

**SENATE STANDING COMMITTEE ON  
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE  
SUPPLEMENTARY ESTIMATES 2009-10**

**Agency**                                      **Fair Work Australia**

**DEEWR Question No.**                      **EW621\_10**

Senator Fisher asked on 22 October 2009 EEWHR Hansard page 55.

**Question**

Does the president consult with others before issuing a direction under section 582? Irrespective of whether directions have been issued thus far under section 582, has the president decided that he does and will consult with others before issuing a direction under section 582?

if so, with whom does he propose to consult and why? Section 582(4) enumerates the sorts of directions he might make, for example, modern awards in relation to annual wage reviews, the conduct of full benches and a direction about the transfer between Fair Work Australia members of matters being dealt with by Fair Work Australia.

Does the president believe that the matters enumerated in that subsection make adequate provision for the sorts of directions necessary for him to carry out his functions under section 581, noting that that is an inclusive criteria—not exclusive or limiting?

Does the president believe that provision is adequate to enable him to make the sorts of directions necessary for him to carry out his functions under section 581?

**Answer**

Fair Work Australia has provided the following response:

To this point there has been no need to make any direction under s.582 of the FW Act. The President has no present plans to consult with anyone in relation to s.582. The existing power to give direction in s.582 is considered by the President to be adequate. Applications are allocated to members of FWA and Full Benches in accordance with established procedures.