



Australian Government  
Australian Building and  
Construction Commission



Performance of the functions and the  
exercise of powers of the Australian  
Building and Construction Commissioner

# QUARTERLY REPORT

Third quarter of 2021-22  
Operations from 1 January – 31 March inclusive

# Q3

# 2021–22

## COMMENTS AND ENQUIRIES

The Australian Building and Construction Commission welcomes comments and enquiries. Please contact:

Quarterly Report Contact Officer  
ABCC  
GPO Box 9927  
Melbourne VIC 3001  
Telephone: 1800 003 338  
Email: [enquiry@abcc.gov.au](mailto:enquiry@abcc.gov.au)  
Internet: [www.abcc.gov.au](http://www.abcc.gov.au)

## DISTRIBUTION

The report is available from the ABCC and via the ABCC website at:

<https://www.abcc.gov.au/about/plans-and-reports/quarterly-reports>

## COPYRIGHT

© Commonwealth of Australia 2022

With the exception of the Commonwealth Coat of Arms, the Australian Building and Construction Commission's logo, all photographs and where otherwise noted, all material in this document is licensed under a Creative Commons Attribution 4.0 Australia licence (<http://creativecommons.org/licenses/by/4.0>).

The details of the relevant licence conditions are available on the Creative Commons website, accessible using the link provided, as is the full legal code for the CC BY 4.0 AU licence (<https://creativecommons.org/licenses/by/4.0/legalcode>).

The terms under which the Coat of Arms can be used are detailed on the Department of the Prime Minister and Cabinet website ([www.dpmc.gov.au/government/commonwealth-coat-arms](http://www.dpmc.gov.au/government/commonwealth-coat-arms)).

This document must be attributed as the ABCC Quarterly Report, third quarter of 2021-22.

# Contents

---

<b>Letter of transmittal</b>	<b>4</b>
<b>1. Introduction</b>	<b>5</b>
<b>2. Methodology</b>	<b>6</b>
<b>3. Performance of functions and exercise of powers</b>	<b>7</b>
a) Matters investigated	7
b) Assistance and advice	10
c) Building Code compliance	11
d) Matters investigated in relation to building employers	12
e) Proceedings commenced	15
f) Number and cost of proceedings finalised	18
g) Legal expenses incurred as a result of enforcement action	20
h) Details of industry conditions	20
i) Compliance of products used in building work	20
j) Examination notices issued	20
<b>4. Additional reporting</b>	<b>21</b>
a) Directions given by the Minister	21
b) Delegations made by the Australian Building and Construction Commissioner	21



# Letter of transmittal



**Australian Government**  
**Australian Building and  
Construction Commission**



9 June 2022

Hon Tony Burke  
Minister for Employment and Workplace Relations  
Minister for the Arts  
Leader of the House  
Parliament House  
Canberra ACT 2600

Dear Minister

The *Building and Construction Industry (Improving Productivity) Act 2016* (BCIIP Act) requires the Australian Building and Construction Commissioner to prepare a report each quarter on the performance of the Commissioner's functions and the exercise of powers and to provide that report to the Minister.

I am pleased to present to you this quarterly report, which covers the Australian Building and Construction Commission's operations in the third quarter of 2021-22 (1 January – 31 March 2022).

I note subsection 20(5) of the BCIIP Act provides that the Minister must cause a copy of the report to be laid before each House of the Parliament within 15 sitting days of that House after its receipt.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. McBurney', written over a light blue horizontal line.

**Stephen McBurney**  
Commissioner  
Australian Building and Construction Commission

# 1. Introduction

On 2 December 2016, the *Building and Construction Industry (Improving Productivity) Act 2016* (BCIIP Act) and the *Building and Construction Industry (Consequential and Transitional Provisions) Act 2016* commenced. As a result, the Australian Building and Construction Commission (ABCC) commenced operations on 2 December 2016.

Section 20 of the BCIIP Act requires the Australian Building and Construction Commissioner to prepare and give to the Minister a report on the performance of the Australian Building and Construction Commissioner's functions and the exercise of the Commissioner's powers during that quarter (the Quarterly Report).

The Quarterly Report must include details of the matters set out in subsections 20(2) and 20(3) of the BCIIP Act.

The following report sets out the activities undertaken by the ABCC in the third quarter of the 2021-22 financial year, 1 January to 31 March 2022 (the reporting period).

## 2. Methodology

The internal costs allocated to investigations and court proceedings in this report are derived from a tailored activity-based costing module within the ABCC's case management system 'inCase'.

External legal costs are obtained from the ABCC's financial management system and have been calculated using standard accrual accounting practices. Figures are accurate as at the reporting date. Further legal costs received outside of the reporting period for finalised legal matters will be updated and reported in the annual BCIIIP Act Report.

# 3. Performance of functions and exercise of powers

## a) Matters investigated

In the reporting period, the ABCC had 95 open investigations. **Table A1** shows the breakdown of open investigations by the main allegation being investigated. **Table A2** shows the approximate internal cost of each investigation.

**Table A1: Investigations open during the reporting period**

Main allegation	Number of Investigations
Wages and entitlements	54
Right of entry	16
Freedom of association	8
Unlawful industrial action	6
Coercion	5
Non-compliance with notices	2
Hinder or obstruct ABC inspector	1
Unlawful picketing	1
Sham contracting	1
Discrimination	1
<b>Total</b>	<b>95</b>

**Table A2: Approximate internal cost of open investigations**

Ref	Main allegation	Cost
47421	Wages and entitlements	\$74
47584	Wages and entitlements	\$291
51744	Right of entry	\$8,517
51845	Wages and entitlements	\$3,190
51988	Wages and entitlements	\$1,161
52432	Freedom of association	\$5,344
52643	Wages and entitlements	\$93
52752	Sham contracting	\$925
52760	Wages and entitlements	\$4,116
52789	Unlawful industrial action	\$1,233
52825	Hinder or obstruct ABC inspector	\$978
52986	Right of entry	\$5,648
53088	Right of entry	\$2,914
53258	Wages and entitlements	\$1,974
53262	Wages and entitlements	\$247
53614	Wages and entitlements	\$1,032
53843	Wages and entitlements	\$677
53908	Right of entry	\$419
53983	Right of entry	\$2,304
54002	Wages and entitlements	\$2,129
54076	Right of entry	\$5,168
54089	Wages and entitlements	\$744



Ref	Main allegation	Cost
54151	Wages and entitlements	\$6,730
54203	Wages and entitlements	\$3,826
54204	Wages and entitlements	\$2,160
54205	Wages and entitlements	\$1,644
54218	Wages and entitlements	\$5,049
54392	Wages and entitlements	\$275
54574	Unlawful industrial action	\$8,094
54612	Unlawful picketing	\$22,666
54639	Wages and entitlements	\$2,425
54729	Unlawful industrial action	\$8,654
54789	Right of entry	\$2,296
54802	Wages and entitlements	\$10,192
54907	Wages and entitlements	\$1,236
54935	Wages and entitlements	\$2,251
55108	Wages and entitlements	\$574
55132	Right of entry	\$3,448
55167	Freedom of association	\$9,677
55183	Wages and entitlements	\$1,804
55288	Wages and entitlements	\$741
55390	Coercion	\$37,331
55396	Freedom of association	\$1,554
55397	Wages and entitlements	\$298
55417	Wages and entitlements	\$1,152
55423	Wages and entitlements	\$1,289
55440	Wages and entitlements	\$84
55450	Wages and entitlements	\$1,617
55453	Unlawful industrial action	\$1,101
55454	Wages and entitlements	\$591

Ref	Main allegation	Cost
55484	Coercion	\$12,275
55495	Right of entry	\$14,912
55542	Wages and entitlements	\$894
55558	Wages and entitlements	\$1,436
55570	Discrimination	\$1,769
55575	Wages and entitlements	\$954
55583	Wages and entitlements	\$963
55603	Wages and entitlements	\$1,449
55628	Right of entry	\$2,753
55648	Unlawful industrial action	\$13,498
55720	Freedom of association	\$760
55723	Wages and entitlements	\$1,279
55728	Right of entry	\$8,019
55730	Wages and entitlements	\$899
55734	Wages and entitlements	\$151
55735	Wages and entitlements	\$151
55746	Coercion	\$7,731
55749	Right of entry	\$5,261
55754	Unlawful industrial action	\$13,028
55786	Wages and entitlements	\$1,011
55796	Wages and entitlements	\$1,541
55818	Wages and entitlements	\$760
55819	Wages and entitlements	\$553
55867	Non-compliance with notices	\$780
55904	Wages and entitlements	\$1,512
55906	Wages and entitlements	\$1,175
55932	Wages and entitlements	\$688
55962	Wages and entitlements	\$441

<b>Ref</b>	<b>Main allegation</b>	<b>Cost</b>
<b>56071</b>	Wages and entitlements	\$1,318
<b>56079</b>	Coercion	\$1,193
<b>56174</b>	Right of entry	\$10,565
<b>56308</b>	Wages and entitlements	\$1,820
<b>56325</b>	Wages and entitlements	\$374
<b>56355</b>	Wages and entitlements	\$394
<b>56425</b>	Freedom of association	\$818
<b>56443</b>	Right of entry	\$12,074
<b>56468</b>	Wages and entitlements	\$681
<b>56499</b>	Wages and entitlements	\$445
<b>56529</b>	Freedom of association	\$2,995
<b>56571</b>	Right of entry	\$1,382
<b>56621</b>	Freedom of association	\$1,032
<b>56645</b>	Right of entry	\$1,236
<b>56650</b>	Coercion	\$521
<b>56679</b>	Freedom of association	\$1,137
<b>56771</b>	Non-compliance with notices	\$74

## b) Assistance and advice

In the reporting period, the ABCC provided assistance and advice by responding to 960 enquiries.

**Table B** shows a breakdown of enquiries by main topic and the enquirer category.

**Table B: Details of assistance and advice provided to building industry participants in response to enquiries**

Main topic	Building industry participant	Member Of the public	Government	Total
<b>Code</b>	341	21	26	388
Code assessment	130	6	8	144
General code information	92	9	13	114
Security of payment	87	3	0	90
Code advice	24	2	3	29
Notice of code breach	3	0	0	3
s.6B application	2	0	1	3
s.6A application	1	0	1	2
s.6B general advice	1	1	0	2
Department of employment	1	0	0	1
<b>Workplace laws - building work</b>	263	21	22	306
Wages and entitlements	148	8	6	162
Right of entry	76	2	16	94
Freedom of association	16	6	0	22
Unlawful industrial action	10	2	0	12
Coercion	10	1	0	11
Discrimination	2	2	0	4
Strike pay	1	0	0	1
<b>Other laws</b>	19	92	0	111
<b>Agency information and activities</b>	36	24	7	67
<b>Not relevant to the building industry</b>	11	45	0	56
<b>Workplace laws – non building work</b>	17	15	0	32
<b>Total</b>	<b>687</b>	<b>218</b>	<b>55</b>	<b>960</b>

## c) Building Code compliance

In the reporting period, the ABCC finalised 44 audits and 21 inspections to monitor compliance with the *Code for the Tendering and Performance of Building Work 2016* (Building Code 2016) and the *Building Code 2013*. **Table C1** shows the outcome of all building code audits finalised. **Table C2** shows the outcome of building code inspections finalised.

Potential issues were identified in 23 building code audits and 7 building code inspections.

An additional 31 building code audits were commenced but not finalised.

**Table C1: Outcome of audits**

Outcome of audit	Total
No issues	21
Potential issues	23
<b>Total</b>	<b>44</b>

**Table C2: Outcome of inspections**

Outcome of inspection	Total
No issues	14
Potential issues	7
<b>Total</b>	<b>21</b>

## d) Matters investigated in relation to building employers

In the reporting period, the conduct of employers was the subject of investigation in 64 matters.<sup>1</sup>

**Table D1** shows the breakdown of these investigations by the main allegation being investigated. **Table D2** shows the approximate internal cost of each of these investigations.

**Table D1: Investigations where employers were a subject of the investigation**

Main allegation	Number of Investigations
Wages and entitlements	54
Freedom of association	3
Coercion	2
Non-compliance with notices	2
Unlawful industrial action	1
Discrimination	1
Unlawful picketing	1
<b>Total</b>	<b>64</b>

**Table D2: Approximate internal cost where employers were a subject of the investigation**

Ref	Main allegation	Cost
47421	Wages and entitlements	\$74
47584	Wages and entitlements	\$291
51845	Wages and entitlements	\$3,190
51988	Wages and entitlements	\$1,161
52643	Wages and entitlements	\$93
52760	Wages and entitlements	\$4,116
53258	Wages and entitlements	\$1,974
53262	Wages and entitlements	\$247
53614	Wages and entitlements	\$1,032
53843	Wages and entitlements	\$677
54002	Wages and entitlements	\$2,129
54089	Wages and entitlements	\$744
54151	Wages and entitlements	\$6,730
54203	Wages and entitlements	\$3,826
54204	Wages and entitlements	\$2,160
54205	Wages and entitlements	\$1,644
54218	Wages and entitlements	\$5,049
54392	Wages and entitlements	\$275
54612	Unlawful picketing	\$22,666
54639	Wages and entitlements	\$2,425
54802	Wages and entitlements	\$10,192
54907	Wages and entitlements	\$1,236
54935	Wages and entitlements	\$2,251
55108	Wages and entitlements	\$574

<sup>1</sup> The conduct of others may also have been considered in these matters.

Ref	Main allegation	Cost
55183	Wages and entitlements	\$1,804
55288	Wages and entitlements	\$741
55396	Freedom of association	\$1,554
55397	Wages and entitlements	\$298
55417	Wages and entitlements	\$1,152
55423	Wages and entitlements	\$1,289
55440	Wages and entitlements	\$84
55450	Wages and entitlements	\$1,617
55453	Unlawful industrial action	\$1,101
55454	Wages and entitlements	\$591
55484	Coercion	\$12,275
55542	Wages and entitlements	\$894
55558	Wages and entitlements	\$1,436
55570	Discrimination	\$1,769
55575	Wages and entitlements	\$954
55583	Wages and entitlements	\$963
55603	Wages and entitlements	\$1,449
55720	Freedom of association	\$760
55723	Wages and entitlements	\$1,279
55730	Wages and entitlements	\$899
55734	Wages and entitlements	\$151
55735	Wages and entitlements	\$151
55746	Coercion	\$7,731
55786	Wages and entitlements	\$1,011
55796	Wages and entitlements	\$1,541
55818	Wages and entitlements	\$760
55819	Wages and entitlements	\$553
55867	Non-compliance with notices	\$780

Ref	Main allegation	Cost
55904	Wages and entitlements	\$1,512
55906	Wages and entitlements	\$1,175
55932	Wages and entitlements	\$688
55962	Wages and entitlements	\$441
56071	Wages and entitlements	\$1,318
56308	Wages and entitlements	\$1,820
56325	Wages and entitlements	\$374
56355	Wages and entitlements	\$394
56468	Wages and entitlements	\$681
56499	Wages and entitlements	\$445
56621	Freedom of association	\$1,032
56771	Non-compliance with notices	\$74

Employers were a complainant in 30 open investigations. **Table D3** shows the breakdown of those investigations by the main allegation being investigated. **Table D4** shows the approximate internal cost of each of these investigations.

**Table D3: Investigations where employers were a complainant in the investigation**

Main allegation	Number of Investigations
Right of entry	14
Unlawful industrial action	6
Freedom of association	5
Coercion	4
Unlawful picketing	1
<b>Total</b>	<b>30</b>

**Table D4: Approximate internal cost where employers were a complainant in the investigation**

Ref	Main allegation	Cost
51744	Right of entry	\$8,517
52432	Freedom of association	\$5,344
52789	Unlawful industrial action	\$1,233
52986	Right of entry	\$5,648
53088	Right of entry	\$2,914
53908	Right of entry	\$419
53983	Right of entry	\$2,304
54076	Right of entry	\$5,168
54574	Unlawful industrial action	\$8,094
54612	Unlawful picketing	\$22,666
54729	Unlawful industrial action	\$8,654
54789	Right of entry	\$2,296

Ref	Main allegation	Cost
55132	Right of entry	\$3,448
55167	Freedom of association	\$9,677
55453	Unlawful industrial action	\$1,101
55484	Coercion	\$12,275
55495	Right of entry	\$14,912
55628	Right of entry	\$2,753
55648	Unlawful industrial action	\$13,498
55728	Right of entry	\$8,019
55746	Coercion	\$7,731
55749	Right of entry	\$5,261
55754	Unlawful industrial action	\$13,028
56079	Coercion	\$1,193
56529	Freedom of association	\$2,995
56571	Right of entry	\$1,382
56621	Freedom of association	\$1,032
56645	Right of entry	\$1,236
56650	Coercion	\$521
56679	Freedom of association	\$1,137

## e) Proceedings commenced

In the reporting period, the ABC Commissioner commenced 10 court proceedings. **Table E1** lists these court proceedings, category of respondent and approximate internal legal cost.

**Table E1: Proceedings commenced by category of respondent and approximate internal legal cost**

Case number	Case name	Employee	Employer Organisation	Trade union	Trade union representative	Internal legal cost
BRG9/2022	<i>Australian Building and Construction Commissioner v Anderson &amp; Ors (Queen Street Village)</i>	7				\$1,233
SYG424/2022	<i>Australian Building and Construction Commissioner v Auscare Constructions Pty Ltd ACN 003 295 565 (Auscare Constructions Pty Ltd)</i>		1			\$780
SAD43/2022	<i>Australian Building and Construction Commissioner v Brook &amp; Anor (Norwood Mixed Development Project)</i>			1	1	\$8,019
BRG81/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Anor (Cross River Rail (Albert Street))</i>			1	1	\$2,914
SAD46/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Anor (Flinders University Health and Medical Research Building Project)</i>			1	1	\$10,565
MLG663/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Anor (Mordialloc Freeway 2)</i>			1	1	\$5,648
WAD55/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (Fremantle Port Picket Matter)</i>			1	1	\$37,331



Case number	Case name	Employee	Employer Organisation	Trade union	Trade union representative	Internal legal cost
SAD1/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (Yatala Prison )</i>			1	4	\$5,168
BRG135/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (M1 Yatala South Interchange project)</i>			1	3	\$3,448
BRG136/2022	<i>Australian Building and Construction Commissioner v Bushnell &amp; Anor (Brisbane South State Secondary College project)</i>			1	1	\$5,344

The ABC Commissioner filed an appeal in one proceeding. **Table E2** shows the internal legal cost for this proceeding.

**Table E2: ABCC appeal filed and internal legal cost**

Case number	Case name	Jurisdiction	Internal legal cost
NSD86/2022	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (Kiama Aged Care Centre Case Full Court Appeal)</i>	Full Court of the Federal Court	\$580

One appeal was filed against the ABC Commissioner. **Table E3** shows the internal legal cost for this proceedings.

**Table E3: Appeal filed against the ABC Commissioner and internal legal cost**

Case number	Case name	Jurisdiction	Internal legal cost
QUD47/2022	<i>Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors v Australian Building and Construction Commissioner (QPAC Penalty Appeal)</i>	Full Court of the Federal Court	\$137

The ABC Commissioner did not intervene in any court proceedings in the reporting period.

The ABC Commissioner intervened in 4 proceedings in the Fair Work Commission. **Table E4** shows the internal legal cost for each proceeding.

**Table E4: ABCC interventions in Fair Work Commission proceedings and internal legal cost**

Case number	Type of proceeding	Name	Internal legal cost
RE2022/121	Application to revoke or suspend entry permit	Anthony Dimitriou	\$604
RE2022/224	Application to revoke or suspend entry permit	Andrew Blakeley	\$670
RE2022/225	Application to revoke or suspend entry permit	Luke Gibson	\$670
RE2022/61	Application to revoke or suspend entry permit	Andrew Blakeley	\$1,559

## f) Number and cost of proceedings finalised

In the reporting period, the ABC Commissioner finalised his involvement in 8 court proceedings. **Table F1** shows the total external and internal legal costs for each proceeding.

**Table F1: Proceedings finalised and total legal costs**

Case number	Case name	Citation	External legal cost	Internal legal cost
BRG380/2021	<i>Australian Building and Construction Commissioner v Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia &amp; Anor (Cairns Convention Centre)</i>	[2022] FedCFamC2G 18	\$49,010	\$26,858
BRG625/2020	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (Marine Parade Apartments)</i>	[2022] FedCFamC2G 156	\$56,503	\$36,873
BRG161/2021	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (QPAC)</i>	[2022] FedCFam2CG 40	\$89,633	\$23,983
NSD2057/2019	<i>Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union &amp; Ors (Kiama Aged Care Centre)</i>	[2022] FCA 19	\$362,468	\$43,333
SYG1018/2020	<i>Australian Building and Construction Commissioner v Gutierrez &amp; Ors (Westconnex Stage 2)</i>	[2022] FedCFamC2G 8	\$122,013	\$25,363
MLG1029/2021	<i>Australian Building and Construction Commissioner v Jake Gray (Jake Gray's Carpentry)</i>	[2022] FedCFamC2G 29	\$1,395	\$18,060
WAD197/2020	<i>Australian Building and Construction Commissioner v Parker &amp; Anor (Next DC)</i>	[2022] FCA 37	\$158,418	\$21,092
SYG1031/2020	<i>Australian Building and Construction Commissioner v Rielly &amp; Ors (Coffs Harbour Hospital Project)</i>	[2022] FedCFamC2G 1	\$220,693	\$20,182

In the reporting period, the ABC Commissioner finalised his involvement in 2 proceedings in the Fair Work Commission. **Table F2** shows the total external and internal legal costs for each proceeding.

**Table F2: Fair Work Commission proceedings in which the ABCC finalised its involvement and total legal costs**

Case number	Type of proceeding	Name	External legal cost	Internal legal cost
RE2021/1162	Application for entry permit	Roland Cummins	\$4,102	\$4,114
RE2021/1039	Application for entry permit	Beau Seiffert	\$4,091	\$3,125

The ABC Commissioner finalised his intervention in one Fair Work Commission appeal proceeding. **Table F3** shows the internal and external legal cost for this proceeding.

**Table F3: Finalised appeal against Fair Work Commission proceeding**

Case number	Case name	Name	External legal cost	Internal legal cost
C2021/7781	Appeal of decision on entry permit revocation	Desmond Savage	\$32,371	\$1,620

Further legal costs incurred on finalised matters received after the reporting date are not included in these tallies. These costs will be updated and reported for finalised matters in the BCIIIP Act annual report.

## g) Legal expenses incurred as a result of enforcement action

In the reporting period, the ABCC incurred \$796,949 in external legal expenses as a result of enforcement action undertaken in 49 matters.

This figure has been calculated using standard accrual accounting practices.

## h) Details of industry conditions

In the reporting period, the ABCC received 91 complaints. **Table H** shows the breakdown of complaints received by the main topic.

**Table H: Complaints received by main topic**

Main topic of complaint	Total
Wages and entitlements	41
Security of payment	16
Right of entry	14
Freedom of association	12
Coercion	6
Unlawful industrial action	2
<b>Total</b>	<b>91</b>

## i) Compliance of products used in building work

Section 26(8) of the Building Code 2016 requires funding entities to only enter into contracts for building work that require the use of products that comply with the relevant Australian standards published by, or on behalf of, Standards Australia.

The ABCC monitors compliance of supply chain contracts to ensure that the requirement to use building materials that comply with relevant Australian standards is passed down the supply chain.

The ABCC has published model clauses, including the Australian standard requirement, for use by funding entities in their contracts for building work. The ABCC has continued to receive notification forms from funding entities providing evidence that relevant clauses have been included in contracts.

No instances of non-compliance with section 26(8) by funding entities were identified by the ABCC during the reporting period.

## j) Examination notices issued

The ABC Commissioner issued 14 examination notices during the reporting period. **Table J** shows the main allegation for each examination notice.

**Table J: Examination notices issued**

Main topic of complaint	Total
Right of entry	1
Unlawful industrial action	4
Unlawful picketing	9
<b>Total</b>	<b>14</b>

# 4. Additional reporting

## **a) Directions given by the Minister**

During the reporting period, no directions were issued by the Minister to the ABC Commissioner under sections 17 or 18 of the BCIIIP Act.

## **b) Delegations made by the ABC Commissioner**

During the reporting period, the ABC Commissioner did not make any delegations under section 19 of the BCIIIP Act.



---

Australian Capital Territory  
Level 4, 2 Constitution Avenue  
Canberra ACT 2601

---

New South Wales  
Level 8, 111 Elizabeth Street  
Sydney NSW 2000

---

Northern Territory  
Jacana House  
Level 7, 39-41 Woods Street  
Darwin NT 0800

---

Queensland  
Level 25, 400 George Street  
Brisbane QLD 4000

---

South Australia  
Level 3, 60 Light Square  
Adelaide SA 5000

---

Tasmania  
Level 4, 39-41 Davey Street  
Hobart TAS 7000

---

Victoria  
Level 4, 509 St Kilda Road  
Melbourne VIC 3004

---

Western Australia  
Level 2, 863 Hay Street  
Perth WA 6000

---