Building and Construction Industry Improvement Bill 2005

(Amendments to be moved by Senator Murray on behalf of the Australian Democrats in committee of the whole)

(1) Clause 15, page 16 (line 5), after “Commissioner”, insert “and Deputy Commissioner”. [merit selection]

(2) Clause 15, page 16 (line 6), after “instrument”, insert “and in accordance with the merit selection process required by subsections (6) to (9)”. [merit selection]

(3) Clause 15, page 16 (after line 19), at the end of the section, add:

(6) The Minister must by writing determine a code of practice for selecting and appointing the ABC Commissioner and any acting or Deputy ABC Commissioner which sets out general principles on which selection and appointment is to be made, including but not limited to:
(a) merit;
(b) independent scrutiny of appointments;
(c) probity;
(d) openness and transparency.

(7) After determining a code of practice under subsection (6), the Minister must publish the code in the Gazette.

(8) Not later than every fifth anniversary after a code of practice has been determined, the Minister must review the code.

(9) In reviewing a code of practice, the Minister must invite the public to comment on the code.

(10) A code of practice determined under subsection (6) is a legislative instrument. [code of practice for appointment of Australian Building and Construction Commissioner]

(4) Clause 16, page 16 (line 22), after “Commissioner”, insert “in accordance with the merit selection process specified in section 15”.

[merit selection]