



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**

**COMMITTEES**

**Education, Employment and Workplace  
Relations References Committee**

**Reference**

**SPEECH**

**Monday, 19 March 2012**

BY AUTHORITY OF THE SENATE

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## SPEECH

**Date** Monday, 19 March 2012  
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**Questioner**  
**Speaker** McKenzie, Sen Bridget

**Source** Senate  
**Proof** No  
**Responder**  
**Question No.**

**Senator McKENZIE** (Victoria) (18:24): I to rise to support the motion from Senator Fisher to refer the changes to the Australian government implementation guidelines for the National Code of Practice for the Construction Industry, May 2012, to the Senate Education, Employment and Workplace Relations References Committee. These guidelines have been changed in parallel almost with the bill passed through the Senate just recently, which go to permitting unregistered agreements. Previous speakers have outlined, obviously, many of the issues with the guidelines especially in the context of the legislation that went through the Senate recently.

My own state, the great state of Victoria, has expressed concern that the guidelines are being developed without consultation, particularly with regard to the guidelines being able to override the state's own guidelines around these issues in the context of jointly-funded projects. I refer to the finance minister, Robert Clark's comments made recently when Mr Shorten, 'snuck out the new Commonwealth guidelines which substantially weaken previous Commonwealth guidelines with minimal explanation'. Mr Clark went on to say that, however, on an initial reading, there was no reason why most, if not all of the Victorian guidelines, could not operate in conjunction with the Commonwealth's weakened guidelines—in other words, why tenderers could not comply with both Commonwealth and Victorian guidelines.

Why are we surprised by this government? Why are we at all surprised with this government wanting to ride roughshod over the states? I can only think of the legislation that we are debating currently in the Senate, the Minerals Resource Rent Tax, the classic example. Senator Marshall talks about the Labor Party only wanting good outcomes for employees and employers to increase productivity. Senator Marshall, it is not actually working and there are numerous issues around productivity in our nation currently and this probably will not actually assist it. I am buoyed by the fact that value for money is one of the criteria, a change from the lived experience of the budget currently under this government. We can look at the BER, the Green Loans Scheme, indeed, even water buybacks by the Murray-Darling Basin Authority, where this government spent millions buying water that did not really exist.

I have heard somewhere that the best disinfectant is sunlight. I cannot quite remember who said that but I am sure that it was someone close to us all. Why not have a look at it? Let us refer this legislation to the Senate committee for closer examination of its impact. What do we have to be concerned about? Let the senators who have a particular area of interest in this issue get to the bottom of the guidelines and have a good look at them. I seek leave to continue my remarks at a later date.