



Speech by

Dr PETER PRENZLER

MEMBER FOR LOCKYER

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TRANS-TASMAN MUTUAL RECOGNITION (QUEENSLAND) BILL

Dr PRENZLER (Lockyer—ONP) (2.41 p.m.): The Trans-Tasman Mutual Recognition legislation will allow any goods sold in New Zealand to be sold in Australia, and will allow any person practising an occupation in New Zealand to also practise in Australia. How will we get unemployment down in Queensland by opening the floodgates to cheap New Zealand labour and imports?

What is Queensland, or Australia for that matter, supposed to get out of this agreement? It is a far better deal for New Zealand to have open slather on Australia's 18 million strong market than it is for us to have access to New Zealand's tiny market of three million. I wonder whether the Labor member for Fitzroy will oppose this Bill. He is rightly concerned about the jobs of his union members. This Bill can only make things worse. I wonder whether the Labor member for Mulgrave will oppose this Bill. He condemned the casualisation and globalisation of the Australian work force and he spoke very strongly against the National Competition Policy and the damage that it has done. This Bill can only exacerbate the problem.

Do these Labor politicians realise that Labor Governments have been responsible for much of the damage that they are complaining about? Likewise, coalition members should understand that their parties, along with the Labor Party, are responsible for all the bad policies inflicted on the Australian people over the years. As has been proved over time, when it comes to economics, both Labor and coalition Governments have almost the same policies. This Beattie Bill is identical to the Borbidge Bill introduced into the Legislative Assembly on 17 March 1997. What is the difference between conservative and progressive politics in Queensland? In this case, absolutely nothing!

When it comes to changing Queensland laws to comply with Commonwealth law or international treaties, Labor and coalition Governments alike trip over themselves in appeasement. The Trans-Tasman Mutual Recognition Bill is only one of a multitude of tangled bilateral and multilateral treaties that Australia has signed and which continue to overrule our domestic laws.

This Bill has been made necessary in order for Queensland to comply with the Commonwealth Trans-Tasman Mutual Recognition Act 1997. This Act in turn was derived from the Trans-Tasman Mutual Recognition Agreement which emerged from the Australia-New Zealand Closer Economic Relations Trade Agreement of 1983. Going back a little further, we find the inspiration for the Closer Economic Relations Trade Agreement to be the Australia-New Zealand Free Trade Agreement of 1965. Before the Australia-New Zealand Free Trade Agreement we had the Australia-New Zealand Agreement of 1944.

What do all these treaties have in common? They are all supposed to be good for us. By eliminating tariffs and globalising our industries, employment is supposed to increase and a better standard of living is assured for all. One of the main objectives of the Australia-New Zealand Agreement of 1944 reads as follows—

"There should be cooperation in achieving full employment in Australia and New Zealand and the highest standards of social security both within their borders and throughout the islands of the Pacific."

How miserably they have failed! Politicians can rattle off all the statistics they like about how many jobs they created when they were in office but they cannot ignore the reality. The reality is that there are

about 2.5 million unemployed or under-employed people in Australia, and I believe that in New Zealand the situation is not much better.

Despite the thousands of treaties that Australia has signed, unemployment keeps getting worse, crime is getting worse, drug abuse is getting worse, and the Trans-Tasman Mutual Recognition Bill will not make a bit of difference. The increase in centralisation of law-making and the shifting of power from the State Government to the Federal Government—of which this Bill is an example—is reducing the justification for State Governments. The tendency for Australian law, and by extension State law, to be increasingly derived from international agreements means that less and less backbench parliamentary scrutiny is necessary or desirable.

This is possibly why this Bill and the parent Commonwealth Act both contain Henry VIII clauses which allow the Act to be amended by regulation made by the Executive arm of Government, completely bypassing the House. The Governor-General has the power to change a Commonwealth Act by regulation, and therefore by virtue of section 109 of the Constitution the State law as well, completely bypassing the Queensland Parliament.

The Scrutiny of Legislation Committee is rightly suspicious about the Henry VIII clauses included in this Bill. The predecessor to the Scrutiny of Legislation Committee, the Subordinate Legislation Committee, had this warning about Henry VIII clauses—

"The solution to this problem lies in Parliament's own hands, for as long as Parliament permits the inclusion in Bills of clauses which allow the amendment of Acts by Orders in Council, it will continue to place the scrutiny and control of its legislation outside its own power."

Clause 4(1) of this Bill adopts the Commonwealth Act under Section 51 Part 37 of the Australian Constitution. The more power the Queensland Government gives to the Commonwealth, the less justification that remains for the existence and considerable expense of State Governments.

I see that in Schedule 4 of the Bill medical practitioners are lucky enough to be exempt from the operation of the Act. What is the justification for this exemption? I would think that dentists, veterinary surgeons, actuaries and even bricklayers and shearers will all be cranky when they discover that they now have to fight New Zealand competitors for a slice of the business pie.

I notice that the High Court has just decided that New Zealand television programs are now classified as Australian content. The High Court said that our obligations under international treaties override our domestic law. I will say it again: the High Court has decided that international treaties override our Australian law.

Let there be no doubt in our minds that all international treaties have legal force and they override our domestic laws. Even if Parliament does not enact legislation to comply with the treaties, the courts consider them valid, as numerous decisions of the High Court prove. Because of this objectionable agreement, Australia may now have to accept potentially substandard food and other imports from New Zealand. These products may contain pesticides, heavy metals and anything else that the Australia-New Zealand Food Authority will permit. I wonder whether people are aware that the regulations governing the purity of our foods must now be lowered to meet our treaty obligations with New Zealand. Our presently low cadmium limit in foodstuffs must be raised because the Australian-New Zealand Food Authority says so.

Australia and New Zealand now have mutual recognition of occupations and professions, common food standards, and even television programming. Suddenly the concept of a common currency does not seem so far-fetched. But the question begs to be asked: just how far will economic and legal harmonisation be carried with New Zealand and other countries? At least New Zealand is an English-speaking nation, fairly similar to our own. But what will happen when we are forced to harmonise our laws with foreign countries which have nothing in common with us and whose people do not speak English?

This Bill is just one more step in the creation of a single global monolithic entity in which Australia is being forced to discard any valuable consumer protections in the emerging "one size fits all" world economy. For these reasons we express our opposition to such a Bill.
