

AUSTRALIAN INDUSTRY GROUP

The Hon. John Lloyd
Commissioner

16 November 2005



Australian Government

**Office of the Australian Building and
Construction Commissioner**

Australian Building and Construction Commission

Workplace relations laws
are enforced in
building and construction
industry workplaces



Australian Government

**Office of the Australian Building and
Construction Commissioner**

The roles of the ABCC

Investigate

Prosecute

Promote

Educate & inform



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**Office of the Australian Building and
Construction Commissioner**

Instruments that are enforced

*Building and Construction Industry
Improvement Act 2005*

Workplace Relations Act 1996

Building Code

Agreements

Awards

Orders of the AIRC



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The new environment

Unlawful industrial action

Threats and Coercion

Obtaining Information

Resources



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Penalties

Unlawful Industrial Action / Coercion / Discrimination

\$ 110,000 - body corporate

\$ 22,000 - individuals

Paying / Claiming / Receiving Strike Pay

\$ 110,000 – body corporate

\$ 33,000 – individuals



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Penalties

Failing to inform the ABCC of court applications & outcomes

\$ 2,750 - body corporate

\$ 660 - individuals

Victims affected by unlawful industrial action, coercion or discrimination can apply to recover damages for any losses incurred



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Compliance powers

- person can be compelled to
 - give information;
 - produce documents; or
 - attend to answer questions

before Commissioner or Deputy Commissioner

- privilege against self incrimination abrogated



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Compliance powers

- evidence cannot be used against person
- ACCC, ASIC, ATO & APRA have similar powers
- failure to attend / answer questions / provide documents / take oath or affirmation:
 - 6 months imprisonment



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Construction Commissioner**

ABCC powers

Intervention
(AIRC & court cases)

ABC Inspectors

Other Agencies



Australian Government

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Construction Commissioner**

ABCC Expectations

Participants will:

- comply with the law
- take the lead in changing the industry's culture
- cooperate with the ABCC and staff



Australian Government

**Office of the Australian Building and
Construction Commissioner**

Hotline

1800 00 33 38

8 am – 7 pm 7 days per
week

Website

www.abcc.gov.au



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