

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

**QUESTIONS ON NOTICE
Supplementary Budget Estimates 2011-2012**

Agency - Fair Work Australia

DEEWR Question No. EW0718_12

Senator Abetz asked on 19 October 2011 , Hansard page 8

Question

FWA - Industrial regulation

Mr Giudice: That is not what I said. I said industrial regulation is important. This is the danger of taking one sentence out of a speech. Senator ABETZ: Take on notice—because you do not have the speech in front of you—whether you made a statement that industrial regulation is important to productivity growth.

Answer

Fair Work Australia has provided the following response:

Justice Giudice provided an answer to the Senator's question during Senate Estimates. This can be found on page 30 of the Hansard:

Mr Giudice: I would like to add to the remarks I made earlier to Senator Abetz. It might clarify something. The senator was putting to me that in the speech that he has referred to, I had suggested that industrial regulation was irrelevant to productivity performance, or something to that effect. I have now had a chance to look at the speech and I would just like to read this passage, which says:

I am not suggesting the nature of our industrial relations system is irrelevant to productivity performance. Clearly it is not. The nature and extent of regulation can have a significant influence in some industries, and the effect may be positive or negative.

Then I go on to deal with that point some more. I just wanted to reinforce the fact that I think the way that exchange was left may have been misleading.

Senator ABETZ: The speech is tabled. Mr Giudice, do you agree that also in that speech we would find a sentence that it would be difficult on this evidence to establish any direct link between the type of industrial regulation and productivity growth?

Mr Giudice: Yes.

Justice Giudice's speech at the Australian Labour and Employment Relations Association National Conference on 7 October 2011, can be found on the Fair Work Australia website:

http://www.fwa.gov.au/documents/speeches/GiudiceJ_7-Oct-2011.htm