

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

**2005-2006 ADDITIONAL SENATE ESTIMATES HEARING  
16 FEBRUARY 2006  
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTIONS ON NOTICE**

**OFFICE OF THE AUSTRALIAN BUILDING AND CONSTRUCTION  
COMMISSIONER**

**Outcome:** Workplace Relations laws are enforced in building and construction industry workplaces

**Question Number:** W816-06

**Question:**

Senator Siewert asked in writing:

Is it appropriate to have the same person acting as both the examiner and the presiding Commissioner? Does this introduce a potential conflict of interest between roles?

**Answer:**

- The *Building and Construction Industry Improvement Act 2005* (BCII Act) and paragraph 42 in the Guidelines published pursuant to the BCII Act, permit the ABC Commissioner or Deputy Commissioner to examine witnesses, or to engage counsel assisting to undertake this task, or a combination of both.
- Any potential of conflict is for the presiding ABC Commissioner or Deputy Commissioner to address.