

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

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

Agency - ABCC/FWBII

DEEWR Question No. EW0627_13

Senator Abetz asked on 17 October 2012 , Hansard page 58

Question

FWBC - active cases

Senator ABETZ: So did the ABCC ever pursue civil penalties or have civil penalties awarded? Mr Johns: Yes. Senator ABETZ: Were they all paid? Mr Johns: The vast majority of the civil penalties that have been awarded in favour of the Commonwealth have been paid. There has been one instance, I think, in the last financial year where we started the pursuit of penalties in respect of an employer who had had a penalty imposed upon them and our pursuit of those penalties was fruitless. So we have discontinued the pursuit of that. Senator ABETZ: Is that the only case? Mr Corney: It is the only active case at the moment. It is a Western Australian case. Senator ABETZ: Can you take it on notice for us?

Answer

Fair Work Building and Construction has provided the following response.

There is only one case in the last financial year in which the ABCC/FWBC took steps to enforce a civil penalty order. The debtor in that case has now gone into liquidation and the liquidator has been informed of the outstanding penalty.

There is a second case in which penalties were awarded to the ABCC and in relation to which the penalties have not yet been paid. In that case, the debtor went into liquidation prior to the debt becoming enforceable. The liquidator has been informed of the outstanding penalty.