



Australian Government

**Department of Employment and
Workplace Relations**

National Office

GPO Box 9879 CANBERRA ACT 2601

The Hon Justice Giudice
President
Australian Industrial Relations Commission
80 Collins Street
MELBOURNE VIC 3000

Dear Justice Giudice

Re: C2003/4198 and others – Family Provisions Case

As you will be aware, the Prime Minister has announced that a Federal election will be held on 9 October 2004 and accordingly Federal Parliament will be prorogued with effect from 5:00pm today. As a consequence the Government will be in caretaker mode until the new Government takes office. Consistent with the conventions of caretaker mode, the Commonwealth will not be participating further in proceedings in relation to the abovementioned case for the duration of the caretaker period.

The matter of the Commonwealth's future involvement in the case will be brought to the urgent attention of the incoming Minister. It is anticipated that further advice in this regard will be forwarded to the Commission and the parties as soon as possible after the incoming Minister has had the opportunity to consider the matter.

In the event that the incoming Minister may wish to propose, in the public interest, that any expert evidence received by the Full Bench in the intervening period should be the subject of further testing, it is anticipated that advice to that effect should be able to be forwarded at the same time.

A copy of this letter is being provided by facsimile today to representatives of the main parties appearing in the proceedings.

Yours sincerely

A handwritten signature in cursive script that reads "Louise McDonough".

Louise McDonough
Assistant Secretary (A/g)
Wages and Conditions Policy Branch
Workplace Relations Policy Group

31 August 2004