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REGULATE UNIONS AND EMPLOYER BODIES LIKE CORPORATIONS: IPA

Australia's workplace relations laws should ensure that the duties imposed on unions and employer organisations and penalties for non-compliance are equal to those that apply to companies, according to Brett Hogan, Director of Energy and Innovation Policy at free market think tank the Institute of Public Affairs.

The regulation of registered organisations should also be excised from the Fair Work Commission and a new Fair Work appellate body established to ensure more consistent decisions and build greater confidence in the tribunal system.

These recommendations are included in *Proper Regulation and Scrutiny of Registered Organisations and Institutions will Improve Outcomes*, the IPA's submission to the Royal Commission into Trade Union Governance and Corruption which was featured in the *Australian Financial Review* today.

"Institutions and their attitude to the law are part of the cultural problem that has been revealed during testimony at the Royal Commission so far," says Mr Hogan.

"While the IPA is a strong supporter of freedom of association and the right of individuals to join or not to join a union, this principle should not be used to justify a second-class system of responsibilities and enforcement."

"The obligation in the *Fair Work (Registered Organisations) Act 2009* for registered organisation office-bearers to only discharge duties 'in good faith in what he or she believes to be the best interests of the organisation and for a proper purpose' as opposed to 'good faith in the best interests of the corporation and for a proper purpose' illustrates the double standards that exist in current laws."

"Unions are always calling for greater regulation of companies – it is only fair that they are subject to the same rules," says Mr Hogan.

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