

THE SENATOR'S NEWSLETTER

As we contemplate the coming federal election I remain convinced that the Australian people are as much concerned about their society as their economy. As you know I have long thought WorkChoices is as much a moral and social issue as an economic one. And worry about climate change is a proper concern about the future of our nation.

I break down the election issues into four categories – the economy, society, the environment and integrity. The Howard government are competitive on the first, but are behind on the other three – hence the large gap in the polls.

The Australian Democrats WA are now gearing up for Election Day. If you want to help in any way - such as on polling day with How-to-Votes - please call Dr Erica Lewin, the Democrats No. 1 Senate candidate, on 0423 130 054 or Pat Olver, the Campaign Director on 0404 894 134.

Please call my electorate office on 08 9481 1455 if you require any further information or visit my website on www.andrewmurray.org.au.

At last – real trade practices reform

After over a decade of Democrat advocacy, including promoting a number of Senate inquiries, and numerous attempted amendments – at last the Coalition has strengthened competition law for small business. In some respects the changes to section 46 are cautious and modest,

but I am heartened by squeals of concern from some big business sectors – always a good sign that some changes will have real effect.

The Coalition amended section 46 of the Act to provide that a corporation must not take advantage of a substantial degree of market power, either in the market in which the power is held, or in any other market. It amended s46 to recognise that a company may have a substantial degree of market power, even though it does not substantially control the market, or does not have absolute freedom from constraint by the conduct of its competitors. It amended s46 to provide that more than one corporation may have a substantial degree of power in a market. It addressed shortcomings in s46 regarding 'below cost pricing'.

It is nonsense to assert (as some have) that legitimate discounting and competitive pricing by big retailers will suffer.

It has taken constant pressure from me, Senator Joyce, Labor and others to get this far, but the latest changes still ignore half the recommendations of the March 2004 Economics Committee Report into the effectiveness of the Trade Practices Act in protecting small business.

The Government continues to resist competition reform with respect to creeping acquisitions. There are no US style anti-trust laws – we remain with very weak divestiture laws. We have no British fair-market measures. In important respects Australia is not keeping up with best international practice.



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The conservatives are not liberals

One of the things that gets right up my nose is when prejudice rules public policy, and basic human rights are denied. There is a parcel of prejudice that always needs defending against. Its roots lie in an awful human history of misogyny, racism, and homophobia that includes the lynching of blacks, burning women at the stake, persecuting Jews and murdering homosexuals. One remnant of such ancient prejudice in Australia is on parade in the Coalition government's unacceptable refusal to implement recommendations of the Human Rights and Equal Opportunity Commission's (HREOC) report, Same-Sex: Same Entitlement.

HREOC said (page 373): *The principles of non-discrimination, equality before the law and the best interests of the child are amongst the most fundamental of all human rights principles. Yet there are a raft of [58] federal laws which breach these principles.*

Continuing decades of advocacy, I and the Australian Democrats recently moved amendments to tax, superannuation and social security laws to implement HREOC's recommendations. HREOC said the discriminatory laws were easy to amend, and provided precise guidance on how to do that. The Democrats followed their guidance closely, moving amendments to the following 12 Acts: Defence Force Retirement and Death Benefits Act 1973; Income Tax Assessment Act 1936; Income Tax Assessment Act 1997; Judges Pensions Act 1968; Judicial and Statutory Officers (Remuneration and Allowances) Act 1984; National Health Act 1953; Parliamentary Contributory Superannuation Act 1948; Social Security Act 1991; Superannuation Act 1976; Superannuation Industry (Supervision) Act 1973; Veteran's Entitlement Act 1986; Workplace Relations Act 1996.

The Coalition voted against all these amendments. A party with a conscience vote did not have one member with the principle to

cross the floor, despite whispering their support. It is no good having dozens of Liberals and many members of the Cabinet supporting an end to homophobic laws governing financial and work-related entitlements if they don't have the courage to insist that their leader end this unjust discrimination. The Coalition is keeping terrible company with intolerant bigots by keeping outdated and unjust homophobic laws on the books.

Direct democracy comes to Australia

The Federal Government's call for plebiscites on council amalgamations was welcome. It matters not that the Coalition's motive was immediate and self-interested. They sought to make mischief over Queensland Labor's poorly timed desire to force through large-scale local council amalgamations. They thought resistance to this state Labor move would threaten federal Labor's campaign to win Coalition seats in that state.

The Commonwealth Electoral Amendment (Democratic Plebiscites) Act is remarkable in two respects. It promotes direct democracy, and it makes explicit some inalienable civil and political rights in Australia law. The new Act therefore represents a milestone for Australia.

The people of Australia regularly express their democratic will through elections and on rarer occasions through constitutional referenda, but for the first time in its 106 year history, the federal government has supported direct democracy initiated by the people in its legislation. Countries like Canada, Italy, New Zealand, Switzerland, a majority of the States in the USA, Venezuela and Poland are much further advanced on direct democracy than Australia. UK Conservative Leader, David Cameron, argues for much greater direct democracy.

Additional information

Please call my Electorate Office on 08 9481 1455 if you require additional information.