

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Agency – Comcare

Department of Employment Question No. EMSQ17-001537

Senator Marshall provided in writing.

Question

COMCARE - John Holland

John Holland is the only construction company in Australia that currently holds a Comcare licence. Because of this licence the company escapes the regulatory oversight of any other company in the construction industry.

Given John Holland workers have died on site since this license has been granted why won't the SRCC revoke the licence or not renew it?

Answer

1. The Safety Rehabilitation and Compensation Commission (the Commission) has functions and powers under the Safety, Rehabilitation and Compensation Act 1988 (SRC Act) to grant, extend and vary self-insurance licences.
2. The Commission has advised that in extending the self-insurance licences of the John Holland Group, John Holland Pty Ltd and John Holland Rail, the Commission was satisfied that these licensees met the requirements of the Commission's Policy on Extension of a Licence under Part VIII of the SRC Act, including that the licensees had the capacity to meet the standards set by the Commission for the work health and safety of their employees.
3. Holding a self-insurance licence under the SRC Act does not mean that a company escapes work health and safety regulatory oversight.
4. Comcare, separate to the Commission, regulates John Holland under the federal WHS Act which is aligned with the nationally harmonized WHS legislation in effect in almost all other states and territories.