

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2012-2013**

Agency - ABCC/FWBII

DEEWR Question No. EW0119_13

Senator Cameron asked in writing

Question

ABCC – Transition to Fair Work Australia Building Industry Inspectorate

The Building and Construction Industry Amendment (Transition to Fair Work) Act 2012 received royal assent on 15th April 2012.

Questions:

1. What is the timeframe for the transition from ABCC to FWABII?
2. What logistical issues are involved for the agency?
3. Does the transition involve any revisions to the ABCC Operations Manual and Guidance Notes? If so, when will these revisions be completed and when they are complete, can the Commissioner table the relevant documents?
4. What is/will be the total staffing of the FWBII at commencement?
5. How many staff have transferred or will transfer from the ABCC to the FWBII?
6. Will the FWBII occupy and operate from the same premises as the ABCC?
7. What, if any, policies and procedures of the former ABCC have been adopted by the FWBII?
8. How many active court proceedings have been transferred from the ABCC to the FWBII? Does the FWBII propose to review any of these matters to determine which of them are suitable to continue to finality through the court system?
9. Are there any agreements or protocols in place between the FWBII and the FWO that regulates the interaction between the two bodies? If so, what is the nature of these?

Answer

Fair Work Building & Construction has provided the following response.

1. Fair Work Building and Construction commenced operations on 1 June 2012.
2. The agency followed the Australian Public Service Commission's *Implementing Machinery of Government Changes – A Good Practice Guide*.
3. Many of the ABCC policies and procedures have been amended so they can be adopted by the FWBC. New policies and procedures are also being developed to assist FWBC observe the new responsibilities conferred on it under the *Fair Work (Building Industry) Act 2012*. The revised policies and procedures are available at www.fwbc.gov.au.
4. 164.
5. 163.
6. Yes.
7. Many of the ABCC policies and procedures have been amended so they can be adopted by the FWBC. New policies and procedures are also being developed to assist FWBC observe the new responsibilities conferred on it under the *Fair Work (Building Industry) Act 2012*.
8. 33 legal proceedings and 2 interventions. All civil litigation proceedings are subject to a continuous process of review.
9. Yes. With regard to several administrative and operational matters the relationship between FWO and FWBC is governed by a series of instruments including Memoranda of Understanding and exchange of letters.