

**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.EW0700_11

Senator Abetz asked on 23/02/2011, Hansard page 103.

Question

Senator Chris Evans—As I understand the report in the paper today, it was that you intended to write to me, was it, Mr Johns? Mr Johns—That is in relation to a separate matter. Senator Chris Evans—Was it? Senator ABETZ—Yes. So could you take on notice for us, possibly, what differences there are between the disallowed ministerial direction of Ms Gillard and the changes that you have instituted. Mr Johns—Yes

Answer

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

Paragraph	Ministerial Directions in Relation to Coercive Powers	Changes instituted by the ABCC
<i>d</i>	before issuing a notice under section 52, provide to a nominated individual a report describing the person proposed to be subject to the notice, the purpose of seeking the notice, whether the purpose can be achieved in another way, the likely effect on the person of the issue of the notice and the time within which you consider the notice should be issued; and	Not adopted.
<i>e</i>	having provided the report outlined above and before issuing a notice under section 52, consider written advice prepared by the nominated individual setting out: i. his or her assessment against the criteria set out in paragraph d; and ii. taking these criteria into account and the requirements of the Act, his or her view on whether a notice should be issued."	Not adopted.

