

1. Introduction:

The Civil Contractors Federation (CCF) is the peak industry body representing Australia's civil construction industry. The CCF has branches in all states and territories representing more than 2,000 contractor and associate members nationally.

CCF members are responsible for the construction and maintenance of Australia's infrastructure, including roads, bridges, pipelines, drainage, ports and utilities. Our members also play a vital role in the residential and commercial building industry by providing earthmoving and land development services including the provision of power, water, communications and gas.

CCF is an organisation registered under the *Fair Work (Registered Organisations) Act 2009*. The organisation is governed by a National Board comprised of member-elected representatives from each state and territory in the Commonwealth.

2. Background:

This submission to the Senate Standing Committees on Education and Employment relates to the inquiry by the Education and Employment Legislation Committee into the *Building and Construction Industry (Improving Productivity) Bill 2013 [No.2]* and the *Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013 [No.2]*.

The members of the CCF feel a great obligation in delivering the critical infrastructure needed to effectively and efficiently support all aspects of Australian society. Delivering that infrastructure in a timely and cost effective manner is part of that obligation and responsibility. Invariably, many of our members have Governments at all levels as major clients. This means that quite often it is taxpayer and ratepayer monies being invested in the expertise of members to deliver that infrastructure.

It has been apparent in the conduct of four Royal Commissions in and around Australia over the past 30 years that the building and construction industry in this country has a history of acting and behaving differently than other sectors of the economy. The behaviours have been highlighted in the latest Royal Commission conducted by Commissioner Dyson Heydon who also referred to previous Royal Commission findings.

A matter which should be of great concern to all Australians is the cost of infrastructure delivery. This is more concerning at a time when governments at all levels are facing budgetary constraints in the face of growing populations putting more pressure on infrastructure requirements, and a changing economy needing new infrastructure to support business and employment.

The behaviours of industry alluded to above have through a number of reports and inquiries been variously found to have substantially increased the cost of infrastructure through reduced productivity and other demands which are not offset.

3. CCF Position:

The CCF supports an industry that is productive, healthy, free of coercion, cooperative, abides by the rule of law and working in the best interests of the nation. The latest Royal Commission reports by Commissioner Dyson Heydon would not give most reasonable people the sense that the aforementioned environment currently exists in many parts of the building and construction industry.

The CCF policy position has been and remains the restoration of the Australian Building and Construction Commission (ABCC). In this we support the Royal Commission Law Reform recommendations of Commissioner Dyson Heydon in providing the necessary legislation as proposed by the Bills subject to inquiry for an independent regulator for the building and construction industry.

Furthermore, the CCF believes that it is in the best interests of the building and construction industry and the Australian community that the ABCC is restored to ensure that all stakeholders in the industry behave in accordance with the law in the best interests of the Nation. This applies equally to employers as it does to unions and others.

4. Conclusion:

Thousands of hours and millions of dollars have been committed in just over 10 years for two highly regarded and eminent Australian legal minds to come to identical conclusions regarding the state of the building and construction industry and the need for a body such as the Australian Building and Construction Commission.

The CCF urges the Committee to heed the advice of those who have amply demonstrated the urgent need for the passage of such legislation as proposed by the Bills in question and report favourably to the Senate. The CCF seeks this in the best interests of all participants in the industry and the Australian people forced to pay publicly and privately for infrastructure inflated in cost from behaviour and practices not tolerated across other sectors of the economy.