

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

**QUESTIONS ON NOTICE  
Supplementary Budget Estimates 2011-2012**

**Agency - Fair Work Ombudsman**

**DEEWR Question No. EW0741\_12**

**Senator Abetz asked on 19 October 2011 , Hansard page 42**

**Question**

**FWO - Grace Payments**

Senator ABETZ: In relation to advice that was proffered? Mr Wilson: I will take that aspect on notice. Senator ABETZ: Clearly agencies will do that, but I am wanting to find out specifically in relation to advice proffered. Mr Wilson: We will take that on notice. Senator ABETZ: So you will take on notice whether any such payments have been made and also whether, in principle, in relation to advice you would be minded to support such a request. Feel free to take that on notice as well. It might potentially set a precedent not only for the Fair Work Ombudsman but for other departments. Senator Chris Evans: I do not think I would encourage Mr Wilson to flash outside the off stump, even in taking it on notice, in the sense that there are, in my experience, very strict guidelines regarding act of grace payments. I am sure he will be requested and guided by Finance and others to apply those guidelines. We will take it on notice.

**Answer**

*The Fair Work Ombudsman provided the following response.*

The Fair Work Ombudsman has made no act of grace payments in relation to advice provided as part of its advisory and educational activities.

With respect to the question as to whether the Fair Work Ombudsman would be minded to support such payments, each particular instance that may arise in the future would need to be considered on an individual basis.