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Coalition introduces CFA Bill

Wednesday, August 31, 2016, 1:12pm

Prime Minister Malcolm Turnbull has today introduced the Coalition's bill to protect the role of Victorian Country Fire Authority's volunteer firefighters and reintroduced the ABCC and registered organisations bills that were the triggers for him calling a double dissolution election.

The [CFA](#) legislation amends [s12](#) of the Fair Work Act, by adding to the list of objectionable terms that cannot be included in enterprise agreements.

Turnbull said in his second reading speech this morning that the [CFA](#) legislation would only apply to firefighting bodies or state emergency service bodies prescribed by the regulations.

He stressed it would not extend to other volunteer organisations such as surf lifesaving clubs or the Salvation Army, and that the Government had received "expert advice" on constitutional questions.

The legislation defines an "objectionable emergency management term" as one that would restrict management's ability to engage or deploy its volunteers; support or equip volunteers; and manage its relationship with volunteers.

It also seeks to restrict union influence by outlawing agreement clauses that require emergency management to consult or obtain approval from other parties when dealing with volunteers.

However, the legislation notes that the amendments have "limited application" over enterprise agreement terms that give "directions to perform work (including to perform work at a particular time or place, or in a particular way)" and that go beyond the Commonwealth's powers.

The legislation would also allow volunteer organisations to make submissions in Fair Work Commission agreement approval proceedings for enterprise agreements.

Meanwhile, the prime minister today said he was prepared to negotiate with the Senate crossbench over changes that might win support for the ABCC legislation.

Turnbull said Employment Minister Michaelia Cash would discuss the ABCC Bill with crossbenchers and he might sit in on some of those meetings.

"We'll listen to any and all proposals for amendments, that doesn't mean they'll be accepted," he said.

The prime minister made the comments when he and Senator Cash made an early morning visit to a construction site in Canberra to discuss the legislation.

With the Bill opposed by Labor and the Greens, the Government will need to win over of nine of the 11 Senate crossbenchers for the bills to pass.

There is speculation the Government is prepared to consider several changes, including an eight-year sunset clause for the bill and maintaining measures to ensure oversight of the ABCC's use of its coercive powers.

The explanatory memorandum for the Bill says the government has provided an extra \$35 million over four years to re-establish the ABCC.

Turnbull confirmed that the ABCC bill is in the same terms as that rejected in the last term of Parliament, meaning the Government still has the option of putting it to a joint sitting if it fails to approval at the first attempt.

He also re-introduced the Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013, which aims to ensure continuity when the ABCC is re-established and takes over the role of the current watchdog, the FWBC.

The explanatory says the second Bill provides for preserving the appointments of senior position holders; preserving examination notices and their effect; and legal proceedings.

Turnbull said the Bill to establish the Registered Organisations Commission was also being presented in the same format as previously rejected by the Senate.

The Bill establishes a new watchdog with enhanced investigation and information gathering powers; requires greater disclosure of material personal interests; increases civil penalties and introduces criminal offences for serious breaches of officers' duties.

Fair Work Amendment (Respect for Emergency Services Volunteers) Bill 2016

[Explanatory memorandum](#)

[Transcript of Prime Minister Malcolm Turnbull's second reading speech, August 31, 2016](#) (a link to the second reading speech will be provided as soon as it is available)

[Bill home page](#)

Building and Construction Industry (Improving Productivity) Bill 2013

[Explanatory memorandum](#)

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Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013

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Fair Work (Registered Organisations) Amendment Bill 2014

[Explanatory memorandum](#)

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