

9 June 2015

Research Director  
Finance and Administration Committee  
Parliament House  
George Street  
Brisbane Qld 4000

(Submission by e-mail: [fac@parliament.qld.gov.au](mailto:fac@parliament.qld.gov.au))

Dear Finance and Administration Committee Members,

Thank you for the opportunity to provide this submission on Work Health and Safety and Other Legislation Amendment Bill 2015 to the Finance and Administration Committee, on behalf of the members of the Australian Sugar Milling Council (ASMC).

The Australian Sugar Milling Council (ASMC) is the peak policy body for Australian sugar milling companies, representing over 95% of Australian raw sugar production. Twenty four mills operate in Australia today, and as well as manufacturing raw sugar, they are collectively the largest source of biomass based renewable electricity in Australia. This submission is supported by ASMC's six member companies:

- MSF Sugar
- Isis Central Sugar Mill Company
- Bundaberg Sugar
- Wilmar Sugar
- Mackay Sugar
- Tully Sugar

As stated in the explanatory note the legislation seeks to achieve the following objectives:

1. Restoring right of entry powers allowing WHS entry permit holders to gain immediate access to a workplace to inquire into a suspected contravention of the WHS Act; and
2. Empowering trained health and safety representatives (HSR) to direct workers to cease unsafe work.



The Queensland Government is also committed to:

3. Amending the current incident notification requirements to include an additional requirement for employers to notify the regulator when a worker is absent for more than four days due to a workplace injury; and
4. Improving electrical safety by re-instating the Electrical Safety Commissioner, Electrical Safety Education Committee, Electrical Equipment Committee which were abolished in 2012.

The ASMC is proactively working with members to improve health and safety in the workplace and is very supportive of legislation which assists the increased safety for workers.

The ASMC advocate that

1. This first objective may be helpful in this area, however we believe advance notice to the employer of any perceived breach of safety is discovered or suspected is required. This notification should be in advance and provide specific information such as site address, details of trained representative investigating issues and type of infringement discovered. We would also advocate for penalties for misuse of these powers, and failure to provide sufficient notice.
2. The second objective of the legislation is not required because all on site employees have the ability and responsibility to stop work emanating from an immediate or imminent exposure to a hazard and this responsibility should never be delegated to an external party or a specifically nominated person, who may not be available when required. The introduction of legislation of this nature creates the risk of confusion and potential of failure to act.

The ASMC would also seek to understand what specific shortcomings or data has been identified that suggest the current system is failing and these proposed changes are justified as stated under objectives one and two.

The ASMC would request access to the data that suggests that objectives three and four are beneficial and are likely to deliver improved safety in the workplace. We are not convinced this would provide direct and immediate improvement in workplace safety and there is a risk of adding cost and complexity to the working environment.

The Australian Sugar Milling Council thanks the Finance and Administration Committee Members, for the opportunity to participate in this process.



Should you have any further questions or wish to discuss the content of this submission further, please contact me on 07 3231 5000 or at [asmc@asmc.com.au](mailto:asmc@asmc.com.au).

Yours sincerely

A handwritten signature in black ink, which appears to read "Dominic V Nolan".

Dominic V Nolan  
Chief Executive Officer