



Inquiry into Appropriation Bill 2026–2027 and Appropriation (Office of the Legislative Assembly) Bill 2026–2027

Answer to question taken on notice

Asked by: Mr Thomas Emerson MLA

Addressed to: Jacqueline Agius, Work Health and Safety Commissioner

In relation to: Commission Advice – Canberra Institute of Technology

Hearing: 29 July 2026

Uncorrected Proof Transcript p 123- 124

Transcript provided: 31 July 2026

Answer Due: 7 August 2026

Mr Smith and Ms Agius took on notice the following questions:

MR EMERSON: Do you know if that was to the Fyshwick campus or the Woden campus?

Mr Smith: I do not have specifics on that, apologies.

MR EMERSON: Are you okay to take that one on notice?

Mr Smith: Yes, I can. Yes.

Ms Agius: I can also supplement that to advise that throughout 25 and 26 we had eight notifiable incidents from CIT and we issued seven notices in relation to CIT.

MR EMERSON: And are you able to provide a little bit of information about those incidents and notices?

Ms Agius: I have not got that information with me and as the matters are—some of them are still ongoing, it would probably not be appropriate to provide them at this stage because we may proceed with a matter and we want to contain the information at this stage.

MR EMERSON: Okay, would it be possible just to take on notice and then provide in response anything you can? I mean, even if it is the part of CIT that was involved and ongoing,, you know sensitive so cannot disclose and anything you can disclose that is kind of wrapped up, that would be fantastic

Ms Agius: Yes. Yes.

MR EMERSON: Just as part of the ongoing investigation into the issues at the Centre of Excellence, are you also engaging with any other entities? And it might not be appropriate to, I am not sure, but any other kind of investigation entities or—

Mr Smith: Not at this point in time, not as far as I am aware. I believe that the inquiries have been directly limited to the CIT at this stage.

Ms Agius: One of the limitations for us in relation to engaging with other entities is section 271 of our act which prevents us from providing information in certain instances and so our position is generally to undertake our own inquiries and our own investigations and not rely on other entities.

MR EMERSON: And so you will take on notice any extra detail you can provide on that. And just finally, have any actions been taken to prevent risky behaviour that has been alleged while the investigation is underway? I guess I am thinking about the Geocon example where you kind of quickly investigate it, intervene and make sure things are remediated. So have any—

Mr Smith: So I guess the tools that are available to us are prohibition notices. That is usually when there is a serious or imminent risk to workers or others. What we do rely on in that instance where there is risky behaviour, that is the responsibility and the duty of the PCBU, who is responsible for that. We have not seen fit to issue a prohibition notice within this process.

Jacqueline Agius: The answer to the Member's questions are as follows:

In relation to Mr Emerson's second question, I can provide the following information in relation to notifiable incidents and notices issued to CIT:

WorkSafe ACT confirms that the mentioned workplace visit undertaken on 1 July 2026 was at the CIT Woden campus.

In 2025-26, WorkSafe ACT received eight notifiable incidents regarding CIT. Most (63%) were related to serious injury or illness that occurred with the remaining related to a dangerous incident.

In 2025-26, WorkSafe ACT issued six improvement notices, and one prohibition notice on CIT. These notices were issued against section 19 (Primary duty of care) and s47 (Duty to consult workers) under the *Work Health and Safety Act 2011*. Common breaches against the *Work Health and Safety Regulation 2011* were:

- s37: Maintenance of control measures
- s39: Provision of information, training and instruction – Act, s19

Actions taken to prevent risky behaviour that has been alleged while the investigation is underway?

No regulatory notices which either prohibit an action/activity or require improvements in safety system/s have been issued to CIT arising out of the anonymous complaint received by WorkSafe ACT on 12 May 2026.

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WorkSafe ACT's interactions with CIT as a result of the 12 May 2026 complaint have focused on obtaining information from CIT to understand whether it has identified hazards and, if so, how it is effectively managing the risks associated with the identified hazards.

Approved for circulation to the Select Committee on Estimates

A handwritten signature in black ink, appearing to read 'J Agius', is positioned above the printed name.

Signature:

Date: 05 August 2026

By the Work Health and Safety Commissioner, Jacqueline Agius