



STATEMENT

Fair Work Act 2009
s.285—Annual wage review

Annual Wage Review 2021–22 (C2023/1)

JUSTICE ROSS, PRESIDENT

MELBOURNE, 4 NOVEMBER 2022

TIMETABLE

[1] On 14 October 2022, a [Statement](#) (the October Statement) was issued on a draft timetable for the Annual Wage Review 2022–23 (2022–23 Review) for comment.¹ Three submissions were received.

[2] [ACCI](#) and [Ai Group](#) submitted that the timetable should not be extended to allow for the March quarter 2023 National Accounts data.

[3] ACCI submitted that ‘[t]he final opportunity for interested parties to express views to the Commission prior to the handing down of the decision should be during final consultations occurring in mid-May 2023.’²

[4] Ai Group submitted that ‘the timetable should not expressly provide for an opportunity to make submissions about the March quarter National Accounts. If, however, due to unforeseen circumstances, our economic conditions change markedly, parties should be granted liberty to seek an appropriate amendment to the timetable.’³

[5] The [ACTU](#) submitted that it did not seek any variation to the draft timetable and commented that ‘[w]e appreciate that the Panel would wish to be informed of significant data relevant to its decision and we do not seek to discourage it from doing so.’⁴

[6] As discussed in the October Statement, the delayed announcement of Review decisions has reduced the amount of time for the Commission to publish award determinations and for parties to provide comment, and for businesses to adequately prepare budgets and payroll. These issues were addressed in submissions by ACCI and Ai Group.

¹ [2022] FWCFB 2756

² ACCI submission, para. 7.

³ Ai Group submission, p. 2.

⁴ ACTU submission

[7] During the last 3 Reviews, the Commission has shown flexibility in dealing with the COVID-19 pandemic by allowing parties to provide submissions on the latest economic data. However, the current circumstances indicate that now is an appropriate time to return to a similar timetable to that prior to the COVID-19 pandemic, with Consultations in May 2023 being the final opportunity for interested parties to discuss matters relevant to the 2022–23 Review. If, as noted by Ai Group, economic conditions change markedly due to unforeseen circumstances, parties will be granted liberty to seek an appropriate amendment to the timetable.

[8] The confirmed timetable is at Attachment A.

[9] The October Statement also noted that the Expert panel will hold a preliminary hearing in March 2023 to allow for full argument as to how the Expert Panel should deal with copied State awards.⁵ That matter will be listed for mention at **9:00am (AEST) on Tuesday 13 December 2022.**

PRESIDENT

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⁵ [2022] FWCFB 2756 at [5]

Attachment A



Annual Wage Review 2022–23 —Timetable

Date	Event
13 December 2022	Mention regarding copied State awards
3 March 2023	Preliminary hearing for copied State awards
31 March 2023	Closing date for lodging initial submissions
7 April–10 April 2023	Easter
28 April 2023	Closing date for lodging reply submissions and any submissions relating to data or research published after 31 March 2023
5 May 2023	Closing date for expressions of interest in taking part in consultations
12 May 2023*	Closing date for lodging supplementary submissions relating to data or research published after 21 April 2023 and/or post-Budget submissions
17 May 2023^	Consultations

* This date has been set on the assumption that the Budget for 2023–24 will be handed down on the second Tuesday of May, 9 May 2023, consistent with usual practice.

^ Format and location to be determined.