



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

ANSWER TO QUESTION ON NOTICE

Ed Cocks MLA: To ask the Minister for Industrial Relations and Workplace Safety

Ref: Budget Statement B, Table 4, p. 250

In relation to: Accountability Indicator B

1. What is the reason for the variance in the estimated outcome compared to the target?
 - a. Why is the proportion of education activities higher than the target?
 - b. Why are both prevention and enforcement lower than the target?
2. How many i) improvement notices ii) prohibition notices and iii) infringement notices were issued in 2021-22?
 - a. How does this compare to the previous three financial years?
3. Note b states that “enforcement activities include the issuing of infringement notices and other sanctions.”. What “other sanctions” were issued?
 - a. What was the nature of these sanctions?

Mick Gentleman MLA: I am advised that the answer to the Member’s question is as follows: –

1. This is reflective of the pro-enforcement model adopted by WorkSafe ACT in the 2020-21 financial year.

In considering this result it is noted that there are extremely limited circumstances in which infringement notices may be issued by WorkSafe ACT Inspectors. This contrasts with improvement and prohibition notices which can be issued across a full range of offences in the WHS and associated legislation.


This indicator also suggests the use of improvement notices as an engagement and education tool given the limited ability to deliver other stakeholder engagement during the COVID-19 pandemic and its associated lockdowns and restrictions. WorkSafe ACT Inspectors use prohibition notices to provide a consistent and targeted focus on the prevention of work-related deaths, injuries and diseases and protecting property and the environment where risk is imminent. Together the use of these tools has a significant impact on the health and safety outcomes for ACT workers and others in the workplace.

2. The number of notices issued for the ACT for the last three financial years:

Financial year	Improvement	Prohibition	Infringement
21-22	2331	405	38
20-21	1840	459	96
19-20	835	322	59

3. In addition to infringement offences, and as detailed in WorkSafe ACT's [Compliance and Enforcement Policy 2022-2024](#), other sanctions include licence suspension, civil proceedings for breaches of right of entry powers, an enforceable undertaking (EU) or prosecution.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature: 

Date: 13/8/2022

By the Minister for Industrial Relations and Workplace Safety, Mick Gentleman MLA