

s 22(1)(a)(ii)

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**From:** s 22(1)(a)(ii)  
**Sent:** Wednesday, 8 March 2023 1:04 PM  
**To:** s 22(1)(a)(ii)  
**Subject:** FW: Standing Order 74(5) - Explanation regarding unanswered Questions on Notice  
[SEC=UNOFFICIAL]

**Importance:** High

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Hi <sup>s 22(1)(a)(ii)</sup>, can we please get talking points on this by 2pm?

Would be possible to table your answers before the end of QT?

s 22(1)(a)(ii)

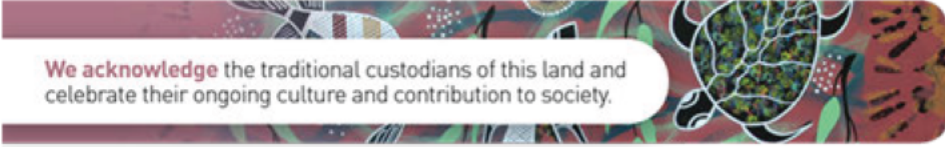


s 22(1)(a)(ii)

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**From:** s 22(1)(a)(ii)  
**Sent:** Wednesday, 8 March 2023 2:17 PM  
**To:** s 22(1)(a)  
**Cc:** s 22(1)(a)(ii)  
**Subject:** FW: PQ ABCC [SEC=OFFICIAL]  
**Attachments:** Departmental Scan 08032023\_1204886 s 22(1)(a)(ii) .pdf

s 22(1)(a)(ii)  
Office of the Hon Tony Burke MP  
Minister for Employment and Workplace Relations  
Minister for the Arts  
Leader of the House  
Ms 22(1)(a) | Es 22(1)(a)(ii)



We acknowledge the traditional custodians of this land and celebrate their ongoing culture and contribution to society.

s 22(1)(a)(ii)



**Australian Government**  
**Department of Employment and Workplace Relations**

**Parliamentary Question**

**Senate**

**Table Office PQ No. 1162 to 1317**

**To** Minister for Employment and Workplace Relations  
**Subject** PQ 1162 to 1317 | Australian Building and Construction Commission legal proceedings  
**Action date** Table office due date: 09 February 2023

**Recommendation** - That you:

- 1) **approve** the attached response to Parliamentary Questions no. 1162 to 1317 asked by Senator Michaelia Cash.

**approved / not approved**

Signature:

8/3 2023

**Comments**

**Background**

1. On 10 January 2023, Senator Cash tabled 155 Parliamentary Questions on Notice about engagement, briefings and correspondence in relation to litigation by the Australian Building and Construction Commission and its predecessor agencies.
2. The department and your Office have discussed that responding to each of the questions together would be an unreasonable diversion of resources, noting that each question has up to 11 parts. The proposed response therefore provides an overall answer to cover all 155 questions on notice, which broadly outlines the approach taken to dealing with engagement, briefings and meetings in relation to legal proceedings brought by portfolio agencies and the ABCC specifically.

s 47C

**Clearance**

Cleared by: s 22(1)(a)(ii)

s 22(1)(a)(ii)

Created by: s 22(1)(a)(ii)

Division: Safety and Industry Policy Division



## MINISTER REPRESENTING THE MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS

### Senate

### Parliamentary Question

**Question Number:** 1162 to 1317  
**Question Date:** 10 January 2023  
**Table Office Due Date:** 09 February 2023

**Senator Michaelia Cash** asked the Minister representing the Minister for Employment and Workplace Relations in writing, on 10 January 2023 Parliamentary Questions on Notice (1162 to 1317) about engagement, briefings and correspondence in relation to litigation by the Australian Building and Construction Commission and predecessor agencies:

**Minister representing the Minister for Employment and Workplace Relations has provided the following answer to the Senator's question:**

The Office of the Minister for Employment and Workplace Relations (Minister's Office) and the Department of Employment and Workplace Relations (the department) have undertaken a review of Parliamentary Questions on Notice 1162 to 1317.

As part of administering the workplace relations system, the Minister, the Minister's Office and the department meet with employee and employer representatives, for example, to consult on policy development. Contact with some of the named representatives may have occurred in this context.

It is not current practice for the Minister, the Minister's Office or the department to meet with respondents of court proceedings brought by portfolio agencies, including the former Australian Building and Construction Commission (ABCC), in relation to those proceedings. An exception to this may be if the department or the Minister was also a party to a matter.

The department monitored and continues to monitor legal proceedings brought by the ABCC and its predecessor bodies and received periodic updates from those agencies in relation to them. The department would typically provide updates to the Minister and the Minister's Office on the progress of these matters, including a summary and analysis of significant reported decisions.

At times Portfolio Ministers receive correspondence raising legal proceedings brought by the ABCC and its predecessor bodies. Normal practice is that responses to such correspondence are prepared in a manner that does not have the potential to prejudice the consideration of matters by the Courts.

s 22(1)(a)(ii)

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**From:** s 22(1)(a)(ii)  
**Sent:** Wednesday, 8 March 2023 2:20 PM  
**To:** s 22(1)(a)(ii)  
**Cc:** s 22(1)(a)(ii)  
**Subject:** RE: PQ ABCC [SEC=OFFICIAL]

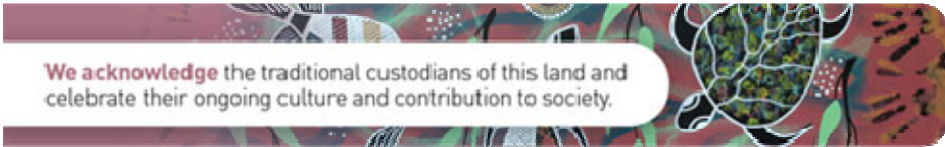
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Thanks <sup>s 22(1)(a)(ii)</sup>

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**Subject:** FW: PQ ABCC [SEC=OFFICIAL]

s 22(1)(a)(ii)  
Office of the Hon Tony Burke MP  
Minister for Employment and Workplace Relations  
Minister for the Arts  
Leader of the House  
M <sup>s 22(1)(a)(ii)</sup> ES 22(1)(a)(ii)



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s 22(1)(a)(ii)



s 22(1)(a)(ii)

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**From:** s 22(1)(a)(ii)  
**Sent:** Wednesday, 8 March 2023 2:23 PM  
**To:** s 22(1)(a)  
**Cc:** s 22(1)(a)(ii)  
**Subject:** FW: PQ ABCC WORD VERSION [SEC=OFFICIAL]  
**Attachments:** PQ23-000001 - 10 Feb 2023 - for MO (005).docx

s 22(1)(a)(ii)  
Office of the Hon Tony Burke MP  
Minister for Employment and Workplace Relations  
Minister for the Arts  
Leader of the House  
Ms 22(1)(a)(ii) | Es 22(1)(a)(ii)



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**To:** s 22(1)(a)(ii)  
**Cc:**<sup>S</sup>  
s 22(1)(a)(ii)  
**Subject:** RE: PQ ABCC [SEC=OFFICIAL]

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Thanks<sup>S</sup>  
22(1)

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s 22(1)(a)(ii)

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**To** Minister for Employment and Workplace Relations  
**Subject** PQ 1162 to 1317 | Australian Building and Construction Commission legal proceedings  
**Action date** Table office due date: 09 February 2023

**Recommendation** - That you:

- 1) **approve** the attached response to Parliamentary Questions no. 1162 to 1317 asked by Senator Michaelia Cash. **approved / not approved**

Signature:

\_\_\_\_\_ / \_\_\_\_\_ 2023

**Comments**

**Background**

1. On 10 January 2023, Senator Cash tabled 155 Parliamentary Questions on Notice about engagement, briefings and correspondence in relation to litigation by the Australian Building and Construction Commission and its predecessor agencies.
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s 47C

**Clearance**

Cleared by:	s 22(1)(a)(ii)	s 22(1)(a) (ii)	s 22(1)(a)(ii)
Created by:	s 22(1)(a)(ii)	s 22(1)(a) (ii)	s 22(1)(a)(ii)
Division:	Safety and Industry Policy Division		



## MINISTER REPRESENTING THE MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS

### Senate

### Parliamentary Question

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**Question Date:** 10 January 2023  
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