Speech by

Hon. R. E. BORBIDGE

MEMBER FOR SURFERS PARADISE

Hansard 9 March 1999

TRANS-TASMAN MUTUAL RECOGNITION (QUEENSLAND) BILL

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (12.45 p.m.): I am in the somewhat unusual position of speaking or responding to a Bill that I had the privilege of introducing into this place. Needless to say, I find this splendid piece of legislation somewhat difficult to criticise. However, I would like to make certain comments and certain remarks, because this is an important piece of legislation that has taken some time to be debated in this place.

There is broad bipartisan support for the principles embodied in the closer economic relations arrangements which bring Australia and New Zealand together in what is still the world's best and most effective example of a common market. In an uncertain world economic climate, Queensland can only benefit from its entrenched place within the Australasian market created by CER. Our interests are directly served by strengthening the community of interest between Australia and New Zealand.

Recent events have produced an impetus to look beyond the former almost exclusive focus on East Asia. Japan remains deeply mired in an economic morass from which it will extricate itself only by the application of political and fiscal measures for which, regrettably, it has so far shown little taste. Other East Asian markets, while beginning to climb back from the depths to which they plumbed last year, are also looking at the medium term at best for full recovery.

The North American Free Trade Agreement countries—the United States of America, Canada and Mexico, and, increasingly, Argentina and Chile in South America—are looking to round out their substantial advances within market free trade. CER stands as an example, albeit a small one, of the real benefits of ever closer cooperation and market convergence.

This Bill, which, as I indicated earlier, the Opposition fully supports, gives effect to the international treaty binding Australia and New Zealand into further development of the CER process. Indeed, I was a signatory to that particular arrangement post Premiers Conference with the Prime Minister, with the New Zealand Government and with the other State Premiers. In the new international environment it is no longer impractical to view linkages between CER and trans-Pacific markets as a viable policy option that could be explored.

The New Zealand link is important to Queensland. It represents an additional de facto domestic market of more than three million consumers. It may not be going too far to suggest also that it is an important balancing agent in the otherwise overwhelming influence of the southern Australian market where Queensland, with its unique perspective and position in the Australian Federation, is concerned.

This Bill was introduced a year ago by the coalition Government in the first full session of State Parliament for 1998. Commonwealth and New South Wales legislation was enacted in late 1997. New South Wales had lead jurisdiction duties among the States. I notice that when the Premier introduced the Bill he was somewhat critical that the coalition Government had not progressed this legislation prior to the State election. I respond by saying to the Premier that it is a pity the new Government's priorities in the spring session of 1998 did not include facilitating passage of necessary Queensland legislation relative to CER and its ongoing development. I would not have raised this if the Premier had not been critical of my administration, but I make the point, which I am sure he will take in good faith and the manner in which it is intended, that debate on this issue was adjourned on 6 August last year. Obviously there has also been a delay under the Labor Government in this State.

In response to some of the concerns raised by the Premier at the time of his introduction of the legislation, I say that the Commonwealth legislation did attract some interest in the Senate which prolonged the process in that particular jurisdiction. Indeed, one senator in particular took it upon herself to substantially delay the passage of that legislation. I think that is a pity and something the Democrats might like to take on board in the light of the very special relationship we enjoy with New Zealand and the fact that this had the support of all State Governments, as well as the Federal Government and the Government of New Zealand. Despite that, we had this prolonged activity in the Senate which led to some delays in enacting the legislation.

The effect of the Queensland Bill, which mirrors the Commonwealth and New South Wales legislation, is that if goods may be legally sold in Australia they may be sold freely in New Zealand, and vice versa. The Queensland legislation provides for some sensible restrictions on these freedoms so that important elements of existing State regulations continue to offer Queenslanders the protection they are entitled to and which has long been part of our regulatory framework in this State. For example, the liberal rules we are passing through the Parliament do not affect Queensland laws regulating the manner of sale of goods, transport, storage or handling of goods under health, safety or environmental regulations, nor do they impact on inspection of goods under the same provisions.

The Opposition shares with the Government the desire to facilitate and promote increased trade between Queensland and New Zealand and the generation of new private sector jobs that will flow from increased trade. A stronger economy will add a further layer of protection for Queensland against the increasing difficulties that affect many economies around the world, particularly in our region.

The Australia/New Zealand common market is a powerful economic engine in the regional framework. However, it is important that all Governments proceed with caution where competition policy and free trade particularly are concerned. We must always ensure that the playing field really is level and that we are not allowing a situation to occur, as has occurred in the past, whereby Australian industries and Australian jobs are sacrificed to devout economic rationalism, where major trading partners have not played the game and reciprocated to the extent that Governments on both sides of the political fence in Australia have been prepared to do over a number of years.

National Competition Policy has been an element of Federal economic policy which the Commonwealth has used to increase its financial control over the States. It is now clear that across the political spectrum there is a great deal of sympathy for the view that it is time for some serious rethinking of National Competition Policy, and I take this opportunity to welcome the Federal Government review into National Competition Policy at this time. That is long overdue and I express the hope that we will see responsibility for National Competition Policy taken from the National Competition Council and Mr Graham Samuel and given to the appropriate body, which in my view is the Council of Australian Governments, that is, the Premiers sitting down with the Prime Minister and the Federal president or chairman of the Australian Local Government Association.

In the context of the ongoing review of CER, we must use this opportunity to examine progress and ensure that measures adopted through national policy or through international treaties, now properly subject to State influence through the Treaties Council, are genuinely beneficial to all parties to the agreement.

I think one of the significant initiatives of the Howard Government probably has not been given the degree of attention that it deserves. That is, over a number of years we had Governments running around the world signing international treaties, and those international treaties never had to go to Parliament. Those international treaties in many cases were deemed by the High Court of Australia to carry the force of law. We ended up in a situation where the Australian people essentially had been bypassed in that particular process. The Howard Government established the Treaties Council, which comprises the Prime Minister, the Premiers and the Chief Ministers. It is a very worthwhile and appropriate forum. For the first time we now have access by the States to the decision-making process that determines whether the Federal Government of Australia will sign an international treaty. I think that is a significant change.

Having said that, in my view CER has been an outstanding success. It has not been without its problems over the years, but it has been an extremely worthwhile exercise. It is important that we support the ongoing development of CER and that we accept that this legislation comes to this place today with the support of the major parties in the Parliament, who share a bipartisan approach in dealing with this matter. It is good legislation—I could not have drafted it better myself—and I look forward to its speedy passage through the House.