

20 June 2011

Mr Richard Grant  
Acting Secretary  
Senate Standing Committee on Economics  
PO Box 6100  
Parliament House  
**CANBERRA ACT 2600**

NSW Business Chamber  
incorporates

- > Sydney Chamber  
of Commerce
- > Australian Business Limited  
Apprenticeship Centre
- > Australian Business Pty Ltd

Dear Mr Grant

**Families, Housing Community Services and Indigenous Affairs and Other  
Legislation Amendment (Further election Commitments and other Measures)  
Bill 2011.**

The New South Wales Business Chamber (NSWBC) is the largest employer organisation in New South Wales providing services to over 30,000 businesses. Our membership reflects the profile of Australian business generally, with most being SME's.

NSWBC also has a long history of involvement in the NSW Workers Compensation system having been the owner of the largest Workers Compensation insurer MMI (now Allianz) for 80 years until its sale in the mid 1990's. The Chamber has continued to be actively involved via participation in many Government enquiries, Councils and committees clearly with workers compensation matters.

I am writing with respect to the above Bill and most particularly Schedule 4.

It has come apparent to us, from discussions with others, the level of understanding of the consequences of the Bill by compensation authorities, insurers and employers and their representative organisations is at best patchy. The inadequacy of understanding is matched what appears to be very limited consultation in the development of the legislation.

We understand that consultation, when it occurred, has led to further amendments to Schedule 4, which we are told will address concerns regarding its impact on workers compensation schemes, authorities, insurers and employers. However the solution does rely on insurers (and it is unclear to us if this means individual agreements will need to be struck with every insurers in the privately underwritten states compared to a single agreement in centrally managed fund states) and the Secretary of the department reaching an agreement. Should agreement not be possible it would seem considerable administrative and financial obligations may fall on employers and others. Not only that those obligations would include notification requirements which are impossible to meet.

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We understand and support the intent of the legislation. However, we strongly recommend that unless the Committee can be totally satisfied the amended Schedule 4 will produce the intended outcomes in a way which does not result in employers being exposed to obligations they cannot possibly meet that Schedule 4 be deferred until such time as more complete consultations can be undertaken.

Yours sincerely )

**Greg Pattison**

General Manager Workplace solutions