

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2013-2014

Agency - Safe Work Australia

Department of Employment Question No. EM0150_14

Senator Cameron asked on 27 February 2014, Hansard page 36

Question

SWA - Letter from Chair of Safe Work Australia

Ms Baxter: Safe Work Australia was asked by the Select Council on Workplace Relations to consider some amendments that another jurisdiction was putting forward, and then those amendments had been considered under the arrangements of the intergovernmental agreement and advice has been formulated. Senator CAMERON: Could you provide details of that advice? Senator Abetz: No. Ms Baxter: That advice was under cover of a letter from the Chair of Safe Work Australia. I would need to seek the chair's advice in relation to that. Senator CAMERON: Senator Abetz said no; you are saying you are going to seek advice. What is the position? Senator Abetz: That Ms Baxter is seeking advice. Ms Baxter: I am not in a position to provide that letter at the moment. I would need to seek advice of the chair. Senator CAMERON: So, Senator Abetz, your position is to not know any more— Senator Abetz: It is part of the COAG Council—and that is why we are checking—and I understand that in the context of the COAG Council that it is in confidence. If it is in confidence, it will not be released; if it is not, then it is not a problem—so that was my concern.

Answer

Section 2.6.4 of the COAG Council Handbook, which governs the operations of the Select Council on Workplace Relations, states that documents prepared for the Councils and Officials should be treated as sensitive, unless otherwise agreed by the Council or Officials, and only distributed on a strict need to know basis.

The advice provided by Safe Work Australia on the amendments proposed by Queensland to its Work Health and Safety laws is currently with Select Council Ministers for consideration. The Select Council has not considered or agreed to broader distribution of the advice and therefore the letter cannot be released by Safe Work Australia.