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**Sent:** Thursday, 15 March 2001 7:52 AM  
**To:** Patrick McCormack (aph)  
**Subject:** Corporate Code of Ethics Bill - brief late submission

Patrick

I attended the Melbourne hearings yesterday. Thanks for the copy of submissions.

#### BRIEF LATE SUBMISSION

I strongly support the proposed Bill.

I believe that the bill should seek to apply recognised international principles, guidelines and standards to the actions of Australian companies acting inside and outside Australia.

Open and honest reporting of the environmental and social outcomes of their activities is a critical factor.

I think the Bill should seek to apply, in the first instance, principles or standards which can be found to rest on international agreements. For example, in the case of environmental issues, on such agreements and the Rio Declaration or Agenda 21.

Where detailed standards do not exist at the international level (for water quality, for example) I think the bill should establish a presumption that detailed Australian standards (generally accepted standards, not statutory standards - such as the Australian water quality guidelines for fresh and marine waters) are compatible with international principles unless it can be demonstrated that they are in conflict with such standards.

As the bill may apply to activities in other countries, the bill should, in the first instance, seek to apply internationally recognised principles and standards to the activities of Australian companies. Where detailed standards do not exist at the international level, Australian standards should apply unless it can be demonstrated that they conflict with international principles and standards.

This may have the effect of encouraging the adoption of international standards around the world, particularly if other countries follow Australia's lead in this regard.

A discussion of international environmental principles can be found on my website (see address below).

Before closing, a brief word on the matter of ethical behaviour of Australian companies and corporations. If they are already acting in ethical ways, they have nothing to fear from the proposed Act. Perhaps a majority are. However, there is evidence that some are not, and I believe these companies are exploiting the gaps in the regulatory structures of developing countries. Action should be taken to encourage ethical behaviour by all Australian companies, and ethical behaviour can be defined, to some extent at least, by enthusiastic compliance with international and Australia (to the extent that Australian standards extend international principles) principles and standards.

The activities of Australian corporations within Australia give cause for concern. Articles by Banham (The Age 12/3/01: "ABC accused of Labor cull bid") and Lane (The Age 11/3/01: "Blessed are the rich in litigation") provide evidence that corporations act to suppress, rather than hear, criticism. Where these corporations have a social and environmental function and responsibility, and a public duty in this regard, this raises serious ethical questions.

Regards

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