



ROYAL COMMISSION INTO THE BUILDING AND CONSTRUCTION INDUSTRY

NOTICE OF PRELIMINARY HEARING

By Letters Patent dated 29 August 2001, the Honourable Terence Rhoderic Hudson Cole, RFD QC, was appointed a Commissioner to inquire into certain matters relating to the building and construction industry and, in particular, to inquire into and report on:

- (a) the nature, extent and effect of any unlawful or otherwise inappropriate industrial or workplace practice or conduct, including, but not limited to:
- (i) any practice or conduct in relation to the *Workplace Relations Act 1996*, occupational health and safety laws, or other laws relating to workplace relations; and
 - (ii) fraud, corruption, collusion or anti-competitive behaviour, coercion, violence or inappropriate payments, receipts or benefits; and
 - (iii) dictating, limiting or interfering with decisions whether or not to employ or engage persons, or relating to the terms on which they be employed or engaged;
- (b) the nature, extent and effect of any unlawful or otherwise inappropriate practice or conduct relating to:
- (i) failure to disclose or properly account for financial transactions undertaken by employee or employer organisations or their representatives or associates; or
 - (ii) inappropriate management, use or operation of industry funds for training, long service leave, redundancy or superannuation;
- (c) taking into account your findings in relation to the matters referred to in the preceding paragraphs and other relevant matters, any measures, including legislative and administrative changes, to improve practices or conduct in the building and construction industry or to deter unlawful or inappropriate practices or conduct in relation to that industry.

(For the purposes of the inquiry a reference to the 'building and construction industry' does not include the building or construction of single dwelling houses unless part of a multi-dwelling development.)

Submissions

Any person, organisation or corporation who or which considers that he/she/it has information, which may assist the Commission, is invited to provide any such information in writing or by facsimile (03) 8633 0120 to:

The Secretary
Royal Commission into the Building and Construction Industry
GPO Box 2577
MELBOURNE VIC 3001

Material marked for the attention of the Commission will also be received at the offices of the Australian Government Solicitor in each capital city. Any inquiries regarding the lodgment of documents or appearance before the Commission can be directed to telephone **1800 813 408**.

Confidentiality is assured with regard to the identity of persons who assist the Commission and the information and documents they provide, insofar as that is appropriate and consistent with the discharge of the Commission's obligations pursuant to its terms of reference.

Any person, organisation or corporation intending to apply to be authorised to appear before the Commission must lodge written notice of that intention not later than Monday 8 October 2001 at the Commission's address, given above, or by facsimile transmission to **(03) 8633 0120**, together with a brief outline of not more than two pages identifying the particular term or terms of reference in which that person, organisation or corporation asserts an interest, identifying that interest; whether that interest is at a national and/or State level and setting out the grounds on which authorisation is sought.

Appearances

The Commission will hold a preliminary hearing in:

- Melbourne – Victorian Civil and Administrative Tribunal, Ground Floor, 55 King St, Melbourne – at 10am on October 10, 2001.

Administrative Appeals Tribunal in the following locations:

- Adelaide – 11th Floor, Chesser House, 91 Grenfell Street, Adelaide – 15 October – 10am.
- Perth – Level 8, Quadrant Building, 1 William Street, Perth – 16 October – 10am.
- Darwin – 18 October – 10am – location to be advised.
- Brisbane – Level 4, Commonwealth Law Courts, cnr Tank Street and North Quay, Brisbane – 19 October – 10am.
- Sydney – Level 7, City Centre Tower, 55 Market Street, Sydney – 22 October – 10am.
- Canberra – 4th Floor, Canberra House, 40 Marcus Clarke Street, Canberra – 23 October – 10am.
- Hobart – Ground Floor, Commonwealth Law Courts, 39 – 41 Davy Street, Hobart – 24 October – 10am,

for the purpose of considering such applications for authorisation to appear, and the giving of directions.

Persons, organisations or corporations seeking to assert an interest on a national level, or an interest principally confined to Victoria, and seeking authorisation to appear should do so at the hearing scheduled in Melbourne. Otherwise, persons, organisations or corporations should seek authorisation in the location most proximate to the interest to be asserted.

Further information concerning the Commission can be found at www.royalcombc.gov.au