

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Additional Estimates 2011-2012**

Agency - Safe Work Australia

DEEWR Question No. EW1116_12

Senator Fifield asked on 15 February 2012, Hansard page 78

Question

SWA - penalties in New South Wales prior to the new regime

Senator FIFIELD: Could you please take on notice what the penalties were in New South Wales prior to the new regime. Mr Hoy: We have a table of all those provisions preharmonisation, which we can make available to the committee. Senator FIFIELD: Do you have that with you at the moment? Ms Ross: We have the table of all the provisions, but it does not contain the penalties. We can insert the penalty levels into that table. Senator FIFIELD: I am a little surprised, given the public debate that there has been about penalties, that you do not have that to hand, but I appreciate you taking that on notice. Will the table that you provide have the penalties that were existing in the cases of New South Wales? Mr Hoy: We have them, but we do not have them in a particular table we can easily hand over. Senator FIFIELD: Will that also have how volunteers were described in the pre-existing legislation? In other jurisdictions, were they called other persons in the workplace or some other term? It might vary from legislation to legislation. Ms Ross: Yes.

Answer

Safe Work Australia has provided the following response.

The requested information is tabled in the two attachments:

Attachment A: List of the relevant pre-harmonised penalty levels for work health and safety offences.

Attachment B: Summary of the relevant pre-harmonised offence provisions.