Public Works Committee
Reference

Mr GRAY (Brand—Special Minister of State and Special Minister of State for the Public Service and Integrity) (10.34 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Proposed fit-out of new leased premises for Divisions of the Department of Innovation, Industry, Science and Research at Buildings 2 and 3, Precinct Corporate Centre, 105 Delhi Road, Riverside Corporate Park, North Ryde, New South Wales.

The Department of Innovation, Industry, Science and Research proposes to undertake an integrated fit-out of a new leased facility at North Ryde in Sydney to accommodate both office space and sophisticated chemical laboratories. The fit-out will ensure that the building is appropriately tailored to the scientific and operational needs of the department and will allow three leased Sydney properties to be replaced with a single new fit-for-purpose facility.

The proposed development will conform to all relevant building and laboratory codes, including compliance with laboratory occupational health and safety requirements. The facility will accommodate about 240 staff when complete. The building will hold 10,270 square metres of floor space, including offices, laboratories and sample receipt areas. The total estimated cost of the proposal is $25.8 million plus GST.

It is proposed that the building be fitted out to accommodate the National Measurement Institute, the Australian Astronomical Observatory and an Enterprise Connect manufacturing centre. Subject to parliamentary approval, fit-out customised to the department’s specification and needs will continue as building progresses. Occupancy of the building is scheduled in two stages, with stage 1 commencing in late May 2012 and stage 2 in August 2012. I commend the motion to the House.

Question agreed to.

Public Works Committee
Approval of Work

Mr GRAY (Brand—Special Minister of State and Special Minister of State for the Public Service and Integrity) (10.36 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, and by reason of the urgent nature of the works, it is expedient that the following proposed work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: The Western Cape Residential Campus, Weipa, Queensland.

The Department of Families, Housing, Community Services and Indigenous Affairs and the Indigenous Land Corporation propose the construction of the Western Cape Residential Campus at Weipa, Queensland, at an estimated cost of $26 million, inclusive of GST. The Western Cape Residential Campus will provide accommodation for up to 120 secondary school children from remote and isolated communities in Far North Queensland to allow them to access schooling at the Western Cape College, Weipa.

The residential campus is an important part of the Closing the Gap strategy through addressing two key targets set by the Council of Australian Governments, COAG: to halve the gap in reading, writing and numeracy for Indigenous children within a decade; to half the gap for Indigenous students in year-12 attainment or equivalent attainment rates by 2020. Anecdotal evidence suggests that, of the eligible cohort, roughly 500 to 600 young people are not being provided for in terms of secondary school education and this facility will assist in addressing that need.

The proposed facility will provide accommodation for up to 120 children with separate boys and girls accommodation and staff accommodation. This facility will provide a level of amenity to support 120 children, including recreational areas. While the importance of the role of the Parliamentary Standing Committee on Public Works is acknowledged in this instance, should an exemption not be granted the facility could not open for the 2012 school year, with a delayed opening in mid that year. This would cause maximum disruption to students who would need to change schools mid-year, relocate to a new town away from family and adapt to a new school, new environment and new classmates. This would be very difficult to manage with this particular cohort of students. Additionally, parents would be unlikely to support their children changing schools part the way through an academic year, which would mean planned student transfers to the facility would not, and could not, occur.

Subject to parliamentary approval, construction will commence in 2011 and be completed for the 2012 school year. I note that a proposal to proceed with the construction project without referral to the Public Works Committee is not common. The government very much supports the work of the Public Works Committee and has not taken this decision lightly. I commend the motion to the House.

Question agreed to.

HIGHER EDUCATION LEGISLATION AMENDMENT (STUDENT SERVICES AND AMENITIES) BILL 2010

Second Reading

Debate resumed from 17 November, on motion by Mr Garrett:

That this bill be now read a second time.

Mr WYATT (Hasluck) (10.40 am)—I rise to speak against the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 on a num-
ler of bases. One of the issues that I particularly want
to talk about is that throughout the thread of the debate
I have heard reference to taxpayers again contributing
to costs. From the other side of the chamber, I find this
fascinating, given that the use of taxpayer funding for a
number of initiatives does not seem to be problematic,
and I refer here to the NBN where funding is not a par-
ticular issue.

In terms of student amenities fees, I had the privi-
lege of serving as the pro-chancellor on Edith Cowan
University’s governing body. One of the tasks I was
given was to deal with what was then the VSU. In the
VSU there was debate around the compulsory nature of
the fee, the direction of the fee to the student guild and
the way in which we had to provide for students the
services that they needed to allow for their continued
study within the university sector. I support the need
for the amenities that students often require in the con-
text of their work. I say this in the knowledge that
within my electorate of Hasluck there are many who
are studying through university pathways but, equally,
that they struggle with rising living costs which impact
on their capacity to have the funding that they need to
pay compulsory fees. I also have a concern that, in
terms of these living costs, each time there is an in-
crease in charges or there is an increase in interest rates
these pressure points cause people to consider other
alternatives in the way in which they pay or make deci-
sions about what they can afford or not afford. I appre-
ciate that they have access to a loans system that will
enable them to pay that fee, but the accumulation of
those fees over a three- or four-year period in which
they will have to repay them is also problematic when
it comes to considering the combined aspect of both
the repayment of the HECS fee and this additional
amount.

The other element is that part-time students do not
always access services. Students who are online do not
access services. In the context of the compulsory na-
ture of these fees, I cannot think of any other example
where the government requires people to pay for a fee
for a service or for an amenity that they will never use
in a lifetime. The compulsory nature of it is also chal-
lenging, in that I know at the time I was involved with
the VSU that in order to get your marks and to gradu-
ate there was a requirement for all fees that were out-
standing to be paid, which was also an imposition. I
certainly would not like that to be a consideration in
the context of this act. The sum of $250 a week does
not seem much, but when you have got students who
are having to meet the cost of living, who have to meet
rental costs and who then have to meet other costs as-
associated with social life on a university campus it be-
comes problematic.

The Treasurer yesterday in question time talked
about skilled labour and the workforce that Australia
will need for the future. I read through the comments
of the Minister for Defence from an interview he had
had in which he considers the nature of voluntary and
student guild fees. I refer to his comments:

Labor’s priority here is to do two things as outlined in the
Platform: Firstly, to ensure that students, if they so choose,
can voluntarily organise themselves into representative or-
organisations. Secondly, and more importantly, that all students
have access to decent amenities and services, whether that’s
sporting facilities, cultural facilities, child-care facilities and
the like.

The funding of those services has been a matter of conversa-
tion between me and the Universities. I believe that the
Commonwealth, the Government of the day, has a responsi-
bility, together with the Universities, to fund those services
and of course it’s also appropriate for students, if they so
choose, to make a voluntary contribution to those services, or
indeed to be charged a fee if that is appropriate when they
use those services such as sporting facilities, gyms and the
like.

I know that there are constituents in my electorate who
do not access the services or the amenities provided by
universities because of the nature of their own obliga-
tions to family, to work and by virtue of the part-time
nature in which they undertake courses. So I see a
sense of injustice in being required to pay a compul-
sory fee for something that you do not use. I am also
cognisant of the need for student support services, be-
cause there are students who do draw down on the
types of services that are listed within proposed section
(4) of the legislation. Drawing down on these services
certainly assists those students who need them. From
my perspective I think it is also important for the elec-
tors of Hasluck, because many are progressing their
career pathways through university and tertiary studies,
for a couple of reasons. One is for long-term employ-
ment within the industries they work in. A second rea-
son is to improve the options that they have before
them in the context of the work choices that they can
make because of the qualifications that they acquire.
But, thirdly, technology in the innovation society and
knowledge society is moving rapidly and many people
choose studies in order to enhance both their knowl-
edge and their understanding of the fields in which
they work. We will continue to see new and emerging
businesses and industries that require a different mix of
skills.

The fees will become compulsory because universi-
ties, certainly in the readings I have undertaken, indi-
cate that these services are important and therefore
they would want the fees to form the basis for the pro-
vision of those services. I would not want to see stu-
dents make choices to defer studies which impact on
Australia’s ability to develop in a global and economi-
cal society, which is absolutely critically important to
both the wealth of this nation and the way that our in-
dustries can develop to become highly competitive
with the competing interests that will prevail from cor-
porate bodies and overseas companies that would want a patch of Australia’s business sector.

I note proposed section (5)(a):

(a) that a higher education provider requires a person enrolled, or seeking to enrol, with the provider to pay for a period starting on or after 1 January 2011 to support the provision to students of amenities and services not of an academic nature, regardless of whether the person chooses to use any of those amenities and services …

Where is the element of choice? And where else, really, would you be compelled to pay for something that you would never use? That is one of the conundrums that I have in terms of what the government is proposing. Those on the other side, contrary to my own father’s description of the Labor Party as being there for the working family, are demonstrating that they are not thinking about those who are affected. It is important that we encourage young people to make choices that empower them through the acquisition of knowledge and an awareness they can contribute to both their own career progression and the progression of the community in which they live. This bill would impose a financial burden on a significant number of students who will already in many instances be struggling to meet the costs of living away from home, particularly if they are not eligible for youth allowance due to the changes that Labor has made, and that concerns me considerably because this gap year concept I do not think is healthy for the continuity of somebody’s education. It is a struggle to balance study and hold one or more part-time jobs to earn a sustainable income to meet the fees that continue to occur.

The other issue is mature age students who need to retrain to progress to better incomes and careers, and within the context that is being created by the Gillard government they certainly will need opportunities to do that. I also know, from a review that I was involved with, that a number of women who are mothers wanting to study part time or wanting to take their lack of schooling, because they left school early, and convert that to a university pathway will feel the impact of this imposition of a fee. Many of those that I am aware of would not access the amenities. Nor would they be members of social clubs or other organisations because of family commitments.

I commend the government on the fact that the bill states that ‘a higher education provider, or a person or an organisation in receipt of funding provided by the provider, must not spend an amount paid to the provider as student services and amenities fees to support a political party or the election of a person as a member of the legislature of the Commonwealth, a state or territory or a local government body’. That is important, because it takes away what has been a practice of the past and certainly what I evidenced in the review of the Edith Cowan students’ response to VSU. I do support very strongly the welfare of students, promoting their health and wellbeing, helping them to secure accommodation, helping them receive advice on financial matters or giving them information about their orientation. I think that is absolutely critical, but it does not mean that there should be a compulsory fee for those who will never access the services such as career counselling. When I look at the elements within that, again I do not have an issue with that, but I do have an issue with amenities. The provision of food or drinks, as mentioned in the bill, to students on the campus of a higher education provider should go to a commercial market, because if these students were not on the campus they would certainly access equivalent amenities in the community in which they live. There is also child care for the children of students and the provision of libraries and reading rooms. I think there are also expectations that many of these things will be covered by the $250 fee that will provide the basis of this.

If we look at the whole list of provisions within proposed subsection 3 of the bill, I cannot see how the total accumulation of those $250 fees would cover the range of services required for all. In this instance, if this is so important and so critical, according to the debates I have heard, then why would universities and governments not work towards a solution that did not require a compulsory fee by reconsidering the funding arrangements between the Commonwealth and the universities for the services that need to be provided? There is a reference to providing legal aid, but surely there would be an opportunity to look at legal aid itself and to make changes to the provisions that relate to means testing and the availability of that service to allow university students to access those services, even though the intent within the relevant legislation certainly covers the way in which people can utilise legal aid. I have no issue with students having an advocacy role, but I do have an issue with compulsory fees covering that.

Again, I ask this parliament to give serious consideration to not supporting the compulsory fee, but if there is a compulsory fee the parliament should not support applying it to part-time students or those online or off campus. There is the SA-HELP assistance, but the cumulative loans and cost of HECS put students on the back foot after they graduate by having them pay it back while at the same time looking at opportunities for a mortgage and establishing a family. I think governments have an obligation to look at better ways of doing this.

Education is important. Lifelong learning is important. Any imposition on that should not be a factor that impacts on the workforce of this country if we are to develop the skills required for both the existing and emerging industries that will evolve over the next decade. I do not support the compulsory fee and I again
ask that consideration be given to those who will be affected and who will not use those services.

Ms SMYTH (La Trobe) (10.54 am)—As a former student representative, I am extremely pleased to be able to speak today in favour of the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 since it reflects the government’s long-standing commitment to sustaining the essential university services that are so heavily relied on by students. This bill will secure the funding of student services and, most importantly, it will provide student service providers and universities with funding certainty, which will enable them to plan with confidence.

I will begin by making a few remarks on the comments made by the member for Hasluck. It seems to me that he presented two key strands of argument. The first was that some students may not access the services that are funded under the proposed fee to be implemented under this bill. That seems to me to be a troubling line of argument because by the same logic we might also argue for an opt-out taxation system. I imagine that most of us here would have some reservations about putting something like that to the federal parliament.

The second point he raised related to the financial difficulties that might be presented to students because of the fee arrangements under this bill. I am not entirely sure whether the member for Hasluck is fully familiar with the provisions in the bill that contemplate a new loan component under the Higher Education Loan Program. This would mean that if those fees were to be implemented by universities—and obviously there is the opt-in capacity of universities under this bill—they would be capable of being offset by a student loan under this new arrangement. So the prospect of students being subject to any kind of financial difficulties as those fees are imposed is somewhat limited.

I will refer back to some of the comments made by prior speakers in this debate. I particularly note those members of the National Party who have spoken in this debate because I find it particularly troubling that it seems that those members, with their professed commitment to constituents in regional and remote areas of this country, have seen fit to not only not support the bill but not speak in favour of the bill on what appear to be fairly blunt ideological grounds when the needs of their respective constituencies would suggest that they should support it. Those members of this place who represent regional and outer metropolitan electorates should easily recognise that the consequences of preventing funding from being provided for student services has a disproportionately harsh effect on regional and smaller universities, and also on those university campuses located outside of metropolitan centres.

It is certainly not just the government who says that. Submissions made by regional universities to a discussion paper in 2008 also emphasised those points. University campuses in those areas offer a base from which very important services and amenities can be used by both students and the wider community. So it is extraordinary that people who profess to represent those communities would come here and oppose the measures that are being put by the government today.

We know that students from regional areas who move away from home to undertake tertiary study tend to rely on welfare and support services, counselling and health services provided at universities, and a range of other things that enable them to successfully undertake and complete their studies. We know that it is a difficult transition for those students to make and the legislation before us will provide support particularly for those students. It will also assist in creating jobs and important community infrastructure.

Our commitment as a government to sustaining student services has been reflected in the regional Australia package announced in September 2010. As a government, we know that regional and outer metropolitan universities are often hit the hardest in the scramble to obtain sufficient funding to sustain student services. We know the particular value of student services and funding security in regional and outer metropolitan centres.

I am particularly pleased to note the resounding support of the Group of Eight universities for the measures proposed in this bill. In comments made earlier this week, the Group of Eight particularly noted that:

The introduction of Voluntary Student Unionism in 2005 has had a serious impact on the delivery of childcare, sporting, health, counselling and other services, and on campus life and student representation more broadly. They went on to remark that:

The Go8 supported this Bill from the very beginning and continues to do so. It has had the support of the entire university sector for almost two years and still students are waiting.

The gravity of the Group of Eight’s comments in this regard is very significant, as the opposition would no doubt know. The comments are also echoed by Universities Australia and a variety of other significant organisations. I trust that members in this place and our colleagues in the other place will have due regard for the expertise of those universities and peak bodies which have voiced their opinions on the bill and will appreciate the detrimental effect of a failure to pass this bill.

Through consultations held with universities in 2008, as was remarked on in this debate earlier, it was found that $170 million had been cut from funding for services and amenities. The services which suffered as
a consequence included health, counselling, employment, child care and welfare support services. They are hardly peripheral services. They are hardly services that might be regarded as superfluous to the needs of students trying to put themselves through university successfully, and they are hardly services that would not be relied on by regional and rural students.

Since the introduction of so-called voluntary student unionism, most universities have been subsidising, in one manner or another, student services and amenities. We know that they do this because they recognise the value to students of a campus culture and because those services which I mentioned before are often critical to supporting students and enabling them to successfully continue their tertiary education. The consequence of this has been, however, that funding available to universities for teaching, research and other essential services is reduced.

At Monash University, which has a campus in Berwick on the border of my electorate, we know that student services are being more directly managed by the university. Those services are being subsidised by some $5.3 million in funding in order to continue supporting Monash sport and the careers and employment function. The implementation of VSU meant the loss of employment for students, the loss of the transport office and the Indigenous office, and increased prices for child care, transport, parking, graduation and for access to sporting facilities. It really is not clear to me which of those services, in a very long list of services, is so terribly controversial and so terribly objectionable that we should be resisting passing this bill today.

Monash is just one example of a university which has experienced significant practical impacts as a result of the defunding of student services and amenities. Universities have given an indication of some of the measures which they have taken in order to support student services and amenities which would otherwise have been cut. In some instances they have been forced to substantially increase parking fees and fees for food and child care to deal with the funding disparity. In other instances they have in fact been forced to redirect funding out of research and teaching budgets, which is extraordinary.

So we can see that it is students who ultimately pay the price for defunding of these services and amenities, both directly and indirectly. The bill before us aims to support students and universities and end that damage. The bill will require that higher education providers which receive Commonwealth Grant Scheme funding comply with new student services, amenities, and representation and advocacy guidelines. As a consequence, universities will be required to implement national access to service benchmarks for all domestic Australian students in line with the arrangements that already exist for our international students. Those benchmarks will ensure that all Australian higher education students are provided with information on how to access important health, welfare and financial services and are provided with access to advocacy services.

The bill also introduces national student representation protocols which aim to ensure that students have an opportunity to participate in university governance structures. Those new benchmarks will help ensure that students have access to advocacy support services to support student appeals and to provide vital help for students who may need extra assistance on matters that really can be overwhelming and unfamiliar.

As someone who has sat as a student representative on university committees and appeals committees, I know that there are students who can find themselves in very difficult personal circumstances which can in turn have very serious ramifications for their continued study. It is extremely important that those students have an opportunity to be properly represented in appeals at times when they are very likely to be distressed. Student representation and advocacy services are essential in ensuring that those students are given a chance to explain their circumstances.

All of these sorts of functions that are contemplated in the bill are not contentious. They are things that should reasonably be expected to be provided for students who are attending universities and it is quite unfortunate that the members opposite have not recognised that.

The benchmarks that are proposed in this bill will certainly ensure that universities provide opportunities for democratic student representation as is appropriate so that student views are taken into account during the decision-making processes of the university. Over and above these basic services, representation and advocacy rights, the bill will also allow universities the option to implement a services fee which would be capped at a maximum of $250 per year and indexed, which they could use to invest in necessary services and amenities.

Those universities that elect to implement such a fee would be expected to consult with students on the types of services and amenities that that fee would help to support. The government, as I mentioned earlier, has gone further in this bill to ensure that any such fee does not present a financial barrier for students. The bill requires that any university introducing a fee must also provide eligible students with the option of taking out a loan under a new component of the Higher Education Loan Program.

Others in this debate have mentioned that inevitably the funding that would be available for services and amenities as a result of this bill would go towards Machiavellian ends and be used for political funding. The bill prevents universities from allowing the expenditure
funds raised from a student services and amenities fee to support political parties or support the election of a person to the Commonwealth, state or territory legislatures or to a local government body. So there should be no qualms about the manner in which funds provided for necessary student services might be used for political ends.

This government will continue to work together with higher education institutions and students to ensure that students are given every opportunity to succeed and are adequately supported throughout their further education. Students have called for these changes. Universities have resoundingly called for these changes. It is time for those opposite to desist with their ideologically charged arguments and support what is a sensible resolution of an existing and longstanding funding issue for our higher education sector.

Mr SLIPPER (Fisher) (11.07 am)—No-one denies that universities need facilities or that students benefit from the range of activities and services provided at university. Nobody denies that it is very useful for universities to have very good sporting facilities. No-one argues against the provision of cafeteria services. No-one argues against a full and complete student life which would involve not only academic study but also extracurricular and cocurricular activities, including sporting activities. I believe that part of the experience of being at university does involve accessing these other services, does involve participating in extracurricular and cocurricular activities and in sporting activities. I believe that if the student body wants them to do so. I think it is wrong for those opposite to suggest that the Liberal-National opposition is in some way opposed to universities providing other than academic facilities and teaching services.

At the core of our opposition to the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 is our opposition to compulsion. It is not so very long ago that those opposite would have argued in favour of compulsory unionism—no ticket, no job. They would have argued that somehow it was beneficial for a person to be forced to join a trade union even though that person had no wish to do so. I think it is broadly accepted in Australia today, in 2010, that it is entirely inappropriate for compulsory trade unionism to be imposed on the workers of Australia.

Having established the fact that compulsory trade unionism is no longer acceptable in the community, I do not understand the inconsistency that we see uttered by government speaker after government speaker supporting the principle of a form of compulsory student unionism, as embraced in the bill before the chamber. Nobody says that we ought not to have these facilities at universities, but I think it is entirely inappropriate to impose a tax on students to provide facilities which they may choose not to use. If people are going to use facilities, then clearly they should be prepared to pay for them. It is wrong to impose on struggling students the fee proposed by this bill, which I understand is $250 per student per annum, indexed to $254 in 2011 and indexed every year afterwards. This bill seeks to impose on students, some of whom would use the facilities and many of whom would not use the facilities, an initial charge of $250 per student per annum. In fact, as was pointed out by the honourable member for Cowper in his contribution, the legislation is not intended to apply until next year, so the initial figure will be $254 rather than the $250 set out in the bill.

The legislation seeks to allay community concern by pointing out that universities would be required to spend the moneys raised on a range of services which are specified. These include cafeteria services for food and drinks, sporting and recreational activity, the administration of clubs and the provision of legal and health services, as was also pointed out by the member for Cowper. While the bill does in fact say that political parties cannot be supported, there is an opportunity for the funds to be used for purposes of a political nature. This is compulsory student unionism by stealth. University students often go to work to struggle to raise the money to enable them to study and to support themselves. The last thing students need is a compulsory tax imposed on them, which would make it more difficult for them to remain at university.

There is the moral issue that in a free and democratic society it is totally wrong that anyone should be compelled to accept the financial burden included in the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. What university unions should do is provide innovative services which would encourage students to voluntarily sign up and be prepared to pay. The honourable member for Mitchell, I think it was, highlighted in his contribution how someone elected to join a student union because the student union was actually providing services which the student saw to be of value. Student unions do not have anything at all to be afraid of if they are carrying out what the student body wants them to do. If a student union is providing services that students want, then the students will be more than happy to voluntarily pay to maintain those services. Unfortunately, a compulsory fee tends to encourage mediocrity in the administration of these student organisations because no longer will the organisations have to deliver outcomes to achieve income. They will simply receive the income as a tax on students, many or most of whom having not the slightest intention of using the facilities this fee is supposed to support.

University qualifications are not easy to earn. While, admittedly, many more Australians now have university degrees than once was the case—and, hopefully, more Australians will in the future have the opportu-
nity to obtain university and other tertiary qualifications—it is important not to place impediments in the path of the ability of students to actually go through university. These days, so many people at university, particularly mature age students, are virtually on the breadline and to impose a tax of $250 or more, which is indexed, is just another burden that they will have to bear. It is unacceptable, it is antidemocratic and, in my view, it is something that the Australian community would be totally opposed to.

In the past I have spoken in the parliament in favour of voluntary student unionism. I have opposed what the government is seeking to do. But it ought to be remembered that the Labor Party, prior to the 2007 election, actually promised not to bring in provisions included in the particular bill now before the House. The honourable member for Perth, who was then the spokesman on education, said:

I am not considering a HECS style arrangement. I am not considering a compulsory HECS style arrangement and the whole basis of the approach is one of a voluntary approach. So I am not contemplating a compulsory amenities fee.

The opposition agree with what the then spokesman for education said. We thought the member for Perth was being entirely reasonable. It seemed that the Labor Party had, for once, listened and was in fact responding to the genuine concerns of students and, I believe, the relief that students experienced when their voluntary student union legislation was incorporated into the law of this country. Having said that, the government is now tearing up the pledge made by the honourable member for Perth. This legislation will bring in the mandatory tax on students who simply cannot afford to pay it. Not only is it bad legislation but it is also morally inappropriate to promise to the Australian people one thing and then, after an election, seek to change that situation and break the promise which was made. Of course, some people would have actually voted for the Australian Labor Party on the basis of that promise at that election in 2007, which saw the Rudd government elected.

These compulsory student fees were abolished by the former Liberal-National government. That was done in recognition of the fact that not everyone wants to join a student union and not everyone wants to use the ‘services’ provided by the student union. They were also abolished because many people were concerned that money raised through the collection of fees was often spent on political events and activism and was, in fact, promoting causes which the students who were forced to pay for those campaigns actually opposed.

On top of that, as I said, there are students who are already struggling financially. I think this is an appalling situation. External students who study online or by correspondence have to pay the fee. They have virtually nothing to show for it because they are not on campus and are unable to access any services or amenities. So even if you can argue that those people on campus have the opportunity to, at least, use the facilities, external students do not have that capacity and are essentially providing a subsidy for those people on campus who choose to use the facilities on offer.

As I said before, the VSU legislation of the former government gave students a choice as to whether or not to join a union. This legislation does not give students a choice as to whether to pay or not pay the fee. This is 2010; this is Australia. We are a free country where we respect the rights of individuals—the rights of individuals to take certain positions, the rights of individuals to fund certain facilities and the rights of individuals to basically do what they want, as long as other people’s rights are not impinged upon. But, unfortunately, this legislation is un-Australian because it is seeking to force students to compulsorily support activities and facilities which they may have no intention of using.

As I also said before, it is no longer politically acceptable to have compulsory trade unionism. I do not see how it is politically, socially or morally acceptable to have what is, in effect, a form of compulsory student unionism by compelling students through a tax to pay $250, indexed, to support facilities and activities—no matter how beneficial they are—which individual students may choose not to use.

In the time that I have remaining, I want to reiterate that genuine student organisations which are doing the job, which are providing facilities, services and activities which students want to use will have students coming forward, prepared to pay for those particular things. This legislation supports a lack of performance by student organisations, because the organisations do not have to deliver the outcome to actually receive the resources. I find that not to be in the interests of students, it is not in the interests of the community and it is not in the interests of universities. And while universities may well bleat over the money they have lost from compulsory student union fees since the VSU legislation came in, one ought to also recognise that university funding has gone up. So the amount lost is not as much as the universities would, in some cases, have us understand.

Australia is a democratic organisation. This piece of legislation is the antithesis of democracy. It brings forward compulsion. It treats students as lesser citizens and I think that students ought to have the same rights—such as the right not to pay this fee—that employees have to join or not join a trade union organisation.

Mr NEUMANN (Blair) (11.22 am)—The federal Labor government is committed to ensuring that young people, young adults and mature-age students have a suite of policies that will assist them, whether it is as-
sistance in funding pursuant to the Bradley review, increased pensions or increased opportunity for work—because many students study part time—or whether it is increased funding directly to the campus or structural adjustment funding, which is currently being examined by this government. We are determined to make sure that universities remain viable.

It is important for us to look at the history of this situation and have a look at the long-held conservative ideology, the philosophical fixation, the ideological obsession, of those opposite with respect to the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. It is summed up in one word: union. That is why you hear that word uttered with venom, bile and bitterness by those opposite, time and time again. Speaker after speaker in this place used that word in a pejorative way, attacking unions. That is what this is about. It is not about anything else but that.

Let us have a look at the history of this legislation and go back to 1996. The then Howard coalition government, newly elected, signalled its intention to introduce voluntary student unionism. It tried to pass legislation to this effect several times in the late 1990s. Those opposite must have had a terrible time in the sixties, seventies, eighties and nineties at their university campuses, constantly battling their walls. They must have grudges, gripes and grievances which they have brought into this chamber from those days. The advocates opposite of voluntary student unionism received a big boost when in 2004 the Howard coalition government gained control of the Senate. The then Minister for Education, Science and Training, Brendan Nelson, on 16 March 2005 brought forward into this chamber legislation which had some degree of opposition in the coalition, particularly from the National Party. Senator Barnaby Joyce made some noises in relation to this matter. Despite opposition, particularly by the university sector and student associations, the legislation went through this House and through the Senate. There were discussions between then Minister Nelson and Senator Fielding, who insisted that there was not any behind-the-scenes fix in relation to that legislation.

The consequences of that legislation were pretty clear to the Howard government straightaway, because, to assuage the National Party and Senator Fielding, they provided $100 million to universities through three competitive fund programs, just to make sure that the Nationals felt that they were not getting a raw deal. I say to those opposite, particularly the National Party and the LNP members of this place, all 21 of them: guess what? Regional and rural Queensland universities have suffered the most because of your action.

The university sector opposed the voluntary student union proposal of the Howard government. Professor Ian Chubb, the Vice-Chancellor of the Australian National University and Chair of the Group of Eight, back on 23 March 2005 wrote an article for the Australian Higher Education supplement supporting the existing arrangements as they were in those days. I heard speaker after speaker opposite talk about choice and talk about the fact that services were not being used. It sounds like an opt-in, opt-out option with respect to taxation: ‘I do not use that road; therefore I should not pay for it. I did not drive that tank; therefore I should not pay for it. I did not attend that museum over in Perth; therefore I should not pay for it.’ That sort of proposal is really silly and stupid.

This is what Professor Ian Chubb said back in March 2005, supporting the existing arrangements before the Howard government, in quite an iniquitous way, attacked the local associations and the university sector. He said:

The Group of Eight—that is, the sandstone universities in this country—supports the arrangements as they exist, whereby autonomous universities can charge fees to all students to provide services that are available to be used by all students. Not all will be used by everybody, of course: not everybody will play football or chess or need child care or legal advice or counselling or help with accommodation, essay writing skills, statistics or the rules of cricket. Some services might be non-academic, but they help to ensure that campus life is a life and that a campus community is a community. Effective student associations and the representation they provide also make an important contribution.

We had speakers opposite talk about their philosophical heroes, such as Margaret Thatcher. The member for Kooyong was waxing lyrical yesterday afternoon about how wonderful Margaret Thatcher was. This is the woman who said, ‘There’s no such thing as society.’ Those opposite must think there is no such thing as campus life and community life at university.

A snapshot by Universities Australia of student associations in 2005 said that, in the final year before voluntary student unionism came in, the universities collected $172.8 million from student services and amenities charges. They provided really, really awful political activities and campaigns such as food outlets, buildings, meeting rooms, toilet facilities, stationery and second-hand bookshops, childcare services, legal services, welfare services, accommodation assistance, health and employment services, funding to student groups including clubs and societies, support for campus theatres, short- and long-term loans for students, student newsletters and newspapers—such awful, awful things for campus life to have!

This is a politically motivated opposition. It was about their obsession in 2005 and it is now. We are talking about things which are not politically motivated: child care, legal services, clubs and sporting activities. These are crucial to a civilised society and are crucial for those people who are away from home.
Let us look at the consequences of what they did in regional and rural Queensland particularly, for those 21 members opposite of the LNP, who should hang their heads in shame if they vote against this. The Central Queensland University Association staff was reduced from 42 to 15 through redundancies or attrition, resulting in the loss of $1 million in wages in their community. This was in 2007 as a consequence of Mr Howard’s ideological obsession. James Cook University Student Association was forced to retrench much of its existing staff, with significant reductions in services, sport, recreation, orientation week events and academic advocacy. Even the Schonnell Theatre and University of Queensland cafe were closed. There was an estimated loss of $6.5 million in student association revenue at Griffith University in Brisbane, resulting in the university providing $1.5 million from its own budget to help offset losses and maintain services. The University of Queensland campus at Ipswich also suffered. We saw the University of Southern Queensland suffer too. We saw example after example in Queensland of the failure of the previous government. The University of Southern Queensland saw a loss of $910,000 in membership funding almost immediately. That university needed to step in to protect staff from an uncertain future and there were redundancies and a cancellation of capital programs and of involvement in orientation week. I have the University of Queensland Springfield campus in my electorate. Sporting scholarships for elite athletes were discontinued and there was reduction in funding for inter-university sport and university games, with fewer athletes attending those events. There was a reduction in the financial support for clubs from $10,000 to nil. Griffith University and Queensland University of Technology were the same. There is example after example of where the impact of the Howard government’s legislation affected universities. And it persists today. But those opposite continue to oppose sensible, practical, balanced legislation that would assist campus life—all in the name of their hard right obsession.

The member for Fisher talked about the fact that they were supporting the tertiary sector; giving assistance to the tertiary sector. Let us see what they did in terms of assistance to the tertiary sector and for choice, because those opposite talked about choice all the time; they were on about freedom and liberty and choice. Guess what choice the tertiary sector had? The Howard government said, ‘We’re going to de-fund you, we’re going to cut back your funding, if you don’t impose Work Choices.’ That is what they did by legislation. ‘If you don’t comply with what we said in our hard right extremist policy, we’re going to cut your funding.’ That is what they did. That is the choice they gave, one choice for the rich and another for those struggling universities in regional and rural Queensland. They made it difficult for kids from low- and middle-income families from rural and regional Queensland to go to university.

The National Party realised this folly because there were murmurings back in 2005, and since that time they have had conferences at which the National Party, to their credit, have wanted to turn this around. They have passed resolutions at their conference for a compulsory fee, as we are doing here with the $250, giving the universities the options. So when this comes to a vote the National Party members sitting opposite should vote with us, because if they had any guts and fortitude, if they had any integrity on this issue, they would listen to what their members have had to say. They would not vote with the ideologically obsessed Liberal Party members, who seem to have suffered as a result of their experience at university campuses in the 1960s, 1970s, 1980s and 1990s. They would vote with us to help regional and rural campuses, to make sure community life was decent and usual and kids could get access.

Those opposite said that a lot of university students do not use these facilities. But we know that not everyone is aware of the fact that they might have a legal problem or a tenancy issue which they might need legal advice on. They might not necessarily have that problem now but it might come up in the future. A university student hurts themself in a football match and needs physiotherapy. A young mum needs child care to make sure that she can go to lectures and tutorials. She may not normally need it because grandma or the father of the child may be available to look after the child, but this time they may need it. They may not need it for years but they need it occasionally. A student might want to go to the movies at cheaper discount rates like those at Schonnell Theatre. This is the option that should be there and available: good services, practical services. Those opposite seem to be talking about unionism as if somehow they are all solely about the purpose of political campaigns, as if this is somehow unionism by stealth. That is what the member for Fisher talked about. But this is about doing the right thing by students and by student campuses across the state of Queensland and elsewhere. Making it difficult for those university campuses to function, making it difficult for them to continue community life, is not in the best interests of universities. It is not the way to make sure we lift productivity, we educate our young people to the best of their ability and we give options for young kids to get out of the circumstances where no-one in their family has gone to university.

The University of Queensland campus in my electorate has health science, medicine and nursing. There are kids going to the campus who would never have gone to university unless there was a university in Ipswich Central. USQ at Springfield has so many people who never could have gone to university, whose fami-
lies had never dreamed they could go to university. Making it easier and making life more amenable, giving them options to services, helping them physically, financially and legally and with child care as well is the right thing to do; it is the sensible, practical thing to do. Those opposite should not be opposed to this. I have discussed this at length with Pro-Vice-Chancellor Alan Rix at the University of Queensland Ipswich campus and he supports this proposal. I know that those at USQ also support this proposal. Doug Fraser is the CEO at USQ. They support what we are doing here. The sandstone universities, Universities Australia, the Group of Eight, support our proposal. I ask those people opposite, particularly those LNP members from Queensland, to do the right thing, stand up to the ideologues in the Liberal Party and vote with us on this issue. (Time expired)

Mr CHRISTENSEN (Dawson) (11.37 am)—As someone who received their tertiary education from a regional university in Queensland, I cannot support the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. I attended Central Queensland University in Rockhampton in the bad old days of compulsory student unionism and I am afraid that this bill is just compulsory unionism by another name. In my first speech I said that, with some government help, I funded my own way through university, so I know what it is like to be struggling to pay for living away from home and then to be slugged with student union fees that are paid to groups that at that point in time I was morally opposed to, and still am. They are political organisations—most of these outfits.

Back then, there were only two up-front fees at universities and these fees had most students out of pocket and behind on rent for weeks. They were the textbook fees and the student union fees. In fact, in 2004, the final year of this great student rip-off, student unions pocketed more than $160 million dollars out of the bank accounts of students around the nation. Back then it was a matter of ‘pay up your union dues or you do not receive your results’. It was basically blackmail. All of that was supposed to change with the abolition of compulsory student union fees, and it did.

I have nothing against unions. In fact, I have been a member of two unions in the past. I have no problem with the fact that student unions have been the traditional training ground for so many Labor members of parliament, and even some Liberal MPs for that matter, but I do have a problem with students being forced to pay to belong. My problem with this bill is that it compels students to pay a fee to a university for a service they do not necessarily use or do not want. That to me sounds like compulsory student unionism and it sounds like the compulsory student union fees that I was forced to pay when I was at university. It sounds to me awfully like the compulsory student union fees that the Howard government abolished in 2005.

Isn’t it fairer if all students pay for the services and amenities they actually use at these universities? But it is not so to this Labor government. It is intent on saddling Australian students with an even greater debt, when they finish their studies, by whacking on a ‘services and amenities charge’ to pay for services they do not actually use and some of them do not actually want. So on top of having a HECS debt, thanks to the Gillard Labor government Australian university students will now have a services and amenities HELP debt. It is typical of this government to bring in this compulsory service and amenities charge for their left-wing student union mates and then hide it from young people by putting it on the government credit card, only so they can be stung with the bill years down the track. This is the wrong way, but it is typically the Labor way.

And wouldn’t you think that if there were such huge support for this fee—that it is something students would actually want and would have loved to have paid up-front—

Mr Laming—It would not have to be compulsory.

Mr CHRISTENSEN—Well, it would not have to be compulsory. And if it was not going to be such a financial imposition on students, who are busy studying and working in part-time jobs when they are not studying, why is there the need to introduce a HECS style payment system for it?

Having listened to the debate so far on this bill, the argument has been put forward that this compulsory fee must be charged to pay for services that are not commercially viable. Well, if a service is not commercially viable, doesn’t it mean that it is not being used by the majority of students? And doesn’t the question need to be asked: why are universities providing these extracurricular services if they are not being utilised by students and they are not commercially viable?

One of the most reprehensible things about the old compulsory student union fee system was that it was charged to part-time students and students who studied externally, and there are many students who study externally at Central Queensland University, which is the main university in my electorate. And I know, along with the member for Herbert, that James Cook University also has a high number of external students. It is reprehensible that students who do not use any of those services are charged for them. It is disgraceful. To charge a fee to these students for services that they do not get to use is something I do not understand or fathom.

When the Howard government abolished compulsory student union fees, it was the National Party that fought for and gained transitional funding that helped
smaller and regional universities with the transition to voluntary student unionism, and most have transitioned very well indeed. The National Party recognised that some regional universities did not have the student base that the large city based universities have to fund their services and it was for this reason that the Howard government introduced the VSU transition fund.

I note that the consultation undertaken by the government and included in the Impact of voluntary student unionism on services, amenities and representation for Australian university students report found that the benefit of the current legislation—if there are any—was the streamlining and more efficient delivery of services to suit student needs, the opening up of the provision of services to a commercial model and consultation with students to determine what could be defined as essential services. The minister for tertiary education said, when announcing these amendments, that ‘it is important that we are able to restore the services and amenities that have been depleted’. I actually suspect that this is not the case. I suspect that this is more about restoring the student unions to a position of financial strength so that they can conduct their campaigns against the conservative side of politics.

If there were some type of hard guarantee that these funds would not eventually end up in the hands of a left-wing student unions, I would have some comfort. But the bill does not go far enough in restricting universities from distributing the funds to left-wing student union fronts, and that is going to happen. You can see it as clear as day.

Although the Minister for Tertiary Education, Skills, Jobs and Workplace Relations will say that these amendments have nothing to do with a return to compulsory student unionism, this bill is just the thin end of the wedge. If the bill passes, it will not be long before there is pressure from re-energised student unions to demand that this services and amenities charge become a student union levy. Either way, it is going to be compulsory.

This bill is about payback. It is about getting rid of voluntary student unionism and going back to those bad old days when Labor-controlled students unions, like those at the University of Melbourne, had to be investigated for graft and corruption. They had to get auditors to come in and scour the books because they were funnelling funds off to Labor mates, funnelling funds off for wild parties for a bunch of left wingers and funnelling funds off to Labor mates to do jobs for the student union—which really were not jobs at all. All of this had to be investigated in the bad old days of compulsory student unionism—the bad old days when students had to fork out so that ideologues could make trips to conferences of the National Union of Students and move motions attacking Israel and all sorts of radical nonsense. This bill is about going back to the bad old days when student union newspapers were simply propaganda pieces for either the Labor left or the socialist alliance.

Students in this country do not want to go back to those bad old days. Students want to keep money in their pockets for the essentials: rent, food, electricity—the price of which you guys are doing a pretty good job of driving up even further—and textbooks. Students do not want to pay for services that they do not use and are not interested in using. Students do not want to pay for quasi-political organisations. Students do not want to be forced to join organisations. Being forced to join organisations is in direct opposition to article 20 of the United Nations Declaration of Human Rights, which reads: ‘No one may be compelled to belong to an association.’ Students do not want to return to compulsory student unionism. Students do not want this tax.

This debate will be remembered. It will be remembered that the people on this side of the House voted to save students from this tax, from this return to compulsory student unionism, from this bill which is in violation of the United Nations Declaration of Human Rights—forcing students to pay for something and forcing them to belong to an organisation. It will be remembered that those on the other side of the House voted to slug university students, many of whom are struggling to make ends meet, with a tax of $250 a year. What a disgrace. Those who claim to represent and help the underprivileged and the poor are here today advocating for a tax to be slapped on them. What a disgrace; what a shame. We will not do that on this side of the House. We stand up for students. Labor just wants to tax them.

Mr SIDEBOTTOM (Braddon) (11.48 am)—I am very pleased to support the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. I will discuss the actual bill so that we can put to rest the fear mongering and the absolute exaggeration the member for Flynn and others opposite have been prattling for the last couple of hours.

Mr Ewen Jones—Dawson.

Mr SIDEBOTTOM—I support this bill for the third time. The reasons we are here for a third time can be boiled down to about four reasons. First and foremost, the opposition—and they are indeed opposing—are hell-bent on stopping us from fulfilling an election commitment from 2007 and an election commitment reinstated again in 2010. As far as I know, we are the government, and we were in 2007, so we have the mandate to have this legislation passed. I think that has been pretty well established. But the opposition, being an opposition for opposition’s sake, have been making up all these scary old so-called clauses that are supposed to be in this bill—all probably written out by the member for Indi, who has a pathological hatred of unionism, particularly student unionism. They get their
template answers, pop in here and slip out a few examples from their electorates, like the member for Flynn. You are going to have to do a bit better than that—do your own research, for a start.

Mr Ewen Jones—Dawson.

Mr Sidebottom—Secondly, listening to those opposite, both in the past and now, particularly the member for Flynn here as well as the member for Indi and the member for Mackellar, we hear this pathological, ideological hatred of unionism. Because of this pathological hatred, they have associated unionism with anything to do with fees for amenities and services on our university campuses. Do not worry about the truth; if it has the word ‘union’ in it, it has got to be bad—and of course it has got to be compulsory. This legislation is not about making it compulsory at all. It is about making it optional for universities. So tell the truth, and none of these fibs you have been pumping out with some of your cobbers opposite.

Those opposite also continue their attack on public universities. They are not supporters of public universities at all. Their record is that money was ripped out of our public universities. The so-called legislation—the Howard legislation, which is still in effect—only took out more services and more money from universities, who had to try to re-divert and redirect their resources to make up for those services that the Howard government wanted to rip out of universities. That is the truth, but of course you do not hear that. It is all ‘in the name of free market forces’ and ‘the students want to get on with the fundamentals of life’ and all these types of things. What a load of rubbish. Students have fundamental needs in life, and those needs were provided for by the universities through their services and other facilities. So do not give us all this tripe about you knowing the essentials of what students want today. You do not know at all.

Finally, I believe their view of politics is not to argue the substance of any legislation. That was demonstrated today. If you go through the substance of the legislation, which I will now do, you will see it has nothing to do with the opposition to it. That is purely political. When you ask for substantive argument about why we should not try to reintroduce what we regard as necessary services and amenities to our campuses, the opposition cannot give you an example except to say, ‘You’re trying to reintroduce compulsory unionism to our campuses.’ That is the fundamental argument all the time. Go and read the bill. It says the opposite. But they do not worry about that. On they go.

Those are the four basic reasons why they are opposing this bill and opposed earlier attempts to introduce it. There is nothing of substance in their opposition to it except that they are the opposition—and they are well and truly acting like it today. They stand for ‘no’, for obstructionism and for little else. But they pride themselves on that.

First and foremost—and on a positive note, because I am a very positive person—I would like to say what this legislation is all about. Fundamentally it is about restoring a balance. Labor is about restoring balance after the destructive years of the Howard era—and the acolytes of Howard are floating around in the chamber today and leading the mob opposite. Fundamentally this is about restoring balance, as we promised we would do and the electorate said: ‘Thank you very much. We endorse balance. We endorse you as the government.’ This is about restoring the balance between what was taken away during the Howard era and what existed before that government’s miserable changes. It seeks to do this in a contemporary way, which means a way for now that is appropriate and takes into account changing circumstances and the needs of students, their families and their communities. It is not going to be the same as in the past, contrary to all the fears that the member for Flynn raised in reading the template answer that the member for Indi popped out for him to read. It is going to be our way today. That is what the bill seeks to do. This time we are putting some balance back into the tertiary education system and accompanying services, after they were hacked at—I think that is a good description of it—by the previous government in what was, as I noted earlier, a poorly disguised attack on what they perceived as a political threat to their future on campuses around Australia. Hence, like the member for Flynn, attacking the lefties—

The Deputy Speaker (Mr S Georganas)—I remind the member for Braddon that the previous speaker was the member for Dawson—if he is referring to the previous speaker.

Mr Sidebottom—I humbly apologise to the member for Flynn! Contrary to what some members have said in this House, both when this legislation first came up and, more recently, today—thank you, Mr Deputy Speaker; I am humbled by my mistake—the past legislation stripped nearly $170 million from university funding. That is $170 million, member for Dawson—remember that figure, because you did not cite it—that was stripped from university funding, which left universities struggling to cover many vital and valuable services to the students the previous government claimed to represent. How do you make up $170 million of stripped services? I would like to know how to do that. One way the universities tried to do it—they were forced to by those opposite—was to take away funding from their mainstream programs. They took it from student classes, programs and courses so they could redirect it into what they regarded as fundamental amenities and services.
You do not have to believe me about this. I try to have substance and references for what I say. Just go and read the universities’ comments about how they had to redirect their funding to keep some of these services going. For example, dental services at La Trobe University and Southern Cross University were completely closed down. Having the odd molar problem is bad enough at any time, but if you are a rural or regional student at La Trobe University and you need assistance with your oral health—which can affect all of your health, of course—you cannot access basic oral health services on campus, and it is very difficult.

Mr Laming—Cross the road!

Mr Sidebottom—It is very difficult, as we all know, to access those services outside the campus. ‘Cross over the road,’ says our friend on the other side—oh yes, any old access to dental services. I am sure if we did a little survey in this chamber at the moment it would tell you how many weeks you have to wait to get dental services. What a load of rubbish! La Trobe University, James Cook University and the University of Technology, Sydney, had to close their legal services. Of course, you can just go over the road! In the case of the University of Technology, Sydney, this affected not only the students but also the local community, to whom they provided the services as well—and no doubt took some fees from those who accessed the service and were able to pay. The emergency loans scheme once offered at the University of Sydney had to close down. I understand that three universities shut down their Centrelink advice services. Nine unis shut down their student legal and taxation advice services. Childcare fees at La Trobe Uni rose by $800 a year, and direct funding for sporting clubs was cut by something like 40 per cent—and so on.

Members on this side whose electorates include those campuses and those students have cited example after example of amenities and services being cut because of the former Howard government ripping out $170 million from the system. That is still supported by those post-Howard acolytes sitting on the other side. We all know this. Students are more than people just sitting in class and consuming lectures. Students, particularly those that come from rural areas such as my electorate of Braddon in north-west Tasmania, require services to support and complement their studies. Those students are forced to travel, live away from home and go to university campuses throughout this nation and elsewhere. Those services and amenities are very important to those students.

I think it is very important—and again it has not been emphasised by those opposite—that this legislation allows higher education providers to choose to implement a compulsory student services and amenities fee. There is a choice. They can choose. This does not mean it is compulsory. Let us get the facts right. It is not compulsory. It is up to those higher education providers to choose whether to implement this form of amenities fee. Also—unmentioned by those opposite—it is capped at $250 per student. It is indexed annually. What it is meant to do is clearly and precisely set out. It is not for the old beer fests that were mentioned by the member for Dawson, or for the running of the old lefties clubs or whatever. We know that is specifically prescribed against. So why don’t those opposite tell the truth and say what is actually in the bill instead of doing all this fearmongering that the member for Indi has given you all to trot out in this place?

It is not meant and cannot be used to promote Labor, the Greens, the Liberals, the Nationals or Calathumpians Incorporated, none of that—and you know that to be true. It allows higher education providers to choose to implement such a fee. It does not say that they must do so. So this is not imposed by us from without. It is up to the higher education providers to make the decision and to remember it, taking into account the whole of the demands and expectations of their students on their campus. They make the decision. There is consultation on this decision by universities. You do not hear that from the other side—so please tell the truth and speak about what is actually in the provisions of the bill instead of trotting out this other guff.

I mentioned earlier that, contrary to the claims of those opposite, the changes introduced with voluntary student unionism that the Howard-era and post-Howard acolytes still support did not reduce costs on university campuses. Those changes merely shifted those costs. For example, evidence demonstrates that students have been hit with increased costs for child care, parking, books, computer labs, sport, food and so on. They have also indirectly affected academic achievements, with a number of unis forced to redirect funding, on their own account, out of research and teaching budgets to cross-subsidise and fund services and amenities that would otherwise have been cut.

For the edification of those who may be listening to or may read this debate and those present in the chamber and for posterity, I would like to explain a little more about what the intention of this legislation is and what is not intended. The new fee, if introduced by higher education providers, comes with some room to move. So as not to introduce a financial barrier, eligible students will have the option, if the fee is introduced, of a HECS-style loan under a new component of the Higher Education Loan Program, SA-HELP. The fee will be indexed along with other loan programs. So, importantly, if it is introduced by a higher education provider, it is capped and if somebody finds it financially difficult then they can take a loan to help them pay that fee.

This bill is not about a return to compulsory student unionism. I point out to those opposite that section
19.37(1) of the Higher Education Support Act 2003, which prohibits a provider from requiring a student to be a member of a student organisation, is unchanged in our legislation. We know that there would be scare-mongering about support for political activities on campus, but the amendment is very clear on this point. This is very interesting, given that those opposite have carried out scare campaigns about this legislation, mainly driven by what I regard as ideological motivations. I reiterate that the new provisions prohibit the fee from being spent by a higher education provider on support for a political party or a candidate for election to the Commonwealth, state or territory parliaments or to local government. I have other things that I would like to add about this legislation but let it be known that it is not compulsory unionism. There is choice. There is support for students who may find it financially difficult if that university through consensus accepts this legislation.

Mrs ANDREWS (McPherson) (12.03 pm)—I rise to speak on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. This bill will introduce a new tax, levied regardless of income or economic position, and will add an additional cost to a tertiary qualification. It will be levied regardless of whether a student will ever access the services they are meant to be paying for. It will impact external students, full-time students and part-time students as if they have equal access to services. This bill increases the financial impost on students. It does so without improving the standards of education or educational outcomes and infringes on the rights of students. This bill is yet another example of this government not understanding what students actually want and care about or what will make participation in our educational institutions easier. We have seen this all before, when changes were made to Youth Allowance requirements making it more difficult, especially for students outside our major cities, to get an education.

This bill is rushed. As a member of the Education and Employment Standing Committee, I experienced firsthand the manner with which the government thumbed its nose at the committee process and the need for this bill to be properly examined. The reality is this rushed process will create problems with the implementation of this tax on students. For example, in a submission to the committee, a university stated: although it is not compulsory unionism. There is choice. There is support for students who may find it financially difficult if that university through consensus accepts this legislation.

The submission goes on to state:

In addition, the commencement of the Bill will need to factor in the time needed for universities to set up appropriate internal financial, enrolment and information processes. For this reason, I suggest that mid-2011 provides a realistic time-frame to introduce the fee.

Labor have rushed this bill through the committee process, but for what purpose? The government have stated that they foresee the implementation of this new fee on students at the start of the next academic year, but the reality is that this will put undue pressure on universities to have their infrastructure in place in order to collect the fee.

This raises the question of how effective administration of the expenditure of the proceeds of this fee will occur if there are difficulties in simply collecting money from students. This is but one question this bill raises; however, the government should have been looking for answers or to at least ask a range of other questions before they introduced this bill into the House. Public comments from the government demonstrate they do not understand that students want control of their own funds. In a media release of 15 November 2010, the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Chris Evans, said:

It’s now time for the Liberal Party to move beyond old ideological debates, recognise the value of providing good services to students on our university campuses and support this legislation.

We have heard a lot from members of the government decrying opponents of this bill as ideologues, but it is the government who have put forward this bill on the basis of ideology. A better question Senator Evans should ask himself is: why does the Labor Party wish to take the assessment of value away from the students whose money it is and place that job with the universities themselves? It should not be up to the coalition or the government to identify whether student services are offering good value to students. Students should choose whether the offerings of student unions on their campuses offer value for money or whether they would be better off using their hard earned money on other items. There is a disconnect here. Students will be forced to spend this money with a complete disregard for whether services will be utilised. There is a true equity issue here. External students who never have the opportunity, let alone the choice, to access student services will be forced to pay the fee.

I believe in the fundamental right of students to choose to belong or not to belong to a student union, student guild or student association. There is a fundamental right of freedom of association in the workplace as there should also be on any campus throughout the country. Membership of any organisation should not be a prerequisite for achieving an education; it is fundamentally wrong. Individual choice is an integral part of our society. This bill erodes the rights of students to choose. It is wrong and unfair. This bill is an infringement on individuals’ rights and liberties and their right to a tertiary education.
This is not a small endeavour that Labor has embarked upon. All of Australia’s one million students will be subjected to this new tax, and at $250 each we are looking at a quarter of a billion dollars ripped out of the hands of our students that could otherwise be used for textbooks, study materials, the cost of living and even as a contribution to pay down their student debts. A best case scenario through exposure to the poorly thought out SA-HELP is an increased student debt. This will at best increase the administrative and financial impost on students.

The government claims that students are wholeheartedly behind this tax, but the average student is not. Speak to students on campuses throughout Australia and they will tell you the same story: ‘Why should I pay for something I don’t use? Why should I pay for something I can’t and never will be able to use? Why can’t I just pay for the services that I decide I need? Why does the government want to make it harder for me to get an education?’

Student unions do not represent the average student. They push a political agenda as evidenced by the recent campaign against the Leader of the Opposition during the election campaign with funds contributed by students. The National Union of Students saw fit to spend funds on a personal attack on the Leader of the Opposition last August, two weeks out from election day, which at the very least involved four campaign stunts and internet based advertising, which is still present on the NUS website. You can read of the NUS’s push for same-sex marriage legislation on the same website. Whether you support same-sex marriage or not, no-one in this place or elsewhere could legitimately claim that there is not a divergence of views on this issue. And this divergence of views is not exclusively outside the student community; it also comes from within it. Students who are vehemently opposed to having their student services fees used to fund activities would see those funds being used to support these same causes under this bill. How this could be acceptable to anyone is beyond belief.

The government would argue that the legislation before the House protects against these practices, but the reality is that the legislation is so poorly drafted that it is full of potential loopholes where student funds can be used for political purposes. Whilst the prescribed prohibitions in this bill may disallow student money being spent in support of political parties or candidates, there is nothing to prevent expenditure on political causes or issue based campaigns, and I have a deep concern with this. Not all students support or oppose the same issues. These campaigns will be decided by a minority of students but will be funded by the majority, indeed the entirety, of the student body.

The government is selling this bill as the deliverer of services to students, but the reality is there is a real possibility that moneys intended for student services will be siphoned into campaigns whether students agree or not. The bill puts the burden of compliance on the universities themselves to ensure funds are not spent on prohibited uses, yet how should a university go about enforcing this? It is unclear in this bill and, indeed, it is unclear whether the government wishes sanctions to be placed on bodies that spend student funds for such purposes.

Should this bill pass, time will tell where student funds are being directed. The case made by proponents of this bill is that the student services provided by student organisations funded as a result of this bill will help students get their education. However, the services most often quoted by supporters of this bill are already provided through universities or by the government itself. University students are not discriminated against at government agencies when they present themselves for help. Students already have health services through Medicare. They have access to subsidised child care. They have access to support in the case of an emergency. They have access to the same non-government organisations that are so important to many other members of the community.

Students can form and fund sports clubs and societies without the need for support from a student union, and the money of other students, just like any member of the public can pull together like-minded people to enjoy a shared interest. There should be no discrimination against university students in the broader community. Where university students are discriminated against is through this bill. I urge the House to reject this bill.

Ms GRIERSON (Newcastle) (12.14 pm)—I rise today to add my voice to the chorus of support, both within the House and within our universities, for the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. Although it is the first time that I have spoken to the bill in this form, I acknowledge with regret that similar versions of the bill which I have spoken on previously have twice been defeated in the Senate—regret because, by voting against this bill in its previous forms, those opposite condemned students at the University of Newcastle in my electorate to diminished social and recreational services. This is in spite of the university diverting $5.8 million from teaching and learning in order to support student amenities and services because of their commitment to their students and the student experience.

At the recent election, I made a commitment to the university students in my electorate to reverse the decline in university support services that has taken place since those opposite banned non-academic fees. This bill helps me to honour that commitment and goes some way to redressing the injustices of the previous government’s voluntary student unionism legislation.
The Higher Education Legislation Amendment (Student Services and Amenities) Bill is a balanced and practical solution to the challenges posed by the ban on non-academic fees. It holds promise to reinvigorate our universities, rejuvenate campus life and re-engage the student body. This is such an important aspect of the student experience, given the commitment that students now have in terms of their work-study balance. It also allows universities to implement a services fee, capped at a maximum of $250 per year—and at $254 in 2011, with indexation. That fee will be used to rebuild the support services and intellectual infrastructure essential to university life.

The bill will also, for the first time, introduce national student representation protocols to ensure that students have an opportunity to participate in university governance structures. The bill requires that universities in receipt of Commonwealth funding under the Commonwealth Grant Scheme comply with new student services, amenities and representation and advocacy guidelines. In the discharge of their obligations under the guidelines, it is important that universities act in good faith and work together in partnership with student representatives to reinvigorate campus life and rebuild the community on their campus. It is this partnership that this bill seeks to strengthen in order to positively foster campus culture and an inspired student body.

The Vice-Chancellor of the Australian National University, Professor Ian Chubb, has flagged the importance of students receiving more than just an education, and I would have to agree. ‘It is partly about socialising people,’ he said; it is as much about ‘getting them to be part of a community as it is about expanding their minds’. I have some other views on that. I have a daughter who was a student union president for over 18 months and I know some of the complex issues she had to deal with—some of the conflict resolution and some of the advocacy she had to do for students. It was highly demanding and critical to the lives of those students. How important those services are should never be underestimated.

Consultations with universities in 2008 revealed that $170 million had been cut from funding for services and amenities as a result of VSU. It is students who have had to shoulder the burden of this cut. Universities have been forced to shift funding from research and teaching budgets to support basic services and amenities that would otherwise have ceased, such as counselling services, conflict resolution services, child care, health services and welfare support. Other universities were forced to increase the costs of parking, food and child care for students. Nine universities shut down their student legal and taxation advice services. The review of the impact of VSU commissioned by Australian University Sport and the Australian Campus Union Managers Association has revealed that students are increasingly having to bear those costs themselves. Increased charges for the use of facilities or access to events is placing greater financial pressure on students, while cost-cutting is diminishing the quality of what it means to go to university.

Universities Australia, the peak representative body for the tertiary sector, like the National Tertiary Education Union, has welcomed the reintroduction of this bill. They said:

Universities have struggled for years to prop up essential student services through cross-subsidisation from other parts of already stretched university budgets, to redress the damage that resulted from the Coalition Government’s disastrous Voluntary Student Unionism (VSU) legislation.

The consultations that we undertook with the community in 2008 found that ‘the abolition of upfront compulsory student union fees had impacted negatively on the provision of amenities and services to university students.’ The postgraduate and, in some instances, undergraduate student associations of several universities have since folded. The University of Ballarat student union, for example, collapsed earlier this year, while at Southern Cross University, in regional NSW, students lost their textbook loan scheme, dental service and all but five student clubs. The report also found that VSU has cost 1,000 jobs in the tertiary sector, yet those opposite say that they are committed to jobs. The Australian Olympic Committee in their submission to the government’s review of VSU reported:

… the introduction of the VSU legislation has had a direct negative impact on the number of students (particularly women) participating in sport and, for the longer term, the maintenance and upgrading of sporting infrastructure and facilities and the retention of world class coaches.

I think we should never underestimate just how much of the infrastructure we have that supports so many aspects of the quality of life in Australia is incubated in universities. Before those opposite voted to outlaw non-academic fees in 2005, the University of Newcastle, in my electorate, levied a fee to subsidise and support catering and food, sporting facilities, student development courses, international student services and advice, international clubs, student organisations, travel services, dental services, welfare services, on-campus shops, photocopying services, campus sports, facility maintenance, recreational libraries, computer facilities, art galleries, bookshops, the student magazine, legal services, academic advice and advocacy—a rather rich experience for students.

In 2005, as the VSU legislation passed through the parliament, the Vice-Chancellor of the University of Newcastle, Professor Nick Saunders, warned that it would ‘mean higher prices and a severe reduction in services and the quality of campus life’. ‘Student fees,’ the vice-chancellor said, ‘allow the University of Newcastle to deliver a range of non-academic services to
students, support their wellbeing and enhance their university experience.’ I would also say that they enhance their success. Since the VSU legislation was implemented, however, the university has had to reallocate funding from important teaching and learning to support the student body.

Education in Australia is our fourth largest export. It is the largest in Victoria, and certainly in my electorate the University of Newcastle has a very high enrolment of international students. We need student services to support that growing industry. The International Education Association of Australia has flagged future drop-offs of at least 100,000 in international student enrolments. We need to provide more and better services to students to make the student experience a competitive advantage in order to attract and retain international enrolments, and this bill goes some way to achieving that.

Rural and regional students, many of whom flock to the University of Newcastle in my electorate, were most affected by the Howard government’s prohibition on non-academic fees. As a result, regional students face particular disadvantages—ageing infrastructure and declining university services. According to the National Union of Students, regional students are around 70 per cent less likely to attend universities than students from metropolitan areas, yet in the past we have seen the rug ripped out from under them once they get there.

As a government we need to remove barriers for students from regional areas to come to university, and this bill goes some way to achieving that by improving services and support activities for students, services that students moving from regional areas particularly rely upon. Dr Glenn Withers particularly highlighted the implications that increased funding for student services could have for employment opportunities for regional students. He said:

It would make a huge difference to regional students if we could obtain and properly fund expert employment advice, maintain good relationships with local employers, and try to link work with studies, so the two can work well together in terms of timing and content.

To ensure that the fee is not a barrier for students entering into tertiary education, any university introducing the fee must also provide eligible students with the option of taking out a HECS-style loan under a new component of the Higher Education Loans Program, SA-HELP. Universities Australia’s Australian university student finances survey has found that this loan program will remove any difficulties that students may experience in paying the fee.

Students turn to health and welfare support services when most in need, and often that is an unexpected event. Funding for these services can make the difference between students continuing their studies or dropping out because they cannot afford the costs of services such as child care or legal advice. Recent research from the United States has shown that boosting expenditure on student services and amenities leads to an increase in completion rates, particularly for students from lower socioeconomic backgrounds. As we increase university enrolments in line with the participation recommendations of the Bradley review into higher education in order to sustain our national productivity and social justice agenda, on-campus services cannot be allowed to decline, or else so too will the quality of education in this country. Yet the shadow minister for universities and research, Senator the Hon. Brett Mason, has touted this legislation as a return to compulsory student unionism. What a cop-out! He has said:

… if it walks like a duck and quacks like a duck, it is a duck. But this is not a return to compulsory student unionism. Section 19.37(1) of the Higher Education Support Act 2003, which prohibits a provider from requiring a student to be a member of a student organisation, remains unchanged. The new provisions also prohibit the fee being spent by a higher education provider in support of a political party or candidate running for election in a Commonwealth, state or territory parliament or local government.

The opposition that is coming from the other side is not evidence based; nor is it based on reasoned argument or the reality of this legislation. It is just political; it is just ideologically driven. Those opposite are not interested in the practicalities of their opposition. Instead, they decry this legislation as a return to compulsory student unionism and say that they oppose it because they support freedom and a student’s right to choose—that word ‘choice’: look after yourself first. They say it is a ‘big new tax’ on students. It seems that in those opposite we have our own Australian brand of the United States Tea Party.

But we have seen what those opposite consider freedom. We saw it when they introduced Work Choices and we saw it when, while Minister for Health in 2005, the now Leader of the Opposition refused to approve the use of the abortion drug RU486. When those opposite voted to outlaw non-academic fees in 2005, the now Leader of the Nationals in the Senate, Barnaby Joyce, crossed the floor to vote against the legislation. When he did he remarked:

… take the ideology away from this and just think about … the actual effect of it.

That is probably the smartest thing Barnaby has said! He recognised then, as I hope he will now, that opposition to funding for our universities and financial support for our students are neither sustainable nor sensible. I would ask those opposite where they expect universities to find the $170 million that has been cut from universities as a result of VSU, but compared to the
$11 billion black hole in their recent election costings I suppose $170 million is small change.

Australian Labor governments have always been the governments of opportunity, and a services and amenities fee is an important component of our commitment to building the intellectual infrastructure of our nation. We refuse to continue the tradition of disinvestment in higher education that those opposite began. Already we have reformed youth allowance and delivered support through our Better Universities Renewal Funding, which provided universities with $500 million in 2008 to support vital infrastructure. This has meant better libraries, better laboratories, better research facilities and better amenities.

In the most recent grant allocation rounds of the Education Investment Fund announced last month, we provided $550 million to 19 projects to improve tertiary education and research. This forms part of a larger package of around $3 billion to fund the intellectual infrastructure necessary for our universities to prosper. It was that great Labor stalwart Gough Whitlam who said in 1972:

... education is the key to equality of opportunity. Sure—we can have education on the cheap ... but our children will be paying for it for the rest of their lives ... We believe that a student’s merit rather than a parent’s wealth should decide who should benefit from the community’s vast financial commitment to tertiary education.

The Gillard Labor government remains committed and true to these values almost 40 years later. This legislation is supported by universities and, more importantly, it is supported by students. I commend this bill to the House.

Mr CIOBO (Moncrieff) (12.28 pm)—I rise to speak on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. This bill has been before the parliament twice previously. This is the third time, and I am not sure which aspect of this legislation I find more offensive. I am not sure if it is the intellectually arrogant attitude of those Labor members opposite who say to what are frequently among some of the most disadvantaged Australians ‘You’ll pay an extra $250 a year because we think it’s in your best interests’ that is most offensive or the fact that the Labor Party thinks that we are all mugs. The reason I say that they think we are all mugs is that that is the only possible explanation for foisting a $250 a year new tax on Australia’s university students and then saying to them: ‘Look, this is not about unionism. This is not about political propaganda. This is only about making sure that we have the best services available to you.’

We just heard this view from the member for Newcastle, who spoke before me, when she made the remark that the money cannot be used for political candidates or for political parties—and left it at that, as if it were some kind of safeguard or guarantee. For the last 10 or 20 years, the Labor Party has abused the hardworking dollars of Australia’s university students through the university movement, and it is as if that has all been erased. I think Australians are a little smarter than that. They are a little smarter than the Australian Labor Party gives them credit for, because they know that, whilst the money may not be used specifically for political candidates or for political parties, the Australian Labor Party absolutely will use the money through their student unions on campaigns, and those campaigns will be issue based. If you want any examples of that, just look at an organisation like GetUp!

We already know that GetUp! is nothing but a front for the Australian Labor Party. We will see student unions using the money being paid by Australian students in exactly the same way, which is to campaign on important university related issues of the day, which might just happen to correlate with what the Labor Party wants to campaign on federally. That is the reason why there are really two issues of concern here. There is the intellectual arrogance of saying to someone, ‘You will be forced to pay $250 a year because it is in your best interests,’ and the view that we are all so stupid that we would actually think that the money would not be misappropriated and used on political campaigns.

The coalition has voted against this legislation twice before. It is a very simple proposition, and it goes to the core issue of whether or not we think adult Australians have the right to choose how they want to spend their money. In the community outside of universities, if a student or, indeed, if anybody wants access to particular service, they go to myriad community groups, non-government organisations or, in some instances, government organisations for support. They might want to play a sport such as cricket, AFL or rugby or whatever it might be. They might join a community group that is being run by the community, that is funded by the community and that is in the interests of the community. But, when it comes to universities, for some reason a whole separate set of rules applies. If you are a student who goes to TAFE, apparently you are not worthy of this rule—you are not worthy of having the government force you to pay a tax for access to services. If you are a university student, you apparently have no right to choose. According to this legislation and according to the Australian Labor Party, you should be forced to pay $250 a year towards student services, even though they may not be services that you ever use, ever want to use or, indeed, ever have access to. That is what is at the core of this legislation. It is the complete ripping away of the right of young Australians and mature or older Australian students to choose how they want to spend their money.

CHAMBER
I have had the privilege of being a student in both the public system and the private system. I have to say that the contrast between them is clear. It has certainly been my experience to place the efficiency of the private system above the public system any day of the week. But, notwithstanding that, the vast bulk of Australian tertiary students study in the public system and the vast bulk of them vote with their feet when it comes to student services. People were sick of being forced—basically taxed—to pay fees to universities for services that they did not want or need. It is the reason that so many of the peripheral groups collapsed. They did not meet the needs of the customer base they were trying to appeal to. What happened with those that did? The groups that had a commercial business case still received support from university students. Students would voluntarily choose to join those clubs and societies and to pay a membership fee and, lo and behold, they paid a lot less than the $250 that the Labor Party want to force them to pay. Those groups have remained solvent because they met a demand.

I know that the issue of supply and demand is contrary and perhaps not understood very widely by those members of the Australian Labor Party who seem to operate in a world where there needs to be no correlation between supply and demand. But there are those of us who actually think that the marketplace holds some value and that it is not good enough to hold a gun at the head of Australian tertiary students and say, ‘You will have to pay $250 a year for student services, even though you may not use them.’ There are those of us who say, ‘We think Australians are mature enough to make an informed choice about which groups and which societies they want to support.’ We think people should exercise their right to choose. We make no apologies for it. It is a great shame that the Australian Labor Party does not even give young Australians the space of exercising the right to choose.

The truth is that this legislation is not only the height of intellectual arrogance by the Australian Labor but also another broken promise by the Australian Labor Party. Prior to the 2007 election, the then shadow minister for education, Stephen Smith, said:

... firstly I am not considering a HECS style arrangement, I’m not considering a compulsory HECS style arrangement and the whole basis of the approach—

that is, Labor’s approach—

is one of a voluntary approach. So I am not contemplating a compulsory amenities fee.

That was Labor’s policy prior to 2007. Yet in November 2008, the then Minister for Youth, the Hon. Kate Ellis, announced that the Labor government would pursue a compulsory fee to pay for services and amenities. The minister stressed that universities will still be prevented from requiring that it be compulsory for a student to join a student union. However, it is clear that the compulsory fee is being used to subsidise union activities and services not necessarily used by the particular student paying the fee.

This goes to that issue of whether or not the money will be what I can only describe as ‘misappropriated’ by student unions. We know that in so many instances student unions have a particular agenda that they will want to pursue and that nine out of 10 times that agenda happens to marry exactly with the Labor Party agenda. And, lo and behold, the money that students are being forced to pay gets siphoned off and spent on political campaigns that back the Australian Labor Party or, indeed, even the Greens. That is where the money is going, and that is the reason the Labor Party is so desperate—and I suspect the Greens member is the same—to hold a gun to the head of Australian tertiary students and say: ‘You will have to pay this fee because it is in your interests.’

I heard the member for Newcastle come into the chamber and say, ‘Look at all these groups that have closed down,’ and she rattled off a long list of groups that had closed down. Isn’t it relatively straightforward that these groups have closed down because they are not supported by the students? The groups that are still functioning are the ones that students want to use and the groups that have no application to the day-to-day lives of students—or that students do not want to utilise—are not used. It is extraordinary that the Labor Party would come into this chamber and attempt to justify a particular set of rules applying to a small subset of Australian society. They will say to TAFE students: ‘Tough luck, you do not deserve it. You are doing vocational education, tough luck; it does not apply to you. But you are a university student—we dictate that you must immerse yourself in the university life.’

The truth is that Australian students have the right to choose. We are proud that we implemented a system that gives them the right to choose. They are no longer being ripped off hundreds and hundred of dollars a year. They are electing whether they spend their money on catering, whether they spend their money on the beer appreciation society, whether they spend their money on the rugby club, whether they spend their money on AFL or whatever it might be—arts, child care, you name it. There are systems in place to provide support to all Australians which do not discriminate against university students. There are systems in place to provide support to university students if they are low-income earners. There are systems in place to provide support to university students from regional and rural areas.

There are about 130,000 Australians who do university study externally and will not set foot onto a university campus. Under this legislation they still have to pay the $250 fee. If that does not highlight how completely perverse and unjust and inequitable this is, then
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I do not know if it can be more clearly explained to the Australian Labor Party. Why should 130,000 Australians have to pay $250 a year for an amenities fee when they do not even set foot on campus? More likely than not, the Australians that will have to pay that fee will be those living in remote and regional areas.

The simple reality is that it is unsustainable to say to one small subset of Australian society: ‘We believe that we know better than you do. We, the Australian government, demand—and in fact legislate—that you must pay this fee each year. We do not want to hear concerns or complaints that you never use the services because that does not matter. You have to cross-subsidise what other people do.’ The fact is: if you want to argue on the grounds of equity or on the grounds of people from low socioeconomic backgrounds or on the grounds of social disadvantage, all of those support systems already exist in the community. What makes a university student so unique that they should be forced to pay this extra money in order to go to university?

I have the distinct pleasure of having come through the Young Liberal movement. I have friends who were involved in the Australian Liberal Students Federation. Those in Young Liberals and the ALSF have fought for years for young Australians, and all university students in this country, to have the right to choose which services and which groups they support. I applaud the work of the ALSF and of the Young Liberals for their advocacy on university campuses across Australia. I applaud the work of those Australians who stand up for the 130,000 people who will be forced to pay and who will never set foot on a university campus. I applaud the work of the ALSF and the Young Liberals for being advocates for the majority of students who would be forced to pay and will not use those services.

We all know that at the end of the day the rationale that lies behind this is the Labor Party’s insatiable desire to do something for the Australian National Union of Students and for student unions that are affiliated with the Australian Labor Party who in many respects foist upon them the need to get the funds and who then say, ‘We will make sure that we tip those millions and millions of dollars into campaigns.’ That is what this is about. The Labor Party knows that there is no demand for all the kinds of loopy left-wing things that the Labor Party and the Greens want to put out there in the community so they can underwrite and cross-subsidise all of these political campaigns by forcing people through legislation to pay. They will argue it is about sports clubs, they will argue it is about culture and they will argue that it is something unique to universities, but if you look at tertiary students doing vocational education, if you look at the students who never set foot on campus, you really question whether it is very equitable. Of course, no member in this place can argue on equity as to why those that never use the service and never set foot on campus should have to pay the extra tax. Support services already exist in the community. For that reason, I remain opposed to this bill and I applaud the advocates on campus who are also opposed to it.

Mr BANDT (Melbourne) (12.43 pm)—Support for democracy is commonly invoked but less rarely honoured and practiced. Democracy should be at the heart of our consideration of this Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 because democracy is about much more than what goes on in this place and it is about more than what goes on at elections. I believe democracy is also about participation and decision making of people about how to construct and manage their everyday community—whether that is in their workplace, their school or university or their local area.

One of the important reasons why universities have been so central to the economy and society for many, many years is the democratic culture of their campuses. It is the academic collegiality and participatory environment of universities that have been the well springs of creativity in the sciences and the arts from which have developed the key ideas of the last few centuries. However, several decades of neoliberal or economic rationalist restructuring, including an attack on student organisations, has eroded this democratic culture and is slowly killing the quality of higher education. As a result, the idea that students should be able to control and direct their activities is becoming a distant memory, and student union buildings increasingly resemble shopping malls.

The shift to so-called voluntary student unionism began with the corporatism of the Hawke government and continued under the Howard government. I believe it is time we reclaimed the right of students to determine their own affairs, something this bill could be a step towards but does not achieve. This is more than a claim of ‘no taxation without representation’, although that is appropriate to this debate, and it is not just a call for a return to some idea of the good old days when I was student. Rather it is time, I believe, to allow students to develop their own 21st century version of the student agora built on their idea of democracy. But to do this, students must be provided the right to determine how their student service fees are levied and spent.

So-called voluntary student unionism had a disastrous impact on my constituents in Melbourne. My electorate of Melbourne has more university students than any other in the country; over 17 per cent are attending a tertiary education institution. Student populations dominate entire suburbs within my electorate, and my electorate contains some of the most vibrant, exciting and creative student communities that you will find. I am determined to ensure that parliament never
makes the mistake of attacking these vibrant student communities again, as it did with the introduction of VSU five years ago.

At Victoria University, health advisory and drug education services have been discontinued. Student advocacy and representation sections have been discontinued and replaced with the student advisory service. Sport programs and club subsidies have been reduced or removed. Facility maintenance has been scaled back and the postgraduate association and international students association have both ceased functioning. The student association struggles to communicate with students due to lack of resources. In fact, it no longer has any staff.

At RMIT University, the RMIT Union—that is, the services, arts and sports body—saw a 90 per cent reduction in staff and a reduction in student fee income from approximately $5.5 million in 2005 to nil in 2007. The RMIT University Student Union, where I once advocated for students who were having trouble with the university, saw a reduction in staff from 40 to 12 and a reduction in income of approximately $2 million. The university has taken over the leased spaces, bookshops, and the childcare, tax and legal services. About 60 per cent of all union services and activities have been cut, including the dental service, and those services that remain are focused on the main city campus. Services in smaller outer urban campuses have been all but wiped out.

At the University of Melbourne, reduction in means-tested rebates for accessing child care has led to a 20 per cent reduction in the service, making it more difficult for students with young children to study. There has been an enormous loss of support staff, and outreach programs and project work has suffered. There has been negligible investment in refurbishment and maintenance of facilities, the sports clubs are suffering and there have been cuts across the board to funding for campaigns and programs run in the students’ interests. Other universities in my electorate have also had student support services slashed. VSU has harmed students. Other universities in my electorate have also had student support services slashed. VSU has harmed students. Other universities in my electorate have also had student support services slashed. VSU has harmed students. Other universities in my electorate have also had student support services slashed. VSU has harmed students.

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As the member for an electorate with so many students as constituents, can I just say how disappointing it is to see Labor champion this course of action.

I would like to announce to members that the Greens will be moving a series of amendments to this bill in the Senate, if it does indeed proceed to that place. But, given the urgency of restoration of funding for student support services, I will be supporting the bill in this place. The Greens will move in the Senate to put in place a reporting mechanism that examines how the student levy will be spent and the level of engagement between higher education providers and student representative bodies. Even more importantly again, we will move to require that funds that are made available by the passage of this bill are spent on student services at the discretion of independent student representative bodies rather than by higher education providers directly. This is what the government should have proposed in the first instance, and I certainly hope that the government will come around to supporting this fundamental shift in principle.

I was a very proud president of my student organisation. My vice-president was elected from the Liberal Party ticket. The committee was comprised of members from across the political spectrum. Truly representative of the students at our campus, we were able to manage students’ fees in a way that reflected a broad range of needs and interests. Parliament should, again, be facilitating such student representation in all tertiary education institutions—that particularly goes for the Prime Minister and Leader of the Opposition, both presidents of their student organisations in their university days.

Life is not all about markets, supply and demand and business cases—as the coalition suggest; there is a space for culture, community, politics and engagement. I have heard the coalition this morning champion the right to choose. On that score, on the question of freedom of choice, the coalition have no credibility. If they were serious, they would allow workers and employers to bargain about matters of their own choosing and contract about matters of their own choosing, and to bargain at the workplace level or at the industry level if they so choose. They are the first ones prepared to step in and tell people what they are and are not allowed to bargain and contract for. Only this morning, following a debate that has been held over the last couple of days, we heard representatives of the coalition stand up and deny to individuals the fundamental freedom to marry the person who they want to.

The member for Kooyong in his first speech stood up and said that the principles of John Stuart Mill should still be alive within the coalition and that the state should only ever intervene and restrict freedom of choice when there is potential harm from one person to another. If that was right, they would support people’s
right to marry the person of their own choosing, or at least allow their members a conscience vote on the question. They come in and champion the cause of freedom of choice but they have no basis for doing so. Their hypocrisy is absolutely palpable.

While this bill will go some way towards making universities better places to be and is thus worthy of support, it also sadly represents yet another Labor Party retreat from the democratic principles it once believed in. As a result of this bill students will be required to pay fees that will go towards essential services, but they will be denied the right to control and spend them in the manner that they see fit. University life is and should be about more than turning up on time for lectures and then having to go home, and then perhaps having to be forced to work up to 20 or 30 hours a week simply to make ends meet because of the low level of student assistance endorsed by both of the old parties here in this House. Time at university should be a space and a time for reflection and community engagement. This bill might go some way towards providing for that but it would be much better if the government accepted the amendments that will be proposed by the Greens and allow students to have control of their own affairs.

Mrs MIRABELLA (Indi) (12.54 pm)—I rise, as I have on several other occasions, to oppose the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 and similar measures that in effect introduce compulsory student unionism by stealth. It would be remiss of me not to make some remarks about the comments just put into the Hansard record by the member for Melbourne. All I can say, as a summary, is once a Trot, always a Trot—you can put a suit on, you can wear a nice, trendy silk tie, but once a Trot, always a Trot. My colleague the member for Melbourne Ports is smiling away because he knows that is the truth. They tried to do him over in the seat of Melbourne Ports and he was very fortunate with the recent redistribution to have kept all his good supporters—some would call them stacks—and to have kept all the Trots out of Melbourne Ports. That is another seat that the Greens will not be able to make headway in. I am sure we will see the member for Melbourne Ports challenged at the next election and probably be returned, unless there is a very good Liberal candidate who can give him a run for his money.

The member for Melbourne used some very Orwel- lian language, which is no surprise coming from a Trot, when he was talking about the democratic culture at university. We would all like to think that there was a democratic culture at university; that there was an opportunity for people to speak freely about their political beliefs. But talk to any student in a politics class, in a politics tutorial, and see how they are intimidated and not given the opportunity to debate political philosophy or ideas freely. It is not, as the member for Melbourne says, an environment of free inquiry and debate—and that does extend to the student political world which has benefited over many decades through the compulsory acquisition of student money to fund political activities and campaigns and salaries that the students themselves would not have chosen to fund if they had had the choice.

The member for Melbourne said students should be able to ‘control and direct their activities’. I would not disagree with that. That is why we on this side of the House want students, who by and large are adults, to be able to control and direct not just their activities but their money. The tricky and cunning language that the Greens use under the auspices of democracy always means the opposite. They know that to make their message easily consumable and perhaps attractive to the mainstream they must couch it in very cunning language.

The member for Melbourne said that universities should be about more than turning up for lectures and that time at university should be a time for reflection and a time for engagement. That is fine. That is his opinion. Why should he impose on all university students his opinion about what the university experience should be? If they just want to turn up and go to lectures and then go off to the footy club that they are a member of in their own community or go off and get a job or go off and engage in another social activity elsewhere, who is he to tell them what they should and should not be doing as part of their university experience? We now have the social police, the political police, saying that, if you are a university student, to be a complete human being you must be engaged in these activities. He can do it, and he did it—and so did I. So did my good friend the member for Casey. That was our choice. Why should we impose the way we ran our lives and our time at university on everyone else? We on this side of the House believe that tertiary students are adults who are intelligent enough to decide how their money should be allocated. That is why we strongly oppose this bill; that is why the Howard government treated students with respect and as adults and gave them the choice of how to allocate their hard-earned dollars.

We see in this bill, as we have seen before, a back- door way of funding political activities. The guidelines in the bill do underpin the legislation. They effectively force a university to provide for representation and advocacy of students’ interests. In other words, universities will be forced to ensure that there is a political voice on campus—and you can bet your bottom dollar that that political voice is going to be the political voice of the Left. This provision really extends compulsory unionism beyond what it was before the 2005
legislation. It extends the obligations to formalise student politics.

We have seen provisions in this bill and in previous bills that purportedly are there to allay the concerns that money cannot be spent on political parties and candidates, but that in no way should fool us into thinking that money is not going to be spent on political campaigns, because money can still be directed to oppose certain political parties and candidates, as it has been in the past, and if I were a betting woman I would bet it will happen again in the future. It will go to fund issues campaigns, as has been outlined by previous speakers on this side of the House. Of course there is going to be political activity. That is why the member for Melbourne, self-confessed ‘Trot’, who is now wearing his comfortable green cloak—

The DEPUTY SPEAKER (Hon. DGH Adams)—Order! I ask the honourable member to refer to the member for Melbourne as the member for Melbourne, and he is a member of the Greens party in the chamber—that is his recognition.

Mrs MIRABELLA—I was alluding to a recent profile piece that had reflected on former close political colleagues of the member for Melbourne who said that, at university, he was a well-known Trotskyist. I think it is important to always reflect on the full political experience of members in this House and to understand truly where their passions lie, to see and appreciate their political progression and development, and I was doing nothing other than that. We have in front of us a bill that will not only force students to pay for political activities which they, in all likelihood, will not agree with but also fund services that can be and have been provided by the private sector, such as food and beverage services. I remember from my time at university—it was always a joke—you would not go to the caff if you could avoid it. We all know that centrally provided, subsidised services do not provide the best sort of services for consumers, and students are consumers.

Other services have been outlined that have been pointed to as having suffered under voluntary student unionism. If a service is not going to be used by students and it is not needed and it is duplication, why do you believe that it should be funded? It should not be funded. Student life and university life is not static; it is dynamic. The needs and concerns of students change from generation to generation. Using compulsorily acquired student funds to entrench certain services is just an expensive way of maintaining certain jobs at university and certain structures, which is not necessarily catering to the needs and demands of students.

This legislation is also a concern because there is no monitoring or policing of the way in which funds are spent. We do not know whether there is compliance with the guidelines, but let us look at the political reality. In any case, can anyone honestly believe that a Labor minister—the relevant Labor minister at the time—would hold a Labor student union president to account if they had not spent the compulsorily acquired funds accordingly? I do not think that would be the case. They cannot even hold their own ministers to account. We just have to look at the New South Wales Labor Party and other state Labor parties in government to see the lack of accountability. But I should not go too much into detail on that because I will keep the House until dinner time tomorrow night and I will still only be halfway through.

The problem with a lack of reporting and a lack of accountability is only compounded by the fact that this is in fact a broken promise. This does disadvantage students who do not have ready access to funds, who do have to work hard to put themselves through university. Why should they be forced to incur an additional financial burden just because some people have this ideological position that student unions are great and students should be involved in all these activities and, ‘Isn’t it a wonderful life they can have on campus.’ Some people do not want that and you should not force it down their throats. It is probably a promise, it is probably part of the deal making that is all part and parcel of the Labor Party and perhaps it was one of those things that were part of the secret deal that sealed the Labor-Greens alliance. Perhaps one day we will know. What we do know is that it is unfair, it is inequitable and it is an insult to adult students to say to them: ‘We know what is best for you. We know how best to spend your money. We deem these sporting clubs appropriate to be supported.’

Until very recently, before we got voluntary student unionism, I remember that small groups of students would form a club and would benefit significantly financially from compulsory student unionism. They should be able to pursue skiing or football, but they should fund it. They should not expect that other students, who is working 20, 30 or 40 hours a week to put themselves through university, who may not want to or may not have the time to engage in these activities, to fund their social life. Let us face it: young people today are pretty mature, even in their early to mid-teens. I think they know how to run their own social life and their own activities. They do not need the formalised structure of compulsorily funded organisations to live their life and to have fun.

Our belief in voluntary student unionism is about freedom; it is about the freedom to allow students to choose. We do not have the arrogant attitude of thinking that students should live their life on campus in a particular way, that they should believe in certain things. We believe that there should be freedom of inquiry, freedom of movement, freedom of activities—that it is a wonderful time for university students. They
have the privilege to engage in tertiary studies. They should have the privilege to pursue whatever other endeavours they choose and they should do it with their own money. They should not be forced and they should not be corralled through compulsory student unionism into a particular sort of support for political activities, sporting activities, social activities or any other commercial activities on campus. If the government were serious about the education revolution, surely the first step would be respect—respect for tertiary students as young adults who can decide what they can do with their own money. I would appeal to those on the other side to stop and think about that very basic fact. If students are smart enough to make their own decision about voting at a federal election then they are smart enough to decide how they can spend their $250.

Mr ANTHONY SMITH (Casey) (1.08 pm)—I rise in this debate on the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010, near its conclusion, to endorse the remarks of those members on this side of the House who have spoken in this debate, who have defended freedom of association and who have pointed out the hypocrisy of the position of those opposite who ran to the 2007 election promising that they would never introduce legislation of this type. Many members have spoken, including the members for Mayo, Moncrieff and Indi, who have outlined our very strong views on this subject—views in favour of giving students choice and freedom of association.

We have heard a number of contributions from those opposite. We recently heard a contribution from the member for Melbourne. There was no mention from the member for Melbourne about the part-time student who rarely, if at all, attends a campus, no mention of the part-time nursing student simply wanting to get his or her degree and no mention of someone doing a degree while working and coming onto campus at night merely wanting to complete their degree. But there was lots of mention of all the sorts of things other students can fund, for students like he was at the time, but no mention of any of that at all.

We have heard rightly from this side of the House that this is a broken election promise. There is no doubt about that. The Labor Party ran to the 2007 election pledging that they absolutely would not introduce the very legislation we are again debating. The shadow minister at the time, the member for Perth, Mr Smith, was asked on 22 May the following question:

On the funding side, have you canvassed or are you contemplating some sort of loan or deferred payment.

Answer:

No, absolutely not. One thing I can absolutely rule out is that I am not considering a HECS style arrangement, particularly a compulsory HECS style arrangement. I do not know where that came from. That may have been a suggestion made by one of the interested parties to a journalist, but I certainly do not have on my list an extension of HECS, either voluntary or compulsory, to fund these services. So I absolutely rule that out.

Over and over again, every time the Labor Party was asked, it said that it would not be altering in any way, shape or form the voluntary student union arrangements that the Howard government had introduced. There was not a cigarette paper between the government and the opposition.

Some have said in this debate that every member of the Labor Party elected at the 2007 election ran to that election on a false promise. Nearly every member opposite, and the member for Indi will recall this, ran to the 2007 election—I regret to inform the House that the member for Ballarat was one of them—promising that they would never introduce this legislation. But I am glad that the member for Kingsford Smith, now the Minister for School Education, Early Childhood and Youth, is here in the chamber about to sum up the debate because he was something of an exception in the 2007 election. He was the one member of the Labor Party to tell the truth. I have a soft spot for the member for Kingsford Smith. I can reveal to him I once went to one of his concerts. I was very young. I liked the tunes, but I did not like the words. I think that he is a pretty honest sort of guy. The member for Kingsford Smith was the only member of the Labor Party who promised what is actually happening in this House today, and that was when he uttered those words, ‘Once we get in, we will change it all.’ And he was right. You get into trouble in the Labor Party for being right. He got into trouble that day, that famous Friday. As soon as he gets off a plane, he makes sure Steve Price is nowhere in the airport. He was the only one who said, ‘Once we get in, we will change it all.’ And that is what they have done. What that shows is that, in the choice between keeping a promise and doing the right thing by the students of Australia, the Labor Party will always make sure students come second-best.

This bill should not be passed. This is a broken election promise. It is bad for students. Speakers on our side of the House have outlined and stood up for that principle. This is yet another example of what Labor does: they will say one thing before an election and do another thing after. The member for Kingsford Smith, now the minister, will be able to come to the dispatch box and he will be able to say to the House, to the exclusion of all other members of the Labor Party, ‘At least I said that once we get in we will change it all,’ and you have.

Mr GARRETT (Kingsford Smith—Minister for School Education, Early Childhood and Youth) (1.14 pm)—in reply—I want to commend members on the government benches for their contributions in this debate on a bill that amends the Higher Education Support Act 2003 to allow universities to charge student
fees to support student amenities and services. The fact is this will stop the damage being caused by the coalition’s voluntary student unionism provisions while maintaining the government’s commitment not to return to compulsory student unionism. Subsection 19-37(1) of the act, which prohibits a provider from requiring a student to be a member of a student organisation, will continue—something that members opposite have conspicuously avoided mentioning in their contributions to this debate.

The bill outlines a robust and balanced solution that will help ensure the delivery of quality student services and help secure their future. This will assist universities in providing a well-rounded university experience for students, an experience that includes not only quality study but also participation in the life of the university, with access to valuable social welfare and advocacy, support and amenities.

The bill makes amendments to require higher education providers that receive Commonwealth Grant Scheme funding to comply with new student services, amenities, representation and advocacy guidelines. This means that for the first time universities will be required to meet national access to services benchmarks. These important benchmarks will ensure that all students are provided with information on and access to important health, welfare, financial and advocacy services. The bill also introduces for the first time a requirement for universities to meet national student representation protocols to ensure students have opportunities for democratic student representation and that their views are taken into account in institutional decision-making processes. Higher education providers must also provide adequate and reasonable support resources to allow those representatives to carry out their functions.

The bill provides that higher education providers may choose to charge a compulsory student services and amenities fee. The fee will be capped at $250 per year and will be indexed annually, with indexation to commence in 2011. The fees will be collected by higher education providers, not student organisations, and the providers will be accountable for the fee revenue. The Higher Education Support Act 2003 already includes provisions for actions that can be taken for breaches of the act. These will apply to the new provisions. The government remains committed to compliance arrangements previously tabled in the Senate during the debate on the previous bill with student services and amenities provisions.

To ensure that the fee does not act as a barrier to participation in higher education, the bill also provides for eligible students to access a government loan to pay the fee under a new component of the Higher Education Loan Program, SA-HELP. SA-HELP will operate on a similar basis as existing elements of HELP such as HECS-HELP and FEE-HELP. Higher education providers that choose to charge a services and amenities fee will be required to provide access to SA-HELP for eligible students. Students will repay the loan on an income contingent basis through the Australian Taxation Office.

The bill ensures that fee revenue will not be used to support political parties or candidates for parliamentary or local government office, and the bill specifically outlines the allowable uses of the fee. The specific uses were developed in consultation with the higher education sector and other key stakeholders. Previously to be incorporated into guidelines, these are now specifically included in the bill. The uses include a range of important services and amenities to assist students to have an enriching higher education experience and to develop fully as well-rounded and productive members of society. These are fundamental services, particularly relevant to campuses in regional communities and to students coming from regional areas. One of the major barriers to increased higher education participation by students from low socioeconomic backgrounds is the need for financial assistance and academic and personal support once enrolled. Rebuilding student services and amenities is integral to providing a student experience that will assist in achieving the government’s participation and retention targets for Australian universities.

I would like to take this opportunity to note the report of the House of Representatives Standing Committee on Education and Employment on this bill and thank the committee for its work. I particularly thank the new committee chair, Amanda Rishworth, for overseeing the production of the report. I would now like to address the recommendations made by the committee and provide the government’s response to each. In response to recommendation 1, that the minister encourage the itemisation of charges to international students, the government has measures in place that already address this recommendation. Under the existing education services for overseas students framework, universities are already required to enter into a written agreement with each international student. The agreement must provide an itemised list of course money payable by a student. Course money includes any other amount, such as the proposed student services and amenities fee, that a student has to pay to the provider in order to undertake the course.

Recommendation 1 also parallels initiatives that the government is undertaking to encourage and support international students to study in Australia. These include the development of the Study in Australia portal under the International Students Strategy for Australia and recommendations in the Baird review that go to ensuring international students have better access to information. Further, the proposed student services,
amenities, representation and advocacy guidelines require universities to consult with their student bodies as to how any student service and amenities fee will be used to benefit students. The student body representatives must include an international student.

In relation to recommendation 2, I can advise that the minister released the draft Student Services, Amenities, Representation and Advocacy Guidelines yesterday. The government does not support recommendation 3, that the loan for the student services and amenities fee be incorporated into existing HELP loans such as HECS-HELP and FEE-HELP. Under the bill, universities will be able to set different fees for different groups of students. Since some groups may not even be charged a fee, wrapping the loan for the services fee into their tuition loan confuses and complicates the loan scheme.

Further, under the Higher Education Support Act 2003, universities must provide students with an itemised Commonwealth Assistance Notice that tells them how much they are paying for each unit of study. This bill will require universities to add the services and amenities fee to the Commonwealth Assistance Notice. If students’ tuition and services fee loans were combined it would not be possible to individually itemise the fees charged and the debts incurred. As a result, students would not be able to check that the correct amounts had been recorded, which would then undermine the very purpose of this important transparency measure.

In response to recommendation 4, the bill already specifically allows for a delay in meeting the compliance requirements until 1 January 2012. This delay will enable the universities to put in place the measures asked for in the representation guidelines before the requirements become a condition of the universities’ 2012 Commonwealth Grant Scheme funding.

With regard to recommendation 5, in the government’s view the loan element should not be particularly difficult to manage, considering the existing IT infrastructure that providers must have in place to administer the current HELP schemes. The new data requirements associated with SA-HELP have been kept to a minimum. Nonetheless, the government gave a commitment in the 2008-09 budget to provide $20,000 to each of the table A and B providers towards the implementation of the data requirements.

Of course, the government strongly supports recommendation 6—that the House of Representatives pass this bill. This bill honours the government’s commitment to secure student services, amenities, representation and advocacy now and into the future. It is an important step on the path to building a world-class higher education system in which the interests, participation and retention of all students are given serious priority. The new arrangements seek to balance the government’s desire to create a clear framework within which higher education providers should operate and the trust that we have that they will be accountable for their decisions within that framework. I urge members to support the bill and I commend the bill to the House.

Question put:
That this bill be now read a second time.

The House divided. [1.29 pm]

(The Speaker—Mr Harry Jenkins)

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Neville, P.C.
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Ramsey, R.
Robb, A.
Roy, Wyatt
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Secker, P.D.*
Slipper, P.N.
Somlyay, A.M.
Stone, S.N.
Truss, W.E.
Turnbull, M.
Vasta, R.
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Fletcher, P.
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Randall, D.J.
Robert, S.R.
Rudolph, P.M.
Simpkins, L.
Smith, A.D.H.
Southcott, A.J.
Tehan, D.
Tudge, A.
Van Manen, B.
Washer, M.J.

Bill read a third time.

FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2010

Second Reading

Debate resumed from 20 October, on motion by Ms Macklin:

That this bill be now read a second time.

Mr ANDREWS (Menzies) (1.35 pm)—I rise to speak on the Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010. This bill encompasses proposed amendments to special disability trusts, the disability support pension, family tax benefit and anomalies in social security legislation relating to pensions. The decision by Minister Macklin to withdraw the schedules relating to Aboriginal land trusts and the Indigenous Land Corporation following a request by the coalition is welcomed, and I thank the minister for her agreement to withdraw those schedules so as to ensure no delay in other parts of the bill. The ability of a Senate inquiry to provide closer scrutiny on key issues is, in the coalition’s view, of paramount importance.

Let me turn then to special disability trusts. Special disability trusts seek to assist families to make financial provision for the current and future care of a family member with a severe disability. In October 2008 the Senate Standing Committee on Community Affairs inquired into the lack of take-up of these special disability trusts. The committee made a number of recommendations to make special disability trusts more attractive. The bill seeks to relax the purpose and work capacity tests in relation to special disability trusts and give trustees greater flexibility. This is in response to a Senate inquiry into these trusts, the disability support pensions.

The 13-week provision in the Social Security Act was originally designed to allow DSP recipients to travel overseas for personal matters. A number of DSP recipients used the provision effectively as a loophole that allowed them to live permanently overseas so long as they visited Australia every 13 weeks. The bill amends the Social Security Act to require that a person must be an Australian resident to receive DSP.

The bill includes some grandfather provisions and allows DSP recipients who are severely disabled or terminally ill to go overseas to be with a family member or to return to their country of origin. The bill amends the Social Security Act to require that a person must be an Australian resident to receive DSP.

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The bill includes some grandfather provisions and allows DSP recipients who are severely disabled or terminally ill to go overseas to be with a family member or to return to their country of origin. The bill creates an ongoing requirement for residence in Australia for the disability support pension, bringing the pension into line with other workforce age payments and stopping DSP recipients effectively permanently living overseas.