

The Australian Labor Party & the Independent Members (Mr Tony Windsor and Mr Rob Oakeshott) ('the Parties') - Agreement

Between:

The Hon Julia Gillard MP Prime Minister, MP Lalor, Leader of the Australian Labor Party

The Hon Wayne Swan MP Deputy Prime Minister, MP Lilley, Deputy Leader of the Australian Labor Party

“the ALP”

And

Mr Tony Windsor MP MP New England

Mr Rob Oakeshott MP MP Lyne

“the Independent Members”

1. Purpose

- 1.1 This agreement establishes a basis for stable and effective government.
- 1.2 Each of the Independent Members will maintain his right to vote on all legislation according to the needs of his electorate and his conscience, but undertakes to involve himself in negotiations with the ALP before exercising that right.
- 1.3 The Independent Members will vote with the ALP government to ensure supply.
- 1.4 The Independent Members will oppose any motion of no confidence in the government unless the motion is moved or seconded by the Independents, or one of them.

2. Principles

- 2.1 The Parties agree to work together to pursue the following principles:
 - a) transparent and accountable government;
 - b) improved process and integrity of parliament; and
 - c) policies which promote the national interest.

3. Promoting open and accountable government

3.1 The Parties will work together and with other parliamentarians to:

- a) Establish a Leaders' Debate Commission.
- b) Seek immediate reform of funding of political parties and election campaigns by legislating to lower the donation disclosure threshold from an indexed \$11,500 to \$1,000; to prevent donation splitting between different branches of political parties; to ban foreign donations; to ban anonymous donations over \$50; to increase timeliness and frequency of donation disclosure; to tie public funding to genuine campaign expenditure and to create a 'truth in advertising' offence in the Commonwealth Electoral Act.
- c) Seek further reform of funding of political parties and election campaigns by having a truly representative committee of the Parliament conduct a national inquiry into a range of options with the final report to be received no later than 1 October 2011, enabling any legislative reform to be dealt with in 2012.
- d) Refer issues of public interest disclosure, where the Senate or House votes on the floor against the decision of a Minister, to the Information Commissioner, who will arbitrate on the release of relevant documents and report to both Houses.
- e) Introduce legislation to protect whistle blowers and seek to have such legislation passed by 30 June 2011
- f) Agree that this Parliament should serve its full term and that the next election will be held on a date to be agreed in September or October 2013, and further agree to investigate legislative proposals, which are within the terms of the Constitution and give greater certainty to the Australian people about the Parliament serving full three year terms.

4. Improved processes and integrity of parliament

4.1 The Parties agree to work together and with other parliamentarians to implement parliamentary reforms.

4.2 The agreed parliamentary reforms are contained in **Annex A** to this agreement.

5. Working relationships

5.1 The following arrangements will govern the working relationship between the Independent Members and the ALP for the duration of the 43rd Parliament. These arrangements may be altered by mutual agreement.

- a) When Parliament is in session, the Prime Minister will meet with the Independent Members each sitting week, principally to discuss and negotiate any planned legislation.

- b) When Parliament is not in session, the Prime Minister, or her delegate, will meet with the Independent Members, or their delegates, at least once each fortnight, principally to discuss the upcoming legislative agenda.
- c) The Government will endeavour to give at least six working days notice of the introduction of legislation to the House.
- d) The Parties will ensure that the ALP's budget is subject to an exchange of information and views between the Parties as follows:
 - i. The Independent Members receiving economic and financial briefings from the Treasurer and the Minister for Finance and the Secretaries of the Departments of Treasury and Finance and Deregulation at regularly agreed times.
 - ii. The Independent Members having regular discussions with the Treasurer and the Minister for Finance on economic circumstances, fiscal strategy and budget preparation.
- e) Should the Independent Members wish to propose new policies, these proposals may be formally submitted to the Office of the Prime Minister and forwarded to the appropriate Department and Minister for analysis. Where the proposal is likely to involve costs, it may also be sent to the Department of Treasury, and the Treasurer, and the Department of Finance and Deregulation, and the Minister for Finance, for costing.
 - i. The number of proposals that may be considered in this way is not limited in number but the Parties will ensure that the workload arising is reasonable
 - ii. Every endeavour will be made to provide required advice within ten business days
 - iii. The Parties acknowledge that during the six week period leading up to the Federal Budget, the turnaround time may be greater than ten business days.
- f) The Parties acknowledge that the above mechanism can be used to have any of the Independent Members' policies for the 2010 election considered.
- g) Senior staff members of the Prime Minister's Office and the Independent Member's Offices will liaise to ensure that the Independent Members have access to Ministers, key public servants and the Prime Minister, as outlined above.
- a) Until such time as the staffing review is complete by the new House Committee on Appropriations and Staffing (refer Annex A), each of the Independent Members in the House of Representatives will be allocated such additional staff as are necessary to take their total personal, not including electorate office staff, to two.

6. Restructuring the Government, Public Service and Parliament to better meet the needs of Regional Australia

6.1 The Parties acknowledge that governing for all Australia means ensuring regional Australia:

- a) has its voice heard in the Federal Parliament and in the Federal Government,
- b) has its needs and special circumstances considered diligently,
- c) gets to benefit from economic development; and
- d) gets fair access to services.

6.2 The Parties agree that there should be a Minister for Regional Australia and to the restructure of the workings of government, the public service and the Parliament to ensure fairer treatment of regional Australia, as outlined in **Annex B** to this agreement.

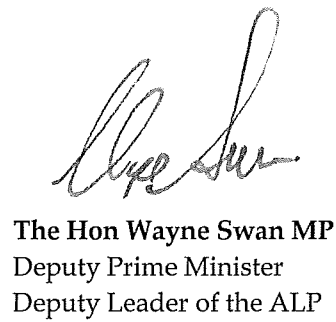
7. Administration

7.1 The agreement will come into effect on the day Government is established.

Signed on this 7 day of September 2010.



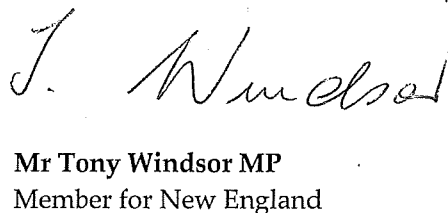
The Hon Julia Gillard MP
Prime Minister
Leader of the ALP



The Hon Wayne Swan MP
Deputy Prime Minister
Deputy Leader of the ALP



Mr Rob Oakeshott MP
Member for Lyne



Mr Tony Windsor MP
Member for New England

AGREEMENT FOR A BETTER PARLIAMENT

PARLIAMENTARY REFORM

Preamble

There are 150 local MP's that have recently been elected by the communities of Australia to the House of Representatives. This document is a combined effort to increase the authority and opportunities for participation for all MP's, regardless of their political party or their status of office.

The principles behind this document are twofold; to confirm 150 local MP's (and by extension their communities) as the foundation blocks of our Australian system of democracy, and increasing the authority of the Parliament in its relationship with the Executive.

For these improvements to work, it will take a commitment by all MP's to respect the cultural change that these changes bring. While the community demands a 'fiesty' and 'testing' parliamentary floor, there will be a need for recognition by all to allow more MP's to be involved in various roles and debates, to allow more community issues to be tested through private members voting, and to allow a Speaker (in particular) to rule with a firm hand as debate tests the boundaries of the Standing Orders on the floor.

The Executive will also need to show a commitment to the cultural change that this moment brings, and will need to be more flexible, more consultative, and more engaged with all MP's if these new arrangements are to work.

This document has been produced through engagement with many people, including former Speakers and Clerks, MP's, party "elders", and members of the community. This broad engagement has been done in an endeavour to achieve improvements that are sustainable beyond the current three year-term, and improvements that work for all. All are thanked for their considered involvement.

1. ENHANCING THE PARTICIPATION OF ALL MEMBERS IN THE MANAGEMENT OF THE HOUSE OF REPRESENTATIVES

An expanded Selection Committee will be established, including aligned and non-aligned Members.

The Committee will be Chaired by the Speaker.

All Members will receive the same rights for the purposes of facilitating their full participation in all processes of the House. For the purposes of Standing Order 41A, Question Time and participation in all other debates, all Members interests would be guaranteed by the Selection Committee.

2. INDEPENDENT SPEAKER

2.1 Independence

The role of the Speaker will be independent of Government.

If the Speaker is drawn from a political party then the Deputy Speaker will be drawn from an alternate political party and both the Speaker and Deputy Speaker will:

- abstain from attending their respective party rooms; and
- when in the Chair, be paired for all divisions.

If the Speaker is non-aligned, then the same pairing arrangements will apply.

The Speaker and Deputy Speaker can participate in Private Members' Business but cannot vote.

Members of the Speakers Panel will be temporarily paired when occupying the chair during votes.

2.2 Power of the Speaker

The Speaker will rigorously enforce the Standing Orders of his or her own motion.

3. ACKNOWLEDGEMENT OF COUNTRY

At the beginning of each sitting day, prior to prayers, the Speaker will make an acknowledgement of country.

4. QUESTION TIME

4.1 Time Limits for Questions and Answers

Questions during Question Time be limited to forty five seconds and answers to four minutes.

It is noted that a Member may ask leave of the House for an extension of time.

4.2 Supplementary Question

The Leader of the Opposition or their delegate has the option of asking one supplementary question during each Question Time.

4.3 Duration of Question

Question Time will conclude no later than 3.30pm, enabling 20 questions each day in the normal course of events.

4.4 Questions

The Speaker shall give due regard to Standing Order 100 dealing with the material that questions may contain but not in such a way that would inhibit the ability of the Opposition to hold the Government to account.

4.5 "Relevance" Standing Order

The Standing Orders be amended so that answers must be "directly relevant to the question", with the Speaker to lead on enforcement of the relevance test.

The Government and Opposition will support the Speaker in taking a strong stance on this issue.

4.6 Proportionate Share

A proportionate share of the Questions be allocated to non-aligned members, including the order in which those questions are asked during Question Time.

4.7 Points of Order

The Standing Orders be principally raised and enforced by the Speaker.

The point of order on relevance can only be once per question.

4.8 Notes

It is the preference in Question-Time for both questioners and Ministers to use best endeavours not to use notes. It is understood there are times when notes should be used to assist in providing the House with the best possible information in the most accurate and timely way possible. However, at all other times, the preference is no notes.

This will be reviewed at the end of the first session to see if further restrictions on use of notes in Question Time can and should be applied.

5. MATTERS OF PUBLIC IMPORTANCE

5.1 Length

The maximum length of discussion on Matters of Public Importance be extended to 1 hour and thirty minutes. That the proposer and the next speaker be allowed to speak for up to 15 minutes and that other speakers be allowed to speak for up to 10 minutes.

5.2 Greater Prominence

The Matter of Public Importance debate will immediately follow Question Time.

5.3 Proportionate Share

A proportionate share of Matters of Public Importance be allocated to all non-Government Members.

6. PRIVATE MEMBERS BUSINESS AND PRIVATE MEMBERS BILLS

6.1 Voting on Private Members' Bills

The Speaker, the Leader of the House, and the Selection committee, will ensure time is allocated for votes on Private Members' Bills during Government Business time in the Main Chamber.

6.2 Priority given for Private Members Business on Mondays

The Standing Orders will be amended to provide for:

- a period of committee and delegation business and private Members' business to be given priority in the Chamber on Mondays from 12 noon – 1.45pm, beginning with Petitions Committee report and statement(s) for 10 minutes;
- quorums and divisions called during the period of committee and delegation business and private Members' business being deferred until 5pm on Monday;
- the Main Committee to regularly meet on Mondays from 10.30 a.m. to 1.30 p.m, commencing with a 30 minute period of three minute constituency statements as provided by standing order 193, followed by committee and delegation reports and private Members' business being given priority;
- 90 second statements to take place from 1.45 p.m. each day, prior to Question Time, in the Main Chamber;
- a period of committee and delegation business and private Members' business to be given priority in the Chamber from 7:30pm to 9:30pm; and
- the adjournment to be proposed at 9.30 p.m. on Mondays, and the House adjourning at 10 p.m.

7. ADJOURNMENT

The Adjournment Debate shall be one hour on Monday and Tuesdays, and 30 minutes on Wednesdays and Thursdays.

8. 90 SECOND STATEMENTS

15 minutes will be allocated prior to Question time for Members to make 90 Second Statements on constituency issues.

9. MINISTERIAL STATEMENTS

9.1 Time Limits

Ministerial statements and response be limited to 10 minutes, except in circumstances agreed to by the Speaker or for Prime Ministerial statements.

9.2 Proportionate Opportunities to Respond to Ministerial Statements

The Speaker will ensure that opportunities to respond are provided to non-Government Members.

10. THE COMMITTEE SYSTEM

10.1 Numbers of Committees

The number of general purpose standing committees be reduced to nine, comprising standing committees on:

- Aboriginal and Torres Strait Islander Affairs;
- Economics;
- Education and Employment;
- Climate Change, Environment and the Arts;
- Health and Ageing;
- Infrastructure and communications;
- Social Policy and Legal Affairs;
- Agriculture, Resources, Fisheries and Forestry; and
- Regional Australia.

10.2 Committee Membership

Membership of committees will ideally be seven. Committee membership will fully reflect membership of the House, including the crossbench.

The maximum number of supplementary members for each general purpose standing committee inquiry be increased to four; with supplementary members having full participatory rights, other than voting rights.

10.3 Powers of Committees

The powers of Committees be referred immediately to the Committee of Chairs as soon as established to ensure the most authority possible for Committees within allocated resources.

10.4 Chair of the Joint Parliamentary Committee on Public Accounts and Audit

The Chairman of the Joint Parliamentary Committee on Public Accounts and Audit be drawn from a member of a non-Government party or a non-aligned Member.

10.5 Pre-Legislative Scrutiny of Bills

All Bills to be introduced into the House be referred immediately to the Selection Committee.

All Bills regarded as controversial or requiring further consultation or debate be immediately referred to the relevant Standing or Joint Committee to allow a period of discussion and public consultation on introduction. One member objecting in the Selection Committee will be sufficient to declare a Bill controversial.

Non-controversial Bills will be authorised for immediate introduction into the House.

This mechanism will be reviewed to ensure it does not cause unnecessary delays to the House legislative processes, and is indeed a mechanism to speed up the legislative agenda.

10.6 Responses to Committee Reports

Within six months of a House or Joint committee report being presented in the House, a government response will be tabled in the House. If no such response has been received within six months of such a report being presented in the House, a statement signed by the relevant Minister (or Minister representing the Minister) must be tabled stating the reasons why the response could not be prepared in time.

The Minister (or Minister representing the Minister) must also make themselves available to appear before the relevant Committee at the next reasonably available opportunity to answer questions on that statement.

Following this, issues of dispute between a Parliamentary Committee and an Executive will be referred to the Auditor-General for further follow-up, clarification, and attempted resolution.

A timely response to Committee Reports will be included as a Key Performance Indicator in the employment arrangements of Agency Heads.

The Clerks will ensure a report on the status of responses to Committee Reports is included in the Notice Paper on a monthly basis online.

10.7 Statements during Private Members Business by Committee Chairs

Standing orders will be amended to provide for committee Chairs to make short statements during private Members' business time, informing the House of new inquiries being undertaken by the committee.

11. CONSIDERATION OF BILLS

11.1 Speaking Times

The time limit allocated for all Members speaking on Bills will be reduced from 20 to 15 minutes.

The Selection Committee is able to determine, where a Bill is not controversial, that time limits for speaking on that Bill be reduced to 5 or 10 minutes.

Where a large number of Members wish to speak on a particular Bill, the Selection Committee can, by agreement, place limits on speaking times to facilitate as many Members as possible speaking on the Bill.

The Speaker, with the Selection Committee, is to consider and potentially trial 5 minutes of questions (30 second question with two minute answers) at the end of all MP's speeches, so as to encourage "smarter debate".

11.2 Consideration in Detail

The Leader of the House in consultation with the Selection Committee will ensure that;

- during Government Business time in the Main Chamber additional time will be allocated for the summing up of Appropriations and related Budget Bills by the Minister for Finance; and
- additional time is allocated for the Consideration in Detail process in the Main Committee.

12. RECOMMITAL OF VOTES

The Standing Orders be amended so that there may be a recommital of a vote on the same sitting day when a Member is inadvertently absent following a successful suspension of standing orders after debate.

13. APPROPRIATION BILLS

The Senate resolution on appropriation bills which contain matters which should have been the subject of separate legislation is noted. To prevent this occurring, the parties and non-aligned Members agree to developing a mechanism to resolve this issue prior to the next appropriation bills being introduced.

14. ASSENT TO LEGISLATION

A mechanism be established to ensure a commencement date be included in all legislation.

15. SITTING DAYS

That more sitting weeks each year be considered depending on Government and Private Members Business.

16. RESOURCES OF THE PARLIAMENT

16.1 Parliamentary Budget Office

A Parliamentary Budget Office be established, based in the Parliamentary Library, to provide independent costings, fiscal analysis and research to all members of parliament, especially non-government members.

The structure, resourcing and protocols for such an Office be the subject of a decision by a special committee of the Parliament which is truly representative of the Parliament.

16.2 External review of staffing levels within the Department of the House of Representatives committee Office

The Speaker will arrange for an external review of staffing levels within the Department of the House of Representatives Committee Office and the Parliamentary Library.

This will incorporate a work analysis to determine the nature and level of secretariat support necessary for the ongoing inquiry work of committees, to ensure that the House committee system is supported by an adequate number of appropriately qualified staff.

16.3 Establishment of a representative House Committee on Appropriations and Staffing

A House Committee on Appropriations and Staffing be established, chaired by the Speaker, to make recommendations to the House on:

- estimates of the funding required for the operation of the Department of the House of Representatives; such estimates, once agreed by the House, are to be conveyed by the Speaker to the Minister for Finance and Deregulation for consideration and approval;
- proposals for changes to the administrative structure of, or service provision by, the Department of the House of Representatives;
- administration and funding of security measures affecting the House;
- any other matters of finance or services referred to it by the Speaker or the House; and
- the Liaison Committee of Chairs and Deputy Chairs have a more active role in monitoring the resources available to committees, with the Chair to report to the House Committee on Appropriations and Staffing on committee activities and resource levels.

16.4 Allocation of teleconferencing and videoconferencing facilities

The Leader of the House, with the Speaker will investigate the adequacy of teleconferencing and videoconferencing facilities available to committees; and consideration of any upgrades or additional facilities required to meet current and anticipated future demand from committees.

17. PAIRING VOTES

17.1 Pairing arrangements for all Members

Additional mechanisms will be considered that responsibly deal with essential absences by Members from the House, including 'pairs'.

The Government and Opposition will guarantee a 'pair' to non-aligned Members providing there are reasonable grounds.

These arrangements may be similar to those that currently occur between the Whips in the Senate.

18. PARLIAMENTARY INTEGRITY COMMISSIONER

This commissioner would be supervised by the privileges committee from both House and Senate to provide advice, administration and reporting on parliamentary entitlements, investigate and make recommendations to the Privileges Committees on individual investigations, provide advice to parliamentarians on ethical issues and uphold the Parliamentary Code of Conduct and control and maintain the Government's Lobbyists register.

19. ESTABLISH A FORMAL CODE OF CONDUCT FOR MEMBERS AND SENATORS

A cross-party working group and inquiry process will be established to draft a code of conduct for members of the House and the Senate. Once established, this code will be overseen by the Privileges committee.

20. REGISTER OF LOBBYISTS

Further enhancements to the Register of Lobbyists be examined, including to the online publication of the Register and to place the register under the supervision of the Parliamentary Integrity Commissioner.

21. REVIEW MECHANISM

A mechanism will be established to review all standing order and other procedural changes in this agreement and will report following the first session of this Parliament.

22. OTHER “BETTER GOVERNMENT” IMPROVEMENTS;

It is expected, through the life of this Parliament, and with Private Members Bills now having the ability to be voted on, that there will be further steps taken to improve Government in the following way;

- Open and Accountable Government improvements
- Further steps on improving democratic operation of the Parliament
- Electoral Funding Improvements
- Truth in Political Advertising improvements

COMMITMENT TO REGIONAL AUSTRALIA

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- 2. A Stronger Framework for Regional Policy**
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 - 2.2 Accountability
- 3. New Regional Commitments**
 - 3.1 National Broadband Network Extensions
 - 3.2 Regional Health Investments
 - 3.3 Regional Education Investments
 - 3.4 \$1.4 billion Regional Infrastructure Investment
- 4. Existing Regional Commitments**
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 - 4.2 Regional Telecommunications
 - 4.3 Regional Local Government
 - 4.4 Regional Development Australia
 - 4.5 Regional Agriculture
 - 4.6 Regional Water
 - 4.7 Caring for our Coasts
 - 4.8 Regional Health
 - 4.9 Regional Education

1. A Commitment to Regional Australia

One out of every three Australians lives in a community that is part of regional Australia. These are the Australians who are chiefly responsible for the fresh food that everyday is on the table of Australian families in cities, suburbs and towns across the nation.

They are the Australians who generate wealth from our natural resources, who play a leading role in sectors like tourism and manufacturing, and who often battle the adversities of drought, floods, fires and cyclones.

They may choose to live in regional communities because of the lifestyle and benefits to family life that it offers. Their labours drive our nation's prosperity, particularly through the small businesses they run, but too often they have not been given their fair share of Australia's successes.

The quality of healthcare, education, broadband, transport and infrastructure has been allowed to fall behind that of other parts of the nation, leading to continued urbanisation and discontent in regional areas.

There has been too little long-term planning for the needs of regional communities and too much short-term thinking and attempted short-term solutions.

This document sets out a commitment to improve policy making and deliver key initiatives to improve outcomes for regional Australians now and into the future.

It is the start of a serious policy desire for an ex-urban generation in Australia. Its commitments for the years ahead are based on a central belief that all Australians should have the opportunity of first class services like good schools, quality health care and 21st century high-speed broadband and access to a national energy grid, as well as recognising the productivity gains for all Australians that can be achieved through a genuine commitment to regional Australia.

Australia is a nation of vast distance and great diversity. The needs of its regional communities differ. This document sets out the core responsibility of the national government to ensure that no community is left behind as we build a 21st century Australia and that the diversity of our regional communities is a building block for the character of Australia.

This document sets out a commitment to vital investments in infrastructure and services for regional Australia, a commitment to 'place-based thinking' and 'localism' as well as fresh commitments to governance and transparency reform which will ensure that regional Australia gets a fair hearing and a fair return from its national government.

2. A Stronger Framework for Regional Policy

2.1 Governance

New measures to establish a stronger framework for regional policy will include:

- A new dedicated Cabinet-level Minister for Regional Australia with responsibility for specific regional initiatives and for advocating for regional Australia across other portfolios in the Cabinet.
- A new dedicated Department of Regional Australia with responsibility for the development of regional policies, overseeing the rollout of initiatives and providing a dedicated source of advice on regional Australia to the Cabinet and other departments across government. It will be driven by key national indicators that can be benchmarked over the coming three years.
- A new Regional Australia sub-committee of Cabinet that will be chaired by the Minister for Regional Australia, and involve the Prime Minister, Treasurer, and other Ministers and Parliamentary Secretaries with responsibilities for matters of significance to regional Australia.

Departmental support will also be strengthened through:

- A regional Australia coordinating unit in the Department of Prime Minister and Cabinet.
- A strengthened Regional Development Australia, which will help identify local priorities for infrastructure, services and development, and be linked to Local Employment Coordinators, regional employment and skills initiatives and local councils.
- An Office of Northern Australia, which will be strengthened with additional resources and overseen by a dedicated Coordinator General.
- An agency that can provide advice to the public about needs, policies and service delivery in health and aged care in regional Australia.

A new House of Representatives Committee on Regional Australia will enable Members to inquire into the state of the regions, the impact of legislation on regional communities and the resourcing of regional communities.

- This Committee will be empowered to conduct Estimates-style hearings as part of its regular function, calling Ministers, public service heads and other experts to appear before it to enhance scrutiny of the performance of federal Government and other agencies in meeting the needs of Regional Australia.

ANNEX B

- It would be appropriate for such a Committee to be chaired by an Independent Member of Parliament and report to Government and the Parliament regularly on its findings.
- It would be possible for this Committee's terms of reference to include a focus on Infrastructure, Research and Development and Agriculture to focus on investment in these areas and its impact on regional Australia.

Policy support will also be strengthened through a Regional Development Policy Centre (a think tank) that will:

- Provide an additional source of independent expert advice to independent regional Members of the House of Representatives and other about regional policy.
- Propose new regional development policy options that will improve quality of life in regional Australia.
- Propose ways of tailoring national programs to ensure that their full benefits are enjoyed by communities in regional Australia.
- Encourage regionally-based collaboration between governments, the private sector and other organisations.
- Assess the progress of government policies in regional Australia.
- Be jointly hosted at prominent regional universities, with presence in Canberra, and possibly include other consortium partners such as professional or advocacy organisations.
- Be governed by a board comprising of up to ten members, including policy and academic experts, the independent regional Members of the House of Representatives, other parliamentarians and representatives from local government and the new federal Department of Regional Australia.
- The composition of the board will be settled in consultation between the Minister for Regional Australia and the partner organisations for the Centre.
- Be funded by a one-off Commonwealth Government \$8 million grant, which can be used for establishment of the centre and as an endowment to generate a source of ongoing income.

2.2 Accountability

- Better reporting of the picture of regional Australia will be provided by reporting regional expenditure in the Budget and in individual portfolio budget statements. This will improve the accountability of government to regional Australia.
 - The Finance Department will develop a spatial accounting model which will provide greater visibility into Government spending and service delivery – i.e. what was spent and where it was spent and the location of Commonwealth Government positions, including forward estimates assumptions reported by regional location. This will be done for mainstream service delivery portfolios such as education, health and transport.
 - Some portfolios have started this process, but it will be delivered in a more consistent manner across government, aiding transparency and informing the discussion on rural and regional funding.
 - A new myregion.gov.au website will make it easy for people to see the results of improved budget reporting for their region and will provide interactive ‘contact us’ opportunities for the community to find out more and make enquiries. Other public indicators of service performance and social, economic and population outcomes will also be reported.
- A Review of the Rural and Regional Funding Framework that will assess funding delivered to rural and regional areas and the formulas used to allocate that funding. It will look at how to ensure an equitable distribution of existing funding. The Commonwealth Government will raise this issue at the Council of Australian Governments in a similar drive for a commitment to “equity principles” in the various relevant resource distribution formulas of Governments around Australia. This will include consideration of concerns that grant funding has not been delivered at a rate that encourages regional growth and meets changing needs.

Except for the Regional Development Policy Centre, any cost arising from the changes outlined above will be absorbed from within Australian Public Service budget allocation.

3. New Regional Commitments

3.1 National Broadband Network

A Labor minority Government will ensure that every community in regional Australia gets fair and equal access to affordable high-speed broadband through the National Broadband Network. This includes:

- For the first time, broadband prices will be the same for households and businesses regardless of where they are located – in the city, in regional Australia or in more remote parts of the country.
 - For the first time, the Government will put in place a cross subsidy to achieve a uniform national wholesale price so that regional areas can pay the same price as people in the city.
 - A uniform national price for broadband will mean that unlike a phone call between Tamworth and Sydney or Mt Isa to Brisbane that costs more than a phone call within a capital city, prices for communicating through the NBN will be the same regardless of where you live.
 - High-speed broadband services in Tasmania are available for around \$60 a month currently based on wholesale prices, which will now be applied on a national basis.
- As the NBN is built, regional areas will be given priority to ensure they can more quickly overcome the 'digital divide' they have experienced for too long.
 - Fibre will be built in regional areas as a priority.
 - NBN Co will bring forward the introduction of wireless services and satellite services so that regional Australia can get access to better broadband straight away.

3.2 Regional Health Investments

A Labor minority Government will make sure that for the first time regional Australia will receive its fair share of health infrastructure funding.

- A new national round of funding from the remaining \$1.8 billion Health and Hospitals Fund will be opened on 1 October 2010. For the first time, the Government will make this a Regional Priority Round.
 - This will provide capital funding to support upgrades to regional health infrastructure, expansions to regional hospitals and help support the clinical training capacity of our regional hospitals into the future.

- Funding for all projects will be subject to HHF board approval, and will be fully offset consistent within Labor's fiscal rules.
- Around one-third (or \$41 million) of the \$123 million provided for in the 2010-11 Budget to upgrade general practices, primary care and community health services, and Aboriginal Medical Services across the country will be dedicated to regional Australia.

3.3 Regional Education Investments

A Labor minority Government will ensure that regional Australia will be the first to receive funding under key education initiatives and reforms.

- For new and existing education initiatives regional Australia will receive a minimum funding entitlement based on population shares - around 32 per cent of available funding. This means:
 - Regional businesses and workers will benefit from a dedicated \$66 million entitlement of the \$200m of the Critical Skills Investment Fund.
 - At least \$125 million of the \$388 million reward payments will be awarded to the schools in regional Australia that have shown the most improvement in student outcomes.
 - Around 330 schools in the regions will be the first to benefit from around \$15 million of the \$47 million facilitation payments allocated as part of the initial national roll out of greater local control and decision making for principals.
- For the first time the regional universities and TAFEs will have access to a dedicated to Regional Priorities Round of funding from Education Investment Fund of up to \$500 million.
 - All allocation from this funding round will be subject to EIF board approval, and will be fully offset consistent with Labor's fiscal rules.
- For the first time, a Labor Government will also develop specific regional education and skills plans in 2011 in response to the 2007 Department of Education and Employment and Workplace Relations (DEEWR) report on access to and participation in regional Australia

3.4 \$1.4 billion Regional Infrastructure Investment

A Labor minority Government will support the infrastructure needs and economic growth of regional Australia through a new \$1.4 billion investment.

A. Priority Regional Infrastructure Program

- A Labor minority Government will invest \$800 million in a new Priority Regional Infrastructure Program.
- The Program will operate over five years after the conclusion of the current Regional Local Community Infrastructure Program in 2010-11, with \$600 million to be delivered between 2011-12 and 2013-14.
- The Program will fund priority infrastructure projects as identified by local communities. Eligible projects will include:
 - Transport infrastructure projects such as bridge upgrades and road projects.
 - Community infrastructure projects such as town hall and community centre upgrades and sporting facilities.
 - Economic infrastructure projects that support local regional economies including sustaining and supporting growth in local tourism and other small businesses.

B. Developing Regions through the Regional Infrastructure Fund

- A Labor minority Government will extend funding from the \$6 billion Regional Infrastructure Fund to support local projects that unlock new growth opportunities in regional Australia.
- Across the forward estimates (to 2013-14), half of the unallocated provisions in the Regional Infrastructure Fund (\$1.1 billion) will be set aside to fund projects identified by Regional Development Australia committees in regional areas.
 - This means that over the next four years, \$573 million will be invested exclusively in projects which will expand the development and growth of regional economies.
 - Eligible projects could include transport, water and energy infrastructure projects, as well as community infrastructure to support growing communities such as childcare centres and new housing.

4. Existing Regional Commitments

4.1 Regional Infrastructure

The Gillard Government's commitment to regional infrastructure investment will include better transport infrastructure for regional Australia, including roads, railways and ports. Of the \$37 billion investment occurring in transport, \$22 billion is in regional Australia. It also means better telecommunications infrastructure and better infrastructure to support sustainable population growth across our regions.

A Gillard Government will establish a \$6 billion dedicated Regional Infrastructure Fund, to reinvest the proceeds of the resources boom in regions to help them meet the needs of communities and increase their capacity for sustainable economic growth. \$2 billion of this will be allocated to each of Western Australia and Queensland. There is an allocation of \$1.8 billion over the budget estimates.

The Government will also ensure that regional Australia gets a fair share of the next tranche of national transport infrastructure investment through Nation Building Program 2, which commences in 2014-15. The Government is committed to a major long term investment in inland rail from Melbourne to Brisbane through this program. The Federal Government will continue to identify priority projects to improve safety and efficiency on the nation's transport network.

The Government understands the need for sustainable population growth for our regions and cities while addressing and acknowledging population growth occurs at different speeds across our great country. We will invest \$200 million to help build up to 15,000 more affordable homes in regional cities over three years and relieve pressure on our major capital cities, so that Australia can grow sustainably.

This program will give participating councils new funding to invest in local infrastructure projects that support new housing developments, such as connecting roads, extensions to drains and sewerage pipes, and community infrastructure such as parks and community centres. The national investment program includes upgrades to the Hume, Pacific and Bruce Highways, and a significant investment in freight rail through the Australian Rail Track Corporation. Roads investment has been doubled. Rail investment has increased ten-fold.

In 2010-11, rural and regional infrastructure will be \$5.1 billion, 75 per cent or \$1.8 billion higher than the last full year of the Howard Government.

The Government is building more rest stops for long distance truck drivers and fixing dangerous black spots on local country roads. There are also additional funds to strengthen security at regional airports and keep remote airstrips open.

4.2 Regional Telecommunications

The Government is committed to world-class telecommunications so that regional Australia enjoys the benefits of new technology and is not left behind by a 'digital divide' between capital cities and regional Australia. That is why the Government is committed to a 21st century high-speed National Broadband Network for regional Australia.

The Government has established NBN Co Limited, to build and operate a new superfast National Broadband Network (NBN). The NBN is the biggest nation building project in Australia's history. NBN Co will invest up to \$43 billion over eight years to fund the rollout and ongoing operations of the network.

The NBN will deliver affordable, high speed broadband services to all Australians no matter where they live or work. The National Broadband Network will extend optical fibre to 93 per cent of premises, with speeds of up to 1 gigabit per second – 1000 times faster than many people experience today. Other communities will be served by next generation wireless and satellite technologies, with average data rates more than 20 times higher than most users of these technologies experience today.

The Government has also announced that NBN Co will be responsible for delivering the wireless and satellite components of the network, which will deliver speeds of 12 megabits per second or more – with average data rates more than 20 times higher than most users of these technologies experience today.

Work has started on 6,000 km of broadband backbone fibre in regional areas, including a link from Longreach to Tennant Creek through Mt Isa.

4.3 Regional Local Government

The Government recognises the importance of local government to local communities in regional Australia.

It is committed to working towards achieving constitutional recognition for local Government and continue to invest in strengthening the capacities of local councils and boosting local and community infrastructure.

The Government has established the Australian Council of Local Government, a new partnership to improve delivery of infrastructure and services, with three meetings so far. It has created a \$23 million Local Government Reform Fund to build capacity and improve financial sustainability and implement infrastructure asset management in councils, especially rural and regional councils. It has also invested \$8m in establishing a Centre of Excellence for Local Government.

IT has invested more than \$1.1 billion through the Regional and Local Community Infrastructure Fund. More than 5,000 projects have been funded. More than \$645 million (58 per cent) has gone to rural and regional areas. This is on top of \$2 billion in Financial Assistance Grants in 2010-11, more than two thirds of which (\$1.3 billion) is for rural and

regional councils. The Better Regions program involves \$176 million for local projects, more than two-thirds are in regional, rural and remote areas.

Labor has a commitment to constitutional recognition of Local Government. There have been two failed referenda in 1974 and 1988. Both were opposed by the Coalition. In 2010, the Government allocated \$250,000 for ALGA to help councils run community consultations and campaigns to build support.

4.4 Regional Development Australia

The Government has created a network of 55 Regional Development Australia Committees, a \$15 million a year commitment to engage with regional communities and provide advice to government.

The 55 committees are each doing a Regional Plan based on ground up consultation with local communities and stakeholders that incorporate community issues and priorities (e.g. jobs, population, climate change) and current data and analysis regarding each region and identify infrastructure and major project priorities and proposes future actions for each RDA to undertake in coordinating economic development for their region.

The RDPs provide the basis for ongoing engagement of rural and regional Australia. However, they will need a higher profile and broader engagement across Federal and State portfolios to achieve an outcome that will demonstrate a coordinated and cooperative approach is being taken to address their issues.

Their specific role and focus will vary across the country according to community priorities. The Labor Government is ready to work with the RDA network and regional partners to enhance their role in prioritising investment in infrastructure and services for regional communities to make sure that it goes to meet their needs and match their growth.

Examples of activities include:

- RDA Central West is hosting an export forum each year for exporters of beef, lamb and cereal crops to provide up-to-date expert information on international markets and product requirements.
- RDA Barossa is developing the Thinking Barossa Strategy to disseminate best practice, new ideas and innovation across local business.
- RDA Far North Queensland and Torres Strait and the Advance Cairns Board working together to develop an Economic Development Strategy for Cairns to support local businesses and job creation.
- RDA Wheatbelt (WA) is delivering DEEWR's Youth Connections program. This program targets services at those who are most at risk of disengaging from education, family and community.

4.5 Regional Agriculture

National Food Plan for Regional Australia

The Government recognises the critical role that Regional Australia plays in supplying the food for Australians and to tens of millions of others around the world each day.

The Government will develop Australia's first National Food Plan to better integrate food policy by looking at the food chain from the paddock to the plate. In doing so, the Government will directly engage with stakeholders throughout the production, processing, retailing and food service industries. The Plan will look at how we can continue to grow more food, more sustainably and will consider domestic and international food security including considering the impacts of development on our best agricultural land and water availability.

Regional Agricultural Innovation

The Government recognises the growth and prosperity of agriculture requires partnership between Government and industry to continually improve our agricultural productivity.

Labor has recognised that the current model for agricultural research and development has been in place for a long time and that it is opportune to review the model to ensure the growth of our agriculture can remain strong. This is why the Government has asked the Productivity Commission to review the R & D Corporations. The inquiry will look at potential overlaps and inefficiencies to ensure Australia's investment in rural R&D delivers maximum benefits for primary producers. It will also examine Australia's international aid commitments in Agriculture (through the Australian Centre for Agricultural Research ACAR). Following the PC Final Report, the Government will consult widely with the Parliament and industry stakeholders on the recommendations of the PC prior to any decisions on implementation of recommendations.

Agricultural Pesticides and Veterinary Medicines Authority (APVMA)

The Government will commit to reforms to improve the regulation of agricultural and veterinary chemicals in Australia through the APVMA. Labor will provide additional funding of \$5 million over the forward estimates, and \$10 million over 5 years. This will boost the APVMA's base funding and support a more active role in reviewing chemicals. Delivering on these reforms will help to protect human health, improve environmental protections and cut red tape for farmers and business. It will also deliver better, more effective chemicals, pesticides and veterinary medicines to our farmers.

Agriculture, Mining and Water

The Government is committed to agricultural sustainability and recognising the importance of mining to regional Australia.

The Government has funded a study into the impacts of mining on water resources in the Liverpool Plains, including the Gloucester Basin and Barrington Stroud and is committed to ensuring that the rights of existing license holders are protected and that negative population health effects are avoided. In accordance with the National Water Initiative and the Water Act, any action that impacts on water resources needs to be licensed and monitored.

The Government intends to work with the States to ensure that this approach is implemented Basin-wide to provide certainty to Basin water license holders.

These commitments build on the Government's existing achievements in agriculture, such as piloting new drought reform measures, abolishing the AWB monopoly and increasing farmers' access to overseas wheat buyers.

Biosecurity

Labor is building a stronger biosecurity system, which will help to protect our agricultural productivity and regional jobs. The Government has already delivered interim measures to help build a stronger biosecurity system with a focus on risk, while it continues to deliver on the long-term reforms outlined in the Beale Review. The Government has agreed in-principle to all 84 recommendations in the Beale Review. Labor has invested \$14.7m to build an IT system that helps 75 biosecurity information systems to talk to one another and \$20 million over four years to progress further reforms.

Landcare and Caring for our Country

The Labor Government has consistently increased funding for Landcare, investing \$81.6 million in 630 local projects across the country. The increased funding reflects the Government's strong support for Landcare and the 100,000 volunteers carrying out vital work in communities across the nation.

Caring for our Country is an important priority of the Government. Labor increased funding in the 2010-11 Budget to \$423 million. More than \$1.3 billion has been allocated to date to local, regional and nationally significant projects, including more than \$455 million approved for projects in 2009-10. This includes more than \$5 million which has been allocated to nearly 300 smaller, local community projects.

Fishing

Labor has already taken action to help reduce chemical runoff to the Great Barrier Reef through improved farming practices under the \$200 million Reef Rescue program. It has delivered grants to more than 700 canegrowers and cattle farmers along the Queensland coast to help reduce nutrients and soil run-off and increase the profitability of farms at the same time.

The Labor Government has improved certainty for the fishing industry by reducing the number of commercially harvested stocks where the status of the stock was unknown.

Labor has also introduced legislation to reduce the cost of fisheries management to Australian fishers and developed a recreational fishing industry strategy.

The Labor Government has also provided \$2.5 million through the Fisheries Research and Development Corporation, to research the decline in fish stocks and possible solutions for Australia's most valuable fishery, Western Rock Lobster.

4.6 Regional Water

The Government has developed a national strategic approach to ensure we have water for our towns, our cities, our farmers and our environment. The Government commits to further work to protect and improve water quality in coastal areas.

Murray Darling Basin (MDB) Plan

The centrepiece of the Government's MDB reforms is the Basin Plan, now under development by the independent Murray Darling Basin Authority (MDBA). Development of the Basin Plan combines best available science with a thorough assessment of potential socio-economic impacts.

Most Basin infrastructure projects will not only see water efficiency savings shared between water users and the environment, but will also see the productivity of irrigation water use improve substantially – a vital structural adjustment need in Basin communities.

By the time the Murray Darling Basin Plan comes into effect in 2014, a re-elected Government will have returned one out of every seven litres of irrigation water to the rivers, through a combination of buy backs and more efficient irrigation.

The Government anticipates that by the time the Plan comes into effect, Federal Labor's buy backs and infrastructure investment will have already delivered much of what the rivers will require to be sustainable.

The Government will bridge any remaining gap between what has been returned and what is required to be returned by the independent Murray Darling Basin Authority.

The Government will do this by continuing to buy back water each year beyond 2014, until we have returned all the water the Authority determines our rivers need in the final Basin plan next year. The Government will do this consistent with the historical rate of purchase under this Government. Any buy backs will be subject to the availability of water for purchase from willing sellers.

The Government is determined to provide the rivers with the water they need, and to provide certainty for farmers using water from the rivers.

NSW regional water planning package

Under the terms of the MOU on Menindee Lakes and NSW Regional Water Security between the Australian Government and the NSW Government, up to \$300 million is available to NSW regional water security projects subject to outcomes from the Menindee water savings initiative.

Funding will enable eligible local water authorities to prepare long-term water security plans and undertake feasibility assessment work, thereby enabling them to seek implementation funding on an equal basis with water authorities in the Murray Darling Basin. The Australian Government will issue a call for applications under this new program during 2010-11.

4.7 Caring for our Coasts

The Government understands the potential for climate change to impact on our way of life and our assets particularly in our coastal regions right around Australia which are vulnerable to rising sea levels.

Labor's \$25 million 'Caring for our Coasts' Policy has enabled, for the first time, detailed research on the risks of climate change for coastal communities around Australia. This work has included the release of "Climate Change Risks to Australia's Coasts" in November 2009, the first-ever mapping of the risks from sea level rise to coastal communities.

To address the impacts of climate change and respond appropriately it is vital we have good data on which to base the response. Continuing the Caring for our Coasts work, in particular enabling more localised information about the risks from climate change to our coasts, will provide further data that will inform the most appropriate way forward.

It will also be an integral part of our response to the recommendations of the House Standing Committee on Climate Change, Water, Environment and the Arts' Inquiry into climate change and environmental impacts on coastal communities.

A returned Gillard Government will commit to providing a formal response to the House Standing Committee on Climate Change, Water, Environment and the Arts' Inquiry report within three months of forming a new Government.

4.8 Regional Health

The National Health and Hospitals Network reforms offer an opportunity to better customise health and hospital services to meet the needs of local communities – including the unique needs of regions.

The Government's health reforms are about better supporting our regional health services, which often already lead the way in innovation for delivering health care services.

The Government will establish Local Hospital Networks and Medicare Locals to ensure that communities can have more of a say in the way in which their hospitals are run.

It is investing \$560 million to establish 21 regional cancer centres across the country, including infrastructure and patient accommodation and \$370 million for more than 60 GP Super Clinics (with half located outside major cities) and over 400 grants of up to \$500,000 to existing GP and primary care practices to add space to provide more services.

The Government is providing 500 communities and more than 2,400 doctors increased incentives of up to \$120,000 a year to move and work in rural and remote areas.

It will train 6,000 GPs and specialists over the next decade, with around 50 per cent of these training places to be in rural and regional areas.

The Government has also provided Medicare Benefits Schedule and Pharmaceutical Benefits Scheme access to better financially support nurse practitioners and midwives. This will particularly benefit rural areas where access to maternity services is more limited and where nurse practitioners more often tend to work.

The Government will invest \$392 million to provide Medicare rebates for online consultations with specialist doctors for people living in rural and regional Australia – helping health professionals take advantage of services a National Broadband Network will enable.

The Government is also committed to implementing a personally-controlled electronic health record for all Australians, and is investing \$467 million so that vital health information can be shared and integrated across the multiple health services Australians living in regional areas often have to use.

Through its investments in improved primary care and improving access to out of hours GPs and health services, as well as dedicated headspace youth mental health centres, the Government will help to provide mental health services in the community.

The Government will also invest \$277 million to deliver an integrated package of measures to prevent and reduce suicide, including providing more clinical and non-clinical support services and outreach teams for schools affected by suicide. Funding for these programs will be targeted to those at greatest risk of suicide – including regional areas, indigenous communities and men.

The Government will also seek to re-establish Commonwealth funding for public hospital dental services, as part of its \$290 million commitment to a Commonwealth Dental Health Program.

4.9 Regional Education

The Government believes that every student should have access to a world-class education no matter where they live.

The Government will renew its commitment to regional education by strengthening national policies to ensure that they effectively meet the needs of students from across the country.

To improve access to tertiary education, from 2012 Labor will ensure that every student who qualifies will be guaranteed access to a university place.

In order to ensure the students have access too much needed services, the Government will introduce an amenities and services fee of up to \$250 per year. This is particularly important for regional and outer metropolitan universities. Students will be able to add this charge to their HECS.

As part of its commitment to ensure Australian universities are properly resourced, in line with the Bradley recommendations the Government will review the cluster/discipline funding rates of universities so that funding for teaching and learning remains internationally competitive.

The Government will deliver a comprehensive plan to make every school a great school. Across the key commitments Labor will ensure a focus on delivery for regional students including for:

- Reward payments for great teachers and developing an equitable national performance management framework that takes into consideration regional and rural factors
- MySchool enhancements and providing more transparent information about school performance and new online resources for teachers, parents and students
- National Curriculum including the implementation of new National Trade Cadetships, the development of an Australian Baccalaureate and the implementation of the first phase National Curriculum subjects and consultation on second phase subjects.

Through its curriculum and assessment reform commitments the Government will help to ensure that all regional school students can access world class qualifications.

New National Trade Cadetships will provide vocational training for secondary school students delivered through the national curriculum in Trade Training Centres ensuring that the skills students learn meet demanding national and industry standards. National Trade Cadetships will provide credit towards an apprenticeship or further training.

The Australian Baccalaureate will provide the next platform of Australia's world class education system. It will provide high performing secondary students with the opportunity to gain an internationally recognised senior secondary qualification that benchmarks their attainment nationally and recognises a wide range of their achievements. This will provide students with a nationally consistent pathway to higher education and further study opportunities within Australian and overseas.

Combined with the opportunities for digital learning created by the National Broadband Network, these reforms will help to extend opportunities to learn subjects like music, arts

and second languages to students in all communities and make access to internationally recognised qualifications more widely available for regional students.

Finally, Federal Labor is committed to ensuring that regional communities have the strong professional, technical and trade skills base they need.

We have ensured that every TAFE institute across urban and regional Australia has received a major upgrade of training facilities through the Teaching and Learning Capital Fund for VET.

The extension of the Education Investment Fund has supported innovative training delivery to rural and regional communities in the Northern Territory and South Australia. A \$300 million investment in supporting employers to take on trade apprentices has been strongly supported by regional employers, including the Illawarra, Hunter and north Queensland regions.

Some communities are vulnerable to professionals leaving to seek other opportunities with implications for health, education, financial and IT services. In growing regional communities, it is clear we need to act to ensure we have sufficient skills to meet building and construction, infrastructure, tourism, health and other community needs.

The Government is committed to ensuring that more students finish Year 12 and gain tertiary qualifications.

Rates of participation by rural and regional students declined over the 12 years of the previous Coalition government.

The Government has focused on the concerns of the Bradley review and the need to lift post-school educational participation rates.

The Government has also reformed student income support to expand access. This includes over 150,000 new scholarships, an increase to the parental income test which will benefit over 100,000 students and a reduction in the age of independence.

- In addition to this, the Government has committed to a \$20 million regional hardship fund for scholarships. Eligibility will be determined by a panel that will include regional representatives.
- Students in outer regional, remote and very remote areas will still be able to access income support under the old independence criterion if they need to move to study and their parental income is below \$150,000.
- The Government has also committed to complete a review of the new system of student income support by 1 July 2012.

In order to turn around low tertiary attainment levels, the Government is providing \$433 million over four years to reward institutions that enrol low SES students. Regional

ANNEX B

universities and outer metropolitan universities are prime beneficiaries given their student profile.

The Government is also providing \$400 million in funding (\$200 million to meet capital requirements and \$200 million to meet recurrent requirements) to assist outer metropolitan and regional universities to adapt to the new student focused university system being introduced in 2012.

To ensure sustainable regional provision, the Government is also reviewing the Regional Loading paid by the Government (which totalled \$31.2 million in 2009) to eligible higher education providers in recognition of the higher cost of providing places at regional campuses. Recommendations from the Review Panel chaired by Professor Richard Larkins will be considered as part of the 2011 Budget.

The deal Oakeshott brokered for Lyne

10 Sep, 2010 12:00 AM

LYNE'S independent MP Rob Oakeshott this week sided with New England independent Tony Windsor to allow the Labor government to establish Parliament. It took both independents – and a third, Bob Katter from the North Queensland electorate of Kennedy – 17 days to decide who they would let govern in a hung parliament. Both the Coalition and Labor held extensive negotiations with the independents in an attempt to broker a deal. What did Labor offer Mr Oakeshott? What follows is the letter from Prime Minister Julia Gillard spelling out the arrangements.

Dear Mr Oakeshott

THANK you for signing an agreement on September 7 for a government to be formed based on support for confidence and supply.

The agreement recognises your continued status as an independent Member of Parliament and your ability to determine your vote on all legislative matters, except confidence and supply.

Pursuant to the agreement that you have signed, which includes a much stronger governance framework for regional policymaking, I can confirm that in addition to the Australian Labor Party's 2010 election commitments and the matters outlined in agreements with the Australian Greens and other independent MPs, a new government will pursue the following policy program during the term of the 43rd Parliament to advance the interests of regional Australia, including the interests of the constituents of Lyne.

A Labor minority government will support the expeditious construction of the Pacific Highway from Hexham to the Queensland border, and will:

- a) Accelerate planning work on the 37.8 kilometre section of the Pacific Highway from Kempsey to Port Macquarie with an additional investment of \$35 million over three years towards property acquisition, geotechnical work and site preparation that is necessary to get this project 'shovel ready'.
- b) Develop a more reliable cost estimate for the project so that a budget allocation can be made to accelerate major construction work, based on the accelerated planning work.

A Labor minority government supports the establishment of a multi-partner university campus on the mid north coast of NSW, and will:

- a) Provide \$20 million in seed funding from and following a Regional Priority Round of the Education Investment Fund.
- b) Funding for this project will be subject to EIF board approval, and will be fully offset consistent with Labor's fiscal rules.

A Labor minority government supports the expansion of the Port Macquarie Base Hospital in NSW, and will:

- a) Fund the fourth pod for the Port Macquarie Base Hospital, at an estimated cost of around \$75 million.
- b) Funding for this project will be subject to HHH board approval, and will be fully offset consistent with Labor's fiscal rules.

A minority Labor government will facilitate discussion of future tax reform as follows:

- a) Convene a public forum of experts on taxation and its economic and social effects to discuss the Henry Review, with that meeting to be held before June 30, 2011.

A minority Labor government will also seek to prioritise the following local projects when considering funding allocations from the new \$800 million Priority Regional Infrastructure Program or the Regional Infrastructure Fund:

- a) Local roads and timber bridge replacement package in response to the Percy Allan Review into the roads maintenance back log at Greater Taree City Council.
- b) The Mid North Coast Aviation Plan for business expansion and airport access expansion at Taree, Port Macquarie and Kempsey airports.
- c) Upgrade the Bucketts Way at Krumbach – the main regional road between Gbuicester and Taree.

A minority Labor government will also pursue the following other matters:

- a) A referendum during the 43rd Parliament or at the next election on recognition of Indigenous Australians in the Constitution.
- b) Develop a proposal for a pilot of the Industry Vocational Training and Employment Centres for priority funding through the 2011 round of the Indigenous and Industry Skills Centre.
- c) Release a full response to the bi-partisan Coastal Erosion Report within three months of forming government.
- d) Extend Priority Employment Areas, including regional job expos, through to 2013.
- e) Establish a Parliamentary Committee to consider the ability of small businesses in regional Australia to access affordable credit.

I look forward to working with you during and beyond the upcoming Parliamentary term.

Yours sincerely

Julia Gillard



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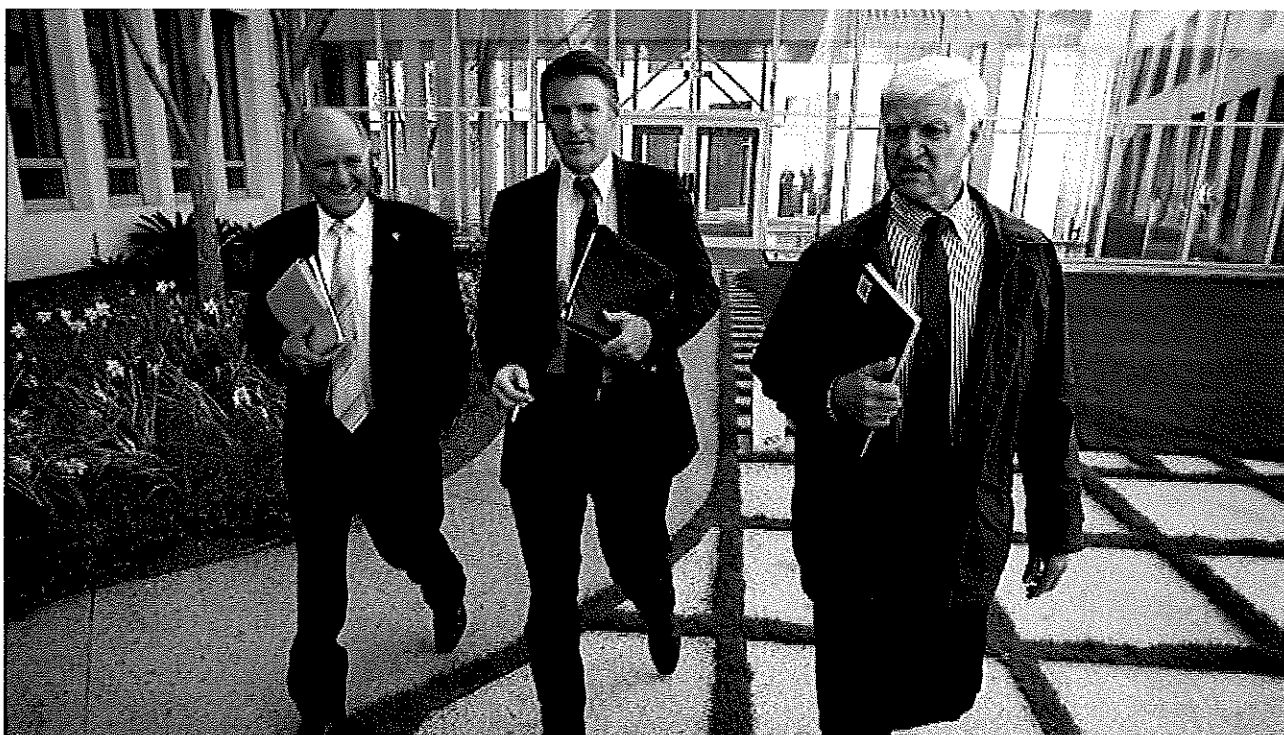
Tony Crook backing clears way for Tony Abbott government

- Patricia Karvelas and Lauren Wilson
- From: The Australian
- September 06, 2010 9:12PM

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Independent MPs Tony Windsor, Rob Oakeshott and Bob Katter at Parliament House yesterday. Picture: Ray Strange

Source: The Australian

THE final hurdle between the trio of independents possibly supporting a Coalition government was removed late last night, when West Australian Nationals MP Tony Crook publicly confirmed he would support an Abbott government on supply and no-confidence motions.

Rob Oakeshott and Tony Windsor had earlier demanded Mr Crook make his position clear, saying they would have no "genuine" choice to make between the two major parties if Mr Crook did not clarify his position within a possible Coalition government.

The Coalition has 72 seats in parliament and needs 76 to govern. It has been widely assumed that Mr Crook, a Nationals MP who has left open the option of sitting on the cross benches, would bring the Coalition's total to 73, but Mr Oakeshott yesterday said that assumption needed to be confirmed publicly before a decision could be made as early as today.

In response, Mr Crook last night vowed to support the Coalition on supply and no-confidence motions.

"We have been clear throughout the campaign and in the weeks since that because of the mining tax we oppose any Labor-Green government", Mr Crook said last night.

"I will support the Coalition to form a minority government, but I would like to make it clear there has been no commitment or agreement on our key policy; therefore I will be on the cross benches until that policy is met."

Mr Crook said he would have himself counted as a member of the Coalition minority government but would still sit on the cross benches.

With Mr Crook taking its tally to 73, the Coalition could form a government with the backing of the three regional independents. The other hurdle to forming a government, an agreement on parliamentary reform, was also resolved yesterday.

Mr Crook last week met Tony Abbott to demand a "fairer" carve-up of GST funding for his state. He also wants more money for regional West Australian infrastructure projects.

Mr Oakeshott said earlier in the day that if the position of Mr Crook was clarified, a decision on who forms government could come today.

Mr Windsor said he and Mr Oakeshott would meet Mr Abbott last night. They would "probably" meet Julia Gillard after that.

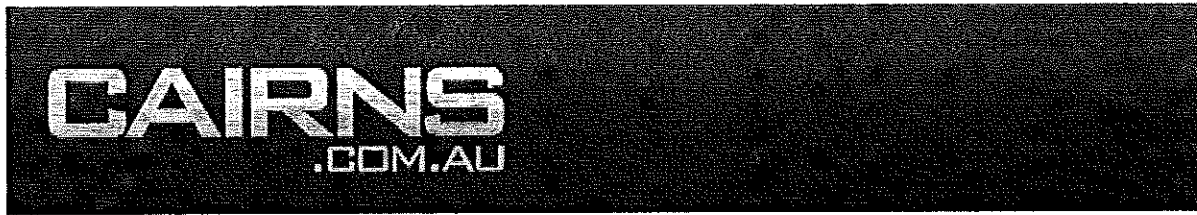
"Depending on how long they take and whether there's any sticking points, it (an announcement on who they're backing) should be tomorrow," Mr Windsor said.

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Bob Katter releases wish list

Jennifer Eliot

Friday, September 3, 2010

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INDEPENDENT MP Bob Katter has revealed the issues political leaders must address if they hope to gain his vital support in forming a new federal government. Read all 20 policy points.

The Member for Kennedy yesterday handed Prime Minister Julia Gillard and Opposition Leader Tony Abbott his 20-point wish list, which includes busting up Coles and Woolworths' market power, scrapping the carbon tax scheme, creating a "clean" national energy grid and curbing imports.

He said his key policy points "are for all Australians" and only one of his requests – the construction of a port in the Gulf – was specific to north Queensland.

[Bob Katter prepares his own wish list](#) | [Bob Katter's week in wonderland](#) | [Independent MPs ask Coalition, What are you hiding?](#) | [Balance of power struggle puts spotlight on Bob Katter country](#) | [Twitter goes wild for Bob Katter facts \(#bobkatterfacts\)](#) | [Bob Katter lays down law of the North](#)

The wish list was delivered on a day when Tasmanian Independent Andrew Wilkie pledged his support to Labor, effectively giving the Gillard team 74 seats in Federal Parliament, with the Coalition on 73.

With 76 seats needed to form government, the votes of Mr Katter and fellow undecided independents Rob Oakeshott Tony Windsor are crucial in deciding the nation's balance of power.

"This document would clearly indicate arguments both ways (for Liberal or Labor)," Mr Katter told The Cairns Post last night.

"I want to tell the traditional Labor and Liberal voters that at my time of life and career, there is no way I am going to sell them out.

"We have a position of power and it would be counterproductive to hold a gun to people's head.

"But we have not had a fair go and we have an opportunity to get something."

Getting "a fair go", Mr Katter said, would include using the Future Fund to create a national development corporation to invest in major infrastructure in strategic industries.

He proposes using 3 per cent of northern Australia's water to provide security to regional agriculture and food producing capabilities.

Ms Gillard and Mr Abbott are expected to reply soon to Mr Katter's document.

Those responses will be crucial in shaping the support of the independents, with Mr Katter last night suggesting he and fellow undecided independents, Rob Oakeshott and Tony Windsor, shared similar concerns and may vote in a bloc.

"We are not effective if we don't work collectively," he said. "We have been forced into a situation where we have

to work collectively."

Mr Katter conceded it was unlikely all items on his wish list would win approval but he said the majority of the issues represented the concerns of his Kennedy electorate.

Mr Katter called on the people of Kennedy to understand the decision to vote Independent had given the bush power after many years of neglect.

BOB KATTER'S 20 POINT WISH LIST

1. (Resources and Energy) Creation of a National Energy Grid facilitating: resource development, the decentralisation of population and continuous access to clean energy resources, specifically solar, bio-fuels, wind and geothermal.

Government commitment to the clean energy projects along the North Australia Clean Energy Corridor section of the grid is essential to achieving a range of policy objectives common to both the ALP and Liberal Party.

While the two giant projects, the Kennedy Wind Farm and the Pentland Solar Bio-fuels plant, require little financial assistance, they do require a strong government commitment.

2. (Treasury) The removal of the tax on Australian-produced bio-fuels and the introduction of a statutory 10 per cent bio-fuel (ethanol) content in all petrol rising to 22 per cent (as in Brazil).

Such to be overseen by a production and marketing implementation board controlling prices from farm gate to bowser and allocating production centres (sugar and grain). Such board to exclude representatives of the oil corporations and Woolworths and Coles.

This will restore self sufficiency in oil; removing the aromatics and small particle emissions — both carcinogenic; reducing the price of fuel to Brazil/USA prices — 73c/L and 84c/L respectively.

These are Sao Paulo and Minnesota prices in 2008. The Australian price at the same time was \$1.38 per litre.

This process will reduce the carbon footprint, restoring viability to the grains, cattle and sugar industries and creating 30,000 jobs in rural Australia.

3. (Trade) The two chain oligopoly — market concentration — in the Australian food retailing sector to be addressed.

The option of divestment (a maximum market share for any chain of 22.5 per cent only) and /or the European approach of a maximum mark-up of 100 per cent between the farm gate/factory price and the retail price with a board to determine "unders and overs" and exceptions to the rule; or some other similar proposal to restore a fairer and/or more competitive marketplace.

To preserve the Trade Practices Act as it is (including the sanctions on predatory pricing) and to amend Section 46 to remove the requirement to prove motive with respect to anti-competitive behaviour.

The provision of a proof of sale between the farmer and the wholesaler or agent/merchant (the Farm Mandatory Code of Conduct) — a simple sales docket is all that is asked for here.

4. (Treasury) No carbon tax. No emissions trading scheme — both would involve a cost imposition upon electricity users, and virtually every person in every walk of life. It would tend to render all our export industries non-competitive. Carbon and pollutant reduction to be achieved by renewables — solar/biomass and other government initiatives and incentives (refer to ethanol).

5. (Treasury) No mining tax. Having regard to the funding implications of such, to in lieu impose a customs duty of 5 per cent on all imports (excluding services). Such to be in compliance with the GATT agreement Article XII.

6. (Environment; Agriculture, Fishing and Forestry).

Return of recreational freedoms enabling an increased access to traditional pursuits of fishing, camping and outdoor sports and activities.

As part of this restoration, we include the removal of the Wild Rivers Legislation and other such sanctions which have deprived, among others, our First Australians from any hope of achieving economic self-determination and independence (aquaculture, cattle, farming and tourism).

All are seriously impeded — some precluded by what has been rightly described by Noel Pearson as theft — the seizing and confiscation of these rights when no compensation was provided or offered.)

7. (Prime Minister's Department) The provision of title deeds providing ownership of homes, businesses and farms — a right enjoyed by every other Australian and most people on Earth.

Such deeds to be inalienable — that is, cannot be sold to non-community residents — otherwise they are simple, ordinary freehold title. This privately owned title deed is essential for the foundation of an economy or even any economic activity.

The building of all First Australian housing to be by exclusively local indigenous labour. Probably 2000 homes in Queensland in the mid-late 1980s were built exclusively by local indigenous labour.

8. (Attorney-General's Department) The enactment of legislation to ensure that the constitutional right to full compensation for the taking of property by government be extended also to the taking of any property "rights" by government.

9. (Treasury) Commitment to the use of some part of the Future Fund for the creation of a national development corporation aimed at lending/investing to major infrastructure and strategically important industries.

Such monies only to be allocated where government backing and guarantees for the initiatives are provided. Terms of reference for the management of this fund should give priority to long-term goals achieving Australian self-sufficiency in food and fuel.

Examples of such initiatives would be multi-user mining infrastructure, ports, rail and energy corridors, dams for irrigation, seeding capital for ethanol, funding for Australia to "buy back the farm" (mining, milk processing, sugar processing — all these industries, once Australian-owned, are now predominantly foreign-owned). Again, such initiatives would naturally entail tight, prudential constraints.

10. (Workplace Relations) Assurance that employees will maintain their current rights to collective bargaining, as well as their right to arbitration.

That these same rights be restored to Australian farmers and that where a majority of farmers in an industry request collective bargaining arrangements, that such be provided with rights the same as those enjoyed by every Australian employee.

It must be noted that Australian farmers enjoy an average subsidy/tariff support of around 5 per cent, whilst their competitors in the OECD countries (including EU and USA) enjoy average support levels of over 35 per cent.

In the non-OECD countries, the Philippines for example, wages are \$AU4.05 a day. On the other hand, our farmers selling on the Australian markets have effectively only a two-supermarket monopoly to sell to. (The two giant supermarket chains hold over 85 per cent of the market.)

11. (Health) Agreement that rural and country hospitals and dental services will be placed under the control of a restored local hospital board and that funding be delivered from Canberra directly to these hospital boards.

12. (Trade; Attorney-General's Department) Agreement that where a food or plant import licence has not been approved, approval can only be granted when the country of origin can establish that it has no endemic diseases that can be imported into Australia (diseases that would threaten our native flora and fauna as well as our food production).

The administration for this Act should be placed under a more legalistic jurisdiction (the Attorney-General's Department has been suggested) providing objectivity, judicial review and avenues of appeal.

Also, that there be enacted laws to ensure statutory obligations for testing and assessment of all imported food and plant product and that such be much more frequent than the current regime (of which current requirements are, in any event, not mandatory).

13. (Water) The utilisation of 3 per cent of northern Australia's abundance of water to enable irrigation for small areas of agricultural land sufficient to guarantee a healthy growth in Australia's agricultural sector and to provide food security for our people.

Australia is already now an importer of pork, fruit and vegetable and seafood.

The Murray-Darling utilises 42 per cent of its water for agriculture and this currently provides around half of Australia's agricultural produce, but this is soon to be cut dramatically, further removing Australia's self-sufficiency in food. The northern one-third of Australia has 305 million mega litres of water; the other two-thirds has 83 million mega litres and yet accounts for almost all of Australia's farming)

14. (Infrastructure, Transport, Regional Development) Agreement to the establishment of a three-department infrastructure taskforce to, within four months, prepare a Cabinet submission to secure action to provide: Sea safety on the north-east coast of Australia through the provision of safe, all-weather anchorage roughly every 30km. The initiative is to be prioritised in the high-use boating and tourism areas between Cooktown and Ingham. (Nil finance required; cost of a draft plan should be done in-house.)

To achieve micro resource development, the utilisation of land and water. This requires projects at five towns in the Queensland Gulf and Mid-West, such Cabinet submission to be completed within three months of taking government. (Negligible finance required; cost of the draft plan should be done in-house.)

The provision of a port to service the southern Gulf of Carpentaria.

Upgrading of the McEwen highway in North Queensland. Much of the highway is still one lane with high shoulders. This upgrading provides an alternate route to the existing National (coastal) highway, currently the only access corridor to Far North Qld. This will provide all-weather access to one of Australia's major horticultural and tourism areas.

The coast (Bruce) Highway is cut off regularly during Northern Australia's annual flood and cyclone season. (Small but significant funding is required.)

15. (Ageing) To help overcome the stress and financial burden placed upon pensioner aged Australians and other people on fixed government allowances, assistance in the form of, for example, government-provided solar hot water systems and/or other measures to reduce the money problems on our older generation caused by

rapidly escalating costs for rates, electricity, insurances, car registration and other similar charges, which, increasingly, they are unable to meet.

16. (Families) A family policy that includes equal rates of government-funded parental assistance for not only working mothers, but stay-at-home mums as well.

17. (Prime Minister's Department) An agreement that the Commonwealth meet with the Queensland Government and secure relaxation of restrictions on land sub-division and boundary realignment prohibitions and to establish a joint department to fast track such applications.

The purpose of which will be securing the release of suitable land for housing development, thus presenting a substantial reduction in the price of housing and encouraging further decentralisation of population out of south-east Queensland and Sydney.

Affordable housing for our young people, heading off toxic home lending and a respect for the rights of property holders are just some of the essential considerations.

18. (Treasury) The government to provide assurance that it will address the unfair and artificially high value of the Australian dollar, on which upward pressure is placed by interest rates that are out of step with international benchmarks (Reserve Bank of Australia 4.5% compared to Bank of Canada 0.75%, Bank of England 0.50%, European Central Bank 1.00%, Bank of Japan 0.10%, Federal Reserve Bank of NY 0.13%. Source: F13 International Official Interest Rates — Reserve Bank of Australia).

19. (Foreign Affairs) Introduce an open, public registry of foreign ownership of farm land, housing, public and private corporations and re-examine the thresholds on foreign ownership requiring FIRB approval.

20. (Treasury) A review of zone allowances for remote areas. There has not been a review since John Howard's review in the early 1980s. Tax should be levied on "real purchasing, not monetary purchasing power". \$100 buys a lot less goods and services in Cloncurry than it does in Brisbane. Any review would clearly point to offsets.

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Dear Tony/Julia

The following issues are important to the nation. They come obviously and uniquely from the perspective of a North Australian member of parliament.

This is not a list of conditions, but does provide a guideline to priorities during the coming parliamentary term.

There is naturally and quite rightly a need for finalisation of the election outcome.

Positive indication that the incoming government would accommodate these interests would certainly assist in the current decision-making process.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bob Katter', with a long, sweeping flourish extending to the right.

Hon Bob Katter MP
Member for Kennedy

The Hon Julia Gillard & Mr Andrew Wilkie ('the Parties') - Agreement

Between:

The Hon Julia Gillard MP Prime Minister

And

Mr Andrew Wilkie MP - elect MP Denison

1. Purpose

- 1.1 This agreement establishes a basis for stable and effective government.
- 1.2 Mr Wilkie will maintain his right to vote on all legislation according to the needs of his electorate and his conscience, but undertakes to involve himself in negotiations with the Government before exercising that right.
- 1.3 Mr Wilkie will vote with the Government to ensure supply.
- 1.4 Mr Wilkie will oppose any motion of no confidence in the Government unless the motion is moved or seconded by Mr Wilkie.

2. Principles

- 2.1 The Parties agree to work together to pursue the following principles:
 - a) transparent and accountable government;
 - b) improved process and integrity of parliament; and
 - c) policies which promote the national interest.

3. Promoting open and accountable government

- 3.1 The Parties will work together and with other parliamentarians to promote open and accountable government.
- 3.2 The Parties acknowledge specifically that reform proposals are being developed on:
 - a) Online registering of lobbyists
 - b) Establishing a Leaders' Debate Commission

- c) Funding of political parties and election campaigns
- d) An Information Commissioner and public interest disclosure
- e) Producing a Statement of Legislative Intent at the beginning of each Parliamentary Sitting to set out the Government's legislative program
- f) Holding referenda during the 43rd Parliament or at the next election on Indigenous constitutional recognition and recognition of local government

3.3 The Parties agree to work collaboratively with each other and other parliamentarians on the reform proposals detailed in Clause 3.2.

3.4 The Parties agree to introduce legislation to protect whistle blowers and seek to have such legislation passed by 30 June 2011.

4. Improved processes and integrity of parliament

4.1 The Parties agree to work together and with other parliamentarians to implement parliamentary reforms.

4.2 The immediate reforms include:

- a) Improving Question Time in the House of Representatives by setting fixed time limits for questions and answers with supplementary questions given at the discretion of the Speaker.
- b) A fixed and fair allocation of questions for independent and minor party members with the first question no later than the 6th question in each Question Time.
- c) At least 2.5 hours dedicated for debating and voting on private members' bills including a fixed and fair allocation of time for independents and minor party members in every full sitting week in both houses.
- d) In addition to clause 4.2(c), dedicated time for voting on motions from independents and minor party members in every full sitting week in the House of Representatives.
- e) The House of Representatives will debate and vote, during Government Business time, private senators' bills as passed by the Senate within 6 sitting days of the message being received by the House.
- f) Amending the Standing Orders of both Houses so that there can be a recommittal of any vote within one sitting day where a member was absent from that vote due to inadvertence.
- g) Agreeing that in the House of Representatives, 'pairs' may be made by private arrangement during votes, similar to the arrangements which currently occur between Whips in the Senate or that another arrangement to facilitate Members who cannot attend due to ill health, family circumstances or performing Government or electorate business be agreed.

- h) Providing for 90 second statements and three minute electorate statements in the chamber and main committee.
- i) Establishing a Code of Conduct and behavioural standards for Members of the House and Senate.
- j) Reforming and strengthening parliamentary committees by reducing the number of general purpose committees, enhancing the role of cross-bench members, conducting an external review of committee staffing and establishing a new cross-party committee on staffing and appropriations.

4.3 Further reforms include:

- a) Establishing within 12 months a Parliamentary Budget Office within the Parliamentary Library with the structure, resourcing and protocols being the subject of decision by a special committee of the Parliament which is truly representative of the Parliament.
- b) Establishing within 12 months a Parliamentary Integrity Commissioner, supervised by the Privileges Committees from both houses to:
 - i. provide advice, administration and reporting on parliamentary entitlements to report to the Parliament;
 - ii. investigate and make recommendations to the Privileges Committees on individual investigations, to provide advice to parliamentarians on ethical issues; and
 - iii. uphold the Parliamentary Code of Conduct and to control and maintain the Government's lobbyists register.

5. Working relationships

- 5.1 The following arrangements will govern the working relationship between Mr Wilkie and Ms Gillard for the duration of the 43rd Parliament. These arrangements may be altered by mutual agreement.
- a) When Parliament is in session, Ms Gillard will meet with Mr Wilkie each sitting week, principally to discuss and negotiate any planned legislation.
 - b) When Parliament is not in session, Ms Gillard, or her delegate, will meet with Mr Wilkie, or his delegate, at least once each fortnight, principally to discuss the upcoming legislative agenda.
 - c) The Government will endeavour to give at least six working days notice of the introduction of legislation to the House.
 - d) The Parties will ensure that the Government's budget is subject to an exchange of information and views between the Parties as follows:

- i. Mr Wilkie receiving economic and financial briefings from the Treasurer and the Minister for Finance and the Secretaries of the Departments of Treasury and Finance and Deregulation at regularly agreed times.
 - ii. Mr Wilkie having regular discussions with the Treasurer and the Minister for Finance on economic circumstances, fiscal strategy and budget preparation.
- e) Should Mr Wilkie wish to propose new policies, these proposals may be formally submitted to the Office of the Prime Minister and forwarded to the appropriate Department and Minister for analysis. Where the proposal is likely to involve costs, it may also be sent to the Department of Treasury, and the Treasurer, and the Department of Finance and Deregulation, and the Minister for Finance, for costing.
- i. The number of proposals that may be considered in this way is not limited in number but the Parties will ensure that the workload arising is reasonable.
 - ii. Every endeavour will be made to provide required advice within ten business days.
 - iii. The Parties acknowledge that during the six week period leading up to the Federal Budget, the turnaround time may be greater than ten business days.
- f) The Parties acknowledge that the above mechanism can be used to have any of Mr Wilkie's policies for the 2010 election considered.
- g) Senior staff members of the Office of the Prime Minister and Mr Wilkie's Office will liaise to ensure that Mr Wilkie has access to Ministers, key public servants and Ms Gillard, as outlined above.
- h) The Parties recognise that providing appropriate staffing support to Mr Wilkie requires urgent consideration and the Parties will work to ensure this task is undertaken at the earliest opportunity by the new cross-party committee on staffing and appropriations, which will be formed the first week that Parliament sits.
- i. Until such time as the staffing review is complete, Mr Wilkie will be allocated two staff, both of which will be personal staff, in addition to his electorate office staff.

6. Royal Hobart Hospital

- 6.1 The Parties agree that the redevelopment of the Royal Hobart Hospital is of vital importance to the people of Tasmania.
- 6.2 The Labor Government will contribute \$100 million upfront to enable the construction of the Women and Children's Hospital in Hobart to commence by the end of 2010.
- 6.3 The balance of the Labor Government's contribution to the \$565 million redevelopment of the Royal Hobart Hospital announced during the Tasmanian State election campaign will be delivered from and following a new national round of the Health and Hospitals Fund

- 6.4 The Labor Government will open a new round of applications to the Health and Hospitals Fund (HHF) for investments in major hospital projects, commencing 1 October 2010. All States and Territories, major hospitals, health research institutes and universities will be able to apply for funding to upgrade hospital infrastructure.
- 6.5 The Tasmanian Government will be invited to make an application to the HHF for up to \$240 million (for a total contribution to the RHH redevelopment of \$340m), to be used towards the \$565 million redevelopment of the Royal Hobart Hospital.
- 6.6 The Parties acknowledge that the Tasmanian Government's application for funding for the Royal Hobart Hospital redevelopment will be assessed by the HHF Advisory Board, alongside other submissions which may be received from any other parties.
- 6.7 The Parties acknowledge that the Tasmanian Government's application for funding will need to meet the HHF evaluation criteria in order to receive funding, including that the proposal:
- a) addresses national infrastructure priorities (including that it will contribute to meeting the Government's health reform targets);
 - b) demonstrates high benefits and effective use of resources;
 - c) efficiently addresses infrastructure needs; and
 - d) meets established standards in implementation and management.
- 6.8 The Parties acknowledge that the Tasmanian Government has previously applied for funding for the Royal Hobart Hospital from the HHF, but that circumstances surrounding the Tasmanian Government's plans for the Royal Hobart Hospitals have since changed:
- a) In early 2009, the Tasmanian Government submitted an application to the HHF for \$60 million for improvements to the existing Royal Hobart Hospital site.
 - b) The Parties acknowledge that the HHF Advisory Board recommended against the application at the time, on the grounds that the Tasmanian Government's business case could not stipulate what the longer term solution for the Royal Hobart Hospital would be.
 - c) The Parties acknowledge that the Tasmanian Government has undertaken further work on a long term solution to the Royal Hobart Hospital.
 - d) The Parties acknowledge that the Tasmanian Government is now in a position to make a submission to the HHF board for a long-term project solution to the Royal Hobart Hospital.
 - e) The Parties note a new call for applications to the HHF for major hospital projects was envisioned under Clause 13 (d) of the National Health and Hospitals Network Inter-governmental Agreement.
 - f) The Parties acknowledge that the new call for applications for the HHF funding is occurring in this time frame because of this agreement.

- g) The Parties acknowledge that all spending out of the Health and Hospitals Fund would need to be fully offset, consistent with the Government's fiscal rules.
- 6.9 The Parties acknowledge the unique circumstances of the Royal Hobart Hospital redevelopment, in that a small state like Tasmania does not have the financial capacity to invest in a major hospital infrastructure project without assistance from the Commonwealth Government.
- 6.10 The Parties acknowledge that the National Health and Hospitals Network Agreement states that in addition to the Commonwealth's 60 per cent contribution to public hospital capital, the Commonwealth may also choose to invest in national priority areas, or in geographic or functional areas of identified capital under-investment, following consultation with relevant states or territories.
- 6.11 The Parties agree that this investment in the redevelopment of the Royal Hobart Hospital is intended to, and will lead to, the provision of extra hospital services in Tasmania.
- 6.12 The Parties agree that the National Health and Hospital Network agreement struck on 20 April 2010 (which would be terminated by a Coalition government) provides an unprecedented opportunity to permanently lock in more Commonwealth support for Tasmanian hospital and health services, and associated capital investments, into the future, including at a redeveloped Royal Hobart Hospital. This is because:
- a) the redevelopment of the Royal Hobart Hospital will increase the Hospital's service capacity, attracting a greater Commonwealth contribution under its reforms to provide 60 per cent of the efficient price of each public hospital service;
 - b) the Commonwealth's contribution towards 60 per cent of capital funding is automatically linked to the number of services delivered, according to a pre-determined formula; and
 - c) accordingly, greater capacity for service throughput will also expand support to the Tasmanian Government for maintenance, ongoing refurbishment and other capital needs into the future, beyond any one-off contribution to the redevelopment of Royal Hobart Hospital.

7. Poker Machines

- 7.1 The Parties agree that problem gambling, especially through poker machines, is an important issue which must be addressed by all governments.
- 7.2 The Parties acknowledge that given gambling is predominantly regulated by State and Territory governments that addressing problem gambling requires co-operation between the Commonwealth and State and Territory Governments.
- 7.3 The Parties also acknowledge that the Commonwealth may be able to exercise greater legislative authority, if required, and agree to commission and receive no later than 1 February 2011 comprehensive legal advice about the Commonwealth's constitutional competence and prospects for successfully legislating in this area.

- 7.4 The Parties also acknowledge and agree that any approach taken to address problem gambling must be evidence based and that the Government has commissioned and received a comprehensive Productivity Commission report on problem gambling.
- 7.5 The Government commits to adopt a Commonwealth Government position on gambling reform that will include the initial response released on 23 June 2010 to the Productivity Commission report and further commits to the following additional measures:
- a) Implementing a best practice full pre-commitment scheme – that is uniform across all States and Territories and machines – consistent with recommendations and findings of the Productivity Commission. Implementation of pre-commitment arrangements will commence in 2012, with the full pre commitment scheme commencing in 2014, working with States and Territories to achieve this outcome. The full pre-commitment scheme will include the use of technology that is expected to have the best chance of reducing problem gambling.
 - b) Supporting the Productivity Commission recommendations in relation to poker machine dynamic warning displays and cost of play displays.
 - c) Implementing a \$250 daily withdrawal limit for ATMs in venues with poker machines (excluding casinos).
- 7.6 The Parties agree that the Government should seek agreement of all jurisdictions to the reforms detailed in Clause 7.5, including a timetable, and then each jurisdiction would amend their own State and Territory laws to implement the agreement. Regulation of the gambling industry would remain a State and Territory responsibility.
- 7.7 In the absence of agreement with the States by 31 May 2011 on any of the reforms detailed in Clause 7.5, the Government will unilaterally seek to legislate in order to achieve these reforms, subject to the legal advice received in accordance with Clause 7.3. If required, the Government will support Commonwealth legislation through the Parliament by Budget 2012.
- 7.8 The Parties acknowledge the need for an evidence based approach addressing problem gambling.
- a) Therefore, the Parties agree that it is appropriate to commission an independent study of the impacts of a reduction in problem gambling on other revenue flows and individual spending behaviour to report by the end of 2011.
 - b) The Parties also agree that it is appropriate to task the Productivity Commission to conduct a thorough examination of the impact of the pre-commitment scheme on problem gambling from 2014 and to determine what further harm minimisation measures may be necessary.
 - c) The terms of reference for the Inquiry will be set by no later than 30 June 2013.
 - d) The Government agrees that it would rely on the Productivity Commission's further advice in determining further action on problem gambling.
- 7.9 The Government agrees that as soon as practicable, it will seek to establish a Select Committee of the Parliament to act in an advisory role to the Minister for Families, Housing, Community Services and Indigenous Affairs, the Assistant Treasurer and the Prime Minister

to progress a national response to the full set of recommendations in the Productivity Commission report.

- a) The Select Committee will include wide representation, including Mr Wilkie, Senator Xenophon and other parliamentarians.
- b) The Select Committee will be advised on the legal advice obtained under Clause 7.3 and will be able to inquire into the reasoning that supports the legal advice and the consequences which flow from it.
- c) The Select Committee will be able to provide direct input in to the Commonwealth position Ministers will take to the COAG Select Council on Gambling Reform.
- d) The Select Committee will inform the design of the full pre-commitment scheme outlined at 7.5 (a).
- e) The Select Committee will be able to provide direct input in to decision making about any Commonwealth legislation, the terms of reference of the further Productivity Commission process and the monitoring of the impact of the reforms detailed in Clause 7.5.


8. Administration

8.1 The agreement will come into effect on the day the Government is established and last for this parliamentary term of the Gillard Government.

Signed on this 2nd day of September 2010.



The Hon Julia Gillard MP
Prime Minister



Mr Andrew Wilkie MP -elect
Member-Elect for Denison

Wilkie releases his 20-point 'list of priorities'

THOMAS HUNTER
30 Aug, 2010 10:17 AM

Key independent MP Andrew Wilkie has released a 20-point "list of priorities" for his Tasmanian seat of Denison ahead of meetings today with Julia Gillard and Tony Abbott.

In a letter to the Prime Minister and the Opposition Leader, Mr Wilkie said the 20-point list - which is split into "local", "national" and "office" sections - was long because "it's been a long time since southern Tasmania, and Denison in particular, had a fair go from Canberra".

Mr Wilkie insisted it was not a list of demands, rather a list of priorities he intends to work on as the member for the Hobart seat.

High-profile issues on the list include urgent action on climate change, honouring the "word and spirit" of the UN Refugee Convention and increasing all government pensions.

The priorities follow the release last week of seven demands by Tony Windsor, Rob Oakeshott and Bob Katter, the other independent MPs whose backing will determine who becomes Australia's next prime minister.

Mr Wilkie will meet with Mr Abbott at 3pm and Ms Gillard from 4.30pm.

Wilkie's list:

National

- * Introduction of maximum \$1 bet and \$120/hour loss limits on all poker machines in Australia.
- * Urgent action on climate change, including a price on carbon.
- * Honouring the word and spirit of the UN Refugee Convention.
- * Federal whistleblower legislation.
- * According the same funding priority to mental health care as afforded currently to GP and hospital services.
- * Including dental care in Medicare.
- * Overturning the recent Federal Government decision to extend to 2014 the review of the Federal funding model for education. Instead complete the review by 2012, and implement the recommendations as soon as practicable. Increased funding for tertiary institutions.
- * Increasing all Government pensions, allowances and other payments to levels people can actually live on. Enhance the method of indexation so as to ensure they genuinely keep pace with inflation.
- * A conscience vote on same-sex marriage.
- * Increased funding of aged care facilities.
- * The introduction of a national disability insurance scheme.

Local

- * Replacement of the Royal Hobart Hospital. In the interim, leasing of sub-acute beds in private hospitals to help reduce the RHH occupancy rate to the national level.
- * Stage 3 of the National Broadband Network complete by end 2012.
- * Withdrawal of all Federal Government approvals for Gunns' Tamar River pulp mill.
- * Immediate release of the \$20 million relief funding for Tasmanian forestry contractors pledged by the ALP and Coalition.
- * Stage 1 of the Southern Councils Transport Plan implemented.
- * The northern suburbs light rail funded and developed.
- * Re-alignment of the Brighton bypass to protect the Jordan River levee Aboriginal heritage site. Upgrade of the Brooker Highway and Plenty Valley link road.
- * Upgrade Hobart inner port infrastructure.
- * Realisation of the Tasmanian Museum and Art Gallery master plan.
- * Stage 1 of the Glenorchy Sports, Recreation and Community Precinct funded and developed.

Office

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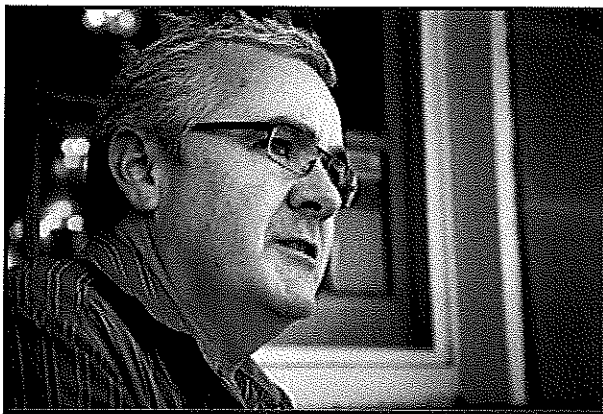
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The Australian Greens & The Australian Labor Party ('The Parties') – Agreement

Between:

The Hon Julia Gillard MP Prime Minister, MP Lalor, Leader of the Australian Labor Party

The Hon Wayne Swan MP Deputy Prime Minister, MP Lilley, Deputy Leader of the Australian Labor Party

And

Senator Bob Brown Senator for Tasmania, Leader of the Australian Greens

Senator Christine Milne Senator for Tasmania, Deputy Leader of the Australian Greens

Adam Bandt MP -elect MP Melbourne, Australian Greens representative in the House

1. Purpose

- 1.1 This agreement establishes a basis for stable and effective government.
- 1.2 The Greens will vote with the ALP government to ensure supply.
- 1.3 The Greens will oppose any motion of no confidence in the government from any non-Greens member.

2. Principles

The Parties agree to work together to pursue the following principles:

- a) transparent and accountable government;
- b) improved process and integrity of parliament;
- c) policies which promote the national interest; and
- d) policies which address climate change.

3. Goals

The Parties will work together and with other parliamentarians to:

- a) Establish a Leaders' Debate Commission
- b) Seek immediate reform of funding of political parties and election campaigns by legislating to lower the donation disclosure threshold from an indexed \$11,500 to \$1,000; to prevent donation splitting between different branches of political parties; to ban foreign donations; to ban anonymous donations over \$50; to increase timeliness and frequency of donation disclosure; to tie public funding to genuine campaign expenditure and to create a 'truth in advertising' offence in the Commonwealth Electoral Act.

- c) Seek further reform of funding of political parties and election campaigns by having a truly representative committee of the Parliament conduct a national inquiry into a range of options with the final report to be received no later than 1 October 2011, enabling any legislative reform to be dealt with in 2012.
 - i. The Parties note that the Greens are predisposed to a system of full public funding for elections as in Canada.
- d) The Parties note that Senator Bob Brown will reintroduce as a Private Members Bill the *Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008*. The ALP will consider the Bill and work with the Greens to reach reforms satisfactory to the Parties.
- e) Refer issues of public interest disclosure, where the Senate or House votes on the floor against the decision of a Minister, to the Information Commissioner, who will arbitrate on the release of relevant documents and report to both Houses.
- f) Hold referenda during the 43rd Parliament or at the next election on Indigenous constitutional recognition and recognition of local government in the Constitution.
- g) Agree that this Parliament should serve its full term and further agree to investigate legislative proposals, which are within the terms of the Constitution and give greater certainty to the Australian people about the Parliament serving full three year terms.

4. Improved processes and integrity of parliament

- 4.1 The Parties agree to work together and with other parliamentarians to implement parliamentary reforms.
- 4.2 The immediate reforms include:
 - a) Improving Question Time in the House of Representatives by setting fixed time limits for questions and answers with supplementary questions given at the discretion of the Speaker.
 - b) A fixed and fair allocation of questions for independent and minor party members with the first question no later than the 6th question in each Question Time.
 - c) At least 2.5 hours dedicated for debating and voting on private members' bills including a fixed and fair allocation of time for independents and minor party members in every full sitting week in both houses.
 - d) In addition to clause 4.2(c), dedicated time for voting on motions from independents and minor party members in every full sitting week in the House of Representatives.
 - e) The House of Representatives will debate and vote, during Government Business time, private senators' bills as passed by the Senate within 6 sitting days of the message being received by the House.
 - f) Amending the Standing Orders of both Houses so that there can be a recommittal of any vote within one sitting day where a member was absent from that vote due to inadvertence.

- g) Agreeing that in the House of Representatives, 'pairs' may be made by private arrangement during votes, similar to the arrangements which currently occur between Whips in the Senate or that another arrangement to facilitate Members who cannot attend due to ill health, family circumstances or performing Government or electorate business be agreed.

4.3 Further reforms include:

- a) Establishing within 12 months a Parliamentary Budget Office within the Parliamentary Library with the structure, resourcing and protocols being the subject of decision by a special committee of the Parliament which is truly representative of the Parliament.
- b) Establishing within 12 months a Parliamentary Integrity Commissioner, supervised by the Privileges Committees from both houses to:
 - i. provide advice, administration and reporting on parliamentary entitlements to report to the Parliament;
 - ii. to investigate and make recommendations to the Privileges Committees on individual investigations, to provide advice to parliamentarians on ethical issues; and
 - iii. to uphold the Parliamentary Code of Conduct and to control and maintain the Government's lobbyists register.

5. Working relationships

5.1 The following arrangements will govern the working relationship between the Greens and the ALP for the duration of the 43rd Parliament. These arrangements may be altered by mutual agreement.

- a) When Parliament is in session, the Prime Minister will meet with Senator Brown and Mr Bandt each sitting week, principally to discuss and negotiate any planned legislation.
- b) When Parliament is not in session, the Prime Minister, or her delegate, will meet with Senator Brown and Mr Bandt, or their delegate, at least once each fortnight, principally to discuss the upcoming legislative agenda.
- c) The Government will endeavour to give at least six working days notice of the introduction of legislation to the House.
- d) If the Greens Party Room has not considered legislation, the vote of Mr Bandt on legislation to facilitate its promulgation should not be interpreted as reflecting or determining the final position of the Greens in the Senate.
- e) The Parties will ensure that the ALP's budget is subject to an exchange of information and views between the Parties as follows:
 - i. The Greens Treasury spokesperson and Mr Bandt receiving economic and financial briefings from the Treasurer and the Minister for Finance and the Secretaries of the Departments of Treasury and Finance and Deregulation at regularly agreed times.

- ii. The Greens Treasury spokesperson and Mr Bandt having regular discussions with the Treasurer and the Minister for Finance on economic circumstances, fiscal strategy and budget preparation.
- f) Should Senator Brown, Mr Bandt and other Greens Senators with portfolios, wish to propose new policies, these proposals may be formally submitted to the Office of the Prime Minister and forwarded to the appropriate Department and Minister for analysis. Where the proposal is likely to involve costs, it may also be sent to the Department of Treasury, and the Treasurer, and the Department of Finance and Deregulation, and the Minister for Finance, for costing.
- i. The number of proposals that may be considered in this way is not limited in number but the Parties will ensure that the workload arising is reasonable
 - ii. Every endeavour will be made to provide required advice within ten business days
 - iii. The Parties acknowledge that during the six week period leading up to the Federal Budget, the turnaround time may be greater than ten business days.
- g) The Parties acknowledge that the above mechanism can be used to have any of the Greens' policies for the 2010 election considered.
- h) The ALP notes the Senate resolution on appropriations bills which contain matters which should have been the subject of separate legislation. To prevent this occurring, the ALP agrees to work with Greens to resolve the matter prior to the introduction of the bill.
- i) Senior staff members of the Prime Minister's Office and Senator Brown's Office will liaise to ensure that Senator Brown, Mr Bandt and other Greens Senators with portfolios have access to Ministers, key public servants and the Prime Minister, as outlined above.
- j) The Greens will ensure best possible access for Ministers to be informed about Greens' legislation and will endeavour to give at least six working days notice before bills are introduced.

6. Policy

6.1 The Parties agree on the following policy issues:

- a) That Australia must tackle climate change and that reducing carbon pollution by 2020 will require a price on carbon. Therefore the Parties agree to form a well resourced Climate Change Committee which encompasses experts and representative ALP, Greens, independent and Coalition parliamentarians who are committed to tackling climate change and who acknowledge that reducing carbon pollution by 2020 will require a carbon price. The Committee will be resourced like a Cabinet Committee. The Parties will, by the end of September 2010, finalise the structure, membership and work plan of the Committee.
- b) That Australia needs urgent further action on dental care and that proposals for improving the nation's investments in dental care should be considered in the context of the 2011 Budget.

- c) That an implementation study for High Speed Rail should be completed by July 2011.
- d) That there is a full parliamentary debate on the war in the Afghanistan.

7. Administration

7.1 This agreement will come into effect on the day Government is established.

Signed on this 1st day of September 2010.

The Hon Julia Gillard MP
Prime Minister
Leader of the ALP

The Hon Wayne Swan MP
Deputy Prime Minister
Deputy Leader of the ALP

Senator Bob Brown
Leader of the Australian Greens

Adam Bandt MP - elect
Australian Greens Representative in the House

Senator Christine Milne
Deputy Leader of the Australian Greens



PRIME MINISTER
PARLIAMENT HOUSE
CANBERRA ACT 2600

Bob Katter MP
Parliament House
CANBERRA ACT 2600

25 AUG 2010

Robert Oakeshott MP
Parliament House
CANBERRA ACT 2600

Tony Windsor MP
Parliament House
CANBERRA ACT 2600

Dear Bob, Robert, and Tony

Thank you for your letter of 25 August 2010. I welcome your request for information and I am prepared to do all I can to provide the information you seek.

I would like to address each of your seven requests in turn.

- (1) I have sought advice from the Secretary of Prime Minister and Cabinet, Mr Terry Moran, as to how to accommodate your request for information from Dr Ken Henry (Treasury) and Mr David Tune (Finance) on the economy and the costings and impacts of Government and Opposition election promises and policies on the budget. As soon as I receive this advice, I will provide it to you and to the Leader of the Opposition. It seems likely this will require a change to the usual caretaker conventions and guidelines. I have not yet received the advice on the details of the changes required. However, I am predisposed to assist with your request. I would also be obliged to consult the Leader of the Opposition on the matter.
- (2) I would be very happy to arrange for briefings from the Secretaries of the Departments you have requested. However, given the importance of maintaining the caretaker conventions, I would like to clarify aspects of your request.

In particular, will you be seeking information that would go beyond that which would be normally provided under the caretaker conventions as for your first request?

Further, with respect to your keen interest in Broadband, would you like a

briefing with the Chief Executive Officer and Director of NBNC Co Mr Mike Quigley? He would be best placed to provide you with the technical information on aspects of the NBN including the roll-out and other information you may be seeking.

Please note, I have conveyed your request to the Secretary of Prime Minister and Cabinet, Mr Terry Moran, who will facilitate these briefings with Dr Ken Henry and Mr David Tune and other Secretaries and attend the meetings.

- (3) Ministers will be available to speak with you in all of the portfolio areas you have outlined.
- (4) I will provide you next Monday with the Government's proposals for parliamentary reform addressing each of the issues you have identified.
- (5) I am fully committed to instituting reforms that maximise the opportunity for understanding and consensus across all parties and members of parliament. In the reforms that will be outlined in response to your item (4) we will demonstrate this commitment and show a practical way forward on these issues.
- (6) My conversations with you have all been in good faith and in the national interest. Good faith and acting in the national interest will continue to be my approach. I understand your strong commitment to these principles and I share it.

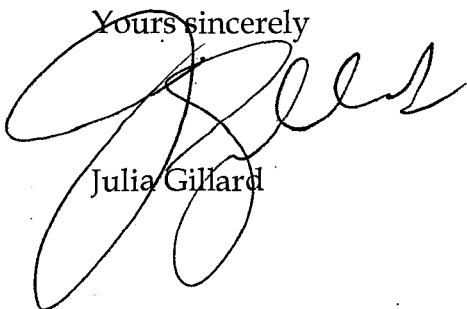
I am fully committed to serving a full three year term. In fact, I am prepared to work with you to nominate a date for the next election in three years, which would be in the period August through October 2013.

I will obtain advice on a suitable date in this period, one that would suit most Australians and not conflict with events of national interest. I would be happy to discuss options for setting a date for the next election with you as soon as I have received this information.

- (7) I will provide you next Monday with a proposal for a timetable and reform plan for political donations, electoral funding and truth in advertising.

I would be happy to discuss any aspect of your request for information and look forward to working with you over the coming days.

Yours sincerely



Julia Gillard

TO JULIA GILLARD and TONY ABBOTT
Requests for information

1. We seek access to information under the 'caretaker conventions' to economic advice from the Secretary of the Treasury Ken Henry and Secretary of Finance David Tune, including the costings and impacts of Government and Opposition election promises and policies on the budget.
2. We seek briefings from the following Secretaries of Departments:
 1. Broadband, Communications and the Digital Economy
 2. Health and Ageing
 3. Education, Employment and Workplace Relations
 4. Infrastructure, Transport, Regional Development and Local Government
 5. Agriculture, Fisheries and Forestry
 6. Climate Change, Energy Efficiency and Water
 7. Defence
 8. Resources, Energy and Tourism
3. We seek briefings from caretaker Ministers and Shadow Ministers in the above portfolio areas to discuss their program for the next three years.
4. We seek advice as soon as possible on their plans to work with the Clerks of the Parliament to improve the status and authority of all 150 local MP's within parliamentary procedures and structures. In particular, we seek advice on timelines and actions for increasing the authority of the Committee system, private members business and private members bills, matters of public importance, 90 second statements, adjournment debates, and question time.
5. We seek a commitment to explore all options from both sides in regard "consensus options" for the next three years, and a willingness to at least explore all options to reach a majority greater than 76 for the next three years. Included in these considerations is advice on how relationships between the House of Representatives and the Senate can be improved, and a proposed timetable for this to happen.
6. We seek a commitment in writing as soon as possible that if negotiations are to take place on how to form Government, that each of these leaders, their Coalition partners, and all their affiliated MP's, will negotiate in good faith and with the national interest as the only interest. In this same letter of comfort, we seek a written commitment that whoever forms majority Government will commit to a full three year term, and for an explanation in writing in this same letter as to how this commitment to a full term will be fulfilled, either by enabling legislation or other means.
7. We seek advice as soon as possible on a timetable and reform plan for political donations, electoral funding, and truth in advertising reform, and a timetable for how this reform plan will be achieved in co-operation with the support of the House of Representatives and the Senate.

The three non-aligned MP's will now be heading home to families, electorate duties, and a long-standing appointment with the Governor-General (unrelated to this political deadlock). We have agreed to be back in Canberra on Monday for the full week of meetings in relation to the above. We expect all the above information to be made available through best endeavours as soon as possible,

so that formal negotiations with all stakeholders can begin by Friday 3rd September – if, based on final counts, negotiations are indeed needed at all.

Wednesday, 25th August 2010

To the Caretaker Prime Minister the Hon Julia Gillard MP,

The three non-aligned Independents would like to obtain a briefing from the Secretary of Treasury Ken Henry and the Secretary of Finance David Tune about the current economic cycle, the outlook for the Australian economy over the coming years and the likely impact of both Government and Opposition election policies on the budget.

We would also like to receive a briefing from the following secretaries of departments;

1. Broadband, Communications and the Digital Economy
2. Health and Ageing
3. Education, Employment and Workplace Relations
4. Infrastructure, Transport, Regional Development and Local Government
5. Agriculture, Fisheries and Forestry
6. Climate Change, Energy Efficiency and Water
7. Defence
8. Resources, Energy and Tourism

We also welcome meetings with your political party spokesperson on the above portfolio areas and look forward to these being arranged through the coming week.

Yours Sincerely,

Robert Oakeshott MP, Tony Windsor MP, Bob Katter MP

Confirmation of these various meetings can be made with:

Zita McGregor on [REDACTED] (Robert Oakeshott's office)

Graham Nuttall on [REDACTED] (Tony Windsor's office)

Lea Guy on [REDACTED] (Bob Katter's office)

Wednesday, 25th August 2010

To the Caretaker Prime Minister the Hon Julia Gillard MP,

The three non-aligned Independents would like to obtain a briefing from the Secretary of Treasury Ken Henry and the Secretary of Finance David Tune about the current economic cycle, the outlook for the Australian economy over the coming years and the likely impact of both Government and Opposition election policies on the budget.

We would also like to receive a briefing from the following secretaries of departments;

1. Broadband, Communications and the Digital Economy
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5. Agriculture, Fisheries and Forestry
6. Climate Change, Energy Efficiency and Water
7. Defence
8. Resources, Energy and Tourism

We also welcome meetings with your political party spokesperson on the above portfolio areas and look forward to these being arranged through the coming week.

Yours Sincerely,

Robert Oakeshott MP, Tony Windsor MP, Bob Katter MP

Confirmation of these various meetings can be made with:

Zita McGregor on [REDACTED] (Robert Oakeshott's office)

Graham Nuttall on [REDACTED] (Tony Windsor's office)

Lea Guy on [REDACTED] (Bob Katter's office)

Wednesday, 25th August 2010

To the Opposition Leader the Hon Tony Abbott MP,

The three non-aligned Independents would like to obtain a briefing from the Secretary of Treasury Ken Henry and the Secretary of Finance David Tune about the current economic cycle, the outlook for the Australian economy over the coming years and the likely impact of both Government and Opposition election policies on the budget.

We would also like to receive a briefing from the following secretaries of departments;

1. Broadband, Communications and the Digital Economy
2. Health and Ageing
3. Education, Employment and Workplace Relations
4. Infrastructure, Transport, Regional Development and Local Government
5. Agriculture, Fisheries and Forestry
6. Climate Change, Energy Efficiency and Water
7. Defence
8. Resources, Energy and Tourism

We also welcome meetings with your political party spokesperson on the above portfolio areas and look forward to these being arranged through the coming week.

Yours Sincerely,

Robert Oakeshott MP, Tony Windsor MP, Bob Katter MP

Confirmation of these various meetings can be made with:

Zita McGregor on [REDACTED] (Robert Oakeshott's office)

Graham Nuttall on [REDACTED] (Tony Windsor's office)

Lea Guy on [REDACTED] (Bob Katter's office)



Her Excellency Ms Quentin Bryce AC
Governor-General of the Commonwealth of Australia

Mr Stephen Gageler SC
Solicitor-General
3-5 National Circuit
Barton ACT 2600

23 August 2010

Dear Solicitor-General

Matters have arisen which have given me considerable concern about the exercise of very important obligations of my office under the Constitution.

It has been suggested in some quarters that the fact that my daughter is married to the Honourable Bill Shorten MP creates some sort of conflict of interest that might impugn my ability to carry out the functions of my office.

The issue of integrity and trust in the office is obviously of the utmost importance not only to me but to the Australian people.

I am therefore seeking your urgent advice as to whether these circumstances create any constitutional or other legal impediment to the proper exercise of my functions, particularly in the current circumstances where the outcome of Saturday's election remains to be determined and may involve me as the Governor-General playing some role.

Yours sincerely,

Quentin Bryce

23/8.



SG No. 33 of 2010

IN THE MATTER OF THE GOVERNOR-GENERAL

OPINION

1. The Governor-General of Australia, Her Excellency Ms Quentin Bryce AC, has requested my advice on whether there exists any constitutional or other legal impediment to the proper discharge of her functions of office while there remains uncertainty as to the formation of government following the recent general election. Her Excellency's request arises from suggestions that her ability to perform those functions may be impugned by reference to perceptions arising from the marriage of her daughter to the Honourable Bill Shorten MP who appears likely to be re-elected to the House of Representatives as the Member for Maribyrnong and who is currently Parliamentary Secretary for Disabilities and Children's Services and Parliamentary Secretary for Victorian Bushfire Reconstruction.
2. The office of the Governor-General is created by section 2 of the Constitution of the Commonwealth of Australia and has bestowed on it by sections 5 and 64 the functions

of summoning and proroguing the Parliament, of dissolving the House of Representatives and of appointing, as Ministers and Parliamentary Secretaries, officers to administer such departments of State of the Commonwealth as the Governor-General in Council may establish who hold office during the pleasure of the Governor-General and who must be, or become within three months of their appointment, senators or members of the House of Representatives. In ordinary circumstances, by unbroken tradition, the Governor-General acts in the discharge of those functions on the advice of the Prime Minister who is the member who has the confidence of the House of Representatives. In extraordinary circumstances, the Governor-General may be impelled to assume the profound responsibility of considering the exercise of a function on the basis of her own deliberative judgment. The possibility of extraordinary circumstances of that nature arising in the current state of uncertainty cannot wholly be excluded.

3. Neither the office of the Governor-General nor the functions constitutionally bestowed on that office admits of any close analogy save for those of the Queen and State Governors. The Governor-General herself is appointed by the Queen and holds office during the Queen's pleasure. The functions of the Governor-General are of the highest constitutional order. The circumstances in which the Governor-General might conceivably come to perform those functions in the exercise of the Governor-General's own deliberative judgment are, by definition, extraordinary: the circumstances are certain to be politically charged; though assisted by established conventions, the judgment is certain to be delicate; and the consequences are certain to be far-reaching. Yet the maintenance of the capacity of the Governor-General to act in such circumstances is critical. The notion that the Governor-General might in such circumstances be constitutionally inhibited in the performance of her functions by reason of a perception of bias or of a conflict of interest is one that, in my opinion, finds no foothold in the structure or text of the Constitution. To imply such a constitutional inhibition, in my

opinion, would not enhance the performance of the high constitutional functions of the Governor-General. To the contrary, it would have the potential to undermine them.

4. Section 4 of the Constitution extends the provisions of the Constitution relating to the Governor-General for the time being to such person as the Queen may appoint to administer the Government of the Commonwealth. In addition, section 126 of the Constitution allows the Queen to authorise the Governor-General to appoint any person to be a deputy and in that capacity to exercise during the pleasure of the Governor-General such functions of the Governor-General as the Governor-General thinks fit to assign. The section goes on to provide that the appointment of such a deputy does not prevent the Governor-General personally exercising a function. By letters patent dated 21 August 2008, the Queen has, with certain limitations, made provision for the functions of the Governor-General to be vested temporarily in an administrator and has given authority to the Governor-General to appoint a deputy. Neither the existence of the capacity for the functions of the Governor-General to be vested temporarily in an administrator nor the authority of the Governor-General to appoint a deputy impacts on my view that there exists no constitutional impediment to the Governor-General personally exercising the Governor-General's functions.

5. In "The Office of the Governor General" (Melbourne University Press, 1979) at 46, Sir Paul Hasluck observed that it had become the pattern for Governors-General to be appointed with experience in a field, such as law or politics, "which qualified them for the constitutional duties of the office". Sir Paul went on at 46-47 to stress the importance of a Governor-General doing nothing that "would imperil the reputation for detachment and independence necessary for [the] office". His counsel was one of prudence, not of law. There has in the history of the Commonwealth of Australia been a number of Governors-General who have had significant prior political careers and a number of Governors-General who have had continuing personal relationships with

senators and members of the House of Representatives. In my opinion, the existence of connections and relationships of that kind can give rise to no disqualification from holding the office nor to any legal impediment to the performance of the functions of the office. Where they exist, connections and relationships of that kind must be recognised as realities. They fall to be managed as a matter of prudence, not of legal obligation or legal impediment.

6. The marriage of Her Excellency's daughter to Mr Shorten falls into no different category. The fact of the marriage of a member of Her Excellency's family to a person who, as a member of the House of Representatives and as a Parliamentary Secretary, would stand to be directly affected were a decision to be made by Her Excellency in the exercise of her own deliberative judgment to exercise a function conferred on her by sections 5 or 64 of the Constitution cannot in law in any way impede Her Excellency in the possible performance of those high constitutional functions. There is, of course, no question that it would do so in fact.

7. My advice to Her Excellency is that the marriage of her daughter to Mr Shorten gives rise to no constitutional or other legal impediment to the proper discharge of her functions of office.

Dated: 26 August, 2010



STEPHEN GAGELER

IN THE MATTER OF
THE GOVERNOR-GENERAL

OPINION

Her Excellency Ms Quentin Bryce AC
Governor-General of the
Commonwealth of Australia
Government House
CANBERRA ACT 2600