



**safe work australia**

**Mr Tas Larnach  
Committee Secretariat  
Select Committee on Job Security  
Department of the Senate  
PO Box 6100  
Canberra ACT 2600**

Dear Mr Larnach

**Request to clarify the proof Hansard for the Senate Select Committee on Job Security**

I wish to clarify the evidence I provided to the Select Committee on Job Security on 10 June 2021.

On page 42 of the transcript, in exchanges with the Chair Senator Sheldon, I stated:

**Mrs Costelloe:** No, we wouldn't request legal advice on that. Again, because it's a Commonwealth scheme, it would be a matter for the Commonwealth.

To clarify, Safe Work Australia has given preliminary consideration to the operation of the model WHS laws where an NDIS participant employs or directly engages a support worker. However, how jurisdictional WHS or occupational health and safety laws apply to Commonwealth programs in particular factual circumstances is a matter for the relevant jurisdiction and not a matter for Safe Work Australia.

Yours sincerely

Sarah Costelloe  
Branch Manager, WHS Framework & Workers' Compensation Policy  
Safe Work Australia

16 June 2021