

Shipping Australia Limited
ABN 61096 012 574

Head Office
Level 6, 131 York Street, Sydney NSW 2000
PO Box Q388, Sydney NSW 1230

Tel: 02 9266 9900
Fax: 02 9268 0230

23 January 2009

Committee Secretary
Senate Education, Employment and Workplace Relations Committee
Department of the Senate
PO Box 6100
PARLIAMENT HOUSE ACT 2600

Via email: ewr.sen@aph.gov.au

Dear Madam/Sir

Re: Senate Inquiry into Fair Work Bill, 2008

I apologise for Shipping Australia not being able to make a submission within the recommended timeframe because an issue in relation to this Bill was only brought to our attention very recently. We appreciate your agreement to extending the submission date to today.

Shipping Australia is a peak industry association representing 41 member shipping lines who will carry approximately 80% of Australia's international container, car and cruise trade and over 50% of the bulk and break-bulk trade. A list of those members is attached to this brief submission.

We have had the opportunity of reading the submission dated today sent to you by the National Bulk Commodities Group (NBCG) in relation to this Bill. Similar to the NBCG, Shipping Australia agrees with the importance of Australian based employers continuing to have the capacity to employ foreign crews on foreign flagged ships carrying domestic cargo and operating under permits granted in accordance with the Commonwealth's Navigation Act, 1912.

Shipping Australia refers, in particular, to Clause 31 of the Fair Work Bill which contains an exclusion similar to Section 12(1) of the Workplace Relations Act. In relation to the latter Act, there is a regulation 2.1.1 which ensures that current shipping arrangements under the Navigation Act continue in terms of the issuing of Coastal Voyage Permits which in turn delivers the benefits set out by the NBCG. We note that the Government has not yet released draft regulations in support of the Fair

Work Bill 2008 and we strongly recommend that a similar regulation to the current regulation 2.1.1 be promulgated to achieve that objective.

We agree with the NBCG that if there is no such regulation there would be adverse economic and employment consequences in terms of industry sourcing goods overseas rather than within Australia.

We would be happy to elaborate upon this brief submission if so required.

Yours faithfully

Llew Russell
Chief Executive Officer