Corporation

	Firm	Partners/Principals
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	Elizabeth Hohnstone
(c)	Philips Fox	Anthony Willis, George Marques, Lex Holcombe
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	Raoul Salpeter
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	Edwina Menzies
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #6 – Grape and Wine Research and Development Corporation

Not applicable.

Portfolio Agency #7 – Land and Water Australia

	Firm	Partners/Principals
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	George Marques, Anthony Willis
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #8 – Rural Industries Research and Development Corporation

	Firm	Partners/Principals
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	Michael Brennan, Michael Tehan, Paul McGinness
(g)	Corrs Chambers Westgarth	Kerry Rehn, Tom Brennan
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #9 – Sugar Research and Development Corporation

Not applicable.

Portfolio Agency #10 – Australian Fisheries Management Authority

	Firm	Partners/Principals
(a)	Clayton Utz	Robert Cutler, Brian Gallagher, John Carroll
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #11 – Australian Pesticides and Veterinary Medicines Authority

	Firm	Partners/Principals
(a)	Clayton Utz	John Carroll, Paul Amarego, Robert Cutler
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	n/a
(d)	Sparke Helmore	Michael Will
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #12 – Wheat Export Authority

Not applicable.

(3) Department of Agriculture, Fisheries and Forestry

Partner or principal	Amount
Alan Bradbury	$382,956.00
April Purry	$264,290.40
Paul McGinness	$7162.80
Elizabeth Whitelaw	$91,556.00
N.Parkinson	$3,553.20
D. O'Brien	$53,993.60
A. McCormick	$13,667.20
Fiona Fior	$44,593.60
D. Tippett	$52,452.00
Dorothy Terwiel	$139,162.57
M. Window	$77,380.80
Mary Jordan	$27,034.40

Portfolio Agency #1 – Australian Wine and Brandy Corporation

Not applicable.

Portfolio Agency #2 – Cotton Research and Development Corporation

Partner or principal	Amount
Stuart Imrie	$5,698.00
Edwina Menzies	$760.00

Partner or principal	Amount
Alan Grinsell-Jones	$2,847.50

Portfolio Agency #3 – Fisheries Research and Development Corporation

Partner or principal	Amount
Angela Summersby	$31,982.50
Paul Vane-Tempest	$1,485.00
Richard Bunting	$6,771.20
Geoffrey Man	$97.50
Shaun Gath	$2,860.00
John Clark	$110.00
Phillip Wiseman	$1,820.00
Barbara Phair	$130.00

Portfolio Agency #4 – Forest and Wood Products Research and Development Corporation

Not applicable.

Portfolio Agency #5 – Grains Research and Development Corporation

Partner or principal	Amount
Elizabeth Johnstone	$16,931.40
Anthony Willis, George Marques, Lex Holcombe	$45,089.35
Raoul Salpeter	$17,029.10
Edwina Menzies	$41,350.10

Portfolio Agency #6 – Grape and Wine Research and Development Corporation

Not applicable.

Portfolio Agency #7 – Land and Water Australia

Partner or principal	Amount
George Marques	$2,864.00
Anthony Willis	$4,370.00

Portfolio Agency #8 – Rural Industries Research Development Corporation

Partner or principal	Amount
Michael Brennan	$250.00
Michael Tehan	$7,842.50
Paul McGinness	$2,544.00
Kerry Rehn	$1,931.00
Tom Brennan	$6,817.00

Portfolio Agency #9 – Sugar Research and Development Corporation

Not applicable.

Portfolio Agency #10 – Australian Fisheries Management Authority

Partner or principal	Amount
Robert Cutler	$11,658.90
Brian Gallagher	$46,247.30
John Carroll	$5,500.00

Portfolio Agency #11 – Australian Pesticides and Veterinary Medicines Authority

Partner or principal	Amount
John Carroll	$22,348.00
Paul Amarego	$925.00

Partner or principal	Amount
Robert Cutler	$204.00
Michael Will	$1,494.00

Portfolio Agency #12 – Wheat Export Authority

Not applicable.

(4) Department of Agriculture, Fisheries and Forestry

Firm	Legal services provided
Clayton Utz	General legal advice
Blake Dawson Waldron	General legal advice
Philips Fox	
Sparke Helmore	n/a
Freehills	n/a
Minter Ellison	General corporate legal advice, Contract advice, standard departmental template designs, property and leasing, administration law, governance, probity
Corrs Chambers Westgarth	Probity advice, RFT business advice
Mallesons Stephens Jacques	n/a
Deacons	n/a
Craddock Murray Neumann	n/a

Portfolio Agency #1 – Australian Wine and Brandy Corporation

Not applicable.

Portfolio Agency #2 – Cotton Research and Development Corporation

Firm	Legal services provided
Clayton Utz	n/a
Blake Dawson Waldron	n/a
Philips Fox	Cotton Catchment Communities CRC - Agreements
Sparke Helmore	n/a
Freehills	n/a
Minter Ellison	n/a
Corrs Chambers Westgarth	n/a
Mallesons Stephens Jacques	n/a
Deacons	CRDC Deed and employment advice
Craddock Murray Neumann	n/a

Portfolio Agency #3 – Fisheries Research and Development Corporation

	Firm	Legal services provided
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	General Corporate, Project Management Agreements, Investment Agreements, Employment Advice and Issues, Lease Issues
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a

	Firm	Legal services provided
(i)	Deacons	General Corporate, Project Management Agreements, Investment Agreements, Employment Advice and Issues, Lease Issues
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #4 – Forest and Wood Products Research and Development Corporation

Not applicable.

Portfolio Agency #5 – Grains Research and Development Corporation

	Firm	Legal services provided
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	Governance
(c)	Philips Fox	Commercial, Governance, Administrative Law
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	Employment
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	Commercial
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #6 – Grape and Wine Research and Development Corporation

Not applicable.

Portfolio Agency #7 – Land and Water Australia

	Firm	Legal services provided
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	Lease negotiations, contract advice, contract seminar/training, advice on PBS and outcome statements, general legal advice
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #8 – Rural Industries Research and Development Corporation

	Firm	Legal services provided
(a)	Clayton Utz	n/a
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	General legal advice
(g)	Corrs Chambers Westgarth	Audit advice, Employee-Independent Contract Advice, Advice on Superannuation Entitlements of Consultants

	Firm	Legal services provided
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #9 – Sugar Research and Development Corporation

Not applicable.

Portfolio Agency #10 – Australian Fisheries Management Authority

	Firm	Legal services provided
(a)	Clayton Utz	Legal professional privilege, advice on director's duties, Procurement Guidelines and associated templates, Permits and deregistration of companies
(b)	Blake Dawson Waldron	n/a
(c)	Philips Fox	n/a
(d)	Sparke Helmore	n/a
(e)	Freehills	n/a
(f)	Minter Ellison	n/a
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #11 – Australian Pesticides and Veterinary Medicines Authority

	Firm	Legal services provided
(a)	Clayton Utz	Advice on labelling issues, electronic submissions, approval of active constituents, paraquat seizure, authorised investments, levy issues, liability for minor uses, preparation of tender documents
(b)	Blake Dawson Waldron	Legal awareness training for APVMA staff
(c)	Philips Fox	n/a
(d)	Sparke Helmore	Staff employment matters, lease agreements, recall undertaking – deed poll
(e)	Freehills	n/a
(f)	Minter Ellison	Solicitor's representation letter
(g)	Corrs Chambers Westgarth	n/a
(h)	Mallesons Stephens Jacques	n/a
(i)	Deacons	n/a
(j)	Craddock Murray Neumann	n/a

Portfolio Agency #12 – Wheat Export Authority

Not applicable.

Foreign Doctors

(Question No. 2938)

Mr Katter asked the Minister for Health and Ageing, in writing, on 7 February 2006:

(1) Is he aware that following the 'Dr Death' Inquiry the Queensland State Government and Medical Registration Board put in place stricter rules for overseeing foreign doctors that have directly contributed to the closure of the Bedside Manor Medical Centre in Charters Towers because the operators were unable to engage any foreign doctors and this has forced the remaining 5 doctors to operate under enormous pressure.

(2) Is he aware that the Mareeba Hospital is open only because the remaining 8 Tableland doctors, for a town of 20,000 people, have agreed to work longer hours.

(3) Is he aware that there are only 4 doctors in Thuringowa's northern beaches but that there should be 20 doctors for the 22,000 residents.

(4) Will he explain what he is doing to circumvent the strict overseeing of foreign doctors by qualified Australian doctors when there are few doctors to do this work.

(5) What has he done to alleviate the current doctor shortages that are placing people's lives at risk.

Mr Abbott—The answer to the honourable member's question is as follows:

(1) Medical registration in Queensland is the responsibility of the Queensland State Government. The rules and regulations governing medical practitioners in Queensland are promulgated by Queensland legislation and the Queensland Medical Registration Board.

(2) The provision of public hospital services in Queensland is the responsibility of the Queensland State Government.

(3) In order to confirm the number of doctors working in Thuringowa's northern beaches, more specific information on the defined boundary of this area would be required.

Thuringowa is a district of medical workforce shortage. Therefore, it is likely that an overseas trained doctor who was subject to Medicare provider number restrictions would be granted a provider number to work in this locality.

(4) Overseas trained doctors who enter Australia must meet certain quality standards in order to be registered to practise medicine. Medical registration is the responsibility of the states and territory governments and all doctors must be registered before they can provide clinical services.

Under the auspices of the Strengthening Medicare package, the Commonwealth has been working with state and territory health departments, medical registration boards, and major medical stakeholders to develop nationally consistent principles for the assessment and supervision of temporary resident overseas trained doctors. On 10 February 2006 the Council of Australian Governments (COAG) agreed to implement a national assessment process for overseas qualified doctors to ensure appropriate standards in qualifications and training, and to increase the efficiency of the assessment process.

(5) The Australian Government has made medical workforce a major focus of its $4 billion package for Strengthening Medicare. The range of initiatives contained in the Strengthening Medicare package have short, medium and long term objectives.

- Since 2000, the Australian Government has increased the number of publicly funded medical school places by more than 30%:
  - It has supported the establishment of new medical schools at James Cook University and Griffith University in Queensland, the Australian National University in the Australian Capital Territory, and the University of Notre Dame in Western Australia.
  - The government has also announced its support for the establishment of three new medical schools at the University of Western Sydney, the University of Wollongong and the University of Notre Dame in Sydney.
- In 2005, the Australian Government introduced new arrangements that allow medical schools to provide full fee paying places in medicine for Australian students. At that time, each school could offer an additional 10% of their publicly funded places as full fee paying places.
- On 10 February 2006, COAG agreed to increase the number of full fee paying domestic medical school places available annually. In addition to the Higher Education Contribution Scheme

(HECS) funded places, universities can now accept up to an additional 25% of the medical student load as full fee paying.

- As part of the Strengthening Medicare package, the government is implementing a range of other measures to increase medical workforce capacity including:
  - More than 1,600 general practices are now being supported to employ practice nurses and all general practitioners can claim Medicare items for specific services undertaken by practice nurses;
  - The number of appropriately qualified overseas trained doctors working in Australia is being increased through international recruitment strategies, reduced red tape in approval processes and changes to immigration arrangements;
  - 280 funded short term placements are being made available each year for junior doctors to work under supervision in general practices in outer metropolitan, rural and regional areas;
  - Refresher training courses and other support for general practitioners and specialists no longer practising medicine to help them return to the medical workforce;
  - Higher Medicare rebates for services provided in areas of workforce shortage by doctors registered before 1996 who don't hold vocational registration;
  - Greater support for rural general practitioners who provide procedural services like obstetrics and minor operations; and
  - Additional funding for doctors who provide care to patients in aged care facilities.

Australian Research Council

(Question No. 2997)

Mr Murphy asked the Minister for Education, Science and Training, in writing, on 7 February 2006:

(1) How many grants under the Australian Research Council (ARC) (a) National Competitive Grants Program and (b) Cooperative Research Centres Program were approved by the ARC College of Experts for the year (i) 2004 and (ii) 2005.

(2) In respect of the grants approved by the ARC in part (1), (a) how many were disallowed by the ARC's Quality and Scrutiny Committee, (b) what are the names of the applicants and the titles of the research projects that were disallowed, and (c) what were the reasons for disallowing each project.

(3) What are the names and qualifications of the appointees to the ARC's Quality and Scrutiny Committee.

(4) What are the rules and procedures under which appointments are made to the ARC Quality and Scrutiny Committee.

(5) Can she confirm that each appointment the former Minister, Dr Nelson, made to the ARC's Quality and Scrutiny Committee conformed with the rules and procedures for appointment; if not, why not and what are the details.

(6) What remuneration and other benefits are paid to members of the ARC Quality and Scrutiny Committee.

(7) In respect of ARC approved research grants that the former Minister, Dr Nelson, had personally disallowed, (a) how many did he disallow, (b) what are the names of the applicants and the titles of the research projects that he personally disallowed, (c) what were the reasons for disallowing each project.

(8) How did the former Minister or the ARC's Quality and Scrutiny Committee inform each recipient of a grant approved by the ARC College of Experts that his or her grant had been disallowed.

Ms Julie Bishop—The answer to the honourable member's question is as follows:

(1) (a) None – the ARC College of Experts does not approve grants. (b) The Cooperative Research Centres Program is not administered by the ARC.

(2) The ARC does not approve, and the ARC Quality and Scrutiny Committee does not disallow, grants.

(3) The names and qualifications of members of the 2005 ARC Quality and Scrutiny Committee are listed on the ARC website at http://www.arc.gov.au/info_users/quality&scrutiny.htm.

(4) and (5) Appointments to the 2005 ARC Quality and Scrutiny Committee were made under, and in accordance with, section 32 of the Australian Research Council Act 2001.

(6) The terms and conditions of members of the 2005 ARC Quality and Scrutiny Committee were set in accordance with section 33 of the Australian Research Council Act 2001.

(7) The ARC does not approve grants.

(8) The ARC College of Experts does not approve grants.

Youth Affairs

(Question No. 3001)

Mr Brendan O'Connor asked the Prime Minister, in writing, on 7 February 2006:

How will he ensure that the interests of 6.4 million young Australians are properly represented in Cabinet and Parliament by the Government now that there is no Minister or Parliamentary Secretary explicitly designated with responsibility for Youth Affairs.

Mr Howard—The answer to the honourable member's question is as follows:

Responsibility for youth affairs continues to reside within the Families, Community Services and Indigenous Affairs portfolio. While the Hon Mal Brough MP has overall responsibility for matters within that portfolio, youth affairs is the particular responsibility of the Minister for Community Services, the Hon John Cobb MP.

Medicare

(Question No. 3003)

Ms Hoare asked the Minister for Human Services, in writing, on 8 February 2006:

(1) Can he confirm that Australian citizens who reside outside Australia for a period of five years lose their entitlement to Medicare benefits.

(2) Is it the case that an Australian citizen who has lived outside of Australia for more than five years and who requires hospital treatment during a visit to Australia will not have the costs associated with that hospital treatment covered by Medicare in circumstances in which a resident Australian citizen would.

(3) Can he say what the annual savings are from excluding non-resident Australian citizens from accessing Medicare benefits.

(4) Can he explain how information on these arrangements is provided to Australian citizens living abroad.

(5) Will the Government restore the entitlement of all Australian citizens to Medicare benefits; if not, why not.

Mr Hockey—The answer to the honourable member's question is as follows:

(1) Yes. These people would not be covered until they return to Australia to reside.

(2) Yes.

(3) No.

(4) From the Department of Foreign Affairs website and overseas posts, as well as Medicare Australia and Department of Immigration websites.

(5) This is a matter for the Minister for Health and Ageing.

To prepare this answer, it has taken 8 hours at an estimated cost of $380.

Family Relationship Centres

(Question No. 3004)

Ms George asked the Attorney-General, in writing, on 8 February 2006:

(1) In respect of his announcement on the location of the first 15 Family Relationship Centres in which he indicated that they were to be located in areas with high numbers of families with young children and high numbers of divorced, separated and blended families, what data were used in determining the locations of the centres.

(2) From where were the data obtained.

(3) Are the data relied upon available for each of the 15 centres; if so, will he release the data relating to each centre.

(4) Was the number of payers and payees in the child support system a relevant consideration; if so, do the locations of the 15 centres correspond to those areas having the highest numbers of people as clients of the child support system.

Mr Ruddock—The answer to the honourable member's question is as follows:

(1) In determining the location of the centres, the Attorney-General's Department analysed demographic information obtained through the Australian Bureau of Statistics (ABS) along with information on the need for family services provided by the Department of Family and Community Services (now the Department of Family, Community Services and Indigenous Affairs). Factors taken into account were:

- population
- proportion of divorced or separated people with children
- proportion with oldest child under 5 yrs old
- the number of blended families
- separations in the last 6 months and the last 3 years
- Child Support Agency clients
- people receiving parenting payments
- Domestic Violence Hotline referrals
- the accessibility of the proposed Family Relationship Centres to people elsewhere in the region, and
- the location of the courts and Government funded services such as those under the Family Relationship Services Program, Indigenous services and community legal services and the distribution of other Government agencies such as Centrelink and the Job Network.

(2) The demographic information, in the form of raw data tables, was obtained through the Australian Bureau of Statistics. The Department of Family and Community Services (now the Department of

Family, Community Services and Indigenous Affairs) provided input on the need for family services.

(3) The raw data tables, which were obtained from the Australian Bureau of Statistics, were in the form of electronic 'Concord' spreadsheets for each State and Territory. Due to their large size and interactive features, it is not feasible to provide these spreadsheets in written form.

In relation to the other data, the Attorney-General's Department relied on input by the Department of Family and Community Services (now the Department of Family, Community Services and Indigenous Affairs). The information that was provided to the Attorney-General's Department is available from the House of Representatives Table Office.

(4) The number of payers and payees in the child support system was considered by the Department of Family and Community Services (now the Department of Family, Community Services and Indigenous Affairs) in providing advice to the Attorney-General's Department about the relative needs of various locations.

However, the locations of the first 15 centres do not necessarily correspond to those areas having the highest numbers of people as clients of the child support system, as a number of factors indicating need were taken into account as shown in (1) above.

Consultancy Services

(Question No. 3006)

Mr Bowen asked the Minister for Revenue and Assistant Treasurer, in writing, on 9 February 2006:

Did the Australian Tax Office engage Thinksmart consulting under two contracts valued at $24,750 and $55,000, respectively; if so, what services were obtained under the terms of these contracts.

Mr Dutton—The answer to the honourable member's question is as follows:

The ATO has engaged Thinksmart Consulting to assist with the redesign of recruitment, promotion and mobility processes. The arrangement is under one contract and the amounts identified in the question relate to payments made for the months of December 2005 and January 2006.

Airport Security

(Question No. 3015)

Mr Murphy asked the Minister for Transport and Regional Services, in writing, on 9 February 2006:

Further to the answer to question No. 1320 (*Hansard*, 7 February 2006, page 83), what are the entities that operate security cameras at Sydney Airport.

Mr Truss—The answer to the honourable member's question is as follows:

The entities that operate security cameras at Sydney Airport include:

- Sydney Airport Corporation Limited, which operates security cameras across the airport and inside Terminals 1 and 2;
- Qantas Airways Limited, which primarily operates security cameras in areas controlled by Qantas, including Terminal 3 and the Jet Base;
- The Australian Customs Service, which operates security cameras in Customs controlled areas and parts of the international baggage halls and apron areas;
- Airservices Australia, which operates security cameras at some of its premises within the airport; and

- Many of the tenants at Sydney Airport operate private security cameras on leased premises, including some retail stores and some leased areas of the landside and airside perimeter of the airport.

Australian Electoral Commission

(Question No. 3024)

Mr Gibbons asked the Special Minister of State, in writing, on 13 February 2006:

(1) Is the Minister aware that the Australian Electoral Commission (AEC) commissioned a report in 2005 seeking to find links between political engagement and youth voting behaviour, and that the report found that there were significant links between student participation in school based elections and a subsequent intention to vote when 18 years old.

(2) Is the Minister aware that the report also found that political engagement of young people would assist in their propensity to vote when they turn 18 years of age, that this was particularly so for those students who had participated in student elections and that of the students who had voted in school elections, 52.2% said they would vote in a federal election when they turn 18 years of age and, of those who had not participated, only 34.7% said they would vote in a federal election when they turn 18 years of age.

(3) Can the Minister explain why the AEC is withdrawing from the conduct of school based elections.

(4) Is the AEC withdrawing from the activity because it has insufficient resources, if so, will additional funding be provided to the AEC to enable it to continue this work.

Mr Nairn—The answer to the honourable member's question is as follows:

(1) Yes, I am aware of the report and its findings. Researchers at the Australian National University and the University of Sydney have been working with the AEC on the Youth Electoral Study (YES) project since May 2003.

The study is a longitudinal one of young people aged 17 –24 to identify attitudes and behaviours towards enrolment, voting and democratic engagement.

The findings quoted in this question come from the second YES report released in October 2005; the first was released in December 2004.

(2) Yes. As stated in my answer to question (1), the YES project is a study of 17 to 24 year olds and the AEC is now focusing attention on young people at or near voting age.

The Australian Electoral Commission has provided the following information in response to the question.

(3) and (4) The AEC is not withdrawing from the conduct of school-based elections. The AEC reviewed its electoral public awareness program in 2002-03 and decided to adopt a more targeted approach. This meant directing resources to specific areas such as young people at or near voting age, new citizens, people from non-English speaking backgrounds and indigenous voters.

The AEC has recently reviewed that decision and, while assistance with school elections (and public awareness activities) will continue to be focused on secondary students near voting age, the AEC will provide election and education services to primary schools whenever possible. Where it is not possible for AEC staff to be involved directly in school elections, the AEC will continue to provide assistance in the form of voting and polling equipment. Obviously this assistance would be based on operational capacity.

Local Palliative Care Grants Program

(Question No. 3026)

Mrs Elliot asked the Minister for Health and Ageing, in writing, on 13 February 2006:

(1) Why was the application by Tweed Palliative Support Inc under Round 1 of Local Palliative Care Grants Program for a $40,000 grant to purchase a support vehicle, rejected.

(2) What criteria are used to judge that an organisation is 'unsustainable' under the application process of the program.

(3) Is support available to volunteer organisations such as the Tweed Palliative Support Inc to prepare applications for the program; if so, what are the details; if not, why not.

(4) Which organisations in the electoral division of (a) Richmond and (b) Page were successful under the program and what was the purpose and sum of each grant they received.

Mr Abbott—The answer to the honourable member's question is as follows:

(1) As the dollar value of all grant applications far exceeded the funds available a rigorous and competitive process was undertaken. It should be noted that more than 60% of applicants for Round 1 of the Local Palliative Care Grants Program were unsuccessful.

(2) The sustainability of applicant organisations was not one of the assessment criteria.

(3) Application Guidelines are provided with the application form and an email address hotline is available to answer queries and provide assistance to prospective applicants during the application period.

(4) (a) No applications were successful in the electoral division of Richmond. (b) The application from St Vincent's Hospital Palliative Care Service, Lismore, in the electoral division of Page, was successful under Round 1 of the Local Palliative Care Grants Program. The grant is for up to $100,000 (GST exclusive) for the purpose of increasing access for palliative care patients to home care services and training staff in specific palliative care service provision.

Defence: Remuneration Agreements

(Question No. 3046)

Mr McClelland asked the Minister for Defence, in writing, on 14 February 2006:

(1) In respect of the next (a) Australian Defence Workplace Remuneration arrangement and (b) Star Ranks Remuneration Agreement, (i) when will negotiations commence and (ii) who will be consulted on its terms and conditions.

(2) Will any person or organisation have the opportunity to negotiate a variation of proposals submitted on behalf of the Commonwealth and will there be an appropriate avenue for adjudication of any matters that cannot be resolved by negotiation.

Dr Nelson—The answer to the honourable member's question is as follows:

(1) (a) and (b) (i) The Chief of the Defence Force announced on 22 March 2006 the formal commencement of widespread consultation with members of the Australian Defence Force (ADF) for the next ADF Workplace Remuneration Arrangement (WRA) and the Star Ranks Remuneration Arrangement (SRRA). (ii) All ADF members will have the opportunity to provide input to the new arrangement by means of telephone, facsimile, e-mail and the Defence Intranet. Information on the next WRA will be circulated to all members through the chain of command and posted on the Defence Intranet. It will be supported by meetings in as many ADF establishments as possible.

(2) All ADF members and organisations representing them, such as the Armed Forces Federation and ex-service organisations, will be given the opportunity to have their say about the proposals for the next WRA/SRRA. The arrangements are subject to decision by the Defence Force Remuneration

Tribunal (the independent pay fixing tribunal for the ADF). Defence is required to satisfy the Tribunal that there has been consultation with ADF members and that the proposed arrangements enjoy their support. Where ADF members, and organisations representing them, have a view on the arrangements, they may seek leave from the Tribunal to appear before it to put their case.

Consultancy Services

(Question No. 3051)

Mr Bowen asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 14 February 2005:

Did his department engage Australian Practical Project Management at a cost of $20,000; if so, (a) what services were obtained under the terms of this contract and (b) why was it considered necessary to engage outside consultants on this matter.

Mr McGauran—The answer to the honourable member's question is as follows:

Yes.

(a) To conduct a review of the Department's policies and procedures as they relate to a specific complaint by an employee.

(b) Specialist expertise not available within the Department.

Consultancy Services

(Question No. 3053)

Mr Bowen asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 14 February 2005:

Did his department engage Hassall and Associates Pty Ltd at a cost of $11,000 to provide management consultancy services; if so, (a) what services were obtained under the terms of this contract and (b) why was it considered necessary to engage outside consultants on this matter.

Mr McGauran—The answer to the honourable member's question is as follows:

The Department engaged Hassall and Associates Pty Ltd to provide consultancy services. Under this contract the Department made payments of $11,000 on 30 November and 22 December 2005.

(a) Hassall and Associates Pty Ltd were engaged to assist the Australian wool industry to evaluate its current position and challenges and opportunities over the next five to ten years.

(b) Outside consultants were contracted to provide an independent assessment.

Advertising Agencies

(Question No. 3055)

Mr Bowen asked the Minister for Health and Ageing, in writing, on 14 February 2006:

(1) Did the Minister's department pay HMA Blaze Pty Ltd $77,124.30 to obtain advertising space for the Cultural Partners for Parents and GP's program: if so, (a) what newspapers was advertising space taken in and (b) on what dates did the advertisements appear.

(2) What are the objectives of this program.

(3) What other costs are involved in the program.

Mr Abbott—The answer to the honourable member's question is as follows:

(1) (2) and (3) There is no "Cultural Partners for Parents and GP's program". An administrative error occurred in recording the details of the payment for gazettal. The $77,124.30 relates to advertising secured through HMA Blaze for the National Varicella (Chickenpox) Vaccination Program.

Consultancy Services

(Question No. 3056)

Mr Bowen asked the Minister for Human Services, in writing, on 14 February 2006:

Did Centrelink engage Newton Wayman Chong and Associates to conduct market research at a cost of $93,500; if so, what market research was conducted under the terms of this contract.

Mr Hockey—The answer to the honourable member's question is as follows:

Yes.

The purpose of the research is to evaluate the effectiveness of Centrelink's customer service centre marketing.

To prepare this answer, it has taken 5 hours and 53 minutes at an estimated cost of $280.

Consultancy Services

(Question No. 3057)

Mr Bowen asked the Minister for Human Services, in writing, on 14 February 2006:

Did Centrelink engage Measured Insights Unit Trust at a cost of $12,502.55 to provide management consultancy services; if so, (a) what services were obtained under the terms of this contract and (b) why was it considered necessary to engage outside consultants on this matter.

Mr Hockey—The answer to the honourable member's question is as follows:

Yes.

(a) Measured Insights Unit Trust were asked to review Centrelink's staff poll questions and to recommend improvements in survey methodologies.

(a) Engaging an outside consultant provided Centrelink with experience in a specialised field.

To answer this question, it has taken approximately 5 hours at an estimated cost of $227.

Consultancy Services

(Question No. 3058)

Mr Bowen asked the Minister for Human Services, in writing, on 14 February 2006:

Did Centrelink engage KPMG to provide management consultancy services at a cost of $58,000; if so, (a) what services were obtained under the terms of this contract and (b) why was it considered necessary to engage outside consultants on this matter.

Mr Hockey—The answer to the honourable member's question is as follows:

Yes. Centrelink engaged KPMG to provide independent internal audit services (not management consultancy services). While the work order was for $58,000, the actual cost of this work was $52,192.80 (inclusive of GST).

(a) The services provided were part of an independent project assurance review.

(b) To provide independent expert advice.

To prepare this response, it has taken 8 hours and 40 minutes at an estimated cost of $420.

Visitor Visas

(Question No. 3065)

Ms Corcoran asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 15 February 2006:

(1) How many persons who were granted visitor visas in 2004-2005 and who were required to pay a bond applied from (a) the United Kingdom, (b) Japan, (c) The United States of America, (d) the Republic of Korea, (e) the People's Republic of China, (f) Singapore, (g) Malaysia, (h) Germany, (i) Canada, (j) France, (k) Taiwan and (l) Hong Kong.

(2) What was the (a) highest, (b) lowest and (c) average bond paid by applicants for visitor visas from each of the countries listed in part (1).

(3) What are the criteria and guidelines used by the department in determining the bond, if any, that is to be paid by applicants.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member's question:

Amongst the visitor visa classes, only the Sponsored Visitor Class has specific provision for a decision-maker to request a bond. This class has two sub-classes, the Sponsored Business Visitor (Short Stay) and the Sponsored Family Visitor visa. The data provided in response to this question therefore relates to visa grants in those two sub-classes.

On 2 April 2005 the Sponsored Family Visitor visa was repatriated to Australia for processing in State and Territory offices. Data for the repatriated cases is provided in a separate table at heading *B Onshore grants*.

A. Offshore grants:

(1) Number of persons granted a visitor visa and required to pay a bond in 2004-05.

	Place where visa granted	Number of grants	Number of grants with bond
(a)	UK	22	1
(b)	Japan	3	0
(c)	USA	39	14
(d)	The Republic of Korea	0	0
(e)	People's Republic of China	1396	918
(f)	Singapore	11	6
(g)	Malaysia	3	1
(h)	Germany	53	19
(i)	Canada	0	0
(j)	France	0	0
(k)	Taiwan	3	3
(l)	Hong Kong	10	4

(2) The highest, lowest, and average bond paid by applicants.

Country or territory where visa granted	(a) highest bond amount	(b) lowest bond amount	(c) average bond amount
UK	$5,000	$5,000	$5,000
Japan	n/a	n/a	n/a
USA	$15,000	$5,000	$11,766
The Republic of Korea	n/a	n/a	n/a

Country or territory where visa granted	(a) highest bond amount	(b) lowest bond amount	(c) average bond amount
People's Republic of China	$20,000	$2,000	$9,726
Singapore	$15,000	$5,000	$11,667
Malaysia	$10,000	$10,000	$10,000
Germany	$15,000	$1,000	$9,684
Canada	n/a	n/a	n/a
France	n/a	n/a	n/a
Taiwan	$15,000	$10,000	$13,333
Hong Kong	$15,000	$10,000	$12,500

B. Onshore grants: (For the period 2 April 2005 to 30 June 2005)

(1) Number of persons granted a visitor visa and required to pay a bond.

(2) The highest, lowest, and average bond paid by applicants.

Country or territory where visa was evidenced	Number of visas granted with a bond	(a) highest bond amount	(b) lowest bond amount	(c) average bond amount
UK	1	$15,000	$15,000	$15,000
Japan	0	n/a	n/a	n/a
USA	0	n/a	n/a	n/a
The Republic of Korea	0	n/a	n/a	n/a
People's Republic of China	105	$20,000	$2,000	$9,114
Singapore	1	$10,000	$10,000	$10,000
Malaysia	0	n/a	n/a	n/a
Germany	1	$5,000	$5,000	$5,000
Canada	2	$5,000	$5,000	$5,000
France	0	n/a	n/a	n/a
Taiwan	0	n/a	n/a	n/a
Hong Kong	0	n/a	n/a	n/a

(3) The authority to request a security bond is found at section 269 of the Migration Act 1958. The guidelines for decision-makers in relation to deciding if a security bond is necessary and the amount of bond sought are to be found in the Department's Procedural Advice Manual 3. It is worth noting that the bonds can be paid by anyone and are not restricted to the applicant or the sponsor. In many cases it is the sponsor who pays when a bond is requested.

If the evidence provided by the applicant and the sponsorship undertakings are sufficient to satisfy the decision maker that the visa applicant will abide by all of the conditions imposed on the visa then the visa will be granted without the imposition of a security bond.

If the evidence and the sponsor's undertaking are not enough to satisfy the decision maker that the applicant will abide by their visa conditions, the decision maker may consider requesting a security bond. A security bond is only requested if, when considered in addition to the other evidence provided, lodging it would be enough to satisfy the decision maker that the applicant will comply with visa conditions and will leave Australia before their visa expires. It is requested after all other checks and clearances in respect of the visa application have been obtained.

If requested, the security bond is set at a level sufficiently meaningful to encourage the visa holder to comply with the conditions of their visa and thereby satisfy the authorised officer that they intend a "genuine visit". Bonds are usually set at between $5,000 and $15,000 per applicant. However, depending on the circumstances determined by the delegate, the amount can be less than $5,000 or more than $15,000.

Defence: Remuneration Agreements

(Question No. 3067)

Mr McClelland asked the Minister for Defence, in writing, on 16 February 2006:

(1) During 2004-2005, did the Directorate of Military Salaries and Allowances Policy consult with (a) Servicemen and women and (b) any other organisation or agency about appropriate remuneration and conditions of service for serving men and women; if so, with whom did the Directorate consult and to what extent did those consultations result in recommendations by the Directorate.

(2) Were the Directorate's recommendations accepted and acted upon; if not, why not.

Dr Nelson—The answer to the honourable member's question is as follows:

(1) (a) and (b) The Personnel Policy and Employment Conditions Branch in the Defence Personnel Executive is responsible for the development of policy options on remuneration and conditions of service. The Directorate of Military Salaries and Allowances Policy is one of a number of directorates in the branch involved in this task.

During 2004-05, the Personnel Policy Employment Conditions Branch consulted with Service members throughout Australia as well as the Armed Forces Federation of Australia and Defence Families Australia. The Defence Force Remuneration Tribunal also consulted all ranks in considering matters before it.

The results of these consultations were taken into account in arriving at recommendations and decisions.

(2) Proposals for remuneration and conditions of service are first considered by the Defence People Committee, and then by one or more of other Defence committees, the Defence Force Remuneration Tribunal, and the Minister Assisting the Minister for Defence, depending on the type of proposal. In 2004-05, a number of proposals on remuneration and conditions of service became policy and were promulgated widely.

Defence Special Needs Support Group

(Question No. 3068)

Mr McClelland asked the Minister for Defence, in writing, on 16 February 2006:

What programs has the Defence Special Needs Support Group started, when were these programs started, where are they located and who will be entitled to access these programs.

Dr Nelson—The answer to the honourable member's question is as follows:

The Defence Special Needs Support Group is a national volunteer charity organisation established in 1994 by families of Australian Defence Force members to provide support to each other. The group is separate to the Department of Defence.

Programs currently operated by the Defence Special Needs Support Group include:

- Self-help Support Groups in local military areas;
- 'Computer 4 Kids' – re-furbished computers that have been donated to the group matched to a special needs child who requires a computer;
- One of the Group – a social skills program for ADF dependants with special needs;
- Link Up - a free teleconference support group for spouses who have mobility and chronic pain special needs;
- Stepping Stones Playgroup – a specialised playgroup for children with special needs;
- Get Real Teen group – an activity group for teens (special needs and others);

- Training programs for volunteer coordinators – specific to each volunteer role, for example, Senior First Aid Certificate or training in child development and play;
- Posting Plans – case management assistance provided to special needs families when planning for relocating to a new area;
- Parent-to-Parent Link – linking parents to other parents who have a dependant with similar disabilities; and
- Circle of Friends Respite Program – provides host family respite or flexi respite to Defence families with special needs who, because of long waiting lists in their posting location, are unable to achieve respite from other organisations.

Some of the programs sponsored by this group, for example the local self-help support groups, were established in 1994. Others have been developed more recently, responsive to the emerging needs of the community.

Programs that are funded by the Defence Special Needs Support Group are open to all full-time uniformed personnel, ADF Reserve personnel and Defence civilians who are members of the group. Membership of the Group is free. However, programs that are funded by the Department of Defence (Circle of Friends and the Family Support Funding Grants Program) can only be accessed by full-time uniformed personnel. The Circle of Friends also has specific eligibility criteria that comply with the Commonwealth Department of Health and Ageing National Respite for Carers Program.

Defence Force Recruiting Centres

(Question No. 3071)

Mr McClelland asked the Minister for Defence, in writing, on 16 February 2006:

How many Defence Force Recruiting Centres are currently operational, where were they operating during 2004-2005 and how many men and women were recruited to the armed services at each centre.

Dr Nelson—The answer to the honourable member's question is as follows:

17.

Adelaide	500
Albury	278
Brisbane	689
Cairns	98
Canberra	338
Coolangatta	361
Darwin	162
Hobart	254
Maroochydore	321
Melbourne	994
Newcastle	460
Parramatta	766
Perth	487
Rockhampton	94
Toowoomba	203
Townsville	383
Wollongong	129

Electric Powered Vehicles

(Question No. 3073)

Mr McClelland asked the Minister for Transport and Regional Services, in writing, on 16 February 2006:

(1) Is he able to say whether the British Government exempts electric powered vehicles and motor scooters from road tax and other charges.

(2) Is the Government consulting with State and Territory Governments regarding reductions in charges and/or rebates applying to electric commuter vehicles.

Mr Truss—The answer to the honourable member's question is as follows:

(1) No.

(2) No.

Trade Skills Training Visas

(Question No. 3077)

Mr Georganas asked the Minister for Employment and Workplace Relations, in writing, on 27 February 2006:

(1) What are the wages and employment conditions for overseas workers on Trade Skills Training Visas and how do the wages and conditions compare to those of Australian workers in comparable employment.

(2) Will the Minister guarantee that apprentice wages for Australian workers will not fall as a result of the introduction of the Trade Skills Training Visa.

Mr Andrews—The answer to the honourable member's question is as follows:

(1) The Migration Regulations include a specific requirement that the applicant's "proposed employment will comply with all relevant Commonwealth, State and Territory legislation dealing with employment and working conditions of employment." Persons recruited under the Trade Skills Training visa would therefore be expected to have the same core protections as Australian apprentices and will work under any awards and conditions applicable to the Government's New Apprenticeship Scheme.

(2) Minimum wages for apprentices under the new Work Choices system are protected at the level set after the inclusion of the increase from the Australian Industrial Relations Commission's 2005 Safety Net Review case. These minimum wages are locked in and cannot fall below this level. The Australian Fair Pay Commission is empowered to increase these minimum wages if it so decides in the future.

Shortland Electorate: General Practitioners

(Question No. 3080)

Ms Hall asked the Minister for Health and Ageing, in writing, on 27 February 2006:

How many General Practitioners have relocated to the electoral division of Shortland under the Government's More Doctors for Outer Metropolitan Areas Program announced in the 2002-2003 budget.

Mr Abbott—The answer to the honourable member's question is as follows:

Three general practitioners have relocated to the electoral division of Shortland under the More Doctors for Outer Metropolitan Areas Measure.

Employment

(Question No. 3081)

Ms Hall asked the Minister for Health and Ageing, in writing, on 27 February 2006:

(1) Which suburbs within the electoral division of Shortland have been identified as areas of workforce shortage by the Department of Health and Ageing.

(2) How many overseas doctors have been relocated to the electoral division of Shortland through the program intended to address workforce shortage.

Mr Abbott—The answer to the honourable member's question is as follows:

(1) The whole of the Shortland Electorate is currently classified as a district of workforce shortage, including all suburbs within the electorate.

(2) There are currently 13 overseas trained doctors subject to the Medicare provider number restrictions who are approved to work in general practice in the electorate of Shortland.

Aged Care

(Question No. 3082)

Ms Hall asked the Minister for Health and Ageing, in writing, on 27 February 2006:

(1) How many aged care beds in (a) low care places and (b) high care places are there in the electoral division of (i) Shortland, (ii) Dobell, and (iii) Robertson.

(2) How many of the aged care beds identified in (1) are (a) operational and (b) not operational.

Mr Abbott—The answer to the honourable member's question is as follows:

(1) (i) (ii) and (iii) Planning for aged care is undertaken on the basis of Aged Care Planning Regions, not electoral divisions. The electoral division of Shortland falls within the aged care planning regions of Central Coast and Hunter. The electoral divisions of Dobell and Robertson fall within the Central Coast Aged Care Planning Region. Total allocated residential aged care places in these planning regions at 31 December 2005 were as follows:

Aged Care Planning Region	(a) Low care places	(b) High care places
Central Coast	2,059	1,660
Hunter	3,150	2,752

Note: Includes flexible places.

(2) (a) Operational places at 31 December 2005

Aged Care Planning Region	Low care places	High care places
Central Coast	1,493	1,543
Hunter	2,616	2,521

(b) Non operational places at 31 December 2005

Aged Care Planning Region	Low care places	High care places
Central Coast	566	117
Hunter	534	231

Commonwealth Departments: Programs and Grants

(Question Nos 3083 to 3101)

Ms Hall asked all ministers, in writing, on 27 February 2006:

(1) What programs have been administered by the Minister's department in the electoral division of (a) Shortland and (b) Dobell for each financial year since 1996.

(2) In respect of each project or program referred to in (1), (a) what is its name, (b) who operates it, (c) what are its aims and objectives, (d) what funding has it received each financial year since 1996 and (e) in what year did Commonwealth funding commence and cease (if applicable).

(3) What grants and benefits have been provided to individuals, businesses and organisations by the Minister's department in the electoral division of (a) Shortland and (b) Dobell for each financial year since 1996.

Mr Nairn—The answer on behalf of all ministers to the honourable member's questions is as follows:

(1) to (3) The legislation establishing every Australian Government programme is allocated to particular ministers under the Administrative Arrangements Order. Descriptions of programmes are available in various publicly available documents. Providing details of the benefits and grants provided under those programmes would involve an unreasonable diversion of resources and in some cases, may breach the privacy rights of the individuals who received benefits under various programmes.

Student Organisations: Funding

(Question No. 3102)

Ms Macklin asked the Minister for Education, Science and Training, in writing, on 27 February 2006:

Will student organisations be able to access funding for the appropriate financial management and accounting bodies to assist with business plans, asset and financial restructuring where this may be necessary and is requested: as promised by the former Minister on 12 December 2005, to assist with the transition process forced by the Government's voluntary student unionism legislation; if so, when will the assistance be made available; if not, why not.

Ms Julie Bishop—The answer to the honourable member's question is as follows:

Funding will be available to eligible higher education providers for appropriate financial management and accounting bodies to assist with business plans, asset and financial restructuring under the Workplace Productivity Programme (WPP).

The former Minister did not indicate that student organisations would be eligible. It will be at the discretion of universities to invite student organisations to collaborate on any transitional projects.

Submissions for the WPP's initial priority of review or reform of the efficiency of universities, including of financial arrangements and operational management, have been invited, with applications closing on 20 April 2006.

Workplace Relations

(Question No. 3103)

Ms Macklin asked the Minister for Education, Science and Training, in writing, on 27 February 2006:

(1) Is it the case that under the Higher Education Workplace Relations Requirements offers of employment by Australian universities may be made only on the basis that the employment is on an Australian Workplace Agreement.

(2) Which universities are offering employment on this basis.

Ms Julie Bishop—The answer to the honourable member's question is as follows:

(1) Under the HEWRRs universities must offer AWAs to all employees but they are free to offer alternative forms of employment in addition.

(2) See (1). All universities must offer AWAs.

Aviation Charges

(Question No. 3112)

Mr Fitzgibbon asked the Treasurer, in writing, on 27 February 2006:

In respect of increasing aviation charges, are airport operators engaging in monopoly pricing practices; if so, what is the policy response.

Mr Costello—The answer to the honourable member's question is as follows:

The Government, in response to the Productivity Commission's 2002 inquiry into airport price regulation, introduced price monitoring to provide greater scope for airports to price, invest and operate efficiently. The Government stated that the policy would be reviewed after five years to determine whether there have been unjustifiable price increases that warrant the reimposition of price controls (the Government's response is available on the Treasurer's website at www.treasurer.gov.au/tsr/content/pressreleases/2002/024.asp).

The Government recently announced that the policy, which is due to expire on 30 June 2007, will be reviewed in 2006 by the Productivity Commission. The Commission will be asked to consider whether there have been any unjustifiable price increases and to make recommendations regarding the development of future regulatory arrangements.

In addition, it should be noted that, under Part IIIA of the Trade Practices Act 1974 (which establishes a national regime to facilitate access to essential infrastructure services) all Australian airports are potentially subject to declaration. Declaration provides an access seeker with a legally enforceable right to negotiate access to that service on reasonable terms and conditions. For a service to be declared under Part IIIA, the designated minister must be satisfied of all of the matters listed in section 44H(2). Where commercial agreement cannot be concluded in relation to the terms and conditions of access to a declared service, the parties have recourse to the ACCC for arbitration.

Superannuation Surcharge

(Question No. 3119)

Mr Fitzgibbon asked the Minister for Revenue and Assistant Treasurer, in writing, on 27 February 2006:

(1) Is he aware of the backlog of exception transactions relating to the Superannuation Surcharge that appear to date back for 8 years and amount to around 10.4 million transactions.

(2) How current and accurate is the Australian Taxation Office (ATO) estimate that the backlog amounts to $323 million of uncollected revenue.

(3) What steps have been taken to clear the backlog.

(4) What proportion of the $323 million does the ATO expect to collect and what effect does this have on the accuracy of ATO revenue estimates.

Mr Dutton—The answer to the honourable member's question is as follows:

(1) Yes.

(2) The ATO revised its estimate in November 2004 to $195 million, then in April 2005 to $205 million.

(3) In 2005 the ATO identified approximately 10.4 million work items relating to unquoted tax file numbers that had accumulated prior to June 2004 and an additional 800,000 that had accumulated during the course of the next financial year. During the second half of 2005 the ATO addressed around 10.4 million of these items. The majority of these work items did not result in a surcharge liability assessment. Of the residual 800,000 exceptions all but 18,000 are still awaiting attention. Plans are on track to finalise this work.

(4) The ATO has advised that 90% of the surcharge debt raised will be collected.

Taxation

(Question No. 3122)

Mr Fitzgibbon asked the Minister for Small Business and Tourism, in writing, on 27 February 2006:

(1) What is the current outstanding tax liability for the small businesses sector.

(2) Has the level of outstanding tax liability risen over recent years; if so, why.

(3) What action has the Government taken to try an ease the compliance burden on small business and was it effective.

(4) Can she say why the take up rate of the Simplified Tax Scheme by small business has been so low.

(5) Is the Government considering other schemes to reduce the compliance burden.

(6) How much consultation is done with stakeholders when considering ways to reduce compliance costs for small business.

(7) Can she say which (a) government agencies and (b) regulations place the highest compliance burden on small businesses

Fran Bailey—The answer to the honourable member's question is as follows:

(1) This matter falls within the portfolio responsibilities of the Treasurer.

(2) This matter falls within the portfolio responsibilities of the Treasurer.

(3) The Government is actively pursuing a reform agenda to relieve small business of the burden of unnecessary regulation. Last year the Government cut red tape in a number of key areas including GST reporting, making AWA's, Superannuation Guarantee reporting and unfair dismissal laws. In October 2005, the Prime Minister appointed a Taskforce to identify practical options for reducing red tape on business, including small business. The Government is now considering the recommendations of the Taskforce.

The Prime Minister and Treasurer also announced on 12 October 2005 new annual stocktakes of existing regulation, and more rigorous use within government of cost-benefit analysis of proposed regulation. In this regard, the Office of Small Business has developed a costing model to assist government agencies to cost the compliance burden of proposed regulations with the aim of keeping the burden to a minimum. The Government has endorsed the costing model for use on any proposals coming before it that have an impact on business. It is also recommended that the costing model be used for proposals coming forward as part of the Budget process.

The Australian Government's www.business.gov.au website is an online resource, which provides, information and services electronically in a business-friendly manner to businesses so that they can more easily deal with the three tiers of government in Australia. Technology will continue to play a part in reducing business compliance costs. In December 2004, I launched the ABN Lookup tool, which allows businesses to undertake multiple searches of Australian Business Numbers. In November 2005, I launched Forms Manager, a valuable tool, which allows small business to download and save government forms directly to their personal or laptop computer to complete at their convenience.

On 5 July 2005, I launched the Regulation Reduction Incentive Fund (RRIF), a competitive grants program to encourage local government to ease the regulatory burden on small business. In December 2005, I announced that Australia's 1.2 million small businesses will save an estimated $450 million through local government projects to cut compliance costs that we have funded from the $50 million RRIF.

International studies have generally concluded that Australia's regulatory system performs well internationally. For example, a World Bank (2005) study Doing Business in 2006 considered the time and cost involved in over 155 countries in performing essential business activities (such as starting a business, hiring workers and enforcing contracts). This report rated Australia as sixth best.

(4) The 1999 Review of Business Taxation chaired by John Ralph anticipated that in a mature system around 60% of eligible businesses would take up the Simplified Tax System. At that time the ATO estimated that the system would take some 2 to 3 years after implementation to reach maturity. Further questions should be directed to the Treasurer, as this falls within his portfolio responsibilities.

(5) The Government is committed to reducing red tape for small business so they can concentrate on growth and job creation. For example, the Board of Taxation is currently undertaking, at the Government's instigation, a scoping study of small business tax compliance costs to identify areas where compliance costs can be reduced. The Board's consultation processes commenced in early 2006 and a final report will be provided to Government in the latter half of this year.

(6) Consultation with stakeholders is standard practice in the policy development process for new initiatives or programs. With regard to tax measures, the Department of the Treasury takes a number of different approaches to liaison and consultation depending upon the time available or the commercial and other sensitivities surrounding an issue. The ATO has various consultation processes and it has a program on making it easier to comply, which is aimed at reducing the compliance costs of businesses doing business with the ATO.

(7) (a) There is insufficient data on this issue to provide a definitive answer. By way of context, as indicated previously, international studies have generally concluded that Australia's regulatory system performs well internationally. For example, a World Bank (2005) study Doing Business in 2006 considered the time and cost involved in over 155 countries in performing essential business activities (such as starting a business, hiring workers and enforcing contracts). This reported rated Australia as sixth best.

(b) Regulations at all levels of government, particularly the burden imposed by compliance processes, are the main source of red tape for the small business sector. Businesses have also raised concerns with the Office of Small Business about the implications of business-to-business red tape. It is often not a single regulation that causes problems for small business, but the cumulative burden of numerous regulations that a business has to deal with on a day to day basis.

Workplace Relations

(Question No. 3123)

Mr Fitzgibbon asked the Minister for Employment and Workplace Relations, in writing, on 27 February 2006:

(1) Can the Minister say what the cost will be for small business of the new industrial relations changes.

(2) How and when will information on implementing the industrial relations changes be provided to small business.

(3) What new fees or costs can small businesses expect to incur under the industrial relations changes.

(4) Will lawyers be required to draw up the individual contracts.

(5) Will information need to be provided to lawyers about the changes before they draw up the contracts.

(6) Will small businesses be able to claim the legal fees as a tax deduction.

(7) How long will small businesses have to arrange individual contracts for their existing employees and will they be liable for penalties if it isn't done before the deadline.

(8) Is the Government aware of concerns in the small business sector about the implications for them of the industrial relations changes.

(9) Has the Minister's department been contacted by small business representatives about the confusion the industrial relations changes are causing.

(10) Is the Government aware of the latest quarterly MYOB Australian Small Business Survey showing that confusion in the small business sector about the industrial relations changes has seen hiring intentions fall by 11 per cent.

(11) Will the Government undertake programs to educate small business owners about the industrial relations changes; if so, what sum will be spent on the programs and for how long will they run.

Mr Andrews—The answer to the honourable member's question is as follows:

(1) It is not possible to quantify in dollar terms the costs to small business of the WorkChoices reforms. However, any costs that may be incurred are expected to be minimal and are likely to be outweighed by the benefits that will be provided by the simplification of Australia's workplace relations system. For instance, small business will greatly benefit from the reforms to unfair dismissal laws and the replacement of the costly agreement approval processes with a simple lodgement process for all agreements. In addition WorkChoices will also restore protections from redundancy pay obligations for small businesses with 15 or less employees.

(2) An information and education campaign to promote and explain the workplace relations reforms to all Australian employees and employers, including small business, commenced following the proclamation of the WorkChoices legislation.

(3) See the response to Question 1. WorkChoices will not impose any new fees on small business. In fact, the Government has announced that from 1 July 2006 the upfront incorporation fee charged by the Australian Securities and Investments Commission will be reduced from $800 to $400, at an estimated cost of $216.4 million over four years. This reduction in fees will assist small businesses wishing to incorporate and access the benefits of the WorkChoices system.

(4) No. The Office of the Employment Advocate will provide advice and assistance for employers and employees who wish to enter into an agreement.

(5) No. See also the response to Question 2 above.

(6) Questions on the tax deductibility of specific expenses should be directed to the Australian Taxation Office.

(7) WorkChoices provides employers and employees with choice as to the most appropriate form of agreement for their circumstances, whether that agreement is individual or collective. There is no requirement for small business to arrange individual contracts with their existing or new employees.

(8) and (9). No. As noted in the response to question 2, an information and education campaign will be undertaken to promote and explain the workplace relations reforms. The campaign will target small business, among other groups.

(10) I am aware of the survey. Other recent surveys have also explored this aspect of the WorkChoices reforms. For instance, the February 2006 Sensis Business Index – Small & Medium Enterprises found that 'Of those small businesses intending to make changes as a result of the reforms, they are most likely to do this by hiring more staff.'

(11) As part of the WorkChoices information and education campaign, information will be made available through a number of sources including, seminars, fact sheets, a website and an information line. $7.31m has been provided through the 2005-06 Additional Estimates process, to deliver targeted information and education activities.

Workplace Relations

(Question No. 3124)

Mr Fitzgibbon asked the Minister for Small Business and Tourism, in writing, on 27 February 2006:

(1) Can the Minister say what the cost will be for small business of the new industrial relations changes.

(2) How and when will information on implementing the industrial relations changes be provided to small business.

(3) What new fees or costs can small businesses expect to incur under the industrial relations changes.

(4) Will lawyers be required to draw up the individual contracts.

(5) Will information need to be provided to lawyers about the changes before they draw up the contracts.

(6) Will small businesses be able to claim the legal fees as a tax deduction.

(7) How long will small businesses have to arrange individual contracts for their existing employees and will they be liable for penalties if it isn't done before the deadline.

(8) Is the Government aware of concerns in the small business sector about the implications for them of the industrial relations changes.

(9) Has the Minister's department been contacted by small business representatives about the confusion the industrial relations changes are causing.

(10) Is the Government aware of the latest quarterly MYOB Australian Small Business Survey showing that confusion in the small business sector about the industrial relations changes has seen hiring intentions fall by 11 per cent.

(11) Will the Government undertake programs to educate small business owners about the industrial relations changes; if so, what sum will be spent on the programs and for how long will they run.

Fran Bailey—The answer to the honourable member's question is as follows:

(1) It is not possible to quantify in dollar terms the costs to small business of the WorkChoices reforms. The principal object of Work Choices is to simplify Australia's workplace relations system and reduce the compliance costs on small business by reducing the complexity and red tape of the current six separate legislative systems in operation.

However, Work Choices does eliminate costs for small business in the form of 'go away money' – money paid out by small businesses as a result ex-employees bring forward vexatious unfair dismissal claims. Businesses that employ up to and including 100 employees will be exempt from unfair dismissal laws.

(2) An information and education campaign to promote and explain the workplace relations reforms to all Australian employees and employers, including small business, has been launched to coincide with the proclamation of the Work Choices legislation.

(3) See the response to Question 1. As to fees, Work Choices will not impose any new fees on small business.

(4) No. The introduction of a lodgement only process for individual and collective agreements has simplified agreement making. The Office of the Employment Advocate provides templates and assistance for employers and employees electing to initiate a workplace agreement.

(5) As professionals, if a lawyer is employed to draw up an individual contract then they would need to ensure that it is a lawful contract, the same as they do for any type of contract they assist with. It is

part of a lawyer's role to keep abreast of applicable changes to the law and changes to workplace law are no different in this respect.

(6) The Work Choices legislation amends the Workplace Relations Act 1996; I am advised that it has not amended income tax legislation. Questions on tax deductibility of specific expenses should be directed to the Australian Taxation Office.

(7) It is not compulsory for small business to arrange individual contracts with their existing or new employees. Consequently, there are no deadlines to arrange individual contracts for existing employees. Existing agreements in place at the commencement of Work Choices will continue to operate beyond their nominal expiry date until terminated or replaced.

(8) The Government is aware of concerns in the small business sector about what the Work Choices reforms mean for them. Education campaigns are an important part of policy implementation as they equip those affected to make the transition successfully. Accordingly, a targeted awareness and education campaign will be delivered. Additional assistance and advice will be available through the Office of Employment Advocate, the Department of Employment and Workplace Relations, and employer organisations. The latest Sensis® Business Index released on 28 February 2006 reported that industrial relations policy was the main reason SMEs gave for supporting the Federal Government.

(9) Representations received by the Department from small businesses and industry associations have not focused on confusion about the Work Choices changes.

(10) Yes. Other recent surveys have also explored this aspect of the Work Choices reforms. The February 2006 Sensis Business Index – Small & Medium Enterprises found that 'Of those small businesses intending to make changes as a result of the reforms, they are most likely to do this by hiring more staff'.

(11) See response to Question 2. Questions on program details should be directed to the Minister for Employment and Workplace Relations.

Employment

(Question No. 3128)

Mr Hayes asked the Minister for Health and Ageing, in writing, on 28 February 2006:

(1) Which suburbs within the electoral division of Werriwa has his department identified as areas of workforce shortage.

(2) How many overseas doctors have been relocated to the electoral division of Werriwa through the program intended to address workforce shortage.

Mr Abbott—The answer to the honourable member's question is as follows:

(1) The following suburbs within the Werriwa Electorate are currently considered to be districts of workforce shortage:

Austral	Carnes Hill	Cecil Hills
Edmondson Park	Horningsea Park	Hoxton Park
Kemps Creek	Prestons	West Hoxton

In addition parts of three suburbs are currently considered to be districts of workforce shortage. These are: Cartwright, Cross Roads and Lurnea. My department is not able to advise whether a specific medical practice in these suburbs is situated in a district of workforce shortage until my delegate in the department has been supplied with the practice address.

(2) There is currently one overseas trained doctor subject to the Medicare provider number restrictions who is approved to work in the electorate of Werriwa.

Werriwa Electorate: General Practitioners

(Question No. 3129)

Mr Hayes asked the Minister for Health and Ageing, in writing, on 28 February 2006:

How many general practitioners have relocated to the electoral division of Werriwa under the Government's More Doctors for Outer Metropolitan Areas Program.

Mr Abbott—The answer to the honourable member's question is as follows:

Two general practitioners have relocated to the electoral division of Werriwa under the More Doctors for Outer Metropolitan Areas Measure.

National Highway System

(Question No. 3130)

Mr Hayes asked the Minister for Local Government, Territories and Roads, in writing, on 28 February 2006:

(1) Are infrastructure works on National Highways fully funded by the Commonwealth; if not, why not.

(2) Since 1996, which infrastructure works on National Highways were funded by local councils, where is each work located and why was it not funded by the Commonwealth.

Mr Lloyd—The answer to the honourable member's question is as follows:

(1) Until 30 June 2004, the Commonwealth accepted financial responsibility for the National Highway System. The AusLink arrangements provide for the sharing of costs with the States and Territories of projects on the National Land Transport Network, which incorporates the former National Highway.

(2) Under the arrangements for funding the former National Highway System, matters such as the provision of access to service centres, shopping, housing and industrial developments and parking lanes were ineligible for Commonwealth funding and hence may have been funded by either the State or relevant local council. Councils may have chosen to fund or contribute to infrastructure works on the National Highway where there were significant benefits to their local communities. As any such projects did not involve Australian Government funds, the Department of Transport and Regional Services does not have the relevant records.

Hume Highway

(Question No. 3131)

Mr Hayes asked the Minister for Local Government, Territories and Roads, in writing, on 28 February 2006:

(1) Is he familiar with the Hume Highway, Campbelltown, Additional Ramps Study conducted in October 2001.

(2) What were the findings of the study on the benefits of the construction of on and off ramps at Ingleburn.

(3) Will the construction of the Hume Highway on and off ramps at Ingleburn provide benefits additional to the reduction of traffic on local roads in the Campbelltown local government area.

(4) Will he explain the basis for the decision for the Commonwealth to only fund two thirds of the construction of the on and off ramps at Ingleburn.

Mr Lloyd—The answer to the honourable member's question is as follows:

(1) I am advised that such a study was completed in early 2002.

(2) The report found that the option that is currently under construction would have a benefit cost ratio of 13.9.

(3) The study indicated that the benefits of additional ramps to most highway users are likely to be small and will flow mainly to local residents through traffic reductions on the local and arterial road network. Construction of the ramps would slightly increase the volume of traffic using the southern section of the F5.

(4) The construction of the north-facing ramps at Brooks Road in the early 1990s was funded by NSW. Given the high level of benefits flowing to local users, the Australian Government initially took the view that the provision of the complementary south-facing ramps was a matter for the NSW and/or local governments.

Subsequently, the former Minister for Transport and Regional Services, the Hon John Anderson MP, agreed that the Australian Government would fund up to two-thirds of the cost of the ramps, with the balance to be funded by NSW and/or the local community. The NSW Government declined to fund the project and Campbelltown City Council agreed to pay the remaining third of the cost.

National Infrastructure

(Question No. 3132)

Mr Hayes asked the Minister for Local Government, Territories and Roads, in writing, on 28 February 2006:

Will he explain the Government's policy on when it is appropriate for local government to contribute to the cost of providing nationally significant infrastructure.

Mr Lloyd—The answer to the honourable member's question is as follows:

The AusLink White Paper encourages all levels of government to support and deliver a better land transport system for Australia.