



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Elizabeth Kikkert MLA (Chair), Michael Pettersson MLA (Deputy Chair),
Andrew Braddock MLA

Submission Cover Sheet

Inquiry into Work Health and Safety Amendment Bill 2022

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Andrew Barr MLA
Chief Minister
Treasurer
Minister for Climate Action
Minister for Economic Development
Minister for Tourism

Member for Kurrajong

Elizabeth Kikkert MLA
Chair
Standing Committee on Public Accounts

[REDACTED]

Dear Ms Kikkert

Thank you for the opportunity to make a submission to the Committee's Inquiry into the *Work Health and Safety Amendment Bill 2022* (the Bill). I write to provide the Committee with information on the objective of this Bill, which is to reinforce the longstanding policy view that the *Work Health and Safety Act 2011* applies to the ACT Legislative Assembly.

The intent of the *Work Health and Safety Act 2011* (WHS Act) is to ensure the health and safety of all workers and workplaces in the ACT. It underpins the ACT's legislative and regulatory framework for the protection of workplace rights and obligations. These laws are in place to apply to all workers and where any doubt is raised, the ACT Government will take action to ensure the safety of workers in a particular industry or location.

This Bill removes any doubt that may exist about work health and safety protections applying to the Legislative Assembly as a workplace. The Bill does not alter or expand existing legislative obligations, it highlights and reconfirms that, despite the unique and wide-ranging work undertaken in the ACT Legislative Assembly, it is still a workplace and subject to the same laws as all other ACT workplaces.

I acknowledge the important role of parliamentary privileges, immunities and associated powers in the ACT and Australian system of government. This Bill does not impinge on these important functions or the proceedings of the Assembly and its Committees. In fact, it is prevented from doing so.

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The *Australian Capital Territory (Self-Government) Act 1988* (the Self-Government Act), passed by the Federal Parliament, sets out the arrangements for the ACT's system of government. The Self-Government Act (section 24) provides that until the Assembly makes a law with respect to its powers, its members and committees have the same powers as the House of Representatives. As the ACT Legislative Assembly has not yet made a law regarding its powers it is bound by the privileges set out in Commonwealth law. Any Territory law (or part of a Territory law) that was inconsistent with that law would be inoperative.

This Bill demonstrates a continued commitment by this Government to transparency and accountability for all workplaces.

The unique nature of parliamentary work calls for the highest level of integrity and responsibility. This is the expectation of the Canberra community. The *Work Health and Safety Amendment Bill 2022* puts beyond doubt that the same standards of safety required in all ACT workplaces, apply to the workers of the ACT Legislative Assembly.

I thank the Committee for their consideration of the Bill and look forward to hearing the outcomes of the inquiry.

Yours sincerely

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Andrew Barr MLA
Chief Minister

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