



22 January 2010, 2009–10

Toward national workplace safety and workers' compensation systems: a chronology

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Background

Responsibility for implementing workers' compensation schemes and workplace health and safety in Australia has traditionally resided with state and territory governments. The colony of South Australia is credited with establishing Australia's first workers' compensation legislation in 1900, based on British legislation from 1897. This was confined to compensating injured workers in specified or dangerous occupations.¹ Other states would later introduce their own workers' compensation schemes. Australian colonies also enacted British-style statutes on employer liability and factory and mine safety.² Victoria enacted the first occupational health and safety (OHS) statute, the *Supervision of Workrooms and Factories Statute 1873*.³

On the other hand, the scope for Commonwealth involvement in workplace safety has been seen as limited. In 1973, the Whitlam Government raised the possibility of Commonwealth involvement in respect of workers' compensation via an over-arching national accident compensation scheme. It appointed a Committee of Inquiry into Compensation and Rehabilitation in Australia, chaired by Justice Owen Woodhouse (the Woodhouse Committee), who had formerly chaired the 1967 Royal Commission of Inquiry on Compensation for Personal Injury in New Zealand. The Woodhouse Committee advocated the replacement of state and territory workers' compensation schemes with a comprehensive federal accident compensation scheme modelled on the New Zealand accident insurance scheme. The Woodhouse philosophy contained five basic principles for an approach to accident prevention:

1. A Brooks, *Guidebook to Australian Occupational Health and Safety Laws*, 3rd edition, Sydney, CCH Australia, 1988, p. 3.
2. *ibid*, p. 131.
3. R Johnstone, *Occupational Health and Safety Law and Policy: text and materials*, Sydney, LBC Information Services, 1997, p. 47.

- community responsibility: the community should bear the costs of the inevitable consequences of social and productive activities, not just random victims of those activities because the community at large benefits from them
- comprehensive entitlement—24 hours a day and seven days a week
- complete rehabilitation
- adequate compensation, and
- administrative efficiency.⁴

Perhaps not surprisingly such a comprehensive (and at the time) generous compensation scheme attracted criticisms, including that the incentive for injured workers to return to work would be compromised.⁵ In any case, this approach terminated with the defeat of the Whitlam Government in 1975.

One avenue for workplace health and safety regulation was the award system (both state and federal). Until the late 1990s, federal awards could regulate working hours, rests between shifts, worksite safety facilities and workplace safety consultative procedures although from that time, certain OHS clauses were removed under the 'award simplification' provision stipulated in the *Workplace Relations Act 1996*. Another avenue for Commonwealth OHS involvement concerns the employment of Commonwealth employees. Section 52 of the Constitution gives the Commonwealth authority to make laws relating to Commonwealth employees. Other constitutional powers allow the Commonwealth to regulate OHS and workers compensation in respect of seafarers.

Overall however, the Commonwealth has had limited involvement in national OHS regulation in the private sector, although the grounds for this limited involvement began to shift in the 1980s. The Parliamentary Library's Bills Digest reviewing the Occupational Health and Safety (Commonwealth Employment) Bill 1990 reported that:

Constitutional restrictions (on Commonwealth involvement) have arisen, in large part, because of a narrow orthodox legal view that OHS matters, except in a few narrowly defined areas, did not fall within the heads of Commonwealth constitutional power. As a consequence, Commonwealth legislation affecting OHS has been largely limited to navigation and shipping (air and sea) and installations in territorial and international waters. Today however, in light of recent High Court decisions, such as the Tasmanian Dams Case, it would probably be within Commonwealth power, on the basis of the corporations and foreign affairs powers, to legislate generally for OHS throughout Australia. However, OHS has traditionally been seen as a matter for State responsibility.⁶

4. *ibid*, p. 67.

5. See for example M Porter, *In Search of the Magic Pudding: WorkCare Introductory Remarks*, Address to the HR Nicholls Society, Lorne, August 1988, viewed 22 October 2009, <http://www.hrnicholls.com.au/archives/vol5/vol5-7.php>

6. Department of the Parliamentary Library, *Occupational Health and Safety (Commonwealth Employment) Bill 1990*, Bills Digest, Parliamentary Library, Canberra, 1990.

That Bill, upon enactment, replaced a convention or code (not a law) applicable to the Commonwealth employment. In many respects through this Bill, the Commonwealth was catching up to the states on OHS legislation. Following the influential UK Parliamentary Committee (the Robens Committee) report on workplace safety in 1972, state governments respectively introduced what might be termed 'modern' OHS laws based on the Robens model into the 1980s.⁷

A focus on understanding the nature of workplace diseases and injury led unions to call for stricter work practices in working with and handling particular materials and processes under the advice of union OHS researchers, such as Dr Yossi Berger.⁸ Commonwealth involvement in workplace health and safety was revitalised under the Accord in the form of the Hawke Government's commitment to setting up a National Occupational Health and Safety Commission (NOHSC) in 1985.⁹ The explanatory memorandum for the relevant Bill outlined its purpose as follows:

... to establish a statutory corporation, the National Occupational Health and Safety Commission, with the objects of developing community awareness of occupational health and safety issues; providing a forum for Commonwealth, State and Territory Governments, and peak councils of employees and employers to consult together and to participate in the development of occupational health and safety policies and strategies; and providing a national focus for occupational health and safety activities.¹⁰

In 1986, a report by the Advisory Committee on Prices and Incomes reviewed Australia's multifarious workers compensation systems.¹¹ Collectively, these were regarded as a component of labour on-costs via workers' compensation premiums charged to employers. As labour on-costs act as disincentives to employment, the Accord partners were interested in finding ways to reduce these and similar on-costs. This model of comparing relevant

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7. *Report of the Committee on Safety and Health at Work 1970-1972*, HMSO, London, 1972. Note *Occupational Health and Safety Act 1989 (ACT)*, *Occupational Health and Safety Act 1983 (NSW)* *Occupational Health and Safety Act 1985 (Vic)*, *Occupational Health, Safety and Welfare Act 1986 (SA)* and *Occupational Safety and Health Act 1984 (WA)*.
 8. Described by Bill Shorten MP as 'a considered thinker and a person of great action in saving people's lives' in 'Safe Work Australia Bill 2008', House of Representatives, *Debates*, 22 September 2008, p.8218.
 9. Created by the enactment of the *National Occupational Health and Safety Commission Act 1985*. The Australian Labor Party and the Australian Council of Trade Unions agreed to a consultative accord-process (the Accord) to manage the Australian economy and to set social spending areas and targets prior to the Hawke Government's election in 1983.
 10. Explanatory Memorandum, National Occupational Health and Safety Commission Bill 1985, p. 1.
 11. Advisory Committee on Prices and Incomes, *The costs of workers' compensation in Australia* Canberra, AGPS, 1987.

legislative provisions, premiums, benefits and their duration would be taken up later by the Howard Government.

Government Business Enterprises and Comcare

The first significant steps towards nationally based workers' compensation were made in 1992 via legislation introduced by the Hawke Government whereby (the relatively few) privatised government business enterprises (GBEs) retained Commonwealth workers' compensation (Comcare) coverage and companies in competition with these GBEs were also allowed to take up Comcare coverage. Over 1994–95 the Industry Commission issued landmark reports on workers compensation and occupational health and safety in favour of national architecture; later, the Commonwealth facilitated comparative reports by Commonwealth, States and Territories (and New Zealand) workers compensation authorities on work accident/fatalities claims and compensation costs.¹²

More recently, the Productivity Commission was commissioned to revise its previous work on Australia's workers' compensation schemes in 2004. It put forward three options for (greater) national workers' compensation regulation. In particular, it suggested that the Australian Government develop an alternative national workers' compensation scheme for corporate employers to operate in parallel to existing state and territory schemes but in the first instance it urged broader coverage of workers' compensation by companies under Comcare, as well as under Commonwealth occupational, health and safety legislation. This direction was adopted by the Howard Government although it did not commit itself to all of the Productivity Commission's recommendations.¹³ In any case the direction was opposed by the states due to the potential diminution of the financial base for their workers' compensation schemes. Subsequently, state court challenges to the move of corporate business to Comcare were mounted and have failed. The Howard Government replaced the NOHSC with the Australian Safety and Compensation Commission. Noting these developments, as well as the consequences of the Work Choices decision by the High Court for workers compensation and workplace health and safety, one OHS researcher surmised:

... it is clear that Australia's federalism is undergoing a seismic transformation. This will inevitably have major implications for the future of workers compensation and workplace health and safety ... Corporate Australia has outgrown the Constitution. The federalist legal framework that has anchored the regulation of business in this country for over 100 years is

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12. Heads of Workers Compensation Authorities *Comparison of workers' compensation arrangements in Australian jurisdictions*, Melbourne, 1998, viewed 22 October 2009, <http://www.workplace.gov.au/workplace/Publications/WorkplaceRelations/WorkplaceRelationsMinistersCouncil-ComparativePerformanceMonitoringReports>.
 13. P Costello and K Andrews *Response to Productivity Commission report on workers' compensation and occupational health and safety*, media release, 24 June 2004; and the OHS and SRC Legislation Amendment Bill 2005, viewed 22 October 2009, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2FGFXC6%22>

now perceived as a hindrance. It is this perception, and the underlying transformation of the Australian economy in recent decades, which has necessitated a reinterpretation of the Constitution to more closely align it with the economic imperatives of the corporate business sector.¹⁴

Current initiatives

The Rudd Government initially terminated the migration of companies to the Comcare system, originally opened in 1992. The ability of companies to change to Commonwealth coverage had been potentially widened by both the scope of GBE privatisation and benefits delivered by the 2006 OHS and SRC amendments. This liberalisation produced certain incongruities: long distance road transport companies, for example, Toll Transport, in competition with a privatised Pacific Rail, could apply for Commonwealth workers' compensation coverage (in the form of an application for self insurance). Woolworths, without a privatised GBE as a competitor, could not apply. On the other hand, OHS academics have questioned the suitability of using a workplace health and safety system primarily developed for the safety management of public service workplaces in more dangerous environments. The long distance road transport industry, for example, requires a higher and different level of 'workplace' inspection.¹⁵ Along with placing a moratorium on the issue of new licences to privatised GBE competitors, the Rudd Government commissioned a review of Comcare.

The Workplace Relations Ministers Council (WRMC) agreed to replacing the Australian Safety and Compensation Council with a jointly funded body, Safe Work Australia (SWA), as well as commissioning model national workplace safety legislation. Over 2010–11, the states are to be offered the opportunity to adopt the model legislation, but Minister Gillard has indicated that by the end of that time, the moratorium on the issue of Comcare licences to companies in competition with privatised GBEs, in place since January 2008, may be lifted.¹⁶ The timeline in the table below provides links to key workplace safety initiatives and legislation and will be updated with developments.

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14. K Purse 'Workers compensation, OHS and the new federalism' *CCH Australian OHS Alert Newsletter*, Issue 4, 23 May 2007.
 15. Advocated for example by Professor Michael Quinlan, see 'Response to report on rethinking regulation' *CCH Australian OHS Alert Newsletter*, 20 September 2006, viewed 15 October 2009, <http://intelliconnect.wkasiapacific.com>.
 16. J Gillard, (Minister for Education, Employment and Workplace Relations and Social Inclusion), *Communique from Australian, State, Territory and New Zealand workplace relations Ministers' Council*, media release, 25 September 2009, viewed 22 October 2009, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2FRJSU6%22>.

Table: Key Workplace Safety Initiatives and Legislation

Dates	Details	Source Documents
July 1974	Whitlam Government commissions an inquiry chaired by Sir Owen Woodhouse into a federal accident compensation scheme which would replace state and territory workers compensation schemes.	<i>Compensation and Rehabilitation in Australia: Report of the National Committee of Inquiry</i> (AGPS, 1974)
October 1975	Committee to Advise on Policies for Manufacturing Industry queried the extent of health and safety hazards in Australian manufacturing industry and why little action was being taken to remedy unsafe work environments.	<i>Policies for development of manufacturing industry : a green paper</i> (vol 4, AGPS, 1976)
April 1980	Committee of Inquiry into Technological Change in Australia identified new chemicals, new technologies including screen based equipment as sources of exposure to workplace hazards such, noise, repetitive movement injuries, fatigue and deteriorating eyesight	<i>Technological change in Australia</i> (AGPS, 1980)
23 April 1985	A Bill for the establishment a single tripartite body comprising representatives from industry, government and unions in the National Occupational Health and Safety Commission was introduced into Parliament	National Occupational Health and Safety Commission Bill 1985 Second Reading Speech (R Willis)
20 December 1985	<i>National Occupational Health and Safety Commission Act 1985</i> was proclaimed. NOHSC would be known as <i>WorkSafe Australia</i> and would set national standards eg in codes of practice for dealing with asbestos management and disposal and manual safe handling.	National Occupational Health and Safety Commission Act 1985
November 1986	Report by the Advisory Committee on Prices and Incomes	<i>The costs of workers' compensation in Australia</i> (AGPS 1987)
27 April 1988	Commonwealth Employees' Rehabilitation and Compensation Bill 1988 introduced to Parliament.	Commonwealth Employees' Rehabilitation and Compensation Bill 1988 Second Reading Speech (B Howe)
24 June 1988	<i>Commonwealth Employees' Rehabilitation and Compensation Act 1988</i> receives Royal Assent. The Act created the Commission for the Safety, Rehabilitation and Compensation of Commonwealth Employees (Comcare). It replaced the <i>Compensation (Commonwealth Government Employees) Act 1971</i> .	Commonwealth Employees' Rehabilitation and Compensation Act 1988

Dates	Details	Source Documents
30 November 1989	Occupational Health and Safety (Commonwealth Employment) Bill 1989 is introduced to Parliament. It proposes to replace a code of principles on OHS for application to Commonwealth employment. It fails to pass.	Occupational Health and Safety (Commonwealth Employment) Bill 1989 Second Reading Speech (P Morris)
18 October 1990	Following the March 1990 federal election, the Occupational Health and Safety (Commonwealth Employment) Bill 1990 is introduced to Parliament. It proposes to replace a code of principles on OHS for application to Commonwealth employment.	Occupational Health and Safety (Commonwealth Employment) Bill 1990 Second Reading Speech (R Willis)
6 March 1991	<i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> receives Royal Assent	Occupational Health and Safety (Commonwealth Employment) Act 1991
14 October 1992	Seafarers Rehabilitation and Compensation Bill 1992 is introduced to Parliament.	Second Reading Speech (W Snowdon)
4 November 1992	Commonwealth Employees Rehabilitation and Compensation Bill 1992 is introduced to Parliament. It allows privatised GBEs and competitors of privatised GBEs to cover their employees for workers compensation under Comcare.	Commonwealth Employees Rehabilitation and Compensation Bill 1992 Second Reading Speech (R Willis)
24 December 1992	<i>Commonwealth Employees Rehabilitation and Compensation Act 1992</i> receives Royal Assent. The <i>Commonwealth Employees' Rehabilitation and Compensation Act 1988</i> is renamed the <i>Safety, Rehabilitation and Compensation Act 1988</i> . The <i>Seafarers Rehabilitation and Compensation Act 1992</i> also receives Royal Assent. It, with supporting legislation, restyles seafarers' compensation along the Comcare model.	Commonwealth Employees Rehabilitation and Compensation Act 1992 Seafarers Rehabilitation and Compensation Act 1992
22 September 1993	Occupational Health and Safety (Maritime Industry) Bill is introduced to Parliament.	Occupational Health and Safety (Maritime Industry) Bill 1993 Second Reading Speech (Senator B Collins)
18 January 1994	Occupational Health and Safety (Maritime Industry) Act receives Royal Assent	Occupational Health and Safety (Maritime Industry) Act
4 February 1994	Industry Commission releases <i>Workers Compensation in Australia</i> . It recommends that a nationally agreed compensation package be developed for those suffering work-related injury and illness (no matter where they live)	Workers Compensation in Australia

Dates	Details	Source Documents
	in Australia) and the establishment of a nationally available workers' compensation scheme (to encourage open competition for the workers' compensation business of organisations wherever they are located).	
11 September 1995	Industry Commission releases <i>Work Health and Safety</i> . It proposes to streamline and strengthen regulation using fewer legislative rules; allow greater flexibility for employers and their employees to determine the ways to make their workplace safer; give greater emphasis to enforcement by relying more on deterring breaches of the law and less on persuading people to comply; provide stronger financial incentives to encourage employers to make their workplaces safer and overhaul Commonwealth-State arrangements.	Work Health and Safety
30 May 1997	Labour Ministers Council, consisting of all Australian jurisdictions established a system of comparative performance monitoring (CPM) of the occupational health and safety (OHS) and workers' compensation programs operating in Australia.	Press release (P Reith) Comparative Performance Monitoring Reports
26 June 2002	Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Bill 2002 is introduced to Parliament.	Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Bill 2002 Second Reading Speech (T Abbott)
August 2002	Commonwealth, State and Territory governments, as well as Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions commit to the National OHS Strategy 2002-2012. This sets up 'a nationally consistent regulatory framework' as one of nine areas requiring national action.	National OHS Strategy 2002-2012
6 March 2004	Productivity Commission releases <i>National Workers' Compensation and Occupational Health and Safety Frameworks</i> which proposes a three-stage overhaul of workers compensation arrangements in Australia. The annual costs of workers compensation are estimated at around \$6 billion and the estimated annual economic cost of workplace injury at \$31 billion.	National Workers' Compensation and Occupational Health and Safety Frameworks
23 March 2004	Australia ratifies ILO Convention 155 Occupational Safety and Health Convention, No 155.	ILO Convention 155

Dates	Details	Source Documents
1 April 2004	Occupational Health and Safety (Commonwealth Employment) Amendment (Promoting Safer Workplaces) Bill 2002 introduced. It proposes to amend the <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> to exclude Commonwealth employers and employees from the application of the ACT industrial manslaughter laws.	Occupational Health and Safety (Commonwealth Employment) Amendment (Promoting Safer Workplaces) Bill 2002 Second Reading Speech (K Andrews)
13 September 2004	<i>Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Act 2004</i> amends the <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> . It alters workplace investigations and the issuing of prohibition and improvement notices (PIN).	Occupational Health and Safety (Commonwealth Employment) Amendment (Employee Involvement and Compliance) Act 2004
November 2004	Safety Rehabilitation and Compensation Commission issues a self-insurance licence for Optus Administration Pty Ltd to manage its workers' compensation under the SRC Act. Thereafter applications for national coverage are made by other major Australian corporates including Toll Transport Pty Ltd, the National Australia Bank, John Holland Pty Ltd and ADI Limited.	Comcare Annual Report 2004-2005 at p. 41.
17 February 2005	Victorian WorkCover Authority challenges the issuing of licences by the Safety Rehabilitation and Compensation Commission in the Federal Court. It loses its challenge	<i>Victorian WorkCover Authority v Andrews</i> [2005] FCA 94
23 June 2005	Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2005 is introduced to modernise outdated provisions in the <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> . It allows flexibility for Commonwealth agencies and employees to develop health and safety management arrangements specific to their own workplaces.	Occupational Health and Safety (Commonwealth Employment) Amendment Bill 2005 Second Reading Speech (K Andrews)
11 August 2005	Australian Workplace Safety Standards Bill 2005 is introduced. It establishes the Australian Safety and Compensation Council (ASCC) taking over the work of NOHSC and also covers workers compensation matters. The <i>National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005</i> abolished NOHSC.	Australian Workplace Safety Standards Bill 2005 Second Reading Speech (K Andrews)
15 November 2005	Australian Workplace Safety Standards Act 2005 receives Royal Assent.	Australian Workplace Safety Standards Act 2005
7 December 2005	OHS and SRC Legislation Amendment Bill 2005 is introduced to Parliament. It proposes to amend both the <i>Occupational Health and Safety (Commonwealth</i>	OHS and SRC Legislation Amendment Bill Second Reading Speech

Dates	Details	Source Documents
	<i>Employment) Act 1991</i> and the <i>Safety, Rehabilitation and Compensation Act 1988</i> , enabling corporations licensed under the Australian Government's workers compensation scheme (Comcare) to switch from State OHS law coverage to the <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> .	(K Andrews)
10 February 2006	Council of Australian Governments (COAG) determines to improve the development and uptake of national OHS standards	Council of Australian Governments' Meeting 10 February 2006
14 September 2006	<i>OHS and SRC Legislation Amendment Act 2006</i> receives Royal Assent. The <i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i> is retitled as the <i>Occupational Health and Safety Act 1991</i> .	OHS and SRC Legislation Amendment Act 2006
23 October 2006	<i>Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006</i> receives Royal Assent.	Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006
21 March 2007	High Court upholds Federal Court's 2005 decision on the Victorian WorkCover Authority's challenge on the issuing of licences by the Safety Rehabilitation and Compensation.	<i>Attorney-General (Vic) v Andrews</i> [2007] HCA 9
24 October 2007	J Gillard, Shadow Employment and Workplace relations Minister, launches ALP OHS policy	Workplace Health and Safety (J Gillard)
23 January 2008	Minister Gillard launches a review into Comcare, and whether there should be changes to the eligibility rules for private companies seeking to self-insure	Comcare review (J Gillard)
1 February 2008	Workplace Relations Ministers Council agreed to harmonise OHS laws and agree to the Commonwealth's proposal to develop model OHS legislation (via a 3 person national OHS legislation review panel); agreed to replace the ASCC with a new and independent national body	WRMC Communique
3 July 2008	All Australian governments sign an intergovernmental agreement to harmonise OHS, replace the ASCC and set up processes to do this.	COAG agreement on OHS harmonisation and replacing ASCC.
4 September 2008	Minister Gillard introduces Safe Work Australia and Safe Work Australia (Consequential and Transitional Provisions) Bills.	Safe Work Australia and Safe Work Australia (Consequential and Transitional Provisions) Bills Second Reading Speech

Dates	Details	Source Documents
31 Oct 2008	National OHS legislation review panel's first report on harmonised OHS laws	National OHS review panel first report
10 December 2008	An interim national occupational health & safety compliance and enforcement policy is agreed to by workplace safety authorities. The purpose of the policy is "to assist workplace health and safety authorities to adopt a consistent enforcement effort that is effective (in terms of reducing the incidence of work related injury and disease) and efficient in achieving compliance while also maintaining community confidence that the laws are being administered fairly and consistently".	National occupational health & safety (ohs) compliance and enforcement policy
4 December 2008	Following the Senate passing amendments unacceptable to the Government, Minister Gillard sets aside the Safe Work Australia and Safe Work Australia (Consequential and Transitional Provisions) Bills.	Senate (Final) Bills List 2008
31 January 2009	National OHS legislation review panel's second report on model OHS legislation is released.	National OHS review panel second report
13 February 2009	WRMC meets to discuss OHS issues. Agrees that SWA be established as a Commonwealth agency under the <i>Financial and Management Accountability Act 1997</i> .	Planned safety laws antagonise all sides (The Australian Financial Review, 17 Feb 2009)
13 May 2009	Minister Gillard reintroduces Safe Work Australia and Safe Work Australia (Consequential and Transitional Provisions) Bills.	Safe Work Australia Bill 2008 [No 2] and Safe Work Australia (Consequential and Transitional Provisions) Bill 2008 [No 2] Second Reading Speech in Hansard , p 3609
7 September 2009	Senate passes Safe Work Australia and Safe Work Australia (Consequential and Transitional Provisions) Bills without Opposition amendments.	Senate Bills List
18 September 2009	<i>Safe Work Australia Act 2009</i> and <i>Safe Work Australia (Consequential and Transitional Provisions) Act 2009</i> receive Royal Assent.	Safe Work Australia Act 2009 and Safe Work Australia (Consequential and Transitional Provisions) Act 2009
25 Sep 2009	WRMC approves release of national model OHS Act for public comment. Minister Gillard determines that no new licenses will be issued for companies seeking Comcare coverage until 2011, allowing the states time to harmonise state OHS laws with the model	WRMC Communique The communiqué includes the Draft 'Safe Work Act', the Comcare review report and a regulation impact statement on the

Dates	Details	Source Documents
	'Safe Work Act'. Minister Gillard releases the report of the Comcare review.	draft SW Act by Access Economics
21 October 2009	Minister Gillard introduces the Safety, Rehabilitation and Compensation Amendment Bill 2009 which proposes to amend the <i>Safety, Rehabilitation and Compensation Act 1988</i> . This will facilitate a discretion to refuse licence applications under the SRC Act.	Safety, Rehabilitation and Compensation Amendment Bill 2009 Second Reading Speech (J Gillard)
11 December 2009	WRMC agrees to adopt model OHS laws as developed by Safe Work Australia, although these may be amended by SWA and Parliamentary Counsel to rectify anomalies etc. Western Australia does not accept full harmonisation, but will participate in SWA. Uniform OHS laws are expected to come into effect on 1 January 2012. SWA will develop model OHS regulations which are expected to be released for public comment in late 2010.	WRMC Communique Western Australia maintains its opposition to full harmonisation

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