

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Budget Estimates 2016 - 2017

**Agency - Fair Work Commission**

**Department of Employment Question No. EMSQ16-000801**

**Senator Williams asked on 06 May 2016 on proof Hansard page 73**

#### **Question**

##### **FWC - RSRT - Procedural fairness**

Senator WILLIAMS: ..... Do you consider the tribunal accorded owner-drivers procedural fairness over the course of the hearing of AIG, ACCI and NatRoad's application to delay the commencement of the payments order?

Ms O'Neill: Senator, that is essentially asking for legal advice, and I am not in a position to give such advice.

Senator WILLIAMS: You might be able to find something out for me.

#### **Answer**

The role of the General Manager of the Fair Work Commission in connection to the Road Safety Remuneration Tribunal (the RSRT) is set out in section 112 of the repealed *Road Safety Remuneration Act 2012* (Cth). This included 'assisting the President in ensuring that the Tribunal performs its functions efficiently and effectively' (s. 112(a)).

It is not appropriate for the secretariat to comment on or make an assessment of the RSRT's processes and whether parties were afforded procedural fairness.