

ESTIMATES 2006

Question on Notice

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50 Industrial Relations Richard Mulcahy

Payments to small business

RICHARD MULCAHY MLA : To ask the Minister for Industrial Relations – In relation to payments made by the Minister’s department to small business:

For 2004-05, (a) how many, and (b) what proportion of payments made by the Minister’s department to small business were not made within:

- (i) 30 days of receipt of the goods or services and a proper invoice in accordance with Government procurement policy
- (ii) 60 days of receipt of the goods or services and a proper invoice in accordance with Government procurement policy

ANDREW BARR MLA: The answer to the Member’s question is as follows:

1. The Office of Industrial Relations is a small office within the Chief Minister’s Department. The administrative budget available to the Office is also very small. All invoices are processed in a timely manner and in accordance with requirements.
2. Please refer to answer to question 1 above.

Approved for circulation to the Committee on Estimates 2006

By the Minister for Industrial Relations, ANDREW BARR MLA

Signature:

Date:

94 Industrial Relations Richard Mulcahy

Workers' compensation

RICHARD MULCAHY MLA : To ask the Minister for Industrial Relations – In relation to the workers' compensation:

1. Noting that \$400,000 has been provided over three years to review the workers' compensation scheme, how far has preparation for the review progressed?
2. Noting that the NSW scheme is now substantially less expensive than the ACT scheme, does the three year timeframe mean that ACT business can expect no effective reform to workers' compensation for three years?
3. Does the government have a timetable for reform of workers' compensation in the ACT?
4. If so, what is it?

ANDREW BARR MLA: The answer to the Member's question is as follows:

1. Draft Terms of Reference for the review are being developed, in consultation with the Occupational Health and Safety Council's Workers' Compensation Advisory Committee.
2. It is anticipated that the review of the ACT workers' compensation scheme will occur in 2006-2007. Should the review recommend legislative changes, this work is likely to commence in 2007-2008.
3. The review will provide the Government with advice on any areas where changes to the current scheme design would improve scheme performance. The outcomes of the review will be used to determine a timetable for the implementation of any agreed changes.
4. As indicated in the response to question 3, a timetable for implementing any agreed changes to improve the performance of the ACT workers' compensation scheme will be developed following completion of the review.

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By the Minister for Industrial Relations, ANDREW BARR MLA

Signature:

Date:

OH&S Legislation

RICHARD MULCAHY MLA : To ask the Minister for Industrial Relations – In relation to the development of new OH&S legislation:

1. How far has the development of new legislation progressed?
2. How many public servants are dedicated to developing the new legislation?
3. What skills do these public servants bring to the development of new legislation?
4. When will an exposure draft be available for comment and review?
5. Noting that OH&S was identified by COAG in February 2006 as a “regulatory hotspot” in which, among other things, duplication and conflict between jurisdictions should be minimised, will the new ACT legislation remove those elements that differ from NSW?
6. Will there be an analysis of the additional costs that the proposed legislation could impose on (a) people currently subject to OH&S laws and (b) people such as those working from home who may be subject to OH&S laws as a result of the changes?
7. Could the ACT adopt the NSW legislation?
8. If not, why not?

ANDREW BARR MLA: The answer to the Member’s question is as follows:

1. At the request of the previous Minister, the Occupational Health and Safety Council reviewed the scope and structure of the *Occupational Health and Safety Act 198*. The Government is now considering its response to this review.
2. Any new legislation will be developed with the support of the Office of Industrial Relations.
3. The Office of Industrial Relations has skilled staff with significant experience in the development of policy and legislation.
4. The timing for the release of any exposure draft will be determined when the Government finalises its response to the review.
5. The process of any legislative development would take account of relevant legislation in other jurisdictions and the position of the Council of Australian Governments. Avoiding duplication and inconsistency would be a factor that is taken into account in such a process.
6. A regulatory impact statement on the costs and benefits of any proposed changes would be prepared as part of the legislative development process.
7. The ACT could not adopt the NSW legislation.

8. ACT legislation needs to take into account the legal and administrative framework that exists in the ACT. For example the NSW OHS legislation refers to NSW legislation including the *Mines Inspection Act 1901*, the *Interpretation Act 1987*, the *Local Courts Act 1982*, the *Local Court (Civil Claims) Act 1970*, and the *Fines Act 1996*. The NSW Act also refers to NSW institutions such as the NSW Industrial Relations Commission and NSW Courts. ACT legislation cannot effectively confer jurisdiction on institutions that are outside the jurisdiction.

Approved for circulation to the Committee on Estimates 2006

By the Minister for Industrial Relations, ANDREW BARR MLA

Signature:

Date:

Community sector taskforce – employment condition

Question taken on notice

DEB FOSKEY MLA : To ask the Minister for Industrial Relations – In relation to the Community Sector Taskforce:

Will the Government be seeking more detailed information about employment conditions in future reporting mechanisms such as performance reports provided by funded agencies?

ANDREW BARR MLA: The answer to the Member’s question is as follows:

ACT Government funding for community sector agencies is predominantly managed through the Department of Disability, Housing and Community Services. Any changes to reporting requirements for funded agencies would need to be negotiated with that department.

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By the Minister for Industrial Relations, ANDREW BARR MLA

Signature:

Date:

Community sector objections

Question taken on notice

DEB FOSKEY MLA : To ask the Minister for Industrial Relations – In relation to the Community Sector Taskforce:

What aspects of the Community Sector Taskforce report did some parts of the community sector object to and which parts of the community sector made the objections?

ANDREW BARR MLA: The answer to the Member's question is as follows:

I understand that the Community Sector Taskforce report has not been formally released, and as such has not been available for community and union comment. I have been advised however, that, as a member of the Taskforce, the ACT Council of Social Services indicated the organisation was not in a position to endorse certain elements of the Taskforce report.

Approved for circulation to the Committee on Estimates 2006

By the Minister for Industrial Relations, ANDREW BARR MLA

Signature:

Date: