

**RESPONSE TO FINANCE AND ADMINISTRATION COMMITTEE'S  
REPORT NO. 8 – Workers' Compensation and Rehabilitation and Other Legislation  
Amendment Bill 2015**

**Recommendation 1.**

**The Committee recommends that amendments be made to allow for the inclusion of additional diseases that may be identified in the future.**

This recommendation is supported in part. The Government supports the Committee's view that the list of specified diseases under the deemed disease provisions for firefighters should be reviewed on a regular basis to ensure it remains up to date with current research and community expectations. The Government has concerns that the recommendation of the Committee could have the potential to infringe fundamental legislative principles by enacting a provision that expressly or impliedly enables the Act to be amended by subordinate legislation or executive action. However, the Government notes that section 584 of the *Workers' Compensation and Rehabilitation Act 2003* already requires the Act to be formally reviewed at least once every five years. The Government believes that this is the appropriate legislative mechanism for facilitating the review of this list. This Act will next be reviewed in 2018.

**Recommendation 2**

**The Committee recommends that the requirement for rural volunteer firefighters to have attended 150 exposure incidents be omitted from the legislation.**

This recommendation is supported.

**Recommendation 3**

**The Committee recommends that the legislation be amended to include the appointment of an independent committee or panel to be established to consider exposures and assist in determining whether rebuttal of claims are warranted.**

This recommendation is supported in part. The Government supports the Committee's view that the deemed disease provisions for firefighters be supported by an independent committee that is established to consider a firefighters exposures and to assist in determining whether the rebuttal of a claim is warranted. As outlined in its submissions before the Committee the Government proposes that an independent committee consisting of representatives of the Queensland Fire and Emergency Services and key stakeholder groups be formed to advise WorkCover on a case by case basis on these issues. The Government believes that this Committee is able to be formed administratively and does not require legislative change. To ensure a robust and transparent approach is taken to these claims the Government proposed that WorkCover Queensland report to Parliament yearly on the operation of the deemed disease provisions as part of its annual reporting requirements.

#### Recommendation 4

**The Committee recommends that the department seek and incorporate additional scientific studies of exposures by firefighters, including volunteer rural firefighters.**

This recommendation is supported.


#### Recommendation 5

**The Committee recommends that as a matter of priority, Queensland and Emergency Services, implement a system of record keeping for firefighters, including volunteer rural firefighters that tracks individual firefighter's exposure to incidents.**

This recommendation is supported.

**Recommendation 6 - The Committee recommends that the Minister reconsider the definition of an exposure included in proposed new section 36F.**

This recommendation is supported. Section 36F is no longer required as a result of the removal of the requirement for volunteer firefighters to attend 150 exposure incidents, see response to recommendation 2.

	Paper No.:	
	Date: 16.9.15	
	Member: Hon. J. F. J. J.	
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<input type="checkbox"/> Incorporated, by leave	<input type="checkbox"/> Remainder incorporated, by leave	
Clerk at the Table: [Signature]		