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BY: LACA

6 February 2006

Ms Joanne Towner
Committee Secretary
House of Representatives Standing Committee
on Legal and Constitutional Affairs
Parliament House
CANBERRA ACT 2600
AUSTRALIA

By email: laca.reps@aph.gov.au

Dear Ms Towner

Re: Inquiry into Harmonisation of Legal Systems

Thank you for your letter of 8 December 2006. ANZ appreciates the opportunity to provide a supplementary submission to the harmonisation inquiry.

ANZ would like to add to its previous submission by raising with the Committee the additional issue of Occupational Health and Safety legislation.

The Commonwealth and each State and Territory have separate and distinct legislation setting out minimum standards for employers in relation to occupational health and safety.

While these laws are broadly similar in scope, there are several differences which cause costs to ANZ's business. For instance, the Queensland law requires each workplace with 20 or more employees to have a trained Work Health and Safety Officer¹. As another example, the legislation in South Australia requires the appointment of senior executive officers as 'responsible officers' who must reside in South Australia and take reasonable steps to ensure the employer organisation complies with the law in South Australia². These requirements are particular to the regimes in Queensland and South Australia meaning that a national organisation such as ANZ must make special arrangements in those States.

This variance of legislation presents obvious difficulties to an Australia-wide employer such as ANZ. It does not allow adoption of consistent occupational health and safety measures and practices across the whole

¹ Workplace Health and Safety Act 1995 (QLD), sections 93-97

² Occupational Health, Safety and Welfare Act 1986 (SA), section 61

employee population. In some cases, State specific laws require ANZ to allocate resources in a way which is not efficient for a national employer.

To further assist the Committee, I have also provided with this letter ANZ's submission to the Federal Government Taskforce on Reducing the Regulatory Burden on Business. The submission recommends that the current inconsistencies in regulation between State, Territory and Federal jurisdictions be accorded a high priority at the Council of Australian Governments (COAG).

Please call me on 03 9273-6323 to discuss any aspect of this submission.

Yours sincerely

Jane Nash
Head of Government and Regulatory Affairs