

# Document 1

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**From:** [redacted]  
**Sent:** Wednesday, 19 December 2012 5:02 PM  
**To:** [redacted]  
**Subject:** FW: Ministerial 115420 [DLM=For-Official-Use-Only]  
**Attachments:** 12.12.19 - SA - Bradbury Correspondence.docx

Hey,

You gave me this ministerial to check with Shorten's office. Are you ok with the suggested changes?

I Departmental Liaison Officer  
**Office of The Hon David Bradbury MP**  
Assistant Treasurer and Minister Assisting for Deregulation | Member for Lindsay  
Parliament House | Canberra ACT 2600  
[phone] 02 6277 [fax] 02 6273 [email] [@treasury.gov.au](mailto:@treasury.gov.au)

[www.ministers.treasury.gov.au](http://www.ministers.treasury.gov.au) | [www.davidbradbury.com.au](http://www.davidbradbury.com.au)

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**From:** [redacted]  
**Sent:** Wednesday, 19 December 2012 5:01 PM  
**To:** [redacted]  
**Subject:** FW: Ministerial 115420 [DLM=For-Official-Use-Only]

Hi

Could you please confirm that you are ok with the changes made ?

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**From:** [mailto: [@deewr.gov.au"\]  
\*\*Sent:\*\* Wednesday, 19 December 2012 5:00 PM  
\*\*To:\*\* \[redacted\]  
\*\*Cc:\*\* \[redacted\]  
\*\*Subject:\*\* RE: Ministerial 115420 \[DLM=For-Official-Use-Only\]](mailto:@deewr.gov.au)

## For Official Use Only

Hello

Sorry for delay – my suggested tweaks in track in the attached for the AT's consideration.

Thanks

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**From:** [mailto: [@TREASURY.GOV.AU"\]  
\*\*Sent:\*\* Wednesday, 19 December 2012 3:50 PM  
\*\*To:\*\* \[redacted\]  
\*\*Subject:\*\* FW: Ministerial 115420 \[DLM=For-Official-Use-Only\]](mailto:@TREASURY.GOV.AU)

Minister Bradbury's office has just chased me for this.

**From:** |  
**Sent:** Tuesday, 11 December 2012 4:56 PM  
**To:**  
**Cc:**  
**Subject:** FW: Ministerial 115420 [DLM=For-Official-Use-Only]

Are you happy with this letter?

**From:**  
**Sent:** Tuesday, 11 December 2012 4:55 PM  
**To:**  
**Subject:** Ministerial 115420 [DLM=For-Official-Use-Only]

Hey

Can you please check with your office that they are ok with the content of this ministerial reply? Apparently the issues are quite sensitive and \_\_\_\_\_ wants to make sure you are ok with it before he gives it to the AT to sign.

Thanks!

I Departmental Liaison Officer  
**Office of The Hon David Bradbury MP**  
Assistant Treasurer and Minister Assisting for Deregulation | Member for Lindsay  
Parliament House | Canberra ACT 2600  
| 02 6277 | 02 6273 | [@treasury.gov.au](mailto:@treasury.gov.au)

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**The Hon David Bradbury MP**  
**Assistant Treasurer**  
**Minister Assisting for Deregulation**

Senator the Hon Eric Abetz  
Senator for Tasmania  
GPO Box 1675  
HOBART TAS 7001

Dear Mr Abetz

Thank you for your letters of 5 December 2011 and 11 January 2012 to the Chairman of the Productivity Commission concerning the post implementation review of the *Fair Work Act 2009* (FW Act). Your letters have been referred to me as I have portfolio responsibility for the Productivity Commission. I apologise for the delay in responding to you.

Under section 6 of the *Productivity Commission Act 1998* (the PC Act), only I, as the responsible Minister, can commission an inquiry. Further, requests for research services under section 20 of the PC Act require my written consent.

In this case, I have not requested the Productivity Commission undertake a review of the FW Act. Instead, as you are aware, on 20 December 2011 the Government announced that the a post implementation review of the FW Act would be conducted by an eminent three member panel comprising Reserve Bank Board member Dr John Edwards, former Federal Court Judge, the Honourable Michael Moore and noted legal and workplace relations academic Professor Emeritus Ron McCallum AO.

The review was conducted in accordance with the requirements for a post-implementation review set by the Office of Best Practice Regulation (OBPR). The very broad terms of reference set by Government included that the review would be an evidence-based assessment of the operation of the Fair Work legislation, and the extent to which its effects have been consistent with the Objects set out in Section 3 of the FW Act. The review involved extensive consultation, including the release of a background paper, receipt of over 250 written submissions process as well as the Panel meetings with groups of key stakeholders.

The Fair Work Act Review Panel's final report, *Towards more productive and equitable workplaces: An evaluation of the Fair Work legislation*, was released on 2 August 2012. The report concluded that: the FW Act is operating broadly as intended, in accordance with the object of the legislation; that the FW Act has not resulted in an increase to the number of days lost to industrial action, disproportionate increases to unfair dismissal claims, labour costs, increased compliance costs or complexity; and that the FW Act does not impede productivity growth. The review was formally assessed as meeting the requirements of a post-implementation review by the OBPR.

The Minister for Employment and Workplace Relations announced the first tranche of the Government's response to the Review on 15 October 2012, including immediate implementation of recommendations that are broadly supported and a number of technical amendments. The legislation giving effect to the first tranche was passed by the Parliament on 29 November 2012.

The Government continues to consult with stakeholders on the remaining recommendations, and will respond to them in due course.

Thank you again for your letters and I hope this information will be of assistance to you.

Yours sincerely

DAVID BRADBURY