

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

**QUESTIONS ON NOTICE  
Additional Estimates 2009-2010**

**Outcome 5**

**DEEWR Question No.EW0978\_10**

**Senator Back asked on 10/02/2010, Hansard page 85.**

**Question**

***ALLOCATION OF RESOURCES***

Senator BACK—....In that event, is there provision in the proposed amendments that in your annual report or in any other form of reporting the commissioner would be obliged to advise either the number and/or the details of any ministerial direction given to the commissioner on the allocation of resources?

Mr Lloyd—I would have to take that on notice, Senator. Other directions the minister gives have to be reported. I would think it is possibly the same with this one, but I am not certain of that. I do not have the amendment in front of me, so I would have to check on that.

**Answer**

Yes. Under the Building and Construction Industry Improvement Amendment (Transition to Fair) Work Bill 2009 (the Bill) Ministerial directions to the Director of the Building Inspectorate under proposed Section 11 will have to be detailed in the Building Inspectorate's annual report.

The Bill also provides that directions given under Section 11 are legislative instruments for the purposes of the *Legislative Instruments Act 2003*. Such directions will therefore be required to be lodged with the Federal Register of Legislative Instruments, tabled in both Houses of Parliament and potentially subject to disallowance by either House of Parliament.