

COMMENTS TO PRESS IN ALICE SPRINGS

FILE

This is a strike that very directly involves State legislation and it is a strike, or a dispute therefore, between the truckies and in varying degrees different State Governments. It is a dispute in particular between the truckies - that industry - and New South Wales and as much as anything I think because of the immediate and knee-jerk reaction that Mr. Wran had in rushing legislation through the State Parliament when the normal thing in a beginning of a dispute is to see if you can talk to the people involved. The legislation has been passed. I don't know if it has been proclaimed but my understanding is that Mr. Wran has no intention of using it. The States have been trying to unload the dispute onto the Commonwealth, but it is not a Commonwealth dispute, it is a State dispute and involves State legislation and a State road tax. One Premier has put to me the view that the Commonwealth petrol tax should be increased for everyone so that the States could be recouped whatever they would lose for taking the road tax off the truckies. Well that is just not on and let me state that in complete, firm and absolute terms -- that it is just not on, it is not going to happen. We are not going to put taxes up on everyone to enable the States to take a tax off one particular group of road users. It would be inequitable and unfair and in any case, the States in recent times have had a good deal more funds available to them. All the States, over recent years, have decided to reduce many different taxes of different kinds. This has been their priority not to reduce or to get rid of this particular tax. Now having said that, let me also -- let me condemn in the strongest terms the action of the interstate truck drivers. What they are seeking to do by industrial muscle is wrong. It is destructive. It is harming people just as much as the TWU dispute was a few days ago, which was denying milk and food and bread to hospitals and families in the capital cities. The truckies, no matter what the merits of their claim -- and I say this in relation to all disputes where industrial muscle is used -- ought to get back to their jobs, get around the negotiating tables with the States and seek a proper resolution of the matter through consultation; if necessary, getting the States and themselves jointly to agree to an arbitrator. But that is their business -- the State's business and theirs. If they could jointly agree to somebody arbitrating the dispute, well then let that happen and let that be determined. That would be for them to decide jointly with the States. But the action of disruption is wrong and on behalf of the Commonwealth I certainly condemn it, in just as strong terms we condemn the action of the more traditional trade unions that cause a great deal of inconvenience and difficulty. I would like to reinforce one other point. We've said some reasonably firm things in recent days -- my colleague Mr. Street has -- about industrial disruption and at no point are we seeking to deny the right of people, or of trade unions to have their cases heard before the Arbitration tribunals.

What we are saying that we are going to take much firmer action than we have in the past against people who don't allow those tribunals to work in the normal, unfettered manner, who, almost before they make their case before the Tribunal decide to introduce work bans and limitations, go-slow, all the rest, with consequential harm for large sections of the Australian community.

There has, over many years, been a tradition of accepting arbitration -- of accepting the umpire's verdict. Now if that system, which has worked fairly and reasonably, is to operate successfully, it ought to work without undue pressure from any of the participants before it. A week ago it was the Transport Workers' Union. We said what we had to say about that. The moves for deregistration of that union were proceeding when they called the strike and their bans off. This case is not within the Federal jurisdiction, it is a matter for the States, but the same principles apply in this disruption which is doing significant harm, especially to people in the city of Sydney and get to talking about it with the States and see if the problems can't be resolved.

Let me also say that I had some discussions with the Solicitor-General this morning to see if a certain view that I had had validity. But legal opinions always need to be verified and checked, but it was his view that it is within the capacity of the States to come to agreement amongst themselves on uniform legislation or licensing charge for this particular industry. The funds would have to be related to road use and to road damage, as the present road maintenance charge now is. But the road maintenance charge is difficult to collect, as we know, and it can be avoided. That worries people. A uniform registration or licensing fee related to road use agreed upon by the States is probably capable of implementation by the States, but they would have to agree. This particular problem of road tax and the attitude of the truckies has been known to the States for years and they haven't been willing to get together and to seek, jointly, a resolution of it. The only way they want it resolved is for the Commonwealth to put up a tax so they could take a tax off. We don't believe that that is a fair or a reasonable proposition. They have a capacity to act themselves. They've shown that they've had more funds by the fact that they have reduced many taxes over recent years. If it has been within their priorities they could have reduced this tax if they wanted to. But I am not suggesting that. I am suggesting that there are other alternatives which would be much simpler to administer.

OFF THE RECORD

It is my understanding that the truckies have significant other complaints as well, but they really seem to have been focussed on the road tax -- the road maintenance tax. They complain about the competition they get from State railways, the competition they get from some of the big transport firms. They complain also about not being able to get adequate or realistic freight rates from the people who do give them work. I think that in part is one of the results of the sort of competition within the industry. We know it is very easy to get finance; easy sometimes to get hold of a rig and if people get into difficulties they get a bit inclined to cut the rates to get work just to keep going. I can understand all the difficulties that that involves. But it does mean that the problems of the industry, I think, are many-sided. I think that matters are focussing on the road tax which is in fact just one element of an industry which has many more problems than that particular State charge. But again, they are problems that, if they are prepared to sit down with State Governments that has the regulatory capacity and all the rest for these things, could have been tackled long before this.

ON THE RECORD

Question

Have you made a formal suggestion to the States that they should adopt that course of yours...

Prime Minister

I have spoken to one Premier about it and if, during the course of the day, I am speaking to others, I will put it to them.

Question

Would the Government be prepared to use its powers to unclog the roads if this thing isn't resolved within the next few days?

Prime Minister:

The States are always telling us they have sovereign powers. This is a dispute that is within their province. I think it is certainly exacerbated in N.S.W. where it is worst, by Mr. Wran's legislation -- knee-jerk reaction to a certain situation and I would have believed that instead of trying to rush that legislation through Parliament, the matter had been handled calmly from that point, that it could well have been possible to get the trucks as they drew up along the main highways and let people - police drivers - drive them off down some side road. But it wasn't handled that way and Mr. Wran will have to try and untangle that part of the mess for himself.

Question

You said in regard to the Government's - your Government's own position - that the Government was prepared to take much firmer action against unions which take disruptive action to settle disputes. Can you say what that much firmer action...

Prime Minister

Yes I can. It will be an amplification and repetition of what Mr. Street said last week. I think you will know that over a long period, when there are bans or work limitations in place there has been a tendency to go to the Arbitration Commission and the arbitral tribunals, to talk about it before any kind of action is taken as a consequence of the industrial bans. Now so far as Government employment is concerned, and statutory organisations -- all of whom have been contacted or are in the process of being contacted -- when there are bans or limitations of any kind imposed to reinforce a claim before one of the arbitral tribunals the policy of stand-downs, suspensions, no-work, no-pay will be applied forthwith from the outset. It is fair enough to tell people that so they won't be caught unawares as a result of the change in policy. That is applying on the Postal Commission over recent days, as you know. That particularly of course applies in the Commonwealth's area of employment. Where suspension or stand-down clauses are not in an award when this kind of industrial action occurs and then action will be taken to get them into the awards as soon as we can through the Tribunals. For unions with a long record of industrial dispute such as the Transport Workers Union we will be much more ready to go down the path of deregistration. Mr. Street has said if that case is once lodged in the Federal Court it will be pursued to the end. Work in getting that case ready has not ceased. It is being continued. A final judgement as to whether or not that procedure will be taken when the material is fully ready to the satisfaction of the Crown Solicitor. The work in getting the case prepared for the Federal Court is quite substantial. A good deal of evidence has to be collected in a formal way. As we know, that dispute at the moment -- the Transport Workers' Union -- appears to be off. In addition to this, as has been shown in the paint dispute involving .. the motor industry, we have indicated that we are prepared to reinforce the capacity of private industry to argue by indicating that a PJT inquiry would be held on the company's or industry's pricing policies if they themselves unreasonably concede claims outside the Arbitration Commission guidelines. As further reinforcement of that, so that other industries do not have to be penalised as a result, we will consider giving permission to import under by-law conditions so that essential supplies for other industries won't run short; the paint industry is a classic example of that. There we have told either the paint manufacturers or the motor firms themselves that if they wish to import they may. I think priority ought to be given to the paint manufacturers who would otherwise tend to lose business. But if they were unwilling to import, we would allow the motor firms to do so, if they wanted to. The principles involved in that will also be applied as appropriate in other areas.

This indicates a significant firming of our immediate reaction to disputes involving cases that ought to be before the wage tribunals. Let me again emphasise, it is not saying that people cannot go to arbitration. It is not saying that people cannot have their cases heard. It is saying that we will do everything we possibly can to see that those cases are heard before the Arbitration tribunals, free of industrial pressure. If there is industrial pressure which involves dislocation to other people in the community, there will be consequences for the people who apply it.

Question

I think you mentioned earlier that you had put a viewpoint about solving the truckies dispute to the Solicitor-General. Can you outline that viewpoint.

Prime Minister

I indicated what that was. I was saying that the advice I was given had reinforced a view that I had had that if the States agree, they can establish a system of uniform licensing or registration charge, so long as it is related to road use and that that would be in conformity with High Court decisions under Section 92 of the Constitution. But if the States are not prepared to agree it will be very difficult because a State that doesn't act would leave it wide open. An agreement with five States wouldn't work. It would have to be an agreement with all States.

Question

Would the Federal Government be prepared to pick up the tab if all States abolished road tax?

Prime Minister

No. I have said we are not. No, because the States have made their own priorities, own decisions about their priorities for reducing taxes and this has not been one of them. Go through every State Budget for the last three years. There have been tax reductions in them or promised and therefore it has not been in the States priorities. If they want it in their priorities they can have it.

What I am also saying is that on the advice that I had confirmed -- it was a verbal advice and obviously not formal in that sense -- from the Solicitor General -- that there are simple alternatives if only the States will get together and work out a scheme which would enable them to collect a licensing charge or a registration charge uniformly.

Question:

Would you be optimistic that such a move like that could actually come about.

Prime Minister

Well, why shouldn't the States agree? They say this is a problem. If it is a problem, let them act on it.

Question:

Do you believe that that would solve the dispute?

Prime Minister

No -- I'd also said that I think -- what is going to solve this dispute is people getting together and working out some approach to the future -- and consultations between the transport operators and the States. That will have to take place. But I have also said that I think the problems of this industry are much deeper than that road maintenance charge -- not being able to charge high enough freights because of the intense competition; maybe being able to buy rigs too easily; maybe also unfair competition through some of the rail systems.

Question:

What's the actual problem if five States agreed and the sixth didn't? Why would not...

Prime Minister

I think they would all register or license themselves in the sixth State. You've got to have them all agreed so there isn't, in a sense, a tax haven which enables them to get out.

Question

Could I clarify the Government's position on the TWU. Are you saying, sir, that if there is any further industrial action by the TWU, the Government has the papers prepared and will proceed forthwith with deregistration proceedings?

Prime Minister

The papers are not fully prepared at the moment. The latest advice I had was that their preparation should be finished early this coming week. What we've said to this point is that we will make a decision when those papers are prepared as to whether they ought to be lodged with the Federal Court or not. Quite clearly that depends upon the industrial circumstances in relation to that Union at the time when those papers are available to us.

Question:

But you will hang on to them in case the unions go on strike in a week's time?

Prime Minister

We've also made the decision that in relation to that Union, that the documents will be kept up-dated and the reasons for that are plain because that Union has been involved in very severe industrial disputation and inconvenience to many different sections of the Australia community over a long and prolonged period of time.

Question

The truckies have said they would like to talk to you or Mr. Nixon. Would you be prepared to agree to that?

Prime Minister

This is a dispute -- I did see a deputation from the truckies some .../7

Prime Minister (continued)

months ago. This is a dispute (inaudible) at the present time. That's where the immediate situation has to be solved. Against the background of everything I have said to you, I think we need to understand that the Commonwealth is very firm here -- no matter what the merits of the case, it is not going to be negotiated under threat. We have no intention of doing so. I don't want State Governments to be in a position of conceding under threat to a particular section of the community

I am saying there are problems in the industry but they basically stem from State legislation of one kind or another. It has been within the capacity of States, over a period of years, to do something about it and modify it. It has been within their capacity over recent times to modify the actual charges if it had been one of their State priorities, but it has not been one of their State priorities. Now that the States are in a degree of difficulty in relation to it, they tend to come to us and say 'please get us out of our problems'. It's a far cry, isn't it, from the bold days when States say they are sovereign. If they are sovereign, let them demonstrate that they have a capacity to solve one of their own problems.

Question

In relation to Ayers Rock, sir?

Prime Minister

I don't think there is anything I can say about that. I will be talking to the Chief Minister shortly and later I will let you know.