

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

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

Agency - ABCC/FWBII

DEEWR Question No. EW0622_13

Senator Abetz asked on 17 October 2012 , Hansard page 55

Question

FWBC - Briefing to Minister

Mr Johns: We will not be using compulsory powers to investigate matters relating to the BCII Act, because there is a serious question about whether the transitional provisions allow for that.

CHAIR: Just to help me, we are now not talking about this particular dispute—

Senator ABETZ: No, no.

CHAIR: We are now talking in general terms?

Senator ABETZ: Yes.

CHAIR: Okay.

Senator ABETZ: So to whom has that been made known—that you believe there are issues here that mean that you cannot use those powers?

Mr Johns: The department is aware of that.

Senator ABETZ: The chain is that you alert the department and then it would be their duty to alert the minister, one would assume.

Mr Johns: I would have to check. It might be that we have briefed the matter up to the minister as well.

Senator ABETZ: That you may have?

Mr Johns: We may have, yes.

Senator ABETZ: If you could take that on notice—

Mr Johns: I will.

Senator ABETZ: and advise us as to when you alerted the department and, if you alerted the minister, the date of alerting the minister, please.

Mr Johns: I will take it on notice, Senator

Answer

Fair Work Building and Construction has provided the following response.

Fair Work Building and Construction:

- a) provided a brief for noting to the Minister's Office on 31 July 2012, and provided an updated brief for noting on 6 September 2012; and
- b) advised the Department of Education, Employment and Workplace Relations on 10 September 2012.