

The first is to note that Senators Cash and O'Sullivan wrote to me on 28 October requesting certain information. You did request it by 4 November, and we did provide you information on 4 November. I'd like to table both your incoming correspondence and our response so that all of the committee has an opportunity to review that information.

Thank you. The second issue that I'd like to touch on is slightly more substantial. So, I'm sure you will recall that on the 20th of August, the Parliament passed the Fair Work Registered Organisations Amendment Administration Bill 2004, and that bill became an act. It received

Royal assent on 22 August. On 23 August, the Attorney-General, having been authorised by the Minister for Workplace Relations, made a determination to place the construction division of the CFMEU into and its branches into administration. This involved making a scheme of administration. On the 23rd of August, under that legislation, the General Manager of the Fair Work Commission appointed Mark Irving KC as the administrator of the union. And then on the 3rd of September, Mr. Ravbar and Mr. Lowth filed an application in the High Court challenging the constitutional validity of that legislation and the scheme. This means that the Administration act, in its entirety, and the scheme of administration are currently the subject of proceedings before the High Court.

Various comments by Senators and Members of Parliament before and after the introduction of the legislation, including while it was debated in the Parliament and after its passage, are now the subject of those proceedings. I acknowledge the Committee may well be interested in these proceedings and a number of issues relating to the events around the introduction of the legislation and the operation of the legislation and scheme. But noting the challenge, I do anticipate some questions we, and indeed some of our agency colleagues, may be asked today are likely to directly engage in issues that are in dispute and will be considered by the High Court. And to just give you an example of what those issues might be that are in dispute, the intention behind the introduction of the bill that became the Act and alternatives to that legislation the Attorney-General's reasons for deciding that making a scheme of administration was in the public interest any impact the Administration act and the scheme may or may not have had on political communications, including donations and the effect of the Administration act and the scheme on the control of property and assets of the CFMEU.

If when questions are asked by your good selves about these matters or any other matters that touch on issues relevant.

To the legislation officials at the table and the Minister will need to consider what we should and shouldn't cover, so we will be a little constrained when we're traversing this subject matter today. The sorts of information we should not disclose include information that may prejudice the impartial adjudication of the proceedings, may prejudice an investigation or possible breach of the law underway, or relate to the deliberative processes involved in the functions of the Government. This may require us to take some questions on notice or consider and seek legal advice. We will do our best to engage with you on what you'd like to ask us about here in the room today, but I ask that. You just note that we are somewhat constrained and balancing a number of important imperatives here. That is all. Chair, thank you