

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Additional Estimates 2016 - 2017**

Agency - Fair Work Ombudsman

Department of Employment Question No. EMSQ17-001497

Senator Marshall asked on 02 March 2017 on proof Hansard page 48

Question

FWO - ABCC Advisory services

Senator MARSHALL: I understand the point that you make. It is all right that you see that it is critical for that to happen. But there is an act of parliament which sort of trumps any of those desires. So I am again asking: are you absolutely satisfied that that arrangement does not contravene the act, which is pretty clear about the obligations of the ABCC picking up these matters?

Ms James: I do not believe that it is inconsistent with the act. I am happy to seek further counsel on that. We did—

Answer

The Fair Work Ombudsman's view is that the arrangement is consistent with the *Building and Construction Industry (Improving Productivity) Act 2016*.