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18 July 2005

**URGENT**

By Fax: 9650 0323 & by mail

The Hon Kevin Andrews MP  
Minister for Employment and Workplace Relations  
Level 2, 4 Treasury Place  
MELBOURNE VIC 3000

Dear Minister,

**Re: Advertising campaign concerning industrial relations**

We act on behalf of the Australian Council of Trade Unions ("ACTU") and Nicola Roxon MP, the Shadow Attorney General.

We note that on Saturday 9 July 2005, a series of full page advertisements appeared in newspapers throughout Australia concerning the Federal Governments proposed industrial relations legislation. Since then, further advertisements have appeared.

We are instructed that the Federal Government proposes to spend approximately twenty million dollars on an advertising campaign concerning its proposed industrial relations legislation. We are instructed further that the advertising campaign may involve not only newspaper advertisements but also advertisements in the electronic media including radio and television. We note that the campaign relates to proposed legislation which has not yet been released in draft form, let alone introduced to the Parliament, let alone passed by the Parliament.

Our clients have real concerns about the validity of the expenditure of funds in this way.

Accordingly, we are instructed to request that you answer the following questions in writing:

1. What is the planned scope and duration of the Government's advertising campaign concerning its proposed industrial relations legislation?

2. What amount has been spent to date on the advertising campaign? What amount of public money does the Government plan to expend on the advertising campaign?
3. Upon what appropriation or appropriations does the Government rely for the expenditure of this public money?
4. If the appropriation was made under the *Financial Management and Accountability Act* ("FMA Act"), under which section of that Act was it made?
5. If the expenditure of public money was made from a Special Account under sections 20 or 21 of the FMA Act, which Special Account?
6. Has a request yet been made of the Minister for Finance to issue a drawing right to pay out public money for any part of the advertising campaign? If so what are the details of that request? In particular, pursuant to what appropriation is it requested that the money be paid?
7. Has the Minister for Finance issued such a drawing right? If so what are the details of that drawing right?
8. Has an official or Minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance for any part of the advertising campaign? If so, what amount, and when?

Given the Government's apparent intention to continue to run this advertising campaign, and in light of our clients' concern as to the validity of that campaign, this matter is urgent. We therefore seek your response to this letter by no later than 10:00am Thursday 21 July 2005.

Should you have any queries, please do not hesitate to contact Josh Bornstein of this office.

Yours faithfully,



**EMPLOYMENT & INDUSTRIAL LAW SECTION**  
**MAURICE BLACKBURN CASHMAN**