



### Maximum penalties under the Building and Construction Industry (Improving Productivity) ACT 2016

Party: The Coalition

#### Summary of proposal:

The proposal would increase the maximum penalties courts can impose on a union to \$444,000 and \$88,000 on union officials.

The increased penalties would cover offences including unlawful industrial action, coercion, and unlawful picketing.

The proposal would have effect from 1 July 2022.

## Costing overview

The proposal would be expected to have a revenue impact, but due to limited available data and significant uncertainty surrounding the behavioural response pertaining to increased maximum penalties, the Parliamentary Budget Office (PBO) has determined that this proposal is unquantifiable.

The proposal would be expected to have financial implications that extend beyond the 2022-23 Budget forward estimates period. Financial implications (including a separate PDI table) over the period to 2032-33 are provided at Attachment A.

**Table 1: Financial implications (\$m)**

	2022-23	2023-24	2024-25	2025-26	Total to 2025-26
Fiscal balance	*	*	*	*	*
Underlying cash balance	*	*	*	*	*

\* Unquantifiable.

## Methodology

The PBO has determined that this proposal is unquantifiable due to limited available data and significant uncertainty surrounding the behavioural response pertaining to increased maximum penalties.

## Attachment A – Maximum penalties under the Building and Construction Industry (Improving Productivity) ACT 2016 – financial implications

**Table A1: Maximum penalties under the Building and Construction Industry (Improving Productivity) ACT 2016 – Fiscal and underlying cash balances (\$m)**

	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	Total to 2025-26	Total to 2032-33
<b>Revenue</b>													
<i>Increase maximum penalties under the Building and Construction Industry ACT 2016</i>	*	*	*	*	*	*	*	*	*	*	*	*	*
<b>Total (excluding PDI)</b>	*	*	*	*	*	*	*	*	*	*	*	*	*

\* Unquantifiable.

**Table A2: Maximum penalties under the Building and Construction Industry (Improving Productivity) ACT 2016 – Memorandum item: Public Debt Interest (PDI) impacts – Fiscal and underlying cash balances (\$m)**

	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	Total to 2025-26	Total to 2032-33
<b>Fiscal balance</b>	*	*	*	*	*	*	*	*	*	*	*	*	*
<b>Underlying cash balance</b>	*	*	*	*	*	*	*	*	*	*	*	*	*

\* Unquantifiable.