

STANDING COMMITTEE ON LEGISLATION

Forty-third Report — “Work Health and Safety Bill 2019” — Tabling

HON DR SALLY TALBOT (South West) [2.26 pm]: I am directed to present the forty-third report of the Standing Committee on Legislation titled “Work Health and Safety Bill 2019”.

[See paper [4071](#).]

Hon Dr SALLY TALBOT: The report I have just tabled advises the house of the committee’s findings and recommendations following its inquiry into the Work Health and Safety Bill 2019. The bill is based on a model bill that was developed by Safe Work Australia in 2011. The model bill has been enacted in every state and territory in Australia except for Western Australia and Victoria and has also been enacted in New Zealand. The main task facing the committee was to consider part 2 of the bill, which contains provisions dealing with duties, offences and penalties. Part 2 proposes to introduce two new offences of industrial manslaughter that are not included in the model bill. These offences have been modelled on existing work health and safety offences; however, the maximum penalties have been significantly increased.

The committee was also referred the power to inquire into, and report on, the policy of the bill. The policy objectives of the bill are to modernise, harmonise and consolidate work health and safety laws in Western Australia. It also seeks to deter unsafe work health and safety practices. The committee is satisfied that the bill achieves the policy objectives of modernisation, harmonisation and consolidation. An assessment of the deterrent effect will best be made after implementation of the bill. Clause 277 of the bill, which requires the minister to review the operation and effectiveness of the bill every five years, will be crucial in this regard.

The committee was also asked to consider any government response to the 126th report of the Standing Committee on Uniform Legislation and Statutes Review. The government helpfully provided the committee with its response on an expedited basis, and that response has been considered in chapter 6 of this report. The committee has made 27 findings and six recommendations. I commend the report to the house.