

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

**2005-2006 BUDGET SENATE ESTIMATES HEARING
30, 31 MAY and 3 JUNE 2005**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Outcome 2: Higher productivity, higher pay workplace

Output Group 2.2: Workplace relations implementation

Outputs 2.2.7: Building Industry Taskforce

Question Number: W308-06

Question:

Senator Campbell asked at *Hansard* page 22:

Did the Task Force have a policy in place before the *Ponzio v Multiplex* case on tape recordings?

Answer:

- It is inappropriate for the Taskforce to make any comment while the matter is before the court.
- This case is likely to proceed to a fully contested hearing commencing 29 August 2005. The Court has heard argument on an interlocutory application. On 3 May 2005, Ryan, J delivered a decision (*Ponzio -v- Multiplex Constructions (Vic) Pty Ltd [2005 FCA 522]*) dismissing Notices of Motion filed by Multiplex. His Honour ruled that a decision on the admissibility of evidence was an issue to be determined at trial.