

MEDIA RELEASE

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Certainty restored for resource industry as unions fail in offshore visa challenge

AMMA (Australian Mines and Metals Association) – The resource industry's employer group

IN a [decision](#) that has restored certainty to both Australian and non-Australian nationals working in the offshore resource industry, the Federal Court has today rejected a challenge by two maritime unions to the Commonwealth's offshore skilled migration visa arrangements.

The MUA and AMOU's unsuccessful legal challenge is the latest chapter of ongoing attempts by Australia's maritime unions to gain control over offshore resources work that historically takes place outside the unions' traditional coverage.

By targeting the very small proportion of non-Australian skilled workers who provide essential international technical expertise to local projects, the unions' campaign has directly threatened thousands of Australian jobs created both directly and indirectly through flow-on effects.

"The Federal Court's decision today is a sensible decision that has restored certainty to a critical part of Australia's economy," says Steve Knott, CEO of resource industry employer group AMMA.

"The offshore resource sector uses a very small number of non-Australian specialists, but has created 70,000 jobs in Australia and injected \$200 billion into our economy.

"This campaign is simply the maritime unions' attempt to gain control over areas historically outside their legal reach and create a new source of membership revenue.

"It is well beyond time that some sensibility is restored in this area and Australia's oil and gas operators can get on with creating jobs and economic value for our country."

A separate challenge by a third maritime union, the AIMPE, was previously adjourned pending today's decision. AMMA expects no material difference in the AIMPE's case or the outcome.

Background to this matter:

Today's Federal Court decision is a significant development in a longstanding union campaign to have all offshore resources activities captured within Australia's migration zone and thus within the reach of Australia's workplace laws and union membership coverage.

The laws and regulations the unions are campaigning against have been in place in Australia since 1982 and are consistent with both international maritime law and resources work around the globe:

- No Australian jobs have ever been threatened by the longstanding work arrangements for offshore resources work taking place in waters deemed outside of Australia's migration zone.
- The global vessel services originally targeted by the unions in this campaign use a small number of non-Australian specialist workers, and actually create many jobs for Australians.
- The small number of international specialist workers (mostly from Europe) travel globally and are paid in accordance with their national laws and with international maritime law.

While the former Labor government took the unprecedented action of amending the laws to appease the maritime unions' demands, the Federal Court has now upheld the Coalition Government's steps to restore certainty to Australia's offshore resource industry.

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