

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2003-2004 SUPPLEMENTARY BUDGET ESTIMATES HEARING
6 NOVEMBER**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Outcome 2: Higher productivity, higher pay workplace

Output Group 2.1: Workplace Relations Policy and Analysis

Outputs 2.1.1: Policy Advice and Legislation Development

Question Number: W200-04

Question:

Senator Wong asked at *Hansard* page 39:

On how many occasions has the interpretation of the legislation advocated for by the Minister's representative been the same as, or consistent with, that advanced by the employer or the employer organisation?

Answer:

The Minister intervenes in matters in the public interest. The Minister's submissions address principles about the interpretation of the legislation largely independent of the particular facts of the matter. Parties' submissions may also address issues about interpretation of the legislation. A formulaic approach is not appropriate in comparing the submissions of the Minister to submissions of parties in a matter.