

UNIONS, RIGHT-OF-ENTRY LEGISLATION, MR McDONALD'S STATEMENTS

3004. Mrs C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer the Minister to *The West Australian* newspaper, dated 29 May 2004 and the article titled 'McDonald scoffs at entry law,' and ask -

- (a) is the Minister aware of this article and of the statements by Mr McDonald that 'he will break the law and continue to enter building sites without a permit';
- (b) is the Minister aware that Mr McDonald also said, in the same article, that he would not contest having his State right-of-entry permit revoked by saying, 'he did not need it';
- (c) what action will the Minister take to ensure that Mr McDonald complies with the law;
- (d) is Mr McDonald's contempt for the right-of-entry laws an indication of the ineffectiveness of these laws;
- (e) will the Minister now amend the right-of-entry legislation to make it enforceable for both builders and unions, so that the law is not held in such contempt, as shown by Mr McDonald; and
- (f) if the Minister will not take any action, is this a further indication that people affiliated with the ALP are immune from action?

Mr J.C. KOBELKE replied:

- (a) I am aware of the article and that The West Australian attributed this comment to Mr McDonald.
- (b) I am aware that The West Australian attributed this comment to Mr McDonald.
- (c) The Building Industry and Special Projects Inspectorate (BISPI) is responsible for investigating and, where appropriate, prosecuting alleged breaches of industrial legislation. BISPI will continue to undertake this task without fear or favour in relation to the conduct of both employers and union representatives.
- (d) No. The effectiveness of the right of entry laws are demonstrated by the fact that an application has been successfully made and the Western Australian Industrial Relations Commission has suspended Mr McDonald's right of entry permit and exposed him to the possibility of being prosecuted for breaches of criminal law.
- (e) The enforceability of the right of entry legislation is demonstrated by successful prosecutions being taken against both builders and unions which does not suggest there is need for amendment to the legislation.
- (f) BISPI and the Western Australian Police Force have taken successful action against the unions and their officials even if the basis for the question tries to ignore the facts.