

**IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY**

NO B 36 OF 2015

On Appeal From
the Federal Court of Australia

BETWEEN: **COMMONWEALTH OF AUSTRALIA**
Appellant

AND: **DIRECTOR, FAIR WORK BUILDING
INDUSTRY INSPECTORATE**
First Respondent

**CONSTRUCTION, FORESTRY
MINING AND ENERGY UNION**
Second Respondent

**COMMUNICATIONS, ELECTRICAL,
ELECTRONIC, ENERGY, INFORMATION,
POSTAL, PLUMBING AND ALLIED
SERVICES UNION OF AUSTRALIA**
Third Respondent

CHRONOLOGY OF THE APPELLANT

Filed on behalf of the Appellant by:

Australian Government Solicitor
4 National Circuit, Barton, ACT 2600
DX 5678 Canberra



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File ref: 15082660

Telephone: 02 6253 7424

Lawyer's E-mail: Matthew.Blunn@ags.gov.au

Facsimile: 02 6253 7384

PART I FORM OF CHRONOLOGY

This chronology is in a form suitable for publication on the Internet.

PART II CHRONOLOGY

Date	Event
24-26 May 2011	Alleged contraventions of <i>Building Construction Industry Improvement Act 2005</i> (Cth) (BCII Act) by members of the Construction, Forestry, Mining and Energy Union and the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (together, the Respondent Unions).
23 May 2013	Proceedings commenced by the Director, Fair Work Building Industry Inspectorate (the Director) against the Respondent Unions in the Brisbane Registry of the Federal Court of Australia, alleging contraventions of the BCII Act.
29 November 2013	Statement of Agreed Facts filed in the proceeding by the Director and Respondent Unions, setting out the facts agreed for the purpose of disposing of the proceeding, and the agreed sum of pecuniary penalties that the parties jointly sought that the Court impose upon the Respondent Unions.
10 April 2014	Direction given by Chief Justice Allsop, pursuant to s 20(1A) of the <i>Federal Court of Australia Act 1976</i> (Cth), that the original jurisdiction of the Court in relation to the whole of the proceeding be exercised by a Full Court.
16 May 2014	Orders made by Justice Dowsett, granting leave to the Commonwealth to intervene in the proceedings before the Full Court, to be heard on issues relating to the application of <i>Barbaro v The Queen</i> (2014) 88 ALJR 372.
7 July 2014	Orders made by Justice Dowsett, granting leave to counsel engaged by the Commonwealth to appear at the hearing before the Full Court as contradictor on issues relating to the application of <i>Barbaro v The Queen</i> (2014) 88 ALJR 372.
11-12 August 2013	Hearing before the Full Court in the Brisbane Registry.
1 May 2015	Judgment delivered: <i>Director, Fair Work Building Industry Inspectorate v CFMEU</i> (2015) 105 ACSR 403; [2015] FCAFC 59.
19 June 2015	Special leave to appeal granted to the Commonwealth.

Dated: 22 July 2015


Justin Gleeson SC
Solicitor-General of the
Commonwealth

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Tim Begbie
Australian Government
Solicitor

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Ruth C A Higgins
Banco Chambers