

PASSIVE SMOKING IN THE WORKPLACE, IMPACT OF COMPENSATION AWARD ON WESTERN
AUSTRALIAN REGULATIONS

370. Hon C L Edwardes to the Minister for Labour Relations

I refer the Minister to the recent historic New South Wales Supreme Court compensation award for throat cancer caused by passive smoking in the workplace, and ask -

- (a) has the Minister sought advice from or has advice been received from either or both WorkSafe, and the WorkSafe Western Australia Commission on the court's decision and its impact on Western Australia's *Occupational Safety and Health Regulations 1996* and the need for amendment;
- (b) if so, would the Minister please table that advice;
- (c) if not, why not;
- (d) if advice has not been received, is it currently on the WorkSafe Western Australia Commission's agenda for consideration and advice to the Government; and
- (e) if amendments are required for the *Occupational Safety and Health Regulations 1996*, when will the Government proceed with them?

Mr KOBELKE replied:

- (a)-(b) WorkSafe Western Australia provided advice on this issue as part of the briefing notes for the Workplace Relations Ministers' Council meeting held on 18 May 2001, at which Ministers noted the recent developments on passive smoking in the workplace including relevant activity being undertaken through the National Tobacco Strategy. Briefing note attached. [See paper No 357.]
- (c)-(e) Not applicable.