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PRESIDENT
Sharan Burrow

SECRETARY
Greg Combet

28 October 2003

The Secretary
Senate Standing Committee on Environment,
Communications, Information Technology and the Arts
Parliament House
CANBERRA ACT 2600

Dear Sir/Madam,

Re: Inquiry into the Spam Bill 2003

The ACTU appreciates the opportunity to make a short submission to the inquiry into the Spam Bill 2003.

The ACTU and its affiliated unions are making increasing use of the web to inform working Australians and their families, together with other interested members of the community, of key issues which face working families.

Unions are using the web to supplement the traditional information channels of union magazines, newsletters, leaflets, pamphlets, posters and stickers.

While unions and their members are, like wide sections of the Australian community, also concerned about the proliferation of spam on the 'net, especially some of the commercial misuses of the system, we believe any legislation which unfairly restricts the free flow of information should be carefully evaluated.

Many of the ACTU's affiliates are now active and effective users of their e-mail newsletters and are concerned to be given the same exemption status that political parties, charities and religious groups have been given under the Spam Bill 2003.

In common with the organisations which have been given exemption, unions are not-for-profit, community-based organisations. There seems to be no logical basis not to give unions this status.

Unions are seeking assurance that their use of the e-mail addresses of members and supporters, and their ability to use e-mail systems as part of organising and campaigning in a democratic society – which, in common with religious groups, charities and political parties, may from time-to-time target politicians, community

groups, employers and other associations – will not be unfairly restricted by anti-spam legislation meant originally to regulate the activities of the commercial misusers of the world-wide web.

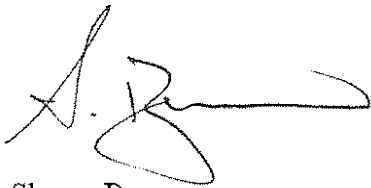
Unions should be able to send out mass e-mails to members, supporters and to other groups and individuals participating in our democratic society so long as an effective opt-out system is provided and maintained.

The ACTU submits that unions should be exempted on the same basis as other non-profit community groups.

If this is not done, it will be difficult to explain other than as reflecting the Government's ideological bias against unions.

If it would assist the Committee, the ACTU would be available to give evidence in a public hearing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Burrow', with a long horizontal flourish extending to the right.

Sharan Burrow
PRESIDENT