



Australian Government

Comcare

PUTTING YOU FIRST

7 November 2012

Ms Johanna Palenschus

By email: Johanna.palenschus@deewr.gov.au

Dear Ms Palenschus

Thank you for inviting Comcare to make a submission.

Comcare supports the framework proposed by the Regulatory Powers Bill 2012 (the Bill) in principal. However, we are of the view that consideration should be given to the following:

- Its application to multi-jurisdictional regulatory framework development arrangements, such as the WHS legislative framework. We note that for the regulatory provisions in the Bill to be activated, existing WHS legislation may need to be amended to remove existing regulatory powers and incorporate the Bill's provisions.
- Examining the impact of the Bill in light of existing inter-governmental agreement, such as the *Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety*.
- The flow on financial impact to a regulator such as Comcare or any enforcement agency, which may be considerable. The amendment of any regulatory powers legislation will require a review of a regulators regulatory enforcement systems, but overarching regulatory policy and require accompanying consultations, education, resourcing assessments etc.
- As a minimum, consideration could be given to OPBR undertaking a review.

If you would like further information on this issue, don't hesitate to contact Assistant Director Ian Ireland on (02) 6276 0990.

Yours sincerely

Paul O'Connor