

OFFICIAL



## **Select Committee on Privileges 2022**

### **Report – Imposition of a prohibition notice by WorkSafe ACT**

#### **Speaker's Response**

#### **Recommendations 2, 3, 8, 9 and 10**

### **Recommendation 2**

The Committee recommends that WorkSafe ACT develop a memorandum of understanding with the Assembly on how it will exercise its regulatory functions within the Assembly precincts, acknowledging the parliamentary privilege issues engaged.

### **Speaker's Response**

I wish to advise the Assembly that I have written to the Work Health and Safety Commissioner to progress this matter. Additionally, I have approved a working draft of an MOU and on 13 April 2023 it was provided to WorkSafe for their consideration.

### **Recommendation 3**

The Committee recommends that the *Work Health and Safety Act 2011* be amended to:

- (1) provide clarity that the Assembly is a workplace; and
- (2) provide that nothing in the Act:
  - (a) abrogates or derogates from the powers, privileges and immunities of the Legislative Assembly, its committees or its members; or
  - (b) gives an inspector or any other person the power to prohibit the proceedings of the Assembly or its committees.

### **Speaker's Response**

Each of these are matters for the consideration of the Assembly. I intend to table amendments when the Chief Minister brings legislation back to the Assembly.

### **Recommendation 8**

The Committee recommends that in the next review of the Latimer House principles, the Speaker refer:

- (1) for assessment the Executive's compliance with the objectives enunciated in the principles, particularly in its relationship with the Legislative Assembly; and
- (2) to the Standing Committee on Administration and Procedure whether Continuing Resolution 8A requires amendment or re-affirmation to accentuate the independence of the legislature from Executive interference, in terms similar to the motion passed by the Senate.

### **Speaker's Response**

These are matters for the consideration of the Standing Committee on Administration and Procedure of the 11<sup>th</sup> Assembly. However, as Speaker I can see value in the committee's proposal.

### **Recommendation 9**

The Committee recommends that Continuing Resolution 5 relating to the code of conduct for all Members of the Legislative Assembly for the Australian Capital Territory be amended to make clear that Members, in carrying out their responsibilities, have a duty to act in way that does not unreasonably place the health, safety and wellbeing of others at risk.

### **Speaker's Response**

This matter is being considered by the Standing Committee on Administration and Procedure.

**Recommendation 10**

The Committee recommends that the powers of a committee of the Assembly to compel:

- (1) documents pertaining to that committee or a member of that committee; and
  - (2) the identity of a person whose identity is otherwise protected under law;
- be considered as part of the ongoing review into standing orders.

**Speaker's Response**

This matter is being considered by the Standing Committee on Administration and Procedure.



Joy Burch MLA  
Speaker

4 May 2023