

Competition and Consumer (Right to Solidarity Action) Amendment Bill 2019

No. , 2019

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Moved by DKR

A Bill for an Act to amend the *Competition and Consumer Act 2010*, and for related purposes.

Explanatory Memorandum

This Bill repeals sections of the *Competition and Consumer Act 2010* which limit the right of employees and employee organizations to engage in solidarity action, in particular secondary strikes and boycotts. The bill also removes provisions establishing liability for employees and employee organizations that engage in solidarity action and restrictions on the right of employees and employee organizations to enter agreements which may hinder the acquisition or supply of goods and services to a second party.

Second Reading Speech

Mr Speaker,

Solidarity actions are an absolutely vital tool in ensuring that Australian workers are able to exercise their most basic right of collective bargaining. The current provisions within the Competition and Consumer Act restrict this right in what is not an honest attempt to increase competition, or to deliver good outcomes for the average Australian, but rather to rip power away from workers and put it into the hands of bosses. It is in all respects a transparent attack on worker's rights and union power. To allow it to stand is to say that we as a nation care more about CEOs than about the people who actually put in the work to produce.

Defanged as they are by legislation such as the provisions this Bill seeks to repeal, unions are unable to push for the conditions that we now take for granted. For less hours, higher pay, sick leave and weekends. It is the responsibility of the government to place power back where it belongs, in the hands of the many, not the few.

The Parliament of AustraliaSim enacts the following

PART 1 - PRELIMINARY

1. Short Title

This Act may be cited as the *Right to Solidarity Action Act 2018*.

2. Commencement

This Act is to commence on the day it receives Royal assent.

3. Objects of this Act

(1) The objects of this act are to:

- (a) Remove legal restrictions on solidarity action, particularly secondary boycotts and strikes.
- (b) Remove liability for employees or employee organizations engaging in solidarity action.
- (c) Remove restrictions on employees or employee organizations engaging in agreements which may affect the supply or acquisition of goods or services to a third party.

PART 2 - APPLICATION

Schedule 1 - Amendments of the Competition and Consumer Act 2010

1. Sections 45D, 45DA, 45DB, 45DC, 45DD, 45E, 45EA, and 45EB.

Repeal the sections.