



**“COMMONWEALTH OF AUSTRALIA**

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

TO John Spence Winneke Q.C.

GREETING:

WE DO by these Our Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on the advice of the Federal Executive Council and in pursuance of the Constitution of the Commonwealth of Australia, the Royal Commissions Act 1902 and other enabling powers, appoint you to be, on and from 20 August 1981, a Commissioner to inquire, for the purpose of the exercise and performance of the powers and functions of the Parliament and Government of the Commonwealth, whether the Australian Building Construction Employees’ and Builders Labourers’ Federation (hereinafter referred to as “the Federation”) or any officer or member of the Federation, in the course of or in relation to the affairs of the Federation, has been or is engaged in activities contrary to a law of the Commonwealth.

AND, without restricting the scope of your inquiry, We direct you, for the purposes of your inquiry, to give particular attention to the following questions:

- (a) whether any executive, administrative or other body forming part of, or established by, or associated with, the Federation has been used, or is being used, for the purposes of activities contrary to a law of the Commonwealth;
- (b) whether the Federation or any of its officials or members have been or are engaged in demanding or receiving directly or indirectly any payment, reward or other benefit or in causing any payment, reward or other benefit or in causing any payment, reward or other benefit to be received by any other person (other than in the ordinary course of commercial dealing or pursuant to a contract of employment in respect of work actually performed or to be performed) from employers or other persons and, if any payment, reward or benefit has been made or given -
  - (i) the persons by whom and to whom any such payment, reward or benefit has been made or given;
  - (ii) the reasons for or the purpose of any such payment, reward or benefit;
  - (iii) the subsequent or proposed use or disposal of any such payment, reward or benefit;
- (c) whether the Federation or any officers or members of the Federation have engaged in activities contrary to a law of the Commonwealth in relation to the election or

appointment of officers of the Federation or the conduct or purported conduct of the Federation's affairs.

AND We direct you to make such recommendations arising out of your inquiry as you think appropriate, including recommendations regarding the legislative or administrative changes, if any, that are necessary or desirable:

AND We further direct that any finding that the Federation or any officer or member of the Federation has engaged in conduct amounting to a criminal offence be made only on evidence, admissible in a Court of Law, sufficient to place the Federations, officer or member on trial for that offence.

AND We declare that you are authorised to conduct your inquiry into any matters under these Our Letters Patent in combination with any inquiry into the same or related matters that you are directed or authorised to make by any Commission issued, or in pursuance of any order or appointment made, by any of Our Governors of the States:

AND We require you as expeditiously as possible to make your inquiry and not later than 28 February 1982 or such later date as We may be pleased to fix, to furnish to Our Governor-General of the Commonwealth of Australia a report of the results of your inquiry and your recommendations.

WITNESS His Excellency the Right Honourable Sir Zelman Cowen (Knight of The Order of Australia, Knight Grand Cross of The Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of The Royal Victorian Order, Knight of The Most Venerable Order of the Hospital of Saint John of Jerusalem, one of Her Majesty's Counsel learned in the law), Governor-General of the Commonwealth of Australia (and Commander-in-Chief of the Defence Force).

Dated this twentieth day of August 1981.

(Signed) Zelman Cowen  
Governor-General

By His Excellency's Command

(Signed) P. Durack  
The Attorney-General

for and on behalf of the  
Prime Minister.