

**LABOUR RELATIONS REFORM BILL 2002**

*Committee*

Resumed from 16 May. The Chairman of Committees (Hon George Cash) in the Chair; Hon N.D. Griffiths (Minister for Racing and Gaming) in charge of the Bill.

**Clause 4: Part VID inserted -**

Progress was reported after Hon Murray Criddle had moved the following amendment -

Page 13, line 14 to page 14, line 3 - To delete the lines.

Hon MURRAY CRIDDLE: There has been some debate on this amendment already. Some members have shown a deal of support for it, and I thank them for that. This amendment is about allowing people under 18 years of age to make decisions for themselves. Basically, that is the bottom line for this amendment. Some people have said that they need the reassurance of an adult. Proposed section 97UJ(2) states quite clearly that any person may be appointed as a bargaining agent, including an organisation. Therefore, under that proposed section, there is an opportunity for an older person to accompany a younger person who is negotiating an arrangement. Therefore, the situation is clearly covered in that proposed section, and there is no need for proposed section 97UM to be in place.

Hon RAY HALLIGAN: The Liberal Party will support this amendment. Quite a bit has been said already. Hon Murray Criddle has alluded to the fact that other checks and balances are in place to look after these younger people. We have heard from the Government, particularly in debate on other legislation, that young people under the age of 18 years are capable of making decisions for themselves, particularly in the area of sexuality. My understanding is that young people under 18 years of age have always been in a position to sign employment contracts without witnesses. In fact, this shows some hypocrisy on the part of the Government when it continually talks about wanting to protect young people. It goes down one path with this legislation and an entirely different path with other legislation.

I also question why so many signatures are needed. If this proposed section is passed, I would still like to know why so many signatures are needed. I am fully aware that the minister in the other place, when debating this proposed section, mentioned that this check was needed because the same level of protection was not provided by an award or a collective agreement. I still do not understand exactly what the Government will want to do with all these signatures because, as I said, in the past people under 18 years of age have been able to sign alone.

Hon LOUISE PRATT: It is important that we minimise harm to young people when they enter into contracts for any employment in the workplace. If young people are required to engage a witness, it will encourage them to seek advice, consult with other people and generally have a dialogue with others about their employment and what is in their contract, which is certainly an unusual circumstance for most young people today. They will seek advice when they are without an advocate in the form of perhaps a union representative. In the consultation that took place before this legislation was introduced, I spoke with people at the Youth Affairs Council of WA, for example, about the types of provisions they would like included in the legislation. They were happy with this type of provision, whereby the consent of a guardian or parent would assist in ameliorating negative impacts in the context of young people not understanding what was in a contract.

Hon RAY HALLIGAN: I heard what Hon Louise Pratt said. However, I still have concerns about going down this path and the need for it. It could be said that a peanut is being cracked with a sledgehammer. It has been said that a number of younger people have problems. I wonder what percentage of them have problems. When should some of these so-called checks and balances be brought in - when five per cent or 15 per cent are having problems? What criteria has the Government used to go down this path? In addition, proposed section 97UM(2)(b) states -

in circumstances prescribed by the regulations, by a person who belongs to a class of persons so prescribed.

Will the minister give me an indication of what the Government envisages in that area?

Hon N.D. GRIFFITHS: In answer to the question just posed by Hon Ray Halligan, I indicate that a circumstance may be when the parents are estranged in some way. A child - an infant - who is not quite 18 years of age could be involved. That gives a reasonable degree of flexibility.

Amendment put and a division taken with the following result -

Ayes (15)

Hon Alan Cadby	Hon Peter Foss	Hon Robyn McSweeney	Hon Bill Stretch
Hon George Cash	Hon Ray Halligan	Hon Norman Moore	Hon Derrick Tomlinson
Hon Murray Criddle	Hon Frank Hough	Hon Simon O'Brien	Hon Bruce Donaldson ( <i>Teller</i> )
Hon Paddy Embry	Hon Barry House	Hon Barbara Scott	

Noes (17)

Hon Kim Chance	Hon Jon Ford	Hon Ljiljana Ravlich	Hon Giz Watson
Hon Robin Chapple	Hon Graham Giffard	Hon J.A. Scott	Hon E.R.J. Dermer ( <i>Teller</i> )
Hon Kate Doust	Hon N.D. Griffiths	Hon Christine Sharp	
Hon Sue Ellery	Hon Dee Margetts	Hon Tom Stephens	
Hon Adele Farina	Hon Louise Pratt	Hon Ken Travers	

**Amendment thus negated.**

The CHAIRMAN: Members, that amendment was lost. Hon Dee Margetts indicated last Thursday that should that amendment be negated, she did not intend to move amendment 118/4, for obvious reasons. Accordingly, amendment 23/4 in the name of Hon Ray Halligan will also not now be able to be moved because the House has made a decision about the lines referred to in the previous amendment. We will therefore move to amendment 6/4 in the name of Hon Murray Criddle.

Debate interrupted, pursuant to standing orders.

[Continued on page 10763.]