

**Question on notice no. 7**

**Portfolio question number: SQ24-001775**

**2024-25 Supplementary budget estimates**

**Education and Employment Committee, Employment and Workplace Relations  
Portfolio**

**Senator the Hon. Michaelia Cash:** asked the Department of Employment and Workplace Relations on 6 November 2024—

Senator CASH: When were you advised, then, that Mr Irving would be the administrator-on what date?

Senator Watt: I'd have to take that on notice. But, as Ms James said, under the legislation, or the scheme of administration-one or the other-it was a decision for the Fair Work Commission general manager to appoint the administrator and to determine his or her remuneration.

**Answer —**

Please see PDF attachment.

## Standing Committees on Education and Employment

### QUESTION ON NOTICE Supplementary Budget Estimates 2024-2025

**Outcome: Workplace Relations**

**Department of Employment and Workplace Relations Question No. SQ24-001775**

Senator Michaelia Cash on 06 November 2024, Proof Hansard page 40

***Appointment of Mr Mark Irving KC***

#### **Question**

Senator CASH: When were you advised, then, that Mr Irving would be the administrator—on what date?

Senator Watt: I'd have to take that on notice. But, as Ms James said, under the legislation, or the scheme of administration—one or the other—it was a decision for the Fair Work Commission general manager to appoint the administrator and to determine his or her remuneration.

#### **Answer**

The General Manager of the Fair Work Commission applied to the Federal Court of Australia on 2 August 2024 under s 323 of the *Fair Work (Registered Organisations) Act 2009* (Registered Organisations Act) to place the Construction and General Division of the CFMEU and some of its branches under administration. In the General Manager's originating application, Mark Irving KC is named as the proposed administrator.

The department received confirmation Mr Irving KC had been appointed as the administrator of the Division on 23 August 2024. This followed the Attorney-General, the Hon Mark Dreyfus KC MP, determining on that day it was in the public interest to place the Division and all of its branches under administration pursuant to s 323B of the Registered Organisations Act and naming Mr Irving KC in the determination – the *Fair Work (Registered Organisations) (CFMEU Construction and General Division Administration) Determination 2024*.