



“ELIZABETH THE SECOND, BY  
THE GRACE OF GOD QUEEN OF  
AUSTRALIA AND HER OTHER  
REALMS AND TERRITORIES,  
HEAD OF THE COMMONWEALTH.

To our Trusty and Well-beloved

JOHN SPENCE WINNEKE, ESQUIRE, Q.C.

GREETINGS:

WHEREAS the Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, has deemed it expedient that a Commission shall forthwith issue to inquire into and report upon the following matters, namely:

To inquire 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 engaged in any illegal, improper or corrupt activities (other than activities involving only breaches of the law whether of the Commonwealth or a State relating to trade unions).

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 illegal, improper or corrupt activities, (other than activities involving only breaches of laws, whether of the Commonwealth or a State, relating to trade unions):
- (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 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 illegal, improper or corrupt activities in relation to the election or appointment of officers of the Federation or the purported conduct of the Federation's affairs.

AND WE DO by these presents give and grant you full power and authority to call before you such person or persons as you shall judge likely to afford you any information upon the subject of this Our Commission, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

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 Federation, officer or member on trial for that offence.

AND WE will and command that this Our Commission shall continue in full force and virtue and that you shall and may from time to time and at any place or places proceed in the execution thereof, and of every matter and thing therein contained although the same be not continued from time to time by adjournment.

AND WE declare that you are authorised to conduct your inquiry into the matters mentioned aforesaid under these Our Letters Patent in combination with any inquiry into the matters that you are directed or authorised to make by any Commission or Commissions issued, or in pursuance of any Order or appointment made, by the Governor-General of the Commonwealth of Australia or the Governor of any State of the Commonwealth of Australia.

AND WE direct that you do with as little delay as possible and not later than 28th day of February 1982 report to Us under your hand and seal the result of the said inquiry.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Seal of our State to be hereunto affixed.

WITNESS, His Excellency the Honourable Sir Henry Winneke, Governor of the State of Victoria at Melbourne this twentieth day of August One thousand nine hundred and eighty-one in the thirtieth year of Our Reign.

(Signed) Henry Winneke  
By His Excellency's Command.

(Signed) Robert Maclellan  
ACTING ATTORNEY-GENERAL

By His Excellency's Command

(Signed) P. Durack  
The Attorney-General  
for and on behalf of the  
Prime Minister.