

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

**2006-2007 BUDGET SENATE ESTIMATES HEARING
29TH AND 30TH MAY 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: W220-07

Question:

Senator Siewert asked in writing:

Can an ABCC inspector or an ABCC commissioner ask and compel response to a wide range of questions, or are they limited to the particulars of an alleged breach? Are they restricted to investigating activities that occurred within a particular period of time during or after which a breach is alleged to have occurred?

Answer:

An ABC Inspector cannot compel responses to any questions. Interviews by ABC Inspectors are voluntary pursuant to section 59 of the *Building and Construction Industry Improvement Act 2005* (BCII Act).

A power exists under section 52 of the BCII Act to require persons to attend to answer questions. This power can only be exercised by the Commissioner to a Deputy Commissioner. Questions must be confined to the ambit of the notice served on a person.