

BHP COAL PTY LTD (ACN 010 595 721) & ORS

v

MINING AND ENERGY UNION & ORS

[2026] HCADisp 100

B8/2026

- 1 The applicants apply for special leave to appeal from part of a judgment of the Full Court of the Federal Court of Australia (Rangiah, Wheelahan and Shariff JJ), which dismissed an application for judicial review in relation to regulated labour hire arrangement orders made by a Full Bench of the Fair Work Commission (Asbury VP, Gibian VP and Durham C) under the *Fair Work Act 2009* (Cth).
- 2 The proposed appeal does not raise any issue of principle and has insufficient prospects of success to warrant a grant of special leave.
- 3 Special leave to appeal is refused with costs.

Gageler CJ
Gordon J
Edelman J
Steward J
Jagot J
Beech-Jones J

9 April 2026