

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

**QUESTIONS ON NOTICE
Additional Estimates 2010-2011**

Agency - Australian Building and Construction Commission

DEEWR Question No.EW0699_11

Senator Abetz asked on 23/02/2011, Hansard page 102.

Question

ABCC- WILCOX REPORT

Senator ABETZ—When did you first inform the minister and how did you inform the minister that you would be adopting the criteria in Ms Gillard’s previous ministerial direction that had been rejected by the Senate? Mr Johns—I think that I made reference to this in my opening statement on 20 October. If I am right about that then I would have informed the minister’s office at around that time. Senator ABETZ—Can you take it on notice and let us know when you did? Mr Johns—Yes, I am happy to do that. Senator ABETZ—And whether or not the minister responded or acknowledged your advice or made any comment in relation to that—whatever you are allowed to tell us. Mr Johns—Yes, of course.

Answer

The Office of the Australian Building and Construction Commissioner has provided the following response:

1. On 20 October 2010 the ABC Commissioner appeared before Supplementary Budget Estimates hearings. In his opening statement he advised that he was adopting the criteria outlined by the Hon. Murray Wilcox QC in his report *‘Transition to Fair Work Australia for the Building and Construction Industry Report’* in regard to the use of compliance powers under section 52 of the *Building and Construction Industry Improvement Act 2005*. The minister’s office was provided with a copy of the ABC Commissioner Johns’ opening statement on 19 October 2010. The ABC Commissioner has not adopted the recommendations made in the disallowed ministerial directions of 17 June 2009.
2. No.