

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

**QUESTIONS ON NOTICE
Budget Estimates 2012-2013**

Outcome 4 – Workplace Relations and Economic Strategy

DEEWR Question No. EW0311_13

Senator Abetz asked on 29 May 2012 , Hansard page 118

Question

Possibility of not being eligible for appointment

Senator ABETZ: If the matter was coincidental, the settlement of the case and Mr Reardon's appointment, can we then be told, Parliamentary Secretary, if the matter had not have been settled, Mr Shorten would still have made the appointment?

Senator Jacinta Collins: We are talking in hypotheticals here but I will take it on notice. Senator ABETZ: No, it will go to the point as to whether the outstanding court case against Mr Reardon may have disqualified him from being able to take up the post. CHAIR: That is a slightly different question. Senator Jacinta Collins: That is a different question but I will take it on notice anyway.

Answer

A person being a party (either as an applicant or respondent) to any extant civil proceedings is not, in and of itself, a barrier to appointment as a member of FWA. As to Mr Riordan's appointment, given that the matter was settled before he was appointed, it would be inappropriate to speculate on what may have occurred had this not been the case.