

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

**QUESTIONS ON NOTICE  
ADDITIONAL ESTIMATES 2008-09**

**Agency**            **Office of the Australian Building and Construction Commissioner**

**DEEWR Question No. EW1169\_09**

Senator Marshall asked on 26 February 2009, EEWR Proof Hansard page 40

**Question**

- A. You will take on notice my issue about the information you have subpoenaed from News Ltd?
- B. Can you explain your internal process for determining whether or not to issue a subpoena?

**Answer**

The Office of the Australian Building and Construction Commission has provided the following answer.

- A. The matter is currently before the court and it would be inappropriate to comment further.
- B. A decision to issue a subpoena is made on a case by case basis, on advice of external legal counsel and in consultation with senior legal representatives of the ABCC.