



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

PROOF

BILLS

**Fair Work (Registered Organisations)
Amendment Bill 2014 [No. 2]**

Second Reading

SPEECH

Monday, 17 August 2015

BY AUTHORITY OF THE SENATE

SPEECH

<p>Date Monday, 17 August 2015</p> <p>Page 84</p> <p>Questioner</p> <p>Speaker Lambie, Sen Jacqui</p>	<p>Source Senate</p> <p>Proof Yes</p> <p>Responder</p> <p>Question No.</p>
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Senator LAMBIE (Tasmania) (18:24): I rise to once again contribute to a debate on the Fair Work (Registered Organisations) Amendment Bill 2014 [No.2]. Like many speakers I note that a form of this legislation was presented to and voted down by this parliament before. A Parliamentary Library brief on this new version of the legislation says:

The Fair Work (Registered Organisations) Amendment Bill 2014 [No. 2] (the current Bill) is virtually identical to the Fair Work (Registered Organisations) Amendment Bill 2014 (the previous Bill) with the Government amendments which were agreed to in the House of Representatives. The previous Bill was negated in the Senate on 2 March 2015.

... ..

That Bill in turn was similar to the Fair Work (Registered Organisations) Amendment Bill 2013 together with Government amendments which were tabled (the original Bill).

I also note that the Parliamentary Library brief says:

If the current Bill is passed by the House of Representatives and rejected by the Senate, it could constitute grounds for dissolution of both houses and a general election.

... ..

A Bill must fail twice in the Senate to become a 'trigger' for a possible double dissolution election. It may be re-introduced at any time within a Parliamentary term, but there must be a minimum interval of three months between the first failure in the Senate and the passage of the Bill in the House of Representatives the second time.

The Abbott government have presented this bill to this Senate knowing that they have very little chance of it being passed. Indeed, they want it to fail because the presentation of this bill, as indicated by the library brief, is a trigger for a possible double dissolution election.

Given the polls, I doubt that they would go to a double dissolution election, especially when the Victorian president of the Liberal Party, Michael Kroger, conceded on Sky TV that my political network, the JLN, in a double dissolution would pick up two to three senators in Tasmania alone. Michael further conceded that in an ordinary election their polling indicated that it was likely that the JLN could win an extra Senate seat in Western Australia and Queensland—and I can say that he did not want to talk about Victoria at all. So it is clear that the presentation of this legislation is a political stunt, in the knowledge that it is a trigger for a possible dissolution election. While it would be political suicide for the current Prime Minister if the current Prime Minister went to the Governor-General and asked for an early election, that does not mean the opinion polls would not change very quickly if a person like Mr Turnbull, Ms Bishop or Mr Morrison led the Liberal Party in the nation.

If the Liberal Party really wanted this legislation to pass, they would have been willing to meaningfully negotiate with the Senate crossbenchers—but they just do not get it. They refused to sit down and deliver the reasonable requests that we put to the government on behalf of our constituents. The best example of the government's refusal to talk in a meaningful way with the Senate crossbenchers is this morning's defeat of their ABCC legislation. This is legislation I offered to support if the government agreed to a couple of reasonable requests contained in a letter I sent to the Prime Minister before the second reading or substantive vote was taken in this chamber. I will quote from my letter to the Prime Minister as it directly relates to the provisions in the Fair Work (Registered Organisations) Amendment Bill 2014 [No.2] which aimed to clean up corruption in the union movement. It is also affected by the royal commission examining union governance and corruption. I quote:

Dear Prime Minister,

Thank you for your letter of reply dated 12 August 2015 regarding the confidential volume of the interim report of the Royal Commission into Trade Union Governance and Corruption.

I seek leave to table the Prime Minister's letter to me.

The DEPUTY PRESIDENT: Is leave granted?

Senator Payne: Mr Deputy President, in the normal course of events a senator would make whatever they wished to table available to colleagues before seeking to table it, so that we are aware of whether it was meant to be a confidential document and we are aware of its nature. I am happy to have a brief look.

The DEPUTY PRESIDENT: I can only ask if leave is granted. I think what you are indicating to me is that you are not granting leave at this point in time.

Senator Payne: Correct.

The DEPUTY PRESIDENT: Leave is not granted, Senator Lambie. But the minister at the table has indicated that they may consider that if they have an opportunity to look at the document.

Senator LAMBIE: I will continue quoting from my letter that I sent to the Prime Minister. In that letter I said:

While I acknowledge your point that Commissioner Heydon AC QC recommended that this volume be kept confidential in order to protect the physical well-being of Royal Commission witnesses and their families, ... I do not accept the assumption that Royal Commission witnesses and their family's well-being would be compromised should crossbench Senators be granted access to the volume under the normal secrecy provisions followed for access to other highly sensitive documents.

There are plenty of precedents and procedures in place—

The DEPUTY PRESIDENT: Order! It being 6.30 pm, time for this debate is now interrupted. The Senate will suspend until 7.30 pm and I think at that point in time I may ask the Acting Deputy President at the time to put the question again about leave for that document to be tabled and then you will be able to continue with your contribution, Senator Lambie.

Proceedings suspended from 18:30 to 19:30

The ACTING DEPUTY PRESIDENT (Senator O'Neill): I understand Senator Lambie was seeking leave to table a document prior to dinner.

Leave granted.