



HIGH COURT OF AUSTRALIA

Public Information Officer

21 October 2005

GREG COMBET AND NICOLA ROXON MP v COMMONWEALTH OF AUSTRALIA AND THE HONOURABLE KEVIN ANDREWS MP AND SENATOR THE HONOURABLE NICHOLAS MINCHIN

The Federal Government's expenditure on its advertising campaign to promote its proposed industrial relations reforms was permitted by the *Appropriation Act (No 1) 2005-2006*, the High Court of Australia held today.

Prime Minister John Howard announced the workplace reform package on 26 May 2005 and the ACTU immediately began a national campaign of rallies and advertising. On 9 July 2005 the Federal Government began a newspaper, television and radio advertising campaign. Mr Combet, the secretary of the ACTU, and Ms Roxon, the shadow attorney-general, contended that expenditure of public money on the advertisements was unlawful.

The High Court handed down its orders on 29 September 2005, after hearing Mr Combet and Ms Roxon's challenge on 29 and 30 August, and today handed down its written reasons for those orders. The Court, by a 5-2 majority, held that Mr Combet and Ms Roxon had not made out a case for the relief sought. They had sought declarations that paying for the advertisements and the drawing of money for those payments were not authorised and also an injunction restraining any further drawing of money.

A majority of the Court held that it had not been shown that the drawings were not covered by the *Appropriation Act* and, in particular, the terms of Schedule 1 to that Act relating to the Employment and Workplace Relations portfolio.

- *This statement is not intended to be a substitute for the reasons of the High Court or to be used in any later consideration of the Court's reasons.*