

# Chapter 1

## Introduction

### Referral and consideration of the bill

1.1 On 27 June 2013 the Fair Trade (Workers' Rights) Bill 2013 was referred to the Senate Foreign Affairs, Defence and Trade Legislation Committee. The bill lapsed at the end of the 43<sup>rd</sup> Parliament. On 4 December 2013, the Senate agreed that the bill be re-referred to the committee for consideration and report by 4 March 2014. The reasons for referral originally cited by the Selection of Bills Committee were:

- The impacts this Bill will have on international labour standards with our trading partners.
- The impact this Bill will have on Australian business' competitiveness.
- Consideration on how this bill will advance human rights in developing nations which sign trade agreements with Australia in the future.
- Comment on the definition of the *minimum labour standards* definition.<sup>1</sup>

1.2 In his second reading speech for the bill, Senator Madigan advised the Senate that the bill:

Is the first in a series of Fair Trade Bills I intend to introduce in the hope of bringing us closer to that mythical 'level playing field' we are told we enjoy through our international trade agreements.<sup>2</sup>

1.3 Senator Madigan introduced the second Fair Trade bill, the Fair Trade (Compliance of Imported Goods of Imported Goods with Australian Standards) Bill 2013 on 27 June 2013 (the bill has not yet been re-introduced). It is the Senator's intention to introduce further bills, on 'Intellectual Property and Patent Protection and Biosecurity and Food Standards' at a future date.<sup>3</sup>

1.4 Senator Madigan explained that the purpose of the bill is twofold:

First it aims to demonstrate that the Australian people care about the rights of workers, not only in Australia but across the world.

Second, it aims to make Australian industries more competitive in our home markets and to protect the jobs of Australian workers and small businesses.<sup>4</sup>

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1 Selection of Bills Committee *Report No. 8 of 2013*, 27 June 2013, Appendix 2.

2 *Fair Trade (Workers' Rights) Bill 2013*, Second Reading Speech, p. 1.

3 *Fair Trade (Workers' Rights) Bill 2013*, Second Reading Speech, p. 1.

4 *Fair Trade (Workers' Rights) Bill 2013*, Second Reading Speech, p. 1.

1.5 The Explanatory Memorandum for the bill includes a Statement of Human Rights Compatibility which outlines the ways in which the bill is consistent with human rights.

### **Conduct of inquiry**

1.6 The committee advertised the inquiry on its website and via social media (@AuSenate). It also wrote to relevant ministers and departments, and contacted a number of other organisations inviting them to make written submissions. The committee received twelve submissions from the two inquiries it has conducted into the bill. Submissions are listed at Appendix 1, and are available on the committee's website.