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MEDIA RELEASE

REX SUCCESSFUL IN APPEAL AGAINST RECUSAL DECISION

Rex announces that it has been successful in an appeal against the decision of Deputy President Boyce of the Fair Work Commission (FWC) not to recuse himself for a hearing between Rex and its employee.

Rex submitted an application of recusal on the basis of apprehended bias following a private communication initiated by the Deputy President's office, on Deputy President Boyce's instructions, to the other party on a substantive matter after judgement has been reserved without informing Rex's lawyers. Rex's application for recusal was rejected by Deputy President Boyce.

The FWC, in granting the appeal, has quashed the decision of Deputy President Boyce not to recuse himself. Similarly, his substantive decision on the application for a stop bullying order by the employee has also been quashed.

The decision of the FWC can be obtained in the link below to the FWC site:

<https://www.fwc.gov.au/documents/decisionssigned/html/2021fwcfb2755.htm>

As the matter has now been sent to Deputy President Easton and remains a matter before the Fair Work Commission, Rex does not intend to make any further comment at this time.

ENDS