

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

**2006-2007 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING  
2<sup>ND</sup> NOVEMBER 2006**

**EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTIONS ON NOTICE**

**Outcome 2: Higher productivity, higher pay workplaces**

**Output Group 2.2: Workplace relations implementation**

**Output 2.2.3: Workplace relations services**

**Question Number: W683-07**

**Question:**

Senator Wong asked in writing: Why is there a restriction on solicitors providing advice and acting for an employee, but no such restriction on one of the Associates, Consultants or Advisers acting for an employer in relation to any proceedings arising from the advice they have been given as part of the OEA Agreement Making Partnership Program? Why the policy difference?

**Answer:**

The restriction on further representation is to protect the applicant from pursuing an unmeritorious claim on the advice of his or her legal practitioner in any subsequent proceedings.

UTAS is designed to provide financial assistance to applicants to obtain legal advice on the merits of pursuing a legal proceeding in the Federal Court or Federal Magistrates Court. The OEA's Agreement Making Partnership Program is a register of approved organisations that can assist employees, employers and their representatives with the agreement making process. The OEA's Agreement Making Partnerships Program does not provide financial assistance to employees, employers or their representatives and Program participants do not provide advice on the merits of legal proceedings.

**Estimated cost:** Based on the FOI calculator it has taken approximately 3 hours at an estimated cost of \$60 to prepare this answer.