



AUSTRALIAN CHAMBER OF
COMMERCE AND INDUSTRY

MEDIA RELEASE

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ABCC NEEDED TO PROTECT COMMERCIAL FREEDOM IN BUILDING INDUSTRY

Statement by Mr Peter Anderson, Chief Executive

The Australian Chamber of Commerce and Industry (ACCI), Australia's largest and most representative business organisation, says that recent decisions of the Federal Court highlighted today by the Australian Building and Construction Commission (ABCC) sends a clear message to the parliament that strong law enforcement needs to be maintained to deter unacceptable industrial conduct in the building and construction industry.

A Full Court of the Federal Court on 10 September imposed increased penalties for union attempts to have a head contractor discontinue engagement with a particular subcontractor.

ACCI said in a statement, coincidentally the day of the Court's decision, that "many small tradies and contractors rely on the ABCC to make sure that their commercial and industrial freedom is not compromised behind the hoardings of major building sites."

The Federal Court's decision in *Draffin v CFMEU & Others* underscores that very point.

And yesterday the Court imposed significant penalties for further coercive union conduct against a head contractor in *Cahill v CFMEU (No.4)*.

"Construction industry contractors and small businesses should have full commercial freedom to seek work in any part of the building industry, and not be disadvantaged or sidelined on a trade union say-so.

"The Australian economy cannot afford a return to bullying of this type. The ABCC and the laws that underpin its work were, in the words of the Court, "introduced to curb such conduct."

The Australian parliament has further clear evidence in light of the Full Federal Court's decision to reject moves to abolish the ABCC when legislation comes before the Senate in October.

"Trying to morph aspects of the ABCC into the Fair Work Australia system is risky and sends a misguided signal to the industry and its unions that changed approaches have official sanction."

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