



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

SELECT COMMITTEE ON PRIVILEGES 2022

Mr Jeremy Hanson CSC MLA (Chair), Ms Jo Clay MLA (Deputy Chair),  
Mr Michael Petterson MLA

## Submission Cover Sheet

Inquiry into possible contempt of the Assembly:  
Imposition of prohibition notice by WorkSafe ACT

**Submission Number: 3**

**Date Authorised for Publication: 6 September 2022**

Mr Jeremy Hanson CSC MLA  
Chair  
Select Committee on Privileges 2022  
Legislative Assembly for the Australian Capital Territory  
Civic Square  
London Circuit  
Canberra ACT 2601

**By Hand – Attention:** Mr Max Kiermaier, Secretary, Select Committee on Privileges 2022

Dear Mr Hanson MLA

**Re: Inquiry – Possible contempt of the Assembly – Imposition of prohibition notice by WorkSafe ACT**

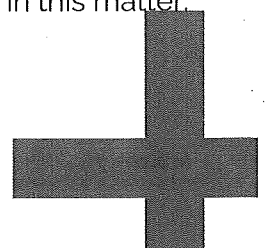
I refer to your letter dated 18 August 2022 in which you advised that the Assembly determined on 15 August 2022 to establish a Select Committee on Privileges 2022 to examine potential parliamentary privilege issues relating to the imposition of a prohibition notice on the Assembly and its committees on 12 August 2022. In particular the Committee is to examine:

"Whether there has been a breach of privilege relating to the actions of the Work Health and Safety Commissioner and any other person, and whether they have improperly interfered with the free exercise of the authority of the Select Committee on Estimates 2022-23 or breached other privileges of the Assembly".

In your letter there is an invitation to provide, by 1 September 2022, any information, including documents, which is pertinent to the privileges issues under consideration by the Select Committee on Privileges 2022.

I understand that invitation for me to produce documents is made pursuant to Standing Order 264A (b) "Where a committee desires that a witness produce documents relevant to the committee's inquiry, the witness shall be invited to do so."

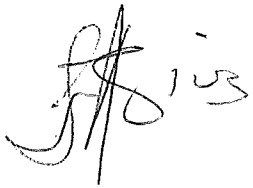
In accordance with that invitation, I produce a folder of documents containing a chronology of events with attachments from myself and other WorkSafe ACT employees involved in this matter.



Please note that certain documents have been redacted. Section 271 of the Work Health and Safety Act 2011 (WHS Act) is a confidentiality provision which applies if a person obtains information or gains access to a document in exercising any power or function under the WHS Act. Under to section 271(2) it is an offence for me to disclose the contents or information contained in a document, unless certain exemptions under s 271(3) apply, which do not arise in the context of your invitation. Further, under section 271(4), it is an offence for me to disclose to another person, in this case the Assembly, the name of an individual whom made a complaint to in relation to that person, in this case the Assembly, unless certain exemptions under s 271(5) apply, which also do not arise the context of your invitation.

Please do not hesitate to contact me or Amanda Grey, Deputy Work Health and Safety Commissioner if you wish to discuss further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'JA 103', is written over a faint, illegible printed name.

Jacqueline Agius

Work Health and Safety Commissioner

Office of the Work Health and Safety Commissioner (known as WorkSafe ACT)

1 September 2022